

# FAIR HOUSING MATTERS NY

AN ASSESSMENT OF FAIR HOUSING IN NEW YORK STATE  
APRIL 2023



**DRAFT FOR PUBLIC COMMENT**



Homes and  
Community Renewal

# Fair Housing Matters NY

## An Assessment of Fair Housing in New York

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NYSHCR would also like to sincerely thank a core group of fair housing activists, advocates and service providers, without whose guidance and frank conversations, this Assessment would have been impossible. Many other stakeholders and public participants provided important input and feedback, all more described in in Subsection III.B and relevant appendices.

Sally Santangelo	CNY Fair Housing
Lorraine Collins	(formerly of) Enterprise Community Partners
Elaine Gross	(formerly of) ERASE Racism
Fred Freiberg	Fair Housing Justice Center
Britny McKenzie	Fair Housing Justice Center
DeAnna Eason	Housing Opportunities Made Equal
Laurie Lambrix	LawNY
Ian Wilder	Long Island Housing Services
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## Executive Summary

This report, Fair Housing Matters NY, is an assessment of fair housing in New York State. It is part of New York's obligation to affirmatively further fair housing enshrined in the federal Fair Housing Act and now in state law. Structured around seven key fair housing issues, this Assessment incorporates outreach with residents and community stakeholders on these issues (Section III). It combines quantitative data analyses, qualitative data analysis through public engagement including conversations with members of the public and housing stakeholders, surveys (Section VI), in addition to an evaluation of the state's own programs, policies, and past accomplishments (Section VII).

It is not surprising that the assessment found that access to community resources, poverty, and substandard housing conditions consistently fall along segregated race and ethnic lines. Segregation is not only based on race – older adults, those with limited English proficiencies, and those with disabilities also find themselves concentrated in areas of poverty and fewer community resources.

As the state and its municipalities emerge from the COVID-19 pandemic, meeting housing needs of New Yorkers – equitably and informed by the systemic inequalities in housing borne by protected and vulnerable groups – is more critical than ever. Indeed, studies have shown that there are significant public health benefits associated with advancing fair housing goals, and New York is committed to take action.

The commitment to affirmatively further fair housing means being proactive about examining and addressing these inequalities. As such, this Assessment culminates in a series of eight goals and relevant action items that seek to address the root causes of the segregated living patterns pervasive throughout New York today (Section VIII).

These eight goals and corresponding action items, described below, represent the ways New York can create more access to housing through a combination of market-driven, regulatory, financial and administrative changes.

### **GOAL 1: Build upon opportunities for wealth creation through affordable home ownership**

- Monitor and continue to develop programs and opportunities for homeownership, with a particular focus on expanding opportunities for homeownership among minority, low-income and vulnerable households. [New York State Homes and Community Renewal (NYSHCR), Office of Temporary and Disability Assistance (OTDA)]
- Increase equity in homeownership by expanding two State of New York Mortgage Agency (SONYMA) programs: Give Us Credit and Down Payment Assistance Loan (DPAL). [New York State Homes and Community Renewal (NYSHCR)]
- Conduct targeted outreach and education on SONYMA programs, including Give Us Credit and DPAL. [NYSHCR]

- Incorporate more Community Development Financial Institutions as SONYMA lenders, which was made possible due to the passage of recent legislation drafted by HCR. [NYSHCR]
- Coordinate with New York State Department of Financial Services to periodically review Home Mortgage Disclosure Act (HMDA) data to further target lending programs and to identify discriminatory lending patterns. [NYSHCR, New York State Department of Financial Services (NYSDFS)]
- Examine avenues for expansion of the utilization of the Section 8 homeownership vouchers by Public Housing Authorities in the state, including the drafting of underwriting standards or guidance. [NYSHCR]
- Investigate possibility of removing ceilings to mortgage down payment assistance and providing DPAL program options that vary by household income. [NYSHCR]

## **GOAL 2: Increase access to suitable affordable housing for those with disabilities**

- Work closely with the Office of the Chief Disability Officer to identify additional legislative, policy and programmatic solutions to increase accessibility for individuals with disabilities. [NYSHCR, NYSDOS]
- Explore avenues for increasing flexibility and usage of NYS Access to Home program. [NYSHCR]
- Explore modifications to Qualified Allocation Plan (QAP) for low-income housing tax credits (LIHTC) to enhance and expand accessibility requirements. [NYSHCR]
- Advance innovative building and dwelling design to be responsive to needs of those with disabilities. [NYSHCR]
- Conduct periodic roundtables with organizations, independent living centers, and relevant state agencies that serve individuals with disabilities to ensure that agency is responsive to needs. [NYSHCR, Office of Temporary and Disability Assistance (OTDA), Office for People With Developmental Disabilities (OPWDD), Office for New Americans (ONA), NYS Division of Human Rights (DHR), New York State Office for the Aging (NYSOFA)]
- Conduct training and outreach for individuals with disabilities, organizations that serve them and housing providers, with a particular focus on reasonable accommodations and reasonable modifications. [NYSHCR, NYSDHR, ONA].
- Continue to conduct training and outreach to building code inspectors, particularly in smaller and rural communities, on relevant accessibility design requirements. [NYSHCR, NYSDHR, NYSDOS]
- Increase searchability functions on NYHousingSearch, an NYSHCR website to provide information in real time on available affordable and accessible units, with a focus on specific accessibility features. [NYSHCR]
- Explore and implement partnerships with health policy and advocacy organizations to educate and assist housing providers on existing programs, identification of gaps,



expanding senior housing options and incorporating healthy aging principles into developments. [New York State Department of Health (DOH)]

- Continue to implement industry best practices in design guidelines for State-funded housing. [NYSHCR]

### **GOAL 3: Create more affordable housing with avenues for community supports**

- Continue to incentivize development of affordable housing in well-resourced areas, such as additional funding for LIHTC set-aside or modifications in the QAP in the allotment of competitive points for these projects. [NYSHCR]
- Develop housing with child-centered services to assist families with preparing children for academic success, such as providing after school programs in community rooms. [NYSED, NYSHCR]
- Continue to incentivize the development of projects that advance the objectives of concerted community revitalization plans as put forth by local governments, locally based community organizations and/or individuals. [NYSHCR]
- Continue to expand the provision of no or low-cost broadband for low-income families in state-funded housing. [NYSHCR]
- Explore initiatives designed to maximize health outcomes for low- and moderate-income households, such as ensuring that developments have access to recreation green space, healthy food, community-based healthcare, and avenues for social connection. [NYSHCR and local municipalities]
- Explore initiatives designed to support aging in place for individuals of all ages. [DOH, NYSOFA]
- Explore initiatives designed to increase access to affordable housing for foreign-born New Yorkers. [NYSHCR, ONA]
- Explore the facilitation and incentivization of transit-oriented development. [NYSHCR, Empire State Development (ESD)]
- Examine bundling incentives offered by State agencies to encourage development in well-resourced areas that are historically difficult to develop multifamily affordable housing. [NYSHCR, ESD, NYSED, NYSDOS]
- Continue to identify vulnerable populations and prioritize the development of housing and supportive services to meet their needs (i.e., housing for individuals coming out of incarceration, persons with mental illness, persons with substance abuse disorders, persons with HIV/AIDS, frail elderly, veterans, runaway and homeless youth, youth aging out of foster care, and victims of domestic violence and/or human trafficking, and LGBTQ+ individuals). See, e.g., developments described in Subsection IV.A. [NYSHCR]

### **GOAL 4: Remove barriers to housing by addressing redlining and disinvestment in neighborhoods**

- Track, monitor and analyze impact of the changes to the QAP around community revitalization plans, as those plans are defined in the QAP and designed to support

efforts to strengthen local communities. Strengthen changes to the QAP and provide technical assistance and training as necessary. [NYSHCR]

- Expand support to Land Bank and Community Land Trust models across New York State to assist local community organizations in purchasing property and creating permanent affordable housing. [NYSHCR, NYSDOS]
- Monitor and continue to develop programs and opportunities for homeownership, with a particular focus on expanding opportunities for homeownership among protected classes. [NYSHCR, OTDA]
- Continue education and fair housing testing of real estate and lending professionals regarding prohibited practices such as steering. [NYSHCR, NYSDHR]
- Monitor Home Mortgage Disclosure Act (HMDA) data to identify and address discriminatory lending patterns. [NYSHCR]
- Strengthen enforcement to address discrimination related to home purchasing. [NYSDFS, NYSDOS, NYSDHR]
- Develop and implement programming, including education and outreach, to address racial discrimination in home appraisals on the basis of race, national origin, and other protected characteristics. [NYSHCR]

#### **GOAL 5: Increase access to affordable housing by addressing barriers to housing choice**

- Continue to incentivize development of affordable housing in well-resourced areas, such as additional funding for LIHTC set-aside or modifications in the QAP in the allotment of competitive points for these projects. [NYSHCR]
- Expand materials, training, and outreach on development incentives in well-resourced areas. [NYSHCR]
- Continue careful scrutinization of requests for local community occupancy preferences and age-restrictions in projects funded by New York State. [NYSHCR, NYSDHR]
- Examine bundling incentives offered by State agencies to encourage development in well-resourced areas that are historically difficult to develop multifamily affordable housing. [NYSHCR, ESD, NYSED, NYSDOS]
- Explore additional actions to help repair the credit scores of individuals of color and other protected classes, including a pilot program for tenants in certain NYSHCR-financed housing to use rent payments to improve their credit. [NYSHCR]
- Consider prohibiting housing providers in the private sector from rejecting applicants based solely on their credit score if applicants can demonstrate a history of on-time rental payment, in line with NYSHCR's policy for its housing stock. [NYSHCR]
- Consider expanding the protections for those with a history of justice-involvement. [NYSHCR, NYSDHR]
- Explore the use of rental security insurance and security deposit installment plans as alternatives to up-front security deposit for residents of State-funded affordable

housing. [NYSHCR]

- Expand marketing requirements and improve central repository of existing vacancies for State-funded housing to ensure that available affordable housing opportunities are known to families. [NYSHCR]
- Expand Section 8 mobility counseling program and improve coordination, including technical assistance, between providers. [NYSHCR]
- Explore opportunities to implement Small Area Fair Market Rents for Section 8 Housing Choice Voucher recipients in areas of the state in which current payment standards present a barrier to housing choice. [NYSHCR]

#### **GOAL 6: Increase access to affordable housing through fair housing education and enforcement**

- Continue to collaborate with the New York State Division of Human Rights (NYSDHR) and the New York State Office for New Americans (ONA) to address issues of housing discrimination, including offering public education and outreach events in multiple languages. [NYSHCR, NYSDHR, ONA]
- Partner with NYSDHR to help implement and increase compliance with law banning source of income discrimination. [NYSHCR, NYSDHR]
- Continue to expand educational initiatives, including trainings and printed and electronic publications, to increase fair housing knowledge among NYSHCR-financed housing providers and the general public. [NYSHCR]
- Continue to produce Know Your Rights initiatives in several commonly spoken non-English languages to help ensure that tenants, applicants and developers of affordable housing are aware of their fair housing rights and obligations. [NYSHCR]
- Conduct periodic roundtables with advocates and stakeholders to ensure fair housing problems are identified and needs are being met. [NYSHCR]
- Provide training and materials to assist affordable and supportive housing providers in affirmatively gaining support for proposed housing developments (i.e. YIMBY). [NYSHCR, OTDA]
- Conduct training and outreach for residents of rural communities and the advocates and stakeholders that serve them to ensure they are aware of their rights under fair housing laws and resources for enforcing them. [NYSHCR, NYSDHR]
- Continue funding of fair housing testing, with a particular focus on issues/areas highlighted by public engagement participants (e.g., rural communities, source of income discrimination and familial status discrimination), as well as issues/areas identified by NYSHCR-funded testing providers. [NYSHCR]
- Continue work with the New York State Department of State to increase and enforce penalties on real estate professionals who engage in discriminatory conduct. [NYSHCR, NYSDOS]

### **GOAL 7: Promote development of affordable housing in areas where land use and development regulations provide barriers**

- Examine bundling incentives offered by State agencies to encourage development in well-resourced areas that are historically difficult to develop multifamily affordable housing. [NYSHCR, ESD, NYSED, NYSDOS]
- Continue careful scrutinization of requests for local community occupancy preferences in projects funded by New York State. [NYSHCR]
- Explore strategies for creating more multi-family housing and countering restrictive zoning, such as transit-oriented development and establishing housing growth targets. [NYSHCR, DOS]
- Explore mechanisms to incentivize localities to legalize and expand the usage of accessory dwelling units.
- Increase incentives and awareness of incentives for housing providers to develop affordable, multifamily housing in well-resourced areas. [NYSHCR]
- Create a tool that will visually overlay existing NYSHCR-funded affordable multifamily housing investments with local zoning and land use policies to illustrate the impact of such policies on the agency's ability to make investments in certain regions and to assist local governments in planning for their communities. [NYSHCR]

### **GOAL 8: Implement environmental justice principles in State-funded housing in response to climate change**

- Incorporate recommendations from the Climate Action Council into development and property management practices at NYSHCR, with a particular focus on equity in disadvantaged communities. [NYSHCR]
- Explore expanding mechanisms to encourage sustainability and climate resiliency for affordable housing projects, including retrofitting existing developments. [NYSHCR]

NYSHCR is pleased to submit this assessment of fair housing to the public and looks forward to continuing the work of making New York a more equitable place to live for New Yorkers.

## I. Introduction

Over 50 years have passed since the enactment of the federal Fair Housing Act, which not only prohibited discrimination in housing but challenged federal agencies and the recipients of federal funds to administer their programs and activities in a manner that affirmatively furthers the fundamental purposes of the Act. More recently, New York State passed a parallel State law, building on the commitment of the State and its agencies to affirmatively further fair housing. This Assessment examines policies and analyzes data to determine impediments to housing among various groups and provides recommendations for addressing them. This work – of undoing systemic, historic and entrenched segregated living patterns, equalizing access to community resources and opportunities, creating accessibility to both buildings and neighborhoods, and eliminating discrimination in housing – is constant and continuing.

In 2016, the State published the Analysis of Impediments to Fair Housing Choice outlining goals and meaningful actions to address these systemic patterns of housing inequality. The actions included not only building more housing, but housing that can reach and serve vulnerable New Yorkers. An aggressive \$20 billion 5-year Housing and Homelessness Plan, announced in 2017, was put into place to create and preserve over 100,000 units of affordable housing as well 6,000 new units with supportive services through the Empire State Supportive Housing Initiative (ESSHI). As of January 2022, New York State has financed the construction and preservation of over 94,273 affordable housing units and has further created nearly 6,240 supportive units, a large majority of which are part of the ESSHI program. These supportive units provide housing and stability to some of New York’s most vulnerable individuals. As the initial Housing Plan wraps up, Governor Kathy Hochul announced an additional \$25 billion housing plan, further consolidating the commitment to meet critical housing needs in the state.

Affirmatively furthering fair housing also means tearing down arbitrary barriers to housing that are experienced disproportionately by communities of color, immigrants, victims of domestic violence, and other protected and vulnerable New Yorkers. Since the 2016 Analysis of Impediments, New York enacted legislation making it illegal to discriminate based on one’s lawful source of income, gender identity or expression, domestic violence status, citizenship and immigration status, arrest record and other instances of justice-involvement.

New York State Homes and Community Renewal (NYSHCR) developed and implemented policies for New York State-financed housing go further – credit or a history of justice involvement can no longer be automatic bars to admission to this housing. Instead, housing providers must conduct an individualized assessment accounting for contextualizing and rehabilitative information. The scoring system for allocation of federal low-income housing tax credits was revised to further incentivize affordable housing in well-resourced areas, with a complementing set-aside of tax credits for these types of projects. NYSHCR also expanded its Section 8 mobility programs, establishing a new program in Long Island that assists families access neighborhoods with good schools and providing continuity funding and oversight to a program in Buffalo. The Give Us Credit mortgage program through the State of New York Mortgage Agency (SONYMA) reimagines traditional credit metrics and standards to determine a potential first-time homeowner’s creditworthiness, considering factors such as rent history and unbanked savings not traditionally factored in by other mortgage products. Described further in Section VII of the Assessment, New York State has repeatedly looked at policies that impede

access to housing and perpetuate segregation in the state and worked to change them to promote fair housing.

With this Assessment of Fair Housing, NYSHCR proceeded with the work of engaging the public and examining fair housing issues guided by the federal regulations dismantled by the previous federal administration. Structured around seven key fair housing issues, the Assessment combines data analyses, conversations with members of the public and housing stakeholders (Section VI), and an evaluation of the State's own programs, policies, and past accomplishments (Section VII). It culminates with a series of goals and action items to address housing disparities experienced by vulnerable groups and those protected under fair housing laws (Section VIII). As the State and its municipalities emerge from the COVID-19 pandemic, meeting housing needs of New Yorkers – equitably and informed by the systemic inequalities in housing borne by protected and vulnerable groups – is more critical than ever.

## II. Overview of Housing Programs

NYSHCR is comprised of all the State's major housing and community renewal agencies, including the Affordable Housing Corporation, the Division of Housing and Community Renewal, the Housing Finance Agency, State of New York Mortgage Agency, Housing Trust Fund Corporation, and others.

NYSHCR organizes its programs into three groups:

- Finance and Development – aligns all programs that fund the development of affordable housing, including Low Income Housing Tax Credit programs, tax exempt and taxable bond finance programs, single family loan, and Capital awards programs.
- Housing Preservation – includes all the programs that maintain and enhance the State's portfolio of existing affordable housing. This includes the Office of Rent Administration, the Section 8 Housing Choice Voucher program, Asset Management, and the Weatherization Assistance Program.
- Community Renewal – includes all the programs geared toward community and economic development, job creation, and downtown revitalization, including the NYS Community Development Block Grant Program, NY Main Street program, HOME Investment Partnerships (HOME) programs, Affordable Housing Corporation, and the Neighborhood and Rural Preservation programs.

In addition, the New York State Office of Temporary and Disability Assistance (OTDA) administers HUD Emergency Solution Grant (ESG) and the Housing Opportunities for Persons with AIDS (HOPWA) programs. Further, OTDA also administers the Homeless Housing and Assistance Program (HHAP) which provides State-funded grants or loans to acquire, construct or rehabilitate housing for low-income persons who are, or would otherwise be, homeless. While HHAP can fund emergency shelters or transitional housing, about 80 percent of its funding is used for development of supportive housing, which is affordable housing combined with the supportive services needed to ensure housing stability.

The following section provides a further description of a selection of housing programs that currently operate in New York.

### A. HUD Community Planning and Development Programs

New York State Homes and Community Renewal (NYSHCR) receives funds from the United States Department of Housing and Urban Development (HUD) in the form of:

#### Community Development Block Grant (CDBG)

Administered by the Housing Trust Fund Corporation's Office of Community Renewal, the CDBG program provides financial assistance to eligible cities, towns, and villages with populations under 50,000 and counties with an area population under 200,000 in the New York State Entitlement Jurisdiction to support the development of viable communities by providing decent, affordable housing and suitable living environments. The CDBG Program also provides non-housing assistance to communities and local units of government in order to create job opportunities for low- and moderate-income persons; prevent or eliminate blight; or address a community development need that poses a serious and imminent threat to the community's health or welfare. No less than 70 percent of the State's CDBG funds must be used for activities that benefit low- and moderate-income persons.

#### NYS HOME Program (HOME)

The HOME program is also administered by the Housing Trust Fund Corporation's Office of Community Renewal using federal HOME Investment Partnership Program funds. The HOME Program funds a variety of residential housing activities to expand the supply of decent, safe, and affordable housing in partnership with counties, towns, cities, villages, private developers, and community-based non-profit housing organization. The program provides federal funds for the acquisition, rehabilitation, and construction of housing, as well as assistance to low-income homebuyers and renters. Funds may only be used to assist households with incomes at or below 80 percent of area median income. Rental projects must primarily serve households with incomes at or below 60 percent of the area median income.

#### Federal Housing Trust Fund (FHTF)

The FHTF was created to support the new construction and preservation of residential multifamily rental projects that will include units to be occupied by households with incomes up to 30 percent AMI. Administered by HUD, the FHTF provides formula grants to states to increase and preserve the supply of affordable housing for extremely low-income households, including homeless families.

#### Housing Opportunities for Persons with AIDS (HOPWA)

The New York State Office of Temporary and Disability Assistance (OTDA) administers the HOPWA program for New York State. The purpose of the HOPWA program is to provide states and localities with resources and incentives to devise long-term comprehensive strategies for meeting the housing and support services needs of low-income persons with AIDS and HIV-related diseases. A broad range of housing-related activities may be funded under HOPWA, including, but not limited to: project or tenant based rental assistance; supportive services; short-term rent or mortgage payments to prevent homelessness; and technical assistance in



establishing/operating a community residence. Services are provided in 35 counties throughout New York State.

#### [Emergency Solutions Grant \(ESG\)](#)

OTDA also administers the ESG Program for New York State through which it coordinates activities to enhance the quality and quantity of homeless facilities, services for homeless persons including rapid re-housing, and services to those at risk of homelessness. As a result of regulatory changes resulting from the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act, OTDA has combined ESG funds with New York State funds dedicated in the State budget for similar activities to form one cohesive program entitled Solutions to End Homelessness Program (STEHP).

### **B. Multifamily Construction and Preservation Programs**

In addition, and at times in combination with the sources listed above, NYSHCR administers a combination of federal and State low-income housing tax credits, tax-exempt bonds and other subsidies to create and preserve multifamily affordable housing projects.

#### [Federal Low-Income Housing Tax Credits \(LIHTC\)](#)

The Tax Reform Act of 1986, as amended, established a federal tax credit to be administered by State housing agencies for owners of affordable housing developed for lower income persons. Section 42 of the Internal Revenue Code set forth the regulations for this program. NYSHCR has been designated as the State's Housing Credit Agency responsible for the allocation of credit to owners of housing for lower income persons and is required to adopt a Qualified Allocation Plan (QAP), setting forth the criteria and preferences by which federal tax credits will be allocated to eligible projects. NYSHCR allocates 9 Percent Low-Income Housing Tax Credits (9% LIHTC) on a competitive basis utilizing scoring criteria set forth in the QAP, and awards such funding for the new construction, rehabilitation, and/or adaptive reuse of site-specific projects that provide housing. NYSHCR also sub-allocates a portion of the federal tax credits to two main sub-allocating agencies: New York State Housing Finance Agency and the New York City Department of Housing Preservation and Development. Each of the sub-allocating agencies develops a QAP.

The LIHTC program generates private equity from the sale of tax credits to assist with the hard and soft development costs of rental units. Generally, for-profit corporations such as banks purchase the credits based on current demand. In return, participating corporations receive an annual dollar-for-dollar reduction of federal taxes for the first 10 years that the units are in operation. LIHTC properties must commit to at least 30 years of affordability.

Twice a year, NYSHCR awards 9% LIHTCs, State low-income housing tax credits and other subsidies described below through a competitive Request for Proposal (RFP).

#### [New York State Low-Income Housing Tax Credits \(SLIHC\)](#)

As the State's designated Housing Credit Agency, NYSHCR allocates LIHTC as well as State housing credits. Signed into law in 2000, SLIHC is modeled after the federal LIHTC program and administered pursuant to the Internal Revenue Code and NYSHCR's QAP with the following exceptions:



- SLIHC-assisted units must serve households whose incomes are at or below 90 percent of the area median income (vs. 60 percent in the federal program subject to a recently enacted income averaging option);
- SLIHC provides a dollar-for-dollar reduction in State taxes to investors in qualified affordable housing developments that meet the requirements of Article 2-A of the Public Housing Law;
- The SLIHC credit allocation is not calendar year specific; and
- The SLIHC program has selection criteria which are set forth in the SLIHC regulations.

#### Additional Subsidy Financing

NYSHCR offers other financing opportunities to support the creation and preservation of affordable housing throughout the state. Under the NYSHCR Multifamily Finance 9% RFP, applicants can apply for a variety of funding. Funding available under the 9% RFP includes:

- Low-Income Housing Trust Fund Program (HTF);
- Rural and Urban Community Investment Fund (CIF);
- Supportive Housing Opportunity Program (SHOP);
- Public Housing Preservation Program (PHP);
- Middle Income Housing Program (MIHP);
- Housing Development Fund (HDF);
- Federal Housing Trust Fund Program (FHTF); and
- Senior Housing Program (SENR).

#### Tax-Exempt Bond Financing

The New York State Housing Finance Agency (HFA) Affordable Rental Housing Program provides tax-exempt bond financing that generates “as-of-right” 4 percent federal Low Income Housing Tax Credits (4% LIHTC) for multifamily rental housing projects developed by private for-profit and not-for-profit owners. Tax-exempt bond financing and the “as-of-right” 4% LIHTCs are awarded throughout the year after an iterative process with developers, that sees HFA and developers working closely together to ensure the successful development of projects. Projects financed in this way can be combined with subsidy programs as well as SLIHC. Additional capital subsidies are available to facilitate the development and preservation of affordable housing.

### **C. Rental and Cooperative Housing Programs**

In addition to the programs set forth above that offer funding opportunities to local municipalities, private developers, and community-based non-profit organizations, NYSHCR also oversees programs that allow low- and moderate-income New York residents to rent or purchase housing.

#### Section 8 Housing Choice Voucher Program

The Section 8 Housing Choice Voucher Program enables the lowest-income households in New York State to rent or purchase decent, safe housing in the private housing market by providing rental and homeownership assistance. NYSHCR administers Section 8 Housing Choice Vouchers

through a network of local administrators. Public Housing Authorities throughout the State also administer allocations of Section 8 Housing Choice Vouchers provided by HUD.

The program, which operates under HUD regulations, provides Section 8 Housing Choice Vouchers to eligible households for as long as the family is eligible, even if the voucher holder changes residence. Additionally, the Statewide Section 8 Housing Choice Voucher Program administers the Family Self-Sufficiency (FSS) Program which helps Section 8 Housing Choice Voucher tenants achieve economic independence through enhanced access to education, job training, counseling, and other forms of social service assistance. To date, more than 2,000 families have successfully completed and graduated from NYSHCR's Statewide FSS Program.

#### [Mitchell-Lama Program](#)

The Mitchell-Lama Program provides housing across New York State that is affordable to the middle class. It was created by the Limited Profit Housing Act in 1955, which was championed by Manhattan State Senator MacNeil Mitchell and former Brooklyn Assemblyman Alfred Lama. NYSHCR plays an oversight role for existing Mitchell-Lama developments and works with owners as they near the end of their 20-year affordability requirements to provide low-cost financing tools that help maintain the developments while also extending their affordability.

#### [Rural Rental Assistance Program \(RRAP\)](#)

RRAP provides New York State rental subsidies for projects financed with mortgages from the United States Department of Agriculture (USDA) Rural Housing Services (RHS) (formerly Federal Farmers Home Administration) 515 Program. The program provides direct rent subsidies to project owners for low-income elderly and family tenants residing in certain HUD-financed multifamily projects in rural areas of New York State. Subsidies under this program are equal to the difference between 30 percent of the tenant's monthly income and the tenant's monthly housing expenses.

### **D. State-Assisted Homeownership Opportunities**

#### [State of New York Mortgage Agency \(SONYMA\)](#)

The State of New York Mortgage Agency (SONYMA) offers low-interest mortgage loans and programs to assist first-time homebuyers in New York State. SONYMA has two primary mortgage programs, Achieving the Dream and Low Interest Rate. The Achieving the Dream program is SONYMA's lowest interest rate program and is designed to maximize the amount a borrower can afford with minimal down payment requirements. The Low Interest Rate program offers lower down payment requirements and competitive interest rates to qualified buyers. Eligible borrowers for both programs must be first-time buyers, eligible military veterans, or else purchasing a home in a federally designated Target Area. Borrowers are subject to regional income limits.

In addition to the above-mentioned mortgage programs, SONYMA also administers the Conventional Plus Program and the FHA Plus Program, both of which combine 30-year fixed rate mortgages with SONYMA down payment assistance for both first-time homebuyers and previous homeowners.

Further, SONYMA offers a wide range of “add-on” loans. These range from the Down Payment Assistance Loan, which is available for all buyers using a SONYMA mortgage program and provides initial down payment funding for a first home; DPAL PLUS which is an enhanced down payment assistance loan for low-income first-time homebuyers; Homes for Veterans, which provides low-interest mortgage products to veterans and active service members; to the Manufactured Home Mortgage Program, which provides affordable, fixed-rate mortgages to existing and prospective manufactured home community residents.

#### [Affordable Housing Corporation \(AHC\)](#)

The New York State Affordable Housing Corporation (AHC) creates homeownership opportunities for low- and moderate-income families by providing grants to governmental, not-for-profit, and charitable organizations (“Grantee Organizations”) to help subsidize the cost of newly constructed houses and the renovation of existing housing. AHC administers the Affordable Home Ownership Development Program (AHOD), through Grantee Organizations to promote home ownership among low- and moderate-income families for whom there are few affordable home ownership alternatives in the private market, and stimulate the development, stabilization, and preservation of New York communities. Unlike SONYMA mortgage products, AHOD grants are not made directly to individual home buyers or homeowners, but rather to Grantee Organizations.

#### **E. Programs that Support Fair Housing Goals**

Although fair housing and economic opportunity are concepts imbedded in each of the funding sources and programs listed above, New York State Homes and Community Renewal (NYSHCR) has various units that provide oversight, guidance, and compliance over their implementation. These include:

##### ***Fair and Equitable Housing Office (FEHO)***

In January 2015, the Fair and Equitable Housing Office (FEHO) was established within NYSHCR. Since its inception, FEHO has led the agency’s efforts to reduce barriers to housing and affirmatively further fair housing. FEHO is staffed primarily by attorneys who, among other tasks, are responsible for the review and approval of affirmative fair housing marketing plans and materials, tenant selection policies, and reasonable accommodation policies for all State-financed multifamily housing projects. These projects include those financed with federal low-income housing tax credits, bonds, capital grants, HOME, Federal Housing Trust Fund and Project-Based Voucher funds. Each year, FEHO reviews approximately 200 affirmative fair housing marketing submissions to ensure that projects do not engage in discriminatory practices, adhere to agency policies designed to increase access to housing, and that marketing is conducted in a manner that is accessible and reaches populations least likely to apply.

In addition, FEHO works within the agency to develop and implement broader policies and practices designed to reduce barriers to housing and address such issues as discrimination and residential segregation in New York. Such policies include, for example, individualized credit and justice involvement tenant assessment policies, Section 8 mobility programs to support families in accessing well-resourced areas, the development of further incentives to create affordable housing in these areas, broad implementation of the Violence Against Women Act protections and accessibility best practices for State-funded housing. FEHO also works with

other agencies, such as the New York State Division of Human Rights (NYSDHR), the New York State Department of State (NYSDOS) and the New York State Office for the Prevention of Domestic Violence to identify and develop best policies and practices, and to conduct fair housing trainings for internal and external stakeholders.

FEHO also oversees NYSHCR's Section 3 program. Section 3 of the Housing and Urban Development Act of 1968, as amended, requires that economic opportunities generated by certain HUD funding for housing and community development programs be directed to low- and very low-income persons and the companies that hire or are owned by them. FEHO ensures that recipients of HUD-funding develop Section 3 utilization plans. The office conducts trainings on the requirements and benchmarks of the law, collects reporting on accomplishments, and provides technical assistance in Section 3 goals and benchmarks.

Finally, while FEHO does not have enforcement authority, the office works closely with NYSDHR, NYSDOS, other State agencies, the Attorney General's office, and local human rights agencies to ensure that discrimination in housing, where it exists, is identified and addressed across the state.

#### ***Design, Construction & Environmental Unit***

The Design, Construction and Environmental Unit reviews proposed projects and those that are under construction to ensure that they are in accordance with NYSHCR's Design Guidelines, which include accessibility requirements that go beyond those in building codes and fair housing laws. The Guidelines also require equitable distribution of all affordable units and units designed for those with disabilities to ensure that all residents are able to enjoy amenities and apartment types on a level equal to their peers. FEHO also works with this unit to conduct training on accessibility requirements throughout NYSHCR's portfolio for both internal and external stakeholders.

#### ***Tenant Protection Unit (TPU)***

Created in 2012, NYSHCR's Tenant Protection Unit (TPU) works to preserve New York's rent regulated housing by detecting and curtailing patterns and practices of landlord fraud and harassment through audits, investigations, and impactful legal actions. TPU also ensures compliance with the State's rent regulation laws by informing tenants and owners of their rights and responsibilities. TPU has direct relationships with FEHO and NYSDHR regarding any discriminatory practices that arise in their investigations.

#### ***Office of Economic Opportunity and Partnership Development (OEOPD)***

The Office of Economic Opportunity and Partnership Development (OEOPD) is charged with ensuring Minority and Woman-Owned Business Enterprise (MWBE) and Service-Disabled Veteran-Owned Business (SDVOB) firms are engaged in NYSHCR-funded projects to the greatest extent feasible, especially as the pandemic has exacerbated longstanding challenges these businesses face. OEOPD (1) analyzes the agencies expenditures to identify areas for MWBE and SDVOB opportunities, (2) works with all relevant internal departments to create procurement strategies, (3) participates as a member on all RFP/RFQ selection committees to advocate for MWBE and SDVOB inclusion in agency prime contract and subcontracting opportunities, and (4) identifies barriers the agencies may face in achieving the overall annual goals. OEOPD is also

responsible for monitoring compliance and quarterly reporting to the Empire State Development Corporation and the Office of General Services in addition to the Executive Chamber. In Calendar Year 2022, the Agencies' MWBE utilization was as follows: Overall – 29%, Procurement – 63%, Construction – 28%, and Bond Related Activities – 14%.

### III. Creating the Report

#### A. Scope of the Assessment

New York State is home to more than 19 million people, living in about 7.3 million housing units across the state. The state is administratively divided into 62 counties, 932 towns, 539 villages, and 62 cities. In order to more thoroughly assess fair housing issues throughout the state, this Assessment goes beyond examination of the New York State Entitlement Jurisdiction and examines the issues both statewide and by specific geographic subregions. Analyzing demographic and socioeconomic trends and their disparities between the New York State Entitlement Jurisdiction and the rest of state, which is largely more urban and suburban, gives a window into the state's rural and urban divide and how the fair housing landscape varies between the different subregions. A further description of the subregions and their population numbers follows.

#### HUD Entitlement Jurisdictions (HUD-EJs)

HUD Entitlement Jurisdictions (HUD-EJs) are cities and counties that receive funding from HUD directly, without NYSHCR as an intermediary. These are generally the more populous counties throughout the state including Erie, Monroe, Onondaga, and Orange counties, most of Nassau, Suffolk, Dutchess, Westchester, and Rockland counties, and cities like New York City, Buffalo, Syracuse, Albany, Ithaca, Binghamton, and Utica. The population in New York State is overwhelmingly concentrated in these federal HUD entitlement jurisdictions (80 percent), reflecting the overall urban and suburban settlement patterns of the state. These localities are responsible for their own affirmatively furthering fair housing obligations to HUD.

#### New York State Entitlement Jurisdiction (NYSEJ)

The New York State Entitlement Jurisdiction (NYSEJ) consists of the remaining counties and other localities that are not HUD-EJs. These localities must apply to New York State Homes and Community Renewal (NYSHCR) as a subrecipient of HUD for funding such as the Community Development Block Grant (CDBG). The NYSEJ consists primarily of 48 counties and additional localities located throughout the state. Just under 4 million people – 20 percent of the state's population in 2019 – live in the NYSEJ. The population in the NYSEJ is overwhelmingly concentrated in the 51 "upstate" counties, where it represents just over half the population. A list of geographic jurisdictions and localities that comprise the NYSEJ can be found in Appendix B.

Since all of the predominantly urban areas in upstate New York and nearly all of downstate New York falls within a HUD-EJ (e.g. New York City, Buffalo and Erie County, Rochester and Monroe County, Syracuse, and Onondaga County), the NYSEJ acts as an effective proxy for the more rural portions of New York State.

Fig. 1: HUD Entitlement Jurisdictions & NY State Entitlement Jurisdiction

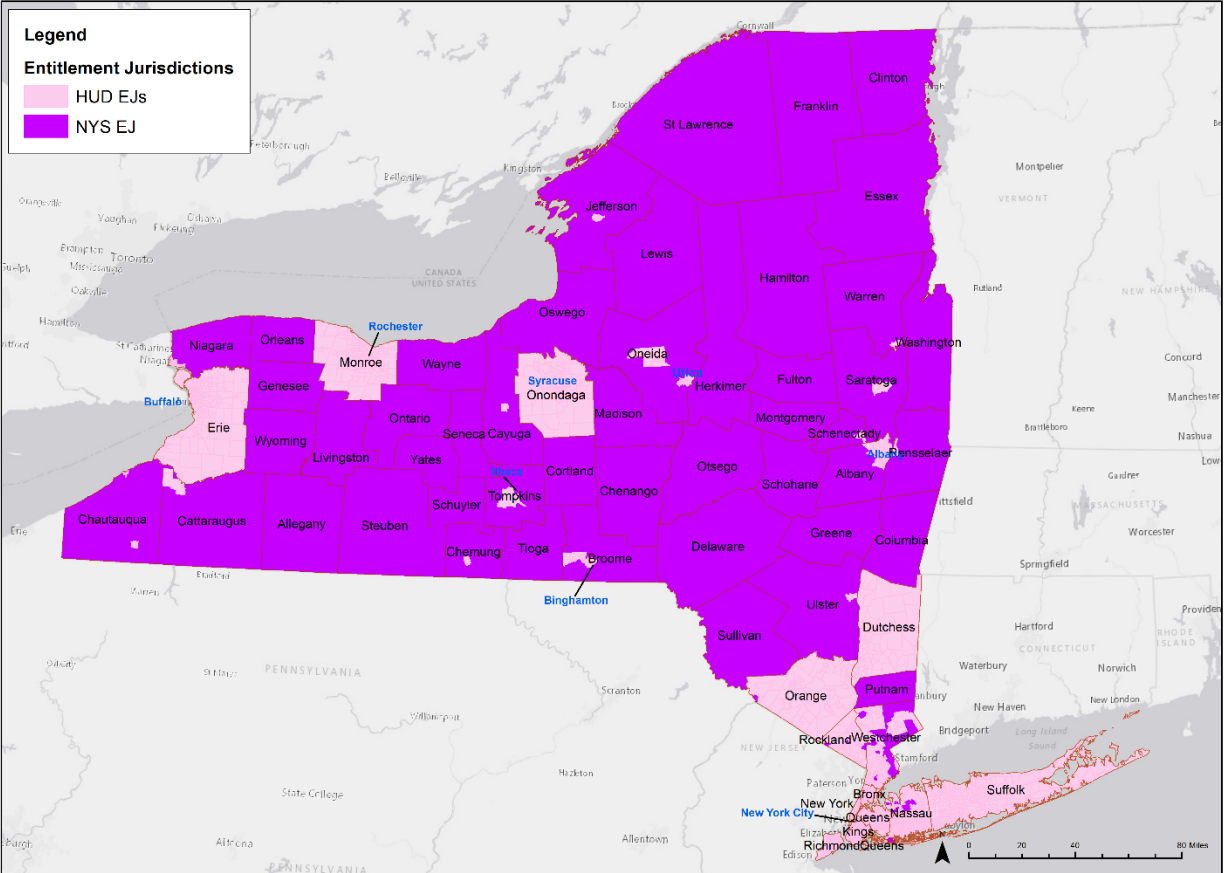


Fig. 2: Overall Population Change by Region and Entitlement Jurisdiction

Region	Entitlement Jurisdiction	Total Population, 1990	%	Total Population, 2000	%	Total Population, 2010	%	Total Population, 2019	%
Upstate	HUD-EJ	3,496,830	51%	3,481,256	50%	3,513,851	49%	3,491,613	50%
	NYSEJ	3,422,417	49%	3,523,231	50%	3,595,436	51%	3,527,737	50%
	Both	6,919,247		7,004,487		7,109,287		7,019,350	
Downstate	HUD-EJ	10,692,339	97%	11,577,690	97%	11,852,727	97%	12,128,121	97%
	NYSEJ	375,271	3%	395,133	3%	416,088	3%	424,848	3%
	Both	11,067,610		11,972,823		12,268,815		12,552,969	
Statewide	HUD-EJ	14,189,169	79%	15,058,946	79%	15,366,578	79%	15,619,734	80%
	NYSEJ	3,797,688	21%	3,918,364	21%	4,011,524	21%	3,952,585	20%
	Both	17,986,857		18,977,310		19,378,102		19,572,319	

**Downstate New York**

The AFH also considers fair housing issues given the differences between downstate and upstate New York. Downstate counties include the five New York City counties (Bronx, Kings, New York, Queens, and Richmond), Nassau and Suffolk counties in Long Island, and two counties of the lower Hudson Valley, Westchester and Rockland counties. These counties are characterized by a largely urban or suburban built environment. Sixty-four percent of the New



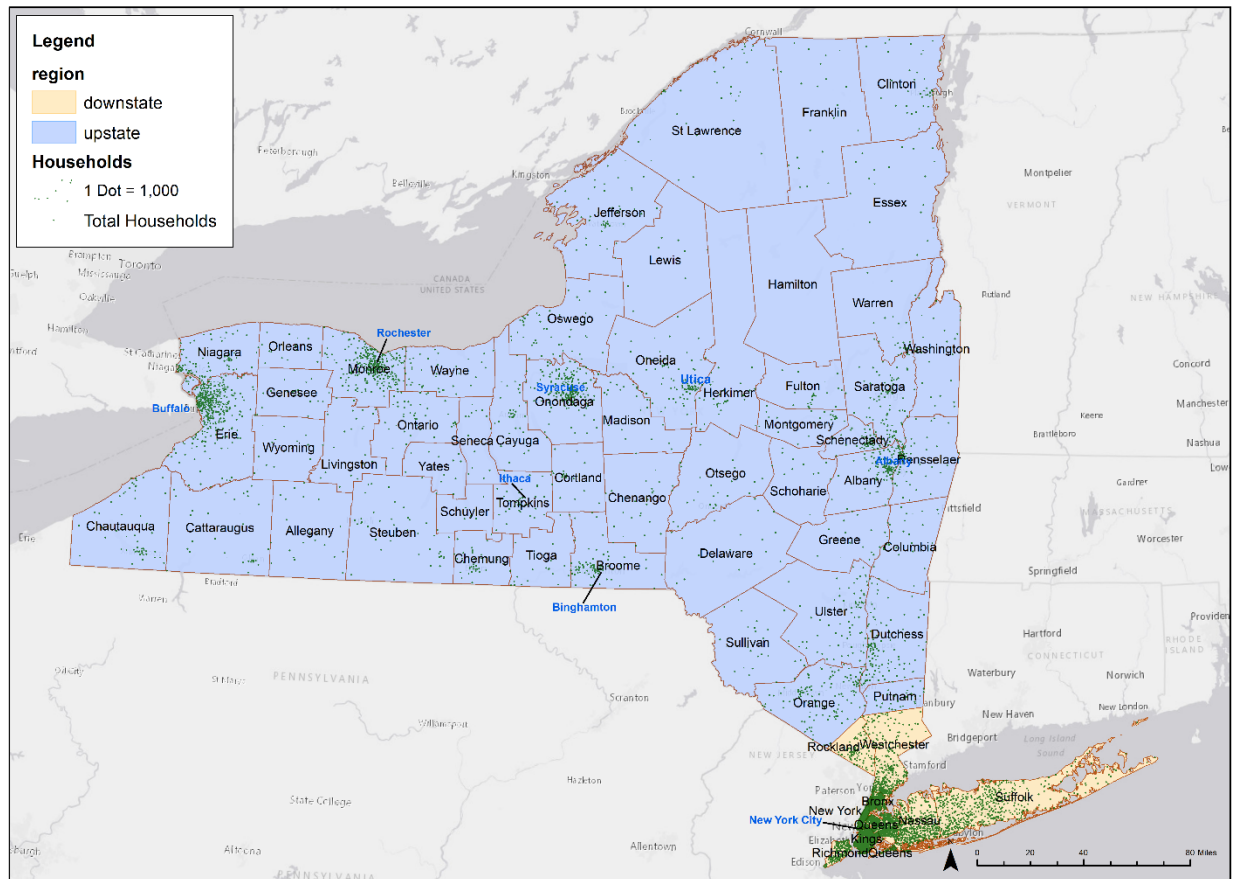
York population lives in the downstate counties despite only representing 4.5 percent of the geographic area.

Although there are a group of hamlets on Long Island that are part of the NYSEJ, the overwhelming majority of this region’s population (97 percent) lives in a HUD-EJ. For this reason, examinations of “Downstate” in this Assessment include both HUD-EJs and the few localities that are part of the NYSEJ.

### Upstate New York – NYSEJ and HUD-EJs

Upstate New York consists of the remaining counties. The maps in this Assessment generally break down the upstate region by NYSEJ and HUD-EJs, with NYSEJ localities representing the less populous, and more rural parts of the upstate region, as demonstrated in the population density maps below.

*Fig. 3: Population Density in Upstate vs. Downstate New York*



## B. Public Participation Process

To develop a comprehensive view of the barriers to fair housing in the State of New York, a robust community engagement process was implemented. Initially, the public participation plan centered on facilitating in-person public participation events throughout the state to discuss barriers to fair housing with diverse groups of community residents and housing stakeholders. However, the COVID-19 pandemic required adjustment to a fully virtual approach. Despite this challenge, a diverse group of knowledgeable affordable housing

developers, legal service providers, racial justice, housing, and disability advocates, fair housing organizations, elected officials and their employees, faith-based leaders, and other housing-related organizations (together, the Housing Stakeholders) and the general public participated in the process. Three key outreach activities were undertaken to elicit information on barriers to fair housing and the factors contributing to these barriers, each of which is described in detail below:

- A Housing Stakeholder Survey and Community Resident Survey (translated into six languages);
- Key informant interviews with those working in the housing sector; and
- Focus groups with housing stakeholders and residents of New York State

#### Dates of Meetings and Activities

The surveys were disseminated electronically from July 13 through September 21, 2020. The key informant interviews took place between July 13 and November 13, 2020. Consultation with the Fair Housing Expert Panel, comprised of legal experts and fair housing advocates from a number of organizations around the state, took place on September 9, 2020, and the focus groups were held between September 29 and November 12, 2020.

#### Outreach Efforts

Given the virtual format of the public engagement activities that were implemented in response to necessary safety measures during the COVID-19 pandemic, efforts to reach the public were coordinated through two primary means: targeted social media campaigns and outreach through the Housing Stakeholders.

Listserves of Housing Stakeholders maintained by NYSHCR were continually updated and used to send links to the electronic survey. An initial email with the survey links was sent, with several follow up messages provided thereafter. All Housing Stakeholders in the NYSHCR network were encouraged to disseminate the survey within their networks. The survey links were posted in relevant newsletters and shared with additional listservs as well.

To reach residents, NYSHCR engaged in a targeted social media campaign, leveraging Facebook and Twitter. Videos about the AFH, titled Fair Housing Matters NY, were created and disseminated through these platforms, in both English and Spanish. A website was created for Fair Housing Matters NY, which directed individuals to the surveys, as well as a form that they could complete to receive updates on the AFH process. Additionally, Housing Stakeholders and partners working directly in their communities were asked to share the survey with their constituents, and to inform their constituents about the resident focus groups. All residents who completed the surveys were prompted to provide contact information if they were interested in participating in focus groups.

To ensure an inclusive process, the Community Resident Survey was translated into six languages. The surveys were also smart phone compatible and were designed to be fully compliant with the Americans with Disabilities Act. When conducting outreach, it was noted that translation services were available for focus groups, as well as accommodations for persons with disabilities. To reach underrepresented groups, NYSHCR coordinated with partner



agencies and stakeholders working with various protected and housing-vulnerable groups to request assistance with sharing information about the survey and focus groups.

In summary, COVID-19 presented significant challenges to the in-person public engagement process that was initially envisioned, as nothing can be a true replacement for direct personal engagement. In contrast to grassroots outreach approaches that would have accompanied in-person events in particular areas, outreach efforts were largely virtual. However, despite these challenges, the in-depth public engagement process resulted in thorough information and perspectives regarding the core fair housing issues being collected.

### Two Surveys: Housing Stakeholder and Community Residents

Two electronic surveys were developed to obtain input from housing stakeholders and community residents on the seven fair housing issues that organize the AFH process.

The Housing Stakeholder Survey version was designed for Housing Stakeholders knowledgeable about the housing needs of their constituents, such as social and legal service providers, local government officials, affordable housing developers, and others. The Community Resident Survey version was designed for residents throughout the State of New York.

#### a. Housing Stakeholder Survey

In total, approximately 270 Housing Stakeholders completed the Housing Stakeholder Survey. Demographic information is summarized below:

*Region Served.* Approximately 40 percent of respondents indicated that their organization serves individuals in urban areas, followed by suburban (30 percent) and rural areas (approximately 30 percent).

*Organization and Role.* Respondents reported serving in diverse roles within the housing and supportive service fields. The roles reported included affordable housing developers, social service providers, management of rental properties, fair housing organizations, legal services providers representing tenants, and homelessness assistance providers, among others.

*Groups served.* The respondents indicated serving a diverse array of constituents, including low-income individuals and families (11 percent), racial and ethnic minority groups (9 percent), people with disabilities (9 percent), older adults (9 percent), and homeless or unstably housed individuals or families (9 percent).

#### b. Community Resident Survey

In total, approximately 345 New York State residents completed the Community Resident Survey. To reach a diverse audience of residents, the Community Resident Survey was translated into several languages in addition to English (Spanish, Chinese, Korean, Haitian Creole, Bengali, and Russian). Demographic information is summarized below:

*Gender.* The majority of respondents to the Community Resident Survey identified as female (71 percent). Twenty-five percent (25 percent) of respondents identified as male, followed by those identifying as non-binary/transgender (1 percent) and those who preferred not to answer (3 percent).

*Location.* Respondents from 41 counties completed the survey. The majority of survey respondents described living in urban areas (58 percent), followed by suburban areas (28 percent), and rural areas (13 percent). The counties with the largest percentage of respondents were Kings County (16 percent), Queens County (12 percent), New York County (10 percent), Bronx County (7 percent), Monroe County (7 percent), Nassau County (6 percent), Albany County (6 percent), and Erie County (4 percent).

*Age.* The age of respondents ranged from 18 to 75+. Age categories responding most frequently included those between the ages of 45-54 (24 percent) and those aged 35-44 (23 percent).

*Race/Ethnicity.* The majority of survey respondents were white (52 percent). Twenty-six percent of respondents were Black/African American, 15 percent were Hispanic/Latinx, 4 percent were Asian, 2 percent were Native American/Alaska Native, and 1 percent were Middle Eastern/North African.

*Disability Status.* A quarter of respondents indicated that they or someone in their household has a disability.

*Households with Children.* The majority of respondents (65 percent) indicated that they did not have children under 18 living in their households. Thirty-five percent of respondents reported having children in their households.

*Household Income.* Respondents were spread somewhat evenly between the different household income levels – households earning less than \$20,000 made up 12 percent of respondents; those with incomes between \$50,000 to 74,999, \$75,000 to 99,999, and \$100,000 to 150,000 made up 16 percent each; and households earning more than \$150,000 comprised 14 percent of respondents.

*Housing Status.* Fifty percent of respondents reported renting their homes, and 43 percent reported owning a home. Other participants indicated unstable housing situations, with 4 percent reporting that they are “doubled-up” or overcrowded in private housing. Two percent indicated being homeless/living in a homeless shelter, and 2 percent reported living in supportive housing or transitional housing.

### Key Informant Interviews

Key informant interviews were conducted with a diverse group of individuals and small groups of housing stakeholders and experts throughout all regions of New York State. The individuals interviewed represented neighborhood and rural housing coalitions; organizations serving protected and/or vulnerable populations, including immigrants, domestic violence survivors, and individuals with disabilities; fair housing advocacy organizations/legal service providers; housing development corporations; and grassroots/community nonprofit organizations. (See Appendix C for a list of organizations included in the key informant interview process).

A semi-structured interview protocol was designed to elicit information on the seven key fair housing issues described above, including information on factors that are contributing to specified barriers to fair housing, as well as the groups and subgroups of individuals encountering such barriers disproportionately. Probing questions were asked to elicit further information, based on the content provided by those being interviewed. The key informant

interviews helped to inform and structure the focus groups. Overall, 22 interviews took place. Each interview lasted between one hour and 90 minutes.

### Focus Groups

Following the key informant interviews, a series of 12 focus groups were conducted with Housing Stakeholders across all regions of the state. These focus groups were designed to elicit specific feedback about barriers to fair housing, from the perspective of those with specific areas of interest and expertise. Focus groups were conducted with the following groups (See Appendix D for a list of organizations included in the virtual focus groups):

- Rural Preservation Corporations (RPCs)
- Affordable housing developers
- Homeownership stakeholders (e.g., community land bank stakeholders, real estate brokers and salespeople/lenders, housing counselors)
- Agencies serving immigrants and refugees
- Agencies serving people with disabilities
- Agencies serving survivors of domestic violence
- Agencies serving LGBTQ+ individuals
- Racial justice organizations
- Faith leaders
- Local government leaders
- New York State Residents (two focus groups).

Prior to conducting the focus groups, a Fair Housing Expert Panel was developed to inform the focus group outreach plans. The Fair Housing Expert Panel was comprised of legal experts and fair housing advocates from several organizations around the state. The Fair Housing Expert Panel offered feedback on the specific topics to include in each focus group protocol that would elicit the most useful information and provided recommendations on individuals and organizations to invite. Each focus group was guided by a semi-structured protocol, designed to obtain information on the key fair housing issues. Focus groups lasted between one and two hours.

### C. Data Sources

NYSHCR staff used a variety of internal and external data sources including the mapping tool and downloadable data provided by HUD related to the AFH regulation. Data sources used include the following:

#### External Data Sources

- **Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T):** Most of the household-level demographic data, the Dissimilarity Index data, and many (though not all) of the Fair Housing indices come from HUD's AFFH-T tool, Data Version AFFHT0006 (July 2020, revised version). For more information, see: <https://egis.hud.gov/affht/>
- **U.S. Census American Community Survey (ACS):** supplementary demographic and housing stock data come from the 5-year American Community Survey (2014-2019).

- **Comprehensive Housing Affordability Strategy (CHAS):** Each year, HUD receives custom tabulations of ACS data from the U.S. Census Bureau. These CHAS data highlight housing conditions and disparate needs and come from the most recently released version of CHAS, which is based off the 5-year ACS (2013-2017). For more information, see: <https://www.huduser.gov/portal/datasets/cp.html#2006-2016>.
- **Child Opportunity Index 2.0 (COI 2.0):** In some cases, fair housing indices were supplemented or replaced with elements of the Child Opportunity Index 2.0 published by Brandeis University (2020). For more information, see: <https://www.diversitydatakids.org/child-opportunity-index>

The data tables used in these analyses are primarily aggregations of census tracts across these geographies. For this reason, the estimates may vary slightly from official Census Bureau tabulations and may have larger margins of error. In many cases, data analysis portions of Section IV use weighted averages for census tract ratings. In order to avoid outlier tracts that were potentially missing data, tracts with fewer than 50 total households were omitted. To ensure consistency with AFFH-T Census tract-level data, 2010 Census data was used rather than the more recent 2019 5-year ACS data as it represented the most recent data in the July 2019 AFFH-T Census Tract level dataset.

### Internal Data Sources

- **NYSHCR Well-Resourced Area Tracts:** Programs within NYSHCR’s Office of Finance and Development and its Office of Housing Preservation targeting well-resourced areas use a standardized list produced using school performance data from the New York State Education Department and poverty rate data from 5-year 2018 ACS. These areas were developed in conjunction with the NYSHCR Fair and Equitable Housing Office (FEHO) and Office of Research and Strategic Analysis (ORSA).
- **NYSHCR Office of Finance and Development (OFD) Multifamily Investments:** Affordable multifamily developments financed through NYSHCR’s Office of Finance and Development are tracked in the Statewide Housing Accounting System (SHARS) for 9% Low Income Housing Tax Credit (LIHTC) and State Housing Trust Fund subsidized projects or the Housing Finance Agency’s internal database for tax-exempt bond 4% LIHTC projects. When the section below on Publicly Supported and Affordable Housing references “recent multifamily and LIHTC projects” it is referring to project data stored in these databases for construction starts from January 1, 2015 to December 31, 2020.
- **NYSHCR Asset Management Data:** Once multifamily affordable housing developments have converted to permanent financing, they enter supervision by the agency’s Statewide Asset Management Unit. Data on these projects are maintained in either the State Asset Management Information System (SAMIS) for 9% LIHTC and State Housing Trust Fund subsidized projects or the Housing Finance Agency’s internal database for tax-exempt bond 4% LIHTC projects. For more information on NYSHCR’s assets, see: <https://hcr.ny.gov/hcr-multifamily-asset-map>.

### Quantitative Analysis of Geographic Regions

The tables, maps, and charts in this Assessment break down into five geographic regions based on whether they are in upstate and downstate counties, or whether they are in a HUD

Entitlement Jurisdictions (HUD-EJ) or in the remainder New York State Entitlement Jurisdiction (NYSEJ), as previously described in Subsection III.A. Because only 3 percent of the downstate population is covered by the NYSEJ, and these municipalities are largely suburban, rather than rural in character, the analysis does not distinguish between HUD-EJs and the NYSEJ when discussing downstate New York.

**HUD Entitlement Jurisdictions – Upstate (HUD-EJs):** Because this upstate region covers the more densely populated portions of upstate New York, this geographic area doubles as a proxy for the urbanized portions of New York State outside the New York City metropolitan area (Buffalo and Erie County, Rochester and Monroe County, Syracuse and Onondaga County, as well as other local HUD-entitlement jurisdictions).

**New York State Entitlement Jurisdictions – Upstate (NYSEJ):** Since all of the predominantly urban areas in upstate New York and nearly all of downstate New York fall within a HUD-EJ (New York City, Buffalo and Erie County, Rochester and Monroe County, Syracuse and Onondaga County, as well as other local HUD-entitlement jurisdictions), the NYSEJ geographic area doubles as a proxy for the more rural portions of New York State.

**Upstate (Both):** This represents the sum of the previous two categories, reflecting the entirety of New York State north of Westchester and Rockland Counties without regard for rural or urban geography.

**Downstate (Both):** As discussed above, though there are a group of hamlets on Long Island that are part of the NYSEJ, the overwhelming majority of this region’s population lives in a HUD Entitlement Jurisdiction, and therefore is not separated into HUD-EJ and NYSEJ subsets, in contrast to the upstate region.

**Statewide (Both):** This represents the entirety of the State of New York.

#### A Note on Terminology and Racial and Ethnic Categories

Demographics, and understanding who New Yorkers are, is key to this Assessment. NYSHCR strives to use appropriate and inclusive terms when describing the different demographic groups. Because of the way data is collected in the Census, certain terminology must be used. For example, the Census uses American Indian/Native Alaskan to describe what others would call Native American groups. Hispanic is used where Latino/a or Latinx might be used. Black and African American are used together in the Census, but often in other data either one or the other is used. For purposes of this Assessment, both applicable terms were used where possible, although not in every instance where space or data integrity concerns demanded.

Further, NYSHCR relied primarily on AFFH-T data, as required by HUD regulation, supplemented with Census ACS data, to discuss demographic trends in the geographies presented in this Assessment. The AFFH-T data, which is based on Census data, provides household counts aggregated into non-duplicative categories for race and ethnicity. The Census Bureau follows standards set by the U.S. Office of Management and Budget for the collection and presentation of data with regard to race and ethnicity. While we acknowledge that there may be many and significant variations in the socioeconomic and other demographic makeup of households within the racial and ethnic categories presented here, limitations on the granularity of the data available prevented us from exploring those trends within this Assessment.

## IV. New York by the Numbers

This section describes demographic characteristics that affect housing choice among residents served by NYSHCR. It provides context to existing conditions in order to inform strategies for broadening the availability of housing opportunities among residents of the state.

### A. Population

According to the 2019 American Community Survey, 19,572,319 people live in the state of New York. Of these, 12,552,969 (64 percent) live in downstate New York while the remaining 7,019,350 (36 percent) live upstate, split roughly evenly such that the HUD-EJ and NYSEJ in that region each contain 18 percent.

The 2019 estimated population represents a 1 percent increase over the 19,378,102 people counted in the 2010 Census, a slow overall 9-year growth rate reflecting a 2.3 percent increase downstate being offset by population loss in both the rural and urban portions of upstate.

Downstate New York is 38.3 times more densely populated than upstate, representing 5,975 people per square mile compared to 156 people per square mile. Not surprisingly, the rural NYSEJ is even less densely populated than upstate overall, consisting of 87 people per square mile, while the HUD-EJs upstate have 774 people per square mile. As population growth is taking place primarily in the downstate region, population density and the unique fair housing challenges associated with it will play an increasingly important role in the State’s housing policy.

*Fig. 4: Population and Density Change by Region and Entitlement Jurisdiction*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYSEJ		Both		Both		Both	
Total Population, 1990	3,496,830	19%	3,422,417	19%	6,919,247	38%	11,067,610	62%	17,986,857	100%
Total Population, 2000	3,481,256	18%	3,523,231	19%	7,004,487	37%	11,972,823	63%	18,977,310	100%
Total Population, 2010	3,513,851	18%	3,595,436	19%	7,109,287	37%	12,268,815	63%	19,378,102	100%
Total Population, 2019	3,491,613	18%	3,527,737	18%	7,019,350	36%	12,552,969	64%	19,572,319	100%
Total Land Area (sq. mi.)	4,511.95		40,510.74		45,022.69		2,100.75		47,123.44	
Population Density, 1990 (ppsm)	775		84		154		5,268		382	
Population Density, 2000 (ppsm)	772		87		156		5,699		403	
Population Density, 2010 (ppsm)	779		89		158		5,840		411	
Population Density, 2019 (ppsm)	774		87		156		5,975		415	

### B. Race/Ethnicity

The AFFH-T data includes population estimates from the 1990, 2000, and 2010 Decennial Censuses, with population estimates broken down by racial and ethnic identity. NYSHCR supplemented this data with a comparable population estimate from the 2019 ACS. The Census Bureau treats race as different from ethnicity, where the two recognized categories are “Hispanic” and “non-Hispanic.” For the purposes of this Assessment, the population identifying

as “Hispanic” is treated as a separate category regardless of race, while all identified racial categories refer only to “non-Hispanic” respondents even when not expressly noted.

Between 1990 and 2019, every region of the state saw declines in the non-Hispanic white population, both in absolute terms and as a percentage of the overall population, from 12.4 million (69 percent) to 10.9 million (56 percent). The drop in the non-Hispanic white proportion of the population was a consistent 14 percentage points in both the downstate region (56 percent to 42 percent) and the HUD Entitlement Jurisdictions upstate (85 percent to 71 percent), but only 6 percentage points (95 percent to 89 percent) in the NYSEJ upstate.

The state’s Black/African American population declined by nearly 150,000 people between 2010 and 2019, or from 15 percent to 14 percent of the total. This decrease was largely seen downstate, where the population shrank from 2.36 million to 2.26 million. The absolute number of Black/African American people living upstate (both in the HUD-EJs and the NYSEJ) also decreased. Despite these declines over the last decade, New York State’s Black/African American population in 2019 was slightly larger than it was in 1990 in absolute terms, with much of that growth occurring in upstate urban and suburban areas.

The Asian/Pacific Islander population has seen the largest proportional increase since 1990, doubling from 4 percent to 8 percent of the state’s population and representing an absolute increase of nearly a million people. This increase has been largely concentrated downstate, where the Asian/Pacific Islander population increased from under 600,000 in 1990 to over 1.4 million in 2019, or from 5 percent of the region to 11 percent. But in proportional terms, it was most significant in the HUD-EJs, where Asian/Pacific Islanders went from 1 percent of the population to 4 percent. The Asian/Pacific Islander population in the upstate NYSEJ more than doubled from 1990 to 2019.

The Hispanic/Latinx population saw the largest absolute increase: more than 1.5 million between 1990 and 2019, growing from 2.2 million to 3.7 million, or 12 percent to 19 percent of the state’s population. As with the Asian/Pacific Islander population, the bulk of the absolute growth has been downstate, but the largest proportional increases have been upstate, where the percentage identifying as Hispanic/Latinx increased threefold in the HUD-EJs (3 percent to 9 percent) and doubled in the NYSEJ (from 2 percent to 4 percent).

The Native American/Indigenous population makes up less than one percent of the state’s population. Population estimates suggest a slight decline in the Native American/Indigenous population, driven by a decline of that group’s population in the more urban and suburban regions of the Upstate HUD-EJ and downstate.



*Fig. 5: Demographic Change Across Racial/Ethnic Groups Since 1990*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
White (Non-Hispanic), 1990	2,985,152	85%	3,263,751	95%	6,248,903	90%	6,206,880	56%	12,455,783	69%
White (Non-Hispanic), 2000	2,776,662	80%	3,279,824	93%	6,056,486	86%	5,703,648	48%	11,760,134	62%
White (Non-Hispanic), 2010	2,615,087	74%	3,271,986	91%	5,887,073	83%	5,417,174	44%	11,304,247	58%
White (Non-Hispanic), 2019	2,492,186	71%	3,150,102	89%	5,642,288	80%	5,241,524	42%	10,883,812	56%
Black / African American, 1990	335,408	10%	64,521	2%	399,929	6%	2,164,554	20%	2,564,483	14%
Black / African American, 2000	418,582	12%	89,553	3%	508,135	7%	2,453,890	20%	2,962,025	16%
Black / African American, 2010	476,216	14%	108,058	3%	584,274	8%	2,362,606	19%	2,946,880	15%
Black / African American, 2019	438,745	13%	88,428	3%	527,173	8%	2,263,331	18%	2,790,504	14%
Asian American / Pacific Islander, 1990	50,093	1%	23,016	1%	73,109	1%	591,235	5%	664,344	4%
Asian American / Pacific Islander, 2000	79,977	2%	38,665	1%	118,642	2%	1,010,922	8%	1,129,564	6%
Asian American / Pacific Islander, 2010	125,004	4%	59,149	2%	184,153	3%	1,337,617	11%	1,521,770	8%
Asian American / Pacific Islander, 2019	135,533	4%	57,025	2%	192,558	3%	1,440,981	11%	1,633,539	8%
Hispanic / Latinx, 1990	106,215	3%	54,231	2%	160,446	2%	2,049,849	19%	2,210,295	12%
Hispanic / Latinx, 2000	169,136	5%	81,446	2%	250,582	4%	2,616,156	22%	2,866,738	15%
Hispanic / Latinx, 2010	262,797	7%	120,640	3%	383,437	5%	3,033,485	25%	3,416,922	18%
Hispanic / Latinx, 2019	310,266	9%	150,516	4%	460,782	7%	3,260,201	26%	3,720,983	19%
Native American / Indigenous, 1990	13,767	0%	12,563	0%	26,330	0%	22,037	0%	48,367	0%
Native American / Indigenous, 2000	N/A									
Native American / Indigenous, 2010	N/A									
Native American / Indigenous, 2019	11,205	0%	14,379	0%	25,584	0%	20,450	0%	46,034	0%
Total Population, 1990	3,496,830		3,422,417		6,919,247		11,067,610		17,986,857	
Total Population, 2000	3,481,256		3,523,231		7,004,487		11,972,823		18,977,310	
Total Population, 2010	3,513,851		3,595,436		7,109,287		12,268,815		19,378,102	
Total Population, 2019	3,491,613		3,527,737		7,019,350		12,552,969		19,572,319	

Poverty Disparities by Race/Ethnicity

In 2019, in all regions of the state, Black/African American people and Hispanic/Latinx people represent a larger proportion of the population living in poverty than of the overall population, while white people represent a smaller proportion. The degree of the disparity varies by race and geography. In the NYSEJ, white people represent 90 percent of the population and only 83 percent of people in poverty, but in the upstate HUD-EJs, white people are 72 percent of the population and only 48 percent of the people in poverty. Downstate, they are 42 percent of the population and only 24 percent of people in poverty, reflecting much larger disparities.

Black/African American people have the largest disparity upstate, while Hispanic/Latinx people have the largest disparity downstate. Black/African American people represent only 8 percent of the population upstate but are 17 percent of the population in poverty there. Downstate, Hispanic/Latinx people represent 26 percent of the population but are 39 percent of the population living in poverty.



*Fig. 6: Demographics and Poverty*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
<b>Race/Ethnicity</b>										
White (Non-Hispanic)	2,410,608	72%	2,997,105	90%	5,407,713	81%	5,152,974	42%	10,560,687	56%
Black / African American	438,002	13%	63,711	2%	501,713	8%	2,447,784	20%	2,949,497	16%
Asian American	126,354	4%	52,528	2%	178,882	3%	1,432,477	12%	1,611,359	8%
Hispanic / Latinx	295,617	9%	129,015	4%	424,632	6%	3,208,990	26%	3,633,622	19%
Native American / Indigenous	14,546	0%	14,424	0%	28,970	0%	47,443	0%	76,413	0%
Native Hawaiian / Pacific Islander	1,421	0%	1,169	0%	2,590	0%	5,610	0%	8,200	0%
Other Race	93,635	3%	37,323	1%	130,958	2%	1,531,542	12%	1,662,500	9%
Two or More Races	117,365	3%	67,697	2%	185,062	3%	411,930	3%	596,992	3%
<b>Total Population</b>	<b>3,356,052</b>	<b>100%</b>	<b>3,312,296</b>	<b>100%</b>	<b>6,668,348</b>	<b>100%</b>	<b>12,333,929</b>	<b>100%</b>	<b>19,002,277</b>	<b>100%</b>
<b>Population in Poverty</b>										
<b>Race/Ethnicity</b>										
White (Non-Hispanic)	235,451	48%	324,848	83%	560,299	63%	422,259	24%	982,558	37%
Black / African American	130,916	26%	16,558	4%	147,474	17%	473,042	26%	620,516	23%
Asian American	27,712	6%	7,308	2%	35,020	4%	206,198	12%	241,218	9%
Hispanic / Latinx	79,415	16%	28,007	7%	107,422	12%	700,856	39%	808,278	30%
Native American / Indigenous	3,827	1%	3,691	1%	7,518	1%	10,191	1%	17,709	1%
Native Hawaiian / Pacific Islander	516	0%	245	0%	761	0%	1,027	0%	1,788	0%
Other Race	26,762	5%	9,699	2%	36,461	4%	380,386	21%	416,847	16%
Two or More Races	33,234	7%	14,723	4%	47,957	5%	64,994	4%	112,951	4%
<b>Population in Poverty</b>	<b>495,219</b>	<b>100%</b>	<b>392,219</b>	<b>100%</b>	<b>887,438</b>	<b>100%</b>	<b>1,786,417</b>	<b>100%</b>	<b>2,673,855</b>	<b>100%</b>
<b>Overall Poverty Rate</b>		<b>15%</b>		<b>12%</b>		<b>13%</b>		<b>14%</b>		<b>14%</b>

Data Source: 2019 5-Year ACS Table S1701. Note that the “total population” figure represented here reflects only the population for whom poverty status can be determined, and therefore the totals shown are lower than the actual populations of the state described above.

### Income Disparities by Race/Ethnicity

Similarly significant disparities in income relative to race exist. In all regions of the state, white households make up disproportionately low proportions of the extremely low-, very low-, and low-income populations (defined as earning less than 30 percent, less than 50 percent, or less than 80 percent of the area median income, respectively). White households represent almost two-thirds of the state’s households but are only 52 percent of its low-income households, 47 percent of its very low-income households, and 43 percent of its extremely low-income households. Black/African American and Hispanic households, on the other hand, represent 14 percent and 15 percent of the state, respectively, but represent 22 percent and 27 percent of its extremely low-income population.

The disparity in income exists as relative income increases as well. White people are 43 percent of extremely low-income households but 47 percent of very low-income, and 52 percent of low-income households, respectively. Black/African American and Hispanic/Latinx households, on the other hand, are 22 percent and 27 percent of extremely low-income households, 20 percent and 25 percent of very low-income households, and 19 percent and 22 percent of low-income households, respectively. The effect is least pronounced with Asian/Pacific Islander households, who represent 8 percent of extremely low-income households and 7 percent of all households statewide. This trend holds in all regions of the state.

Fig. 7: Income Breakdown by Race, Relative to Area Median Income

Region	Entitlement Jurisdiction	Income Level	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Overall
Upstate	HUD Entitlement Jurisdictions	<30% AMI	59%	25%	4%	12%	16%
		<50% AMI	65%	21%	3%	10%	29%
		<80% AMI	70%	18%	3%	9%	45%
		Overall	79%	12%	3%	6%	100%
Upstate	New York State Entitlement Jurisdiction	<30% AMI	91%	3%	2%	4%	12%
		<50% AMI	92%	2%	1%	4%	23%
		<80% AMI	93%	2%	1%	3%	41%
		Overall	95%	2%	1%	2%	100%
Upstate	Both	<30% AMI	72%	16%	3%	9%	14%
		<50% AMI	77%	13%	2%	7%	26%
		<80% AMI	81%	11%	2%	6%	43%
		Overall	87%	7%	2%	4%	100%
Downstate	Both	<30% AMI	32%	24%	10%	34%	22%
		<50% AMI	34%	23%	10%	32%	36%
		<80% AMI	36%	23%	10%	30%	51%
		Overall	50%	18%	10%	22%	100%
Statewide	Both	<30% AMI	43%	22%	8%	27%	19%
		<50% AMI	47%	20%	8%	25%	32%
		<80% AMI	52%	19%	7%	22%	48%
		Overall	64%	14%	7%	15%	100%

C. Immigration and Language Proficiency

Both the rate of limited English-language proficiency and the proportion of the population born outside the United States increased between 1990 and 2015. Limited English proficiency speakers increased from 10 percent of the state’s population to 13 percent during the 25-year period, and foreign-born New Yorkers increased from 16 percent to 23 percent.

Though the population of both groups increased in all regions of the state, the size of the increase varied significantly. The foreign-born population downstate increased by 9 percentage points (23 percent to 32 percent) compared to a 2 point increase upstate (4 percent to 6 percent). The number of people with limited English-language proficiency increased by 4 percentage points downstate (14 percent to 18 percent) compared to a 1 point increase upstate (2 percent to 3 percent). The rates for both populations in the NYSEJ remained relatively flat, as did the limited English-language proficiency population, while the foreign-born population in the HUD-EJ upstate increased from 5 percent to 9 percent.

*Fig. 8: Foreign-Born Population and Population with Limited English Proficiency, 1990-2015*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
Population w. Limited English Proficiency, 1990	108,120	3%	62,240	2%	170,360	2%	1,594,240	14%	1,764,600	10%
Population w. Limited English Proficiency, 2000	129,098	4%	72,845	2%	201,943	3%	2,108,301	18%	2,310,244	12%
Population w. Limited English Proficiency, 2010	141,047	4%	76,049	2%	217,096	3%	2,177,400	18%	2,394,496	12%
Population w. Limited English Proficiency, 2015	148,191	4%	76,673	2%	224,864	3%	2,257,690	18%	2,482,554	13%
Foreign-Born Population, 1990	190,769	5%	107,241	3%	298,010	4%	2,552,839	23%	2,850,849	16%
Foreign-Born Population, 2000	219,390	6%	120,574	3%	339,964	5%	3,528,160	29%	3,868,124	20%
Foreign-Born Population, 2010	283,273	8%	147,150	4%	430,423	6%	3,749,753	31%	4,180,176	22%
Foreign-Born Population, 2015	295,519	9%	148,589	4%	444,108	6%	3,964,635	32%	4,408,743	23%
Total Population, 1990	3,496,830		3,422,417		6,919,247		11,067,610		17,986,857	
Total Population, 2000	3,481,256		3,523,231		7,004,487		11,972,823		18,977,310	
Total Population, 2010	3,513,851		3,595,436		7,109,287		12,268,815		19,378,102	
Total Population, 2015	3,460,679		3,443,827		6,904,506		12,520,828		19,425,334	

#### D. Age and Sex

The proportion of the state’s population under 18 years old is relatively consistent across geographies. Older adults aged 65 and older represent higher proportions of the population upstate (18 percent, compared to 16 percent overall), particularly in the NYSEJ (19 percent).

Women represent a slight majority of the population in the state, with higher proportions in urban and suburban areas (downstate and HUD-EJ upstate).

Both women and children experience poverty at higher rates in all regions of the state than men and adults. Children under 18 years old represent 21 percent of the population but 30 percent of the population in poverty, while women are 52 percent of the population and 56 percent of people in poverty. These disparities are relatively consistent across all regions of the state.

*Fig. 9: Population and Poverty Rate, by Age and Sex*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
<b>Age</b>										
Population under 18 Years	711,786	21%	680,334	21%	1,392,120	21%	2,627,055	21%	4,019,175	21%
Population 18 to 64 Years	2,089,806	62%	2,007,168	61%	4,096,974	61%	7,844,852	64%	11,941,826	63%
Population 65+ Years	554,460	17%	624,794	19%	1,179,254	18%	1,862,022	15%	3,041,276	16%
<b>Sex</b>										
Population Male	1,626,947	48%	1,640,861	50%	3,267,808	49%	5,925,288	48%	9,193,096	48%
Population Female	1,729,105	52%	1,671,435	50%	3,400,540	51%	6,408,641	52%	9,809,181	52%
<b>Total Population</b>	<b>3,356,052</b>	<b>100%</b>	<b>3,312,296</b>	<b>100%</b>	<b>6,668,348</b>	<b>100%</b>	<b>12,333,929</b>	<b>100%</b>	<b>19,002,277</b>	<b>100%</b>
<b>Population in Poverty</b>										
<b>Age</b>										
Population under 18 Years	152,375	31%	113,197	29%	265,572	30%	524,833	29%	790,405	30%
Population 18 to 64 Years	295,287	60%	234,209	60%	529,496	60%	1,004,207	56%	1,533,703	57%
Population 65+ Years	47,557	10%	44,813	11%	92,370	10%	257,377	14%	349,747	13%
<b>Sex</b>										
Population Male	220,775	45%	175,989	45%	396,764	45%	774,049	43%	1,170,813	44%
Population Female	274,444	55%	216,230	55%	490,674	55%	1,012,368	57%	1,503,042	56%
<b>Population in Poverty</b>	<b>495,219</b>	<b>100%</b>	<b>392,219</b>	<b>100%</b>	<b>887,438</b>	<b>100%</b>	<b>1,786,417</b>	<b>100%</b>	<b>2,673,855</b>	<b>100%</b>
<b>Overall Poverty Rate</b>		<b>15%</b>		<b>12%</b>		<b>13%</b>		<b>14%</b>		<b>14%</b>

Data Source: 2019 5-Year ACS Table S0101. Note that “sex” is self-reported by survey participants and there is no option for non-binary identification.

## E. Household Characteristics

### Homeownership

There is a broadly even split between renter households and homeowners in the state. Owner households are in the slight majority (52 percent compared to 48 percent for renters). The split varies significantly by geography Two-thirds of upstate households own their home compared to 42 percent of households downstate. Within the upstate region, there is further variation, as 73 percent of households in the rural NYSEJ own their homes, compared to 61 percent of households in the more urbanized HUD-EJ.

One-fifth of households (both owner and renter) are cost burdened, meaning the combined cost of rent or mortgage payments and utilities exceeds 30 percent of the household’s income. This too varies by region, with 24 percent of downstate households being cost burdened, compared to 14 percent of upstate households. Cost burdens are discussed in more detail below in the Disproportionate Housing Needs part of Section VI: Fair Housing in New York.

*Fig. 10: Total Households by Housing Tenure*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
Owner-Occupied Households	863,775	62%	1,009,543	73%	1,873,318	68%	2,020,402	45%	3,893,720	54%
Renter-Occupied Households	524,883	38%	368,505	27%	893,388	32%	2,477,745	55%	3,371,133	46%
Cost-Burdened Households	209,737	15%	156,000	11%	365,737	13%	963,189	21%	1,328,926	18%
<b>Total Households</b>	<b>1,388,658</b>	<b>100%</b>	<b>1,378,048</b>	<b>100%</b>	<b>2,766,706</b>	<b>100%</b>	<b>4,498,147</b>	<b>100%</b>	<b>7,264,853</b>	<b>100%</b>

### Disparities in Homeownership by Race

There are significant racial disparities in homeownership rates throughout the state. Two-thirds of white households own their homes, with higher rates upstate (73 percent) than downstate (60 percent). In contrast, only a third of Black/African American households and a quarter of Hispanic/Latinx own their homes. The ownership rates for Asian/Pacific Islander and other race households are also lower (46 percent and 41 percent, respectively). Black/African American homeownership rates are slightly higher in the more rural NYSEJ (40 percent) than in the urbanized parts of the state (where it is consistently around 33 percent, regardless of region), but in all cases is among the lowest of any racial/ethnic group.

Less than a quarter of Hispanic/Latinx households own their homes -- the lowest ownership rate of any racial/ethnic group. There is also a significant geographic disparity; two fifths of Hispanic/Latinx households upstate own their homes, compared to only 22 percent downstate.

The geographic disparity is smaller for Native American/Indigenous households; just over two-fifths of Native American/Indigenous households downstate are homeowners, compared to almost three-fifths upstate. The high rate for Native American/Indigenous households upstate is largely attributed to their 67 percent homeownership rate in the NYSEJ, where members of this group are more likely to live.

Fig. 11: Households by Race and Tenure

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
Owners, White (Non-Hispanic)	753,902	70%	967,914	75%	1,721,816	73%	1,307,903	60%	3,029,719	66%
Renters, White (Non-Hispanic)	325,933	30%	322,977	25%	648,910	27%	878,745	40%	1,527,655	34%
Owners, Black/African-American	52,046	32%	8,040	40%	60,086	33%	256,273	32%	316,359	32%
Renters, Black/African-American	110,389	68%	12,216	60%	122,605	67%	554,171	68%	676,776	68%
Owners, Asian/Pacific Islander	16,958	46%	8,390	52%	25,348	48%	203,188	46%	228,536	46%
Renters, Asian/Pacific Islander	20,043	54%	7,890	48%	27,933	52%	238,319	54%	266,252	54%
Owners, Hispanic/Latinx	31,327	37%	14,962	46%	46,289	40%	216,425	22%	262,714	24%
Renters, Hispanic/Latinx	53,210	63%	17,550	54%	70,760	60%	753,114	78%	823,874	76%
Owners, Native American/Indigenous	1,810	44%	3,505	67%	5,315	57%	3,239	43%	8,554	51%
Renters, Native American/Indigenous	2,325	56%	1,757	33%	4,082	43%	4,286	57%	8,368	49%
Owners, Some Other Race	7,732	37%	6,732	52%	14,464	43%	33,374	40%	47,838	41%
Renters, Some Other Race	12,983	63%	6,115	48%	19,098	57%	49,110	60%	68,208	59%
Owners Overall	863,775	61%	1,009,543	73%	1,873,318	67%	2,020,402	42%	3,893,720	52%
Renters Overall	524,883	39%	368,505	27%	893,388	33%	2,477,745	58%	3,371,133	48%
<b>Total Households</b>	<b>1,388,658</b>		<b>1,378,048</b>		<b>2,766,706</b>		<b>4,498,147</b>		<b>7,264,853</b>	

### Poverty and Household Type

The diversity of living arrangements and household types throughout New York State can create unique fair housing challenges and, in some cases, can obscure struggles faced by different types of households. Examining the housing needs of families and non-family households of different sizes and age ranges provides valuable insight into where there are deficiencies in the state’s housing stock.<sup>1</sup>

### Household Types and Homeownership

#### Key Observations

Elderly families – both upstate and downstate – are much more likely to own homes than to rent. But elderly non-families are equally likely to be owners and renters downstate and are slightly more likely to rent upstate.

- **EXAMPLE:** Elderly families represent 18 percent of homeowners downstate and 20 percent of homeowners upstate, despite being 15 percent and 12 percent of households in those regions, respectively. Elderly non-families are 14 percent of homeowners and

<sup>1</sup> A note on terminology. Information on different household structures comes from CHAS, which attempts to catalogue the different sizes, age ranges, and familial relationships between members of a household. For these purposes, a household refers to all people living in a single housing unit regardless of relationship. In the CHAS dataset, “family” refers to related individuals living in the same household, “elderly” refers to individuals aged 62 years and older (in contrast to the “senior” definition earlier in the Census data), and “young child” refers to individuals aged 6 years old or younger. Consequently, “elderly family” refers to a household in which all members are over the age of 62 years and are related to one another, while “elderly non-family” refers to one in which all members are 62 years or older, but they are not related (for example, unrelated roommates). Similarly, “large household” refers to a household consisting of five or more individual residents, while “small household” refers to fewer than five individuals. It should be noted that, in order to avoid double-classification of households, CHAS counts only two-member households in the “elderly family” and “elderly non-family” categories; a family consisting of three or four members is counted as a “small family” regardless of age, and one of five or more members is counted as a “large family” regardless of the age of the householder. This is not the case with households containing a child younger than six, which are counted on a separate line as well as being included in either the small or large household categories.

14 percent of households overall downstate but are 15 percent of homeowners and only 14 percent of all households upstate.

In all regions of the state, families, both large and small, are more likely to own than to rent. But other non-family households (e.g., roommates) are far more likely to rent.

- **EXAMPLE:** Small families represent 44 percent of homeowners but only 41 percent of households statewide, while “other household type” households represent 33 percent of renters statewide and only 22 percent of households overall.

Households with at least one young child are slightly underrepresented among homeowners in every region of the state and are the only family subgroup to be disproportionately renters.

- **EXAMPLE:** Households with at least one child under 6 years old represent 12 percent of homeowners in HUD- EJs upstate, 11 percent of homeowners in the NYSEJ, and 14 percent of homeowners downstate, but are 14 percent, 13 percent, and 15 percent of all households in those regions, respectively.

*Fig. 12: Household Type by Tenure*

	Household Type	Owner-Occupied		Renter-Occupied		Total Households	
		Count	%	Count	%	Count	%
Upstate HUD-EJ	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	168,613	19%	23,430	4%	192,043	14%
	Elderly Non-Family	134,467	15%	87,985	16%	222,452	16%
	Large Family (5 Or More Persons)	65,930	7%	29,360	5%	95,290	7%
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	384,146	44%	177,250	33%	561,396	40%
	Other Household Type (Non-Elderly Non-Family)	126,695	14%	221,037	41%	347,732	25%
	<i>Household Contains 1 Or More Children Age 6 or Younger</i>	126,803	14%	221,037	41%	347,840	25%
	<b>Total</b>	<b>879,851</b>	<b>100%</b>	<b>539,062</b>	<b>100%</b>	<b>1,418,913</b>	<b>100%</b>
Upstate NYS-EJ	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	216,812	22%	19,965	6%	236,777	17%
	Elderly Non-Family	151,075	15%	63,844	18%	214,919	16%
	Large Family (5 Or More Persons)	67,845	7%	18,185	5%	86,030	6%
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	436,598	44%	126,555	36%	563,153	41%
	Other Household Type (Non-Elderly Non-Family)	129,157	13%	127,914	36%	257,071	19%
	<i>Household Contains 1 Or More Children Age 6 or Younger</i>	110,954	11%	62,310	17%	173,264	13%
	<b>Total</b>	<b>1,001,487</b>	<b>100%</b>	<b>356,463</b>	<b>100%</b>	<b>1,357,950</b>	<b>100%</b>
Upstate Total	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	385,425	20%	43,395	5%	428,820	15%
	Elderly Non-Family	285,542	15%	151,829	17%	437,371	16%
	Large Family (5 Or More Persons)	133,775	7%	47,545	5%	181,320	7%
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	820,744	44%	303,805	34%	1,124,549	40%
	Other Household Type (Non-Elderly Non-Family)	255,852	14%	348,951	39%	604,803	22%
	<i>Household Contains 1 Or More Children Age 6 or Younger</i>	237,757	13%	283,347	32%	521,104	19%
	<b>Total</b>	<b>1,881,338</b>	<b>100%</b>	<b>895,525</b>	<b>100%</b>	<b>2,776,863</b>	<b>100%</b>
Downstate	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	361,439	18%	174,029	7%	535,468	12%
	Elderly Non-Family	277,195	14%	348,978	14%	626,173	14%
	Large Family (5 Or More Persons)	257,158	13%	206,557	8%	463,715	10%
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	917,724	45%	971,027	39%	1,888,751	42%
	Other Household Type (Non-Elderly Non-Family)	236,644	12%	758,161	31%	994,805	22%
	<i>Household Contains 1 Or More Children Age 6 or Younger</i>	283,737	14%	406,164	17%	689,901	15%
	<b>Total</b>	<b>2,050,160</b>	<b>100%</b>	<b>2,458,752</b>	<b>100%</b>	<b>4,508,912</b>	<b>100%</b>
Statewide	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	749,400	19%	218,660	7%	968,060	13%
	Elderly Non-Family	565,055	14%	501,680	15%	1,066,735	15%
	Large Family (5 Or More Persons)	392,165	10%	254,995	8%	647,160	9%
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	1,741,590	44%	1,276,210	38%	3,017,800	41%
	Other Household Type (Non-Elderly Non-Family)	494,265	13%	1,108,700	33%	1,602,965	22%
	<i>Household Contains 1 Or More Children Age 6 or Younger</i>	521,494	13%	689,511	21%	1,211,005	17%
	<b>Total</b>	<b>3,942,475</b>	<b>100%</b>	<b>3,360,245</b>	<b>100%</b>	<b>7,302,720</b>	<b>100%</b>

## Household Types and Income Disparities

### **Key Observations**

In all regions, elderly non-families are much more likely to be extremely low-income than any other household type. This is most extreme downstate, where a full 45 percent of elderly non-families earn 30 percent of AMI or less.

- **EXAMPLE:** Thirty-five percent of elderly non-families earn 30 percent of AMI or less, compared to 12 percent of elderly families, 16 percent of large families, 13 percent of small families, 22 percent of other household type families, and 20 percent of families with young children.

Families are less likely to be low-income than non-families.

- **EXAMPLE:** Eleven percent of elderly families, 10 percent of large families, and 9 percent of small families earn between 80 percent and 100 percent of AMI, and another 48 percent, 44 percent, and 53 percent earn more than 100 percent of AMI, respectively. Compare this to 7 percent of elderly non-families and 10 percent of “other” households earning between 80 percent and 100 percent of AMI and 20 percent of elderly non-families and 41 percent of “other” households earning greater than 100 percent AMI.

Households with young children in the NYSEJ are more likely to be extremely low-income than households with young children in the more urban regions.

- **EXAMPLE:** Twelve percent of households with a child aged 6 or younger in the NYSEJ upstate earn 30 percent of AMI or less, compared to 19 percent of households with a child 6 or younger in HUD-EJs upstate and 22 percent downstate.



Fig. 13: Household Type by Income

	Household Type	≤ 30% HAMFI	30% - 50% HAMFI	50% - 80% HAMFI	80% - 100% HAMFI	> 100% HAMFI	Total Households					
Upstate HUD-EJ	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	9,404	4%	17,711	10%	35,948	15%	24,213	17%	104,985	16%	192,261
	Elderly Non-Family	54,655	25%	53,284	31%	49,958	21%	19,045	14%	45,993	7%	222,935
	Large Family (5 Or More Persons)	13,586	6%	10,559	6%	14,386	6%	9,087	6%	47,815	7%	95,433
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	60,224	27%	47,965	28%	71,962	31%	51,762	37%	330,042	51%	561,955
	Other Household Type (Non-Elderly Non-Family)	81,992	37%	44,081	25%	61,109	26%	36,710	26%	124,245	19%	348,137
	Household Contains 1 Or More Children Age 6 Or Younger	36,309	17%	25,685	15%	28,927	12%	17,341	12%	83,982	13%	192,244
<b>Total</b>	<b>219,861</b>	<b>15%</b>	<b>173,600</b>	<b>12%</b>	<b>233,363</b>	<b>16%</b>	<b>140,817</b>	<b>10%</b>	<b>653,080</b>	<b>46%</b>	<b>1,420,721</b>	
Upstate NYS-EJ	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	9,615	7%	20,285	13%	46,144	20%	30,228	21%	130,574	19%	236,846
	Elderly Non-Family	43,039	29%	53,570	35%	50,106	21%	20,556	14%	47,447	7%	214,718
	Large Family (5 Or More Persons)	6,670	5%	8,349	5%	15,174	6%	9,156	6%	46,588	7%	85,937
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	38,106	26%	41,617	27%	74,842	32%	55,043	38%	353,660	52%	563,268
	Other Household Type (Non-Elderly Non-Family)	50,011	34%	31,111	20%	49,381	21%	28,875	20%	97,439	14%	256,817
	Household Contains 1 Or More Children Age 6 Or Younger	20,998	14%	19,830	13%	32,359	14%	18,734	13%	81,343	12%	173,264
<b>Total</b>	<b>147,441</b>	<b>11%</b>	<b>154,932</b>	<b>11%</b>	<b>235,647</b>	<b>17%</b>	<b>143,858</b>	<b>11%</b>	<b>675,708</b>	<b>50%</b>	<b>1,357,586</b>	
Upstate Total	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	19,019	5%	37,996	12%	82,092	18%	54,441	19%	235,559	18%	429,107
	Elderly Non-Family	97,694	27%	106,854	33%	100,064	21%	39,601	14%	93,440	7%	437,653
	Large Family (5 Or More Persons)	20,256	6%	18,908	6%	29,560	6%	18,243	6%	94,403	7%	181,370
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	98,330	27%	89,582	27%	146,804	31%	106,805	38%	683,702	51%	1,125,223
	Other Household Type (Non-Elderly Non-Family)	132,003	36%	75,192	23%	110,490	24%	65,585	23%	221,684	17%	604,954
	Household Contains 1 Or More Children Age 6 Or Younger	57,307	16%	45,515	14%	61,286	13%	36,075	13%	165,325	12%	365,508
<b>Total</b>	<b>367,302</b>	<b>13%</b>	<b>328,532</b>	<b>12%</b>	<b>469,010</b>	<b>17%</b>	<b>284,675</b>	<b>10%</b>	<b>1,328,788</b>	<b>48%</b>	<b>2,778,307</b>	
Downstate	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	92,544	10%	77,328	13%	82,882	13%	52,386	13%	231,536	12%	536,676
	Elderly Non-Family	280,193	29%	110,605	19%	82,274	12%	38,550	10%	115,909	6%	627,531
	Large Family (5 Or More Persons)	82,804	9%	68,090	12%	75,840	12%	46,739	12%	190,932	10%	464,405
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	303,078	31%	227,909	39%	267,464	41%	165,435	42%	926,977	49%	1,890,863
	Other Household Type (Non-Elderly Non-Family)	213,898	22%	105,794	18%	150,384	23%	92,079	23%	433,572	23%	995,727
	Household Contains 1 Or More Children Age 6 Or Younger	154,805	16%	102,518	17%	100,888	15%	57,452	15%	274,238	14%	689,901
<b>Total</b>	<b>972,517</b>	<b>22%</b>	<b>589,726</b>	<b>13%</b>	<b>658,844</b>	<b>15%</b>	<b>395,189</b>	<b>9%</b>	<b>1,898,926</b>	<b>42%</b>	<b>4,515,202</b>	
Statewide	Elderly Family (2 Persons, With Either Or Both Age 62 Or Over)	111,985	8%	115,860	13%	165,455	15%	107,295	16%	467,480	14%	968,075
	Elderly Non-Family	378,255	28%	217,765	24%	182,695	16%	78,405	11%	209,605	6%	1,066,725
	Large Family (5 Or More Persons)	103,325	8%	87,190	9%	105,855	9%	65,405	10%	285,390	9%	647,165
	Small Family (2 Persons, Neither Person 62 Years Or Over, Or 3 Or 4 Persons)	401,870	30%	317,905	35%	414,400	37%	272,710	40%	1,610,920	50%	3,017,805
	Other Household Type (Non-Elderly Non-Family)	346,410	26%	181,320	20%	261,495	23%	158,060	23%	655,675	20%	1,602,960
	Household Contains 1 Or More Children Age 6 Or Younger	212,720	16%	148,435	16%	162,955	14%	94,130	14%	440,390	14%	1,058,630
<b>Total</b>	<b>1,341,845</b>	<b>18%</b>	<b>920,040</b>	<b>13%</b>	<b>1,129,900</b>	<b>15%</b>	<b>681,875</b>	<b>9%</b>	<b>3,229,070</b>	<b>44%</b>	<b>7,302,730</b>	

## F. Disability

A quarter of households in the state have at least one member with a disability. These households represent nearly 1.2 million people with an ambulatory disability, almost 800,000 people with a cognitive disability, 800,000 people with an independent living disability, over half a million people with a hearing disability, almost half a million people with a self-care disability, and almost 400,000 people with a vision disability.

It should be noted that the disabilities referenced in the table below are the only ones captured by U.S. Census data. New York State also provides supportive housing to persons with other disabilities and other special needs such as mental illness, substance use disorder and/or HIV/AIDS who chose to live in affordable housing with the level of support services selected by the resident. The number of persons with these disabilities is hard to quantify, especially since people can have multiple disabilities. However, the need for supportive housing for these populations as well as for other vulnerable and marginalized populations has been well established.



*Fig. 14: Total Population with Disabilities*

Disability Condition	Upstate		Upstate		Upstate		Downstate		Statewide	
	HUD-EJ		NYS-EJ		Both		Both		Both	
People w. Hearing Disability	117,877	3%	137,630	4%	255,507	4%	280,900	2%	536,407	3%
People w. Vision Disability	73,082	2%	67,777	2%	140,859	2%	240,034	2%	380,893	2%
People w. Cognitive Disability	175,583	5%	169,876	5%	345,459	5%	436,618	3%	782,077	4%
People w. Ambulatory Disability	235,286	7%	238,348	7%	473,634	7%	724,331	6%	1,197,965	6%
People w. Self-Care Disability	83,871	2%	87,014	3%	170,885	2%	297,398	2%	468,283	2%
People w. Independent Living Disability	163,673	5%	160,834	5%	324,507	5%	488,708	4%	813,215	4%
<b>Total</b>	<b>3,460,679</b>	<b>100%</b>	<b>3,443,827</b>	<b>100%</b>	<b>6,904,507</b>	<b>100%</b>	<b>12,520,828</b>	<b>100%</b>	<b>19,425,335</b>	<b>100%</b>

Data Source: AFFH-T0006, July 2020.

### Poverty and Disability

The 2019 ACS estimated more than half a million disabled people are living in poverty, representing 24 percent of people with disabilities statewide. This is much higher than the state’s overall poverty rate of 14 percent and reflects the challenges people with disabilities face.

Households containing a member with a disability are much more likely to be classified as extremely low-income – that is, earning less than 30 percent of the median income for their area. Approximately a third of households with member having a cognitive disability, an ambulatory disability, or an independent living or self-care disability earn less than 30 percent of AMI, compared to the statewide average of 18 percent. A quarter of households with person who has a hearing or vision impairment are extremely low income.

The rates are even higher when looking specifically at renter households. Approximately half of all households containing a member with a disability are extremely low-income compared to only 31 percent of overall renter households statewide.

*Fig. 15: Households Containing a Member with a Disability by Income*

Household Income by Family Type - All Households										
Disability Status		≤ 30% HAMFI		30% - 50% HAMFI		50% - 80% HAMFI		> 80% HAMFI		Total Households
		#	%	#	%	#	%	#	%	
Statewide	Household member has a cognitive limitation	207,555	33%	104,255	17%	99,580	16%	216,965	35%	628,355
	Household member has a hearing or vision impairment	185,365	26%	116,430	16%	119,975	17%	298,405	41%	720,175
	Household member has a self-care or independent living limitation	251,935	32%	135,960	17%	127,235	16%	272,890	35%	788,020
	Household member has an ambulatory limitation	331,835	32%	177,340	17%	170,345	16%	353,830	34%	1,033,350
	<b>TOTAL</b>	<b>1,341,845</b>	<b>18%</b>	<b>920,035</b>	<b>13%</b>	<b>1,129,895</b>	<b>15%</b>	<b>3,910,940</b>	<b>54%</b>	<b>7,302,715</b>
Household Income by Family Type - RENTER OCCUPIED										
Statewide	Household member has a cognitive limitation	170,740	51%	64,255	19%	46,980	14%	52,625	16%	334,600
	Household member has a hearing or vision impairment	140,380	45%	61,405	20%	47,690	15%	61,715	20%	311,190
	Household member has a self-care or independent living limitation	196,900	52%	74,330	19%	52,680	14%	57,725	15%	381,635
	Household member has an ambulatory limitation	258,420	51%	99,230	19%	71,180	14%	80,375	16%	509,205
	<b>TOTAL</b>	<b>1,031,385</b>	<b>31%</b>	<b>564,730</b>	<b>17%</b>	<b>586,190</b>	<b>17%</b>	<b>1,177,925</b>	<b>35%</b>	<b>3,360,230</b>

## V. The Impact of COVID

No report on housing in New York would be complete without an analysis of the disproportionate impact of the novel Coronavirus (COVID-19) on minority and vulnerable New Yorkers. While much of the data for this Assessment was collected before the pandemic began, NYSHCR recognizes that the public health and economic consequences of COVID-19 have been far-reaching and have had a significant effect on the ability of many New Yorkers to access

affordable housing on fair and equitable terms. The pandemic has laid bare social and racial inequities, of which housing is a large part. Therefore, the impact of the pandemic on New York's vulnerable communities and communities of color should be viewed in conjunction with the broader narrative presented throughout this Assessment.

### A. The Effect of COVID-19 on Vulnerable Communities

Nationwide, the effects of the COVID-19 pandemic have fallen largely along racial and ethnic lines, with communities of color being hardest hit. According to data made available through the New York City Department of Health, COVID-19 death and infection rates have been highest in zip codes with predominantly non-white populations.

The concentration of the pandemic in these areas had devastating consequences as the death rate of Black and Latinx New Yorkers was nearly twice as high as white and Asian residents. Across New York State, according to data published by Johns Hopkins' Coronavirus Resource Center, while 16 percent of the state population is comprised of individuals who are Black/African American and 19 percent are Hispanic/Latinx, each of these populations comprised 23 percent of total COVID-19 deaths. Nationally, COVID-19 hospitalization rates among these communities were about 4.7 times the rate of that of white people.

The high infection and death rates within communities of color may be exacerbated by housing conditions. Black/African Americans are more likely than any other racial group to live in older and deteriorated housing. Black/African Americans are also more prone to an increased rate of housing-related illnesses, such as asthma and respiratory diseases. Housing related environmental risk factors, as well as underlying health conditions exacerbated by one's housing, such as respiratory disease, may all contribute to the disparity in COVID-19 outcomes. These conditions can be addressed through progressive housing policies.

Furthermore, people of color represent a disproportionate percentage of essential and frontline workers, including healthcare professionals, transportation workers, and grocery store employees. For example, 75 percent of essential workers in New York City are people of color and 60 percent are women. Statewide, more than 30 percent of essential workers are immigrants. Because of the nature of their jobs, these workers were at a higher risk of exposure to COVID-19 than the general public. When these workers live in overcrowded or otherwise substandard housing, COVID-19 is more easily transmitted to their families and other members of their communities.

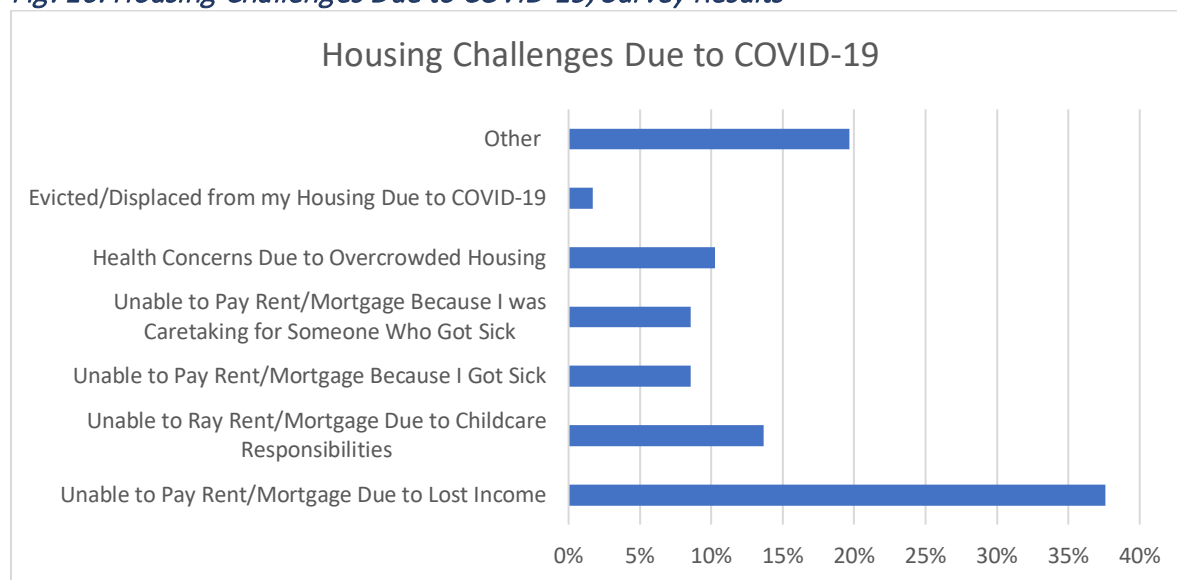
COVID-19 has also had a significant impact on other vulnerable populations in New York. Older adults faced enormous risks as nursing homes were the source of major outbreaks across the country. Quarantines also created significant levels of social isolation among older adults, who were effectively cut off from their families and communities. NYSHCR has attempted to address these issues by investing in safe and affordable housing for older adults and promoting intergenerational housing projects which encourage social interactions between older adults and their neighbors. Finally, as a result of stay-at-home orders, many victims of intimate partner violence (IPV) were trapped with their abusers. A report from the New England Journal of Medicine labeled the rising rates of IPV "a pandemic within a pandemic."

### B. Community Feedback on Impact of COVID-19

Most of the public engagement occurred in the fall of 2020, during the pandemic. The participants, whether community residents or professionals working on housing issues, frequently explained that many of the fair housing issues discussed were exacerbated by the pandemic. Concerns included the potential for a wave of evictions once the eviction moratorium lifted, getting priced out of particular neighborhoods or housing, especially in suburban and upstate communities that have seen a wave of relocating city residents, and the loss of income in order to pay rent or mortgages.

Twenty-seven percent of residents who completed the Community Resident Survey indicated that they experienced housing challenges related to COVID-19. Of those individuals, 38 percent of respondents were unable to pay their rent or mortgage due to a lack of income, 20 percent reported “other” housing challenges, and 14 percent were unable to pay rent or a mortgage due to childcare responsibilities.

*Fig. 16: Housing Challenges Due to COVID-19, Survey Results*



Similarly, the majority of Housing Stakeholders who completed the Housing Stakeholder Survey (70 percent) indicated that their constituents are experiencing new or worsening housing challenges due to the pandemic. They articulated the following challenges most frequently: loss of income due to unemployment or reduced working hours (18 percent), challenges posed by the lack of childcare or new caregiving responsibilities (16 percent), and the inability to move or search for housing (15 percent). The majority of respondents (63 percent) indicated that people from certain demographic groups are disproportionately impacted by COVID-19 challenges: racial minorities (15 percent), immigrants (11 percent), older adults (11 percent), and families with children (11 percent).

### C. New York State’s Response to COVID-19

In response to these challenges, New York State has instituted a series of executive orders, legislation, and programmatic initiatives meant to mitigate the inequities and housing instability that have been exacerbated by the pandemic. The executive orders and legislation stayed evictions and foreclosures to keep New Yorkers in their homes while financial relief was being procured and disseminated.

## Executive Orders and Legislation

On March 20, 2020, an Executive Order was signed establishing an eviction moratorium to ensure that no tenant was evicted during the height of the public health emergency. In addition, in May 2020, an Executive Order was enacted to allow tenants facing financial hardship to use their security deposits as rental payments and replenish their security deposit over time. Building on the eviction moratorium and other protections in the Executive Orders, the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 was signed into law. This law suspended eviction and foreclosure proceedings for renters and small homeowners experiencing financial hardships due to COVID-19. In addition, the law provided that landlords may not evict tenants for rent that became due and owing due to COVID-19 related hardship. Initially extended through August 2021, on September 2, 2021, Governor Kathy Hochul signed into law a new eviction moratorium which extended the moratorium to January 15, 2022. These measures have helped to reduce the risk of housing instability among the most vulnerable populations who have suffered the most acute effects of the pandemic.

On October 7, 2021, Governor Kathy Hochul also announced the Landlord Rental Assistance Program (LRAP). Administered by the New York State Office of Temporary and Disability Assistance (OTDA), LRAP made available \$125 million in state funding for landlords. This program provided up to 12 months of past-due rent to landlords who were ineligible to receive funding through the Emergency Rental Assistance Program (ERAP) because their tenants either declined to apply or vacated the premises with rental arrears. Landlords owning small to medium properties were given priority for the funds.

## Assistance Programs

In addition, New York State created several programs to provide rental, mortgage, and utilities assistance to prevent evictions and maintain neighborhood stability. In June of 2020, NYSHCR established the COVID Rent Relief Program, which provided a subsidy to low-income households who have lost income and faced an increased rent burden as a result of the COVID-19 pandemic. In total, NYSHCR distributed approximately \$48 million in subsidies through this program to assist more than 18,300 households. In May of 2020, NYSHCR worked with Empire State Development (ESD), the Calvert Foundation and Community Preservation Corporation to launch a loan program for small landlords struggling with loss of rental income due to COVID-19. NYSHCR and ESD created a \$20 million reserve fund which leveraged an \$80 million loan fund from several private banks and foundations. The New York Forward Loan Fund offered small businesses and small landlords – who were excluded from the federal Paycheck Protection Program – access to very low-interest short-term loans to cover loss of rental income. NYSHCR will be able to facilitate up to \$30 million to small landlords through this program.

In April 2021, the New York State Legislature approved \$2.7 billion for an Emergency Rental Assistance Program (ERAP) to be administered by the New York State Office of Temporary and Disability Assistance (OTDA). New Yorkers earning up to 80 percent of the area median income are eligible for the program, with priority being given to applicants who fall under the following categories: currently unemployed, veterans, domestic violence victims and survivors, manufactured home residents, residents in a dwelling of 20 units or less, residents of a community disproportionately affected by COVID-19, and applicants with a pending eviction

proceeding. The funds will be used to pay up to 12 months of rental and utility arrears, which have accrued after March 13, 2020, in addition to three prospective months of rent, if the household is expected to spend more than 30 percent of their gross monthly income on rent. Landlords that receive funding pursuant to the program agree to not evict tenants or increase rent for a year after receipt. There are no immigration status or citizenship requirements to be eligible for the program. Applications opened June 1<sup>st</sup> 2021, and to date, approximately \$2 billion in rental assistance has been paid or obligated, covering over 160,000 applications.

As indicated above, beginning on October 7, 2021, OTDA began accepting applications for the Landlord Rental Assistance Program (LRAP), which provides rental assistance for landlords whose tenants are unwilling to apply for ERAP. New York landlords with tenants who have vacated the property with unpaid rental arrears or who are residing in the apartment and refuse to apply for ERAP are eligible provided certain criteria are met. The unit rental amount may not exceed 150 percent of the Fair Market Rent based on the county and number of bedrooms. Further, the landlord must attest that they have reached out to the tenant and encouraged them to apply for ERAP at least 3 times, including 2 written notifications. Finally, the landlord must be able to provide documented rental arrears owed on or after March 1, 2020. For applications received within the first 45 days of the program, priority was given to landlords who own a building containing 20 or fewer units.

For New Yorkers who own their own homes and are at risk of default, foreclosure or displacement due to financial hardship caused by the Covid-19 pandemic, the New York State Homeowner Assistance Fund (NYS HAF) has been established. Homeowners who own and occupy their homes and whose household income is equal to or less than 100 percent of the Area Median Income are eligible to apply. Eligible homeowners include those who are behind or in forbearance on their mortgage; in default on a reverse mortgage; behind on their property taxes, water, or sewage bills; behind on monthly maintenance charges for their coop or condo; or behind on chattel loans, retail installment contracts, or other types of home purchase loans and/or lot rent. Applications opened earlier this year.

Furthermore, on April 9, 2022, Governor Hochul announced \$2 billion in reserve pandemic recovery funding as part of the 2023 state budget. This funding includes \$800 million to the Emergency Rental Assistance Program as part of a continued commitment to support tenants and landlords suffering from pandemic hardship; \$250 million to eliminate pandemic-related utility debt for low-income households; \$125 million for further support for the Landlord Assistance Program to support landlords whose tenants declined to participate in the ERAP.

## VI. Fair Housing in New York

The following section is an analysis of the seven fair housing issues set out by the United States Department of Housing and Urban Development (HUD) in the Affirmatively Furthering Fair Housing regulations. Although they are by no means a comprehensive view of all fair housing issues throughout New York State, this section does highlight the housing inequalities experienced disproportionately by communities of color, those with disabilities, and other

protected and marginalized groups in the state. It is with these analyses in mind that goals and action items in Section VIII have been developed.

### A. Fair Housing Issue 1: Segregation and Integration

New York bears the unfortunate distinction of being one of the most segregated states in the country. The patterns are not accidental and are not the reflection of personal preference, as claimed by some. Intentional action by government must be taken to undo the harms of a history of segregationist policies -whether it is increasing mobility and housing choice in other neighborhoods or reinvesting in existing communities to equalize access to resources. The findings below informed the goals, strategies and action items set forth in Section VIII.

#### **Key Takeaways from the Analysis of the Data**

- The relative level of segregation decreased in both the NYSEJ and the HUD-EJs between 2000 and 2010.
- Approximately a third of New Yorkers live in highly white/non-white segregated counties, with 44 percent of downstate New Yorkers living in highly segregated counties.
- Approximately 95 percent of Black/African American in New York live in a county that is highly segregated between Black/African American and white households.
- Approximately 48 percent of Hispanic/Latinx people in New York live in a county that is highly segregated between Hispanic/Latinx and white households.

#### **Key Takeaways from Public Engagement**

- Participants discussed that patterns of segregation are legacy of systemic and historic racism.
- Many factors were described as contributing to these living patterns including racism in real estate and lending, zoning and land use laws, gentrification and displacement, and the concentration of affordable and government-supported housing in distressed and disinvested areas of the state.
- Participants reported that the solution cannot be limited to integrating areas, but must include increasing educational and economic resources in underserved neighborhoods.

## 1. Analysis

### a. Dissimilarity Index

The distribution of different groups across an area can be analyzed using an index of dissimilarity. This method allows for comparisons between subpopulations, indicating how much one group is spatially separated from another within a community. The index of dissimilarity is rated on a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation.

#### ***Methodology and Data Limitations***

The primary tool provided by HUD through the AFFH-T dataset is the “Dissimilarity Index” (DI) based on racial and ethnic identification in the 2010 Decennial Census. The DI can be calculated



for any two subsets of the population and reflects the degree of spatial separation between them by quantifying what proportion of one population would need to trade places with the other in order for the two to be equally distributed. Consequently, if there were a situation in which two neighborhoods exist, one of which is 100 percent Black/African American and the other of which is 100 percent white, they together would have a Black/White DI score of 100, while two neighborhoods whose racial/ethnic composition perfectly match the overall makeup of the population would have a Black/White DI score of 0. It is important to note that the DI is a measure of the two sub-populations' *relative* spatial distribution, not their overall distribution; a geographic area that is overwhelmingly white could nevertheless have a low DI score if the racial minority populations that *do* live there are evenly distributed throughout its area.<sup>2</sup>

The AFFH-T data provided by HUD included DI values reflecting spatial segregation between the non-Hispanic white population and four racial/ethnic groups – a White/Non-White DI, a White/Black DI, a White/Hispanic DI, and a White/Asian DI – across all 62 counties as well as the NYSEJ and a combined measure for all HUD-EJs across the state. As these indices were calculated using Decennial Census Block Group data, they cannot be provided for any more recent year than 2010. HUD did not include a Statewide DI for any combination of groups.

As outlined by HUD, a Dissimilarity Index of between 0 and 39 is low segregation, between 40 and 54 is moderate, and between 55 and 100 is high segregation. The following analysis examines the different geographies of the state for which indices are available and describes their demographic makeup.

*Fig. 17: Levels of Segregation, as Defined by the Dissimilarity Index*

	Value	Level of Segregation
Dissimilarity Index (“DI”) Value (0-100)	0-39	Low Segregation
	40-54	Moderate Segregation
	55-100	High Segregation

AFFH-T (2020)

### Segregation Levels Over Time

The relative level of segregation decreased in both the NYSEJ and the HUD-EJs between 2000 and 2010 for all four comparison groups, indicating lessening spatial segregation in both the rural and urban parts of the state. In HUD-EJs, the overall segregation between white and minority populations declined by 6 percent— double the rate of decline between 1990 and 2000 – from 66.27 to 62.25. The rates of decline for each individual racial/ethnic minority population increased as well, including a reversal of the worsening segregation between white and Asian/Pacific Islander households that occurred in the HUD-EJs between 1990 and 2000.

<sup>2</sup> The HUD’s AFFH-T data documentation makes a very key precautionary note: “The [Dissimilarity] index does not indicate spatial patterns of segregation, just the relative degree of segregation; and, for populations that are small in absolute number, the dissimilarity index may be high even if the group’s members are evenly distributed throughout the area. Generally, when a group’s population is less than 1,000, program participants should exercise caution in interpreting associated dissimilarity indices. Also, because the index measures only two groups at a time, it is less reliable as a measure of segregation in areas with multiple racial or ethnic groups.”

Unfortunately, despite these improvements, the HUD- EJs still meet the HUD definition of “highly segregated” for all racial categories except Asian/Pacific Islanders (which barely fell below the cutoff value of 55).

*Fig. 18: Change in Spatial Dissimilarity between Racial/Ethnic Groups, 1990-2010*

Spatial Dissimilarity Category	HUD-EJs					NYSEJ				
	1990	2000	Δ	2010	Δ	1990	2000	Δ	2010	Δ
Non-White/White DI	68.29	66.27	-3%	62.25	-6%	45.13	40.84	-10%	37.63	-8%
Black, African-American/White DI	80.19	78.73	-2%	75.57	-4%	56.25	51.98	-8%	45.79	-12%
Hispanic, Latinx/White DI	68.59	67.9	-1%	64.07	-6%	46.11	45.29	-2%	40.95	-10%
Asian, Pacific Islander/White DI	54.36	56.11	3%	54.97	-2%	49.17	46.25	-6%	46.28	0%

In the NYSEJ, the pace of overall white/non-white desegregation slowed slightly – from a 10 percent decline between 1990 and 2000 to an 8 percent decline from 2000 to 2010 – bringing the overall level of segregation from “moderate” down to “low.” This is in large part due to a significant decrease in segregation between white and Hispanic/Latinx households (which went from 45.29 to 40.95, a 10 percent decline) and an even larger reduction in segregation between white and Black/African American households (51.98 to 45.79, a 12 percent reduction). The NYSEJ saw a very slight increase in the DI between white and Asian/Pacific Islander households, from 46.25 to 46.28.

#### [Demographic Analysis of High Segregation Counties](#)

Examining the relative levels of segregation across counties provides additional insight into the specific problems that different racial and ethnic groups around New York State face in different jurisdictions. This portion of the analysis is divided into four sections, each focusing on a specific racial/ethnic identity for whom a Dissimilarity Index was calculated, describing the most dissimilar counties of the state for that group, and demonstrating the degree to which segregation in these counties affects the overall population distribution of that group.

It is important to once again note that, while the Dissimilarity Index is a valuable tool for describing *relative* distribution of populations, it is not a measure of racial/ethnic diversity. Since the Dissimilarity Indices were calculated using the 2010 Decennial Census data the population estimates given below are for that year.

#### ***Counties with High Segregation between White Households and Any Other Racial/Ethnic Identity***

The total population of racial and ethnic minorities living in the six counties rated as having “high segregation” between white and non-white people is 3,887,629. These are Bronx County, Erie County, Franklin County, Kings County, New York County, and Wyoming County, and their respective non-white population represents 48 percent of all non-white people living in the state. Nearly all – 3,669,673 – live in the three Downstate counties (Bronx, Kings, New York) which are each part of New York City. The 204,884 non-white people living in the largely urban Erie County make up much of the rest of the non-white population living in segregated counties, indicating that most of the high segregation experienced by New Yorkers is in urban environments.



The population living in high segregation counties is 40 percent white, 60 percent non-white, which, when compared to the 58/42 percent split in the overall state population, indicates that the most diverse parts of the state are also the most segregated. Though Wyoming and Franklin Counties have relatively low non-white populations when compared to the three New York City boroughs and Erie County, they are 10 percent and 17 percent non-white, respectively, meaning there are sizeable pockets of non-white people living in segregated communities there despite their rural character.<sup>3</sup>

*Fig. 19 Proportion of Non-White Population Living in a County with High Non-White/White DI*

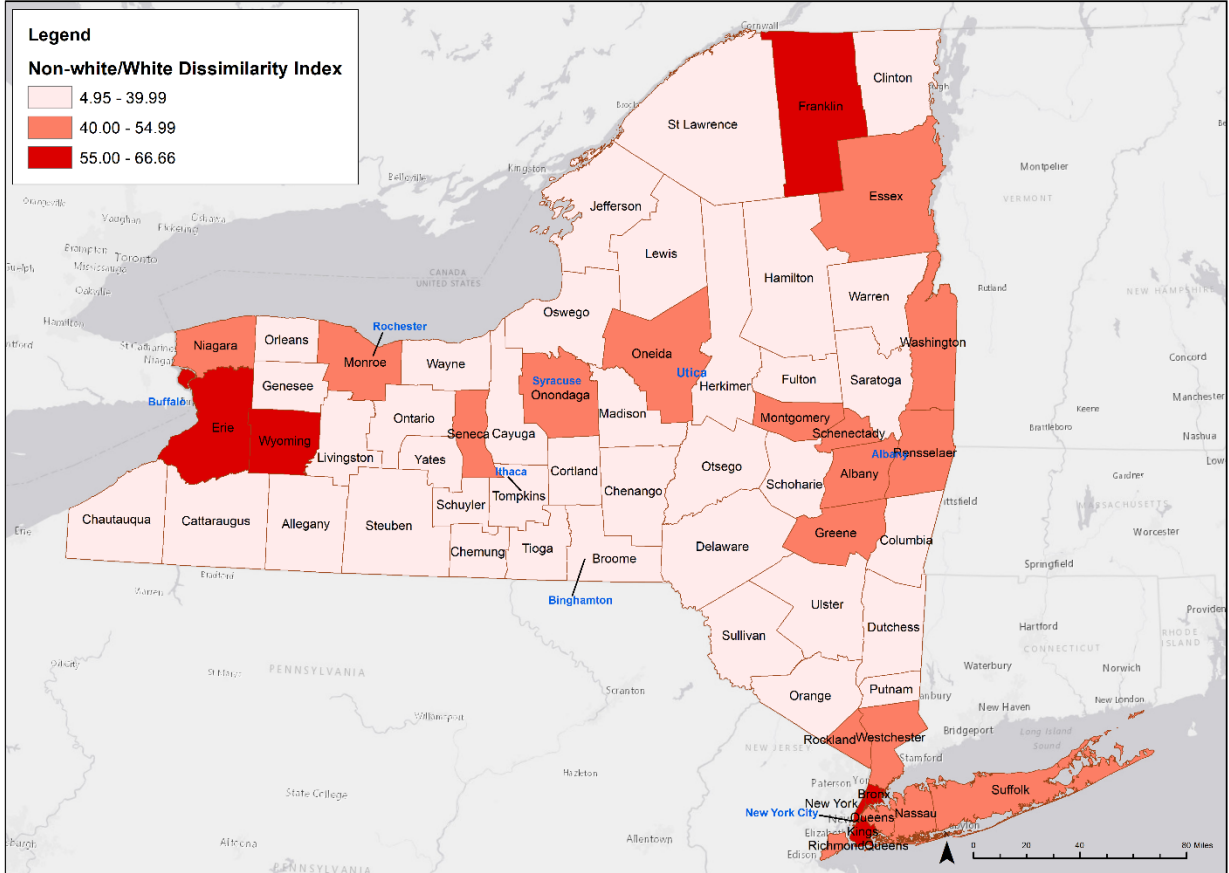
Region	In High-DI Counties	Non-White Population	
Upstate	217,956	1,222,214	18%
Downstate	3,669,673	6,851,641	54%
Statewide	3,887,629	8,073,855	48%

*Fig. 20: Population by Race in Counties with High Non-White/White Dissimilarity Index Scores*

Region	Overall					In High-DI Counties					
	White Population		Non-White Population		Total Population	White Population		Non-White Population		Total Population	Counties
Upstate	5,887,073	83%	1,222,214	17%	7,109,287	794,838	78%	217,956	22%	1,012,794	3
Downstate	5,417,174	44%	6,851,641	56%	12,268,815	1,806,008	33%	3,669,673	67%	5,475,681	3
Statewide	11,304,247	58%	8,073,855	42%	19,378,102	2,600,846	40%	3,887,629	60%	6,488,475	6

<sup>3</sup> This is likely due to the presence of correctional facilities in Wyoming and Franklin Counties.

Fig. 21: Map of Counties by Overall Racial/Ethnic Segregation



Source: AFFH-T (2020)

Fig. 22: Counties with High Non-White/White Dissimilarity Index Scores and Population

Counties with High non-White/White DI scores							
			non-White population		White population		Total Population of County
Region	County Name	DI Score	#	%	#	%	#
Upstate	Franklin County	66.66	8,959	17%	42,640	83%	51,599
	Erie County	60.93	204,884	22%	714,156	78%	919,040
	Wyoming County	59.99	4,113	10%	38,042	90%	42,155
Downstate	Bronx County	65.6	1,233,899	89%	151,209	11%	1,385,108
	Kings County	64.3	1,611,394	64%	893,306	36%	2,504,700
	New York County	57.58	824,380	52%	761,493	48%	1,585,873

Source: AFFH-T (2020)

**Counties with High Segregation between White and Black/African American Households**

Of the four Dissimilarity Indices calculated, the index measuring segregation between Black/African American and white households yielded the highest number of high segregation counties. Twenty-two counties have high Black/African American/White DI scores, including all nine counties in the downstate region. Consequently, the entire Black/African American population downstate experiences high residential segregation at the county level. Upstate, 366,079 Black/African Americans live in a high segregation county (71 percent of the total Black/African American population upstate).

Fig. 23 Proportion of Black/African American Population Living in a County with High Black/White DI

Region	In High-DI Counties	Black/African-American Pop.	
Upstate	366,079	517,932	71%
Downstate	2,265,925	2,265,925	100%
Statewide	2,632,004	2,783,857	95%

Source: AFFH-T (2020)

Fig. 24: Black/White Dissimilarity Index, Statewide

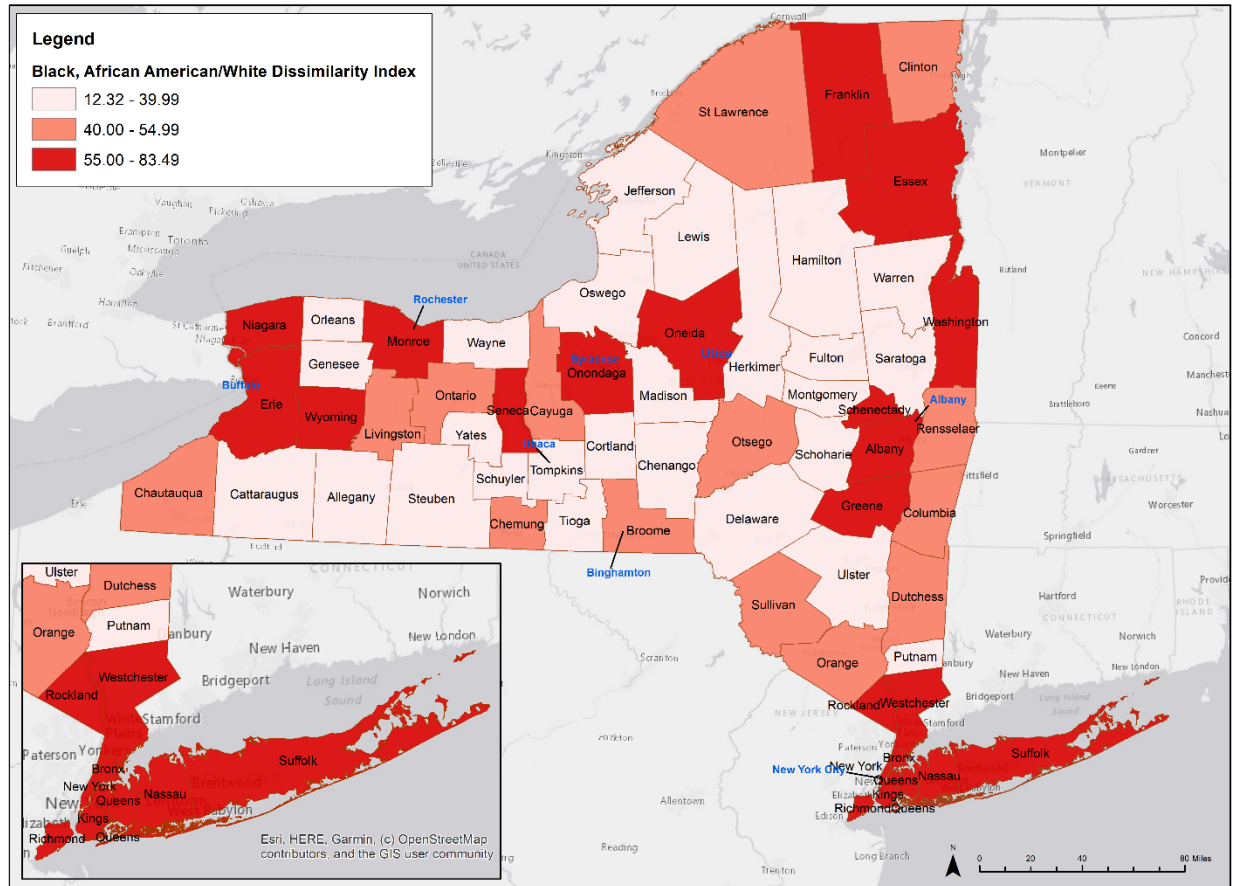


Fig. 25: Counties with High Black/White Dissimilarity Index Scores and Population

Counties with High Black, African-American/White DI scores							
Region	County Name	DI Score	Black/African-American population		White population		Total Population of County
			#	%	#	%	#
Upstate	Wyoming County	80.11	2,233	5%	38,042	90%	42,155
	Franklin County	74.17	2,834	5%	42,640	83%	51,599
	Erie County	72.64	119,916	13%	714,156	78%	919,040
	Monroe County	64.57	107,448	14%	542,034	73%	744,344
	Washington County	63.1	1,734	3%	58,996	93%	63,216
	Greene County	63.01	2,606	5%	42,857	87%	49,221
	Onondaga County	62.85	48,696	10%	370,040	79%	467,026
	Essex County	61.05	982	2%	36,588	93%	39,370
	Oneida County	60.53	13,682	6%	199,254	85%	234,878
	Seneca County	59.63	1,513	4%	31,999	91%	35,251
	Schenectady County	58.5	13,528	9%	119,409	77%	154,727
	Niagara County	58.5	14,511	7%	188,907	87%	216,469
Albany County	56.99	36,396	12%	231,152	76%	304,204	
Downstate	Kings County	83.49	799,066	32%	893,306	36%	2,504,700
	Queens County	81.15	395,881	18%	616,727	28%	2,230,722
	Nassau County	77.2	141,305	11%	877,309	65%	1,339,532
	Bronx County	72.56	416,695	30%	151,209	11%	1,385,108
	Richmond County	72.53	44,313	9%	300,169	64%	468,730
	New York County	70.73	205,340	13%	761,493	48%	1,585,873
	Westchester County	64.31	126,585	13%	544,563	57%	949,113
	Suffolk County	59.64	102,117	7%	1,068,728	72%	1,493,350
Rockland County	59.06	34,623	11%	203,670	65%	311,687	

Source: AFFH-T (2020)

**Counties with High Segregation between White and Hispanic/Latinx Households**

There are six counties that have high Hispanic/White DI scores: Montgomery County, Franklin County, Bronx County, Kings County, and New York County. The Hispanic/Latinx populations of Bronx, Kings, and New York County represent more than half of the Hispanic/Latinx population downstate (1,641,275, or 54 percent) and nearly half of the statewide Hispanic/Latinx population.

The two upstate counties with high segregation -- Montgomery and Franklin -- account for very little of upstate’s Hispanic/Latinx population, only 7,160 people (2 percent). Of these, 5,654 live in Montgomery County. Though Montgomery and Franklin Counties have relatively small Hispanic/Latinx populations, the high DI scores indicate they are highly concentrated within the county.

Fig. 26 Proportion of Hispanic/Latinx Population Living in a County with High Hispanic/White DI

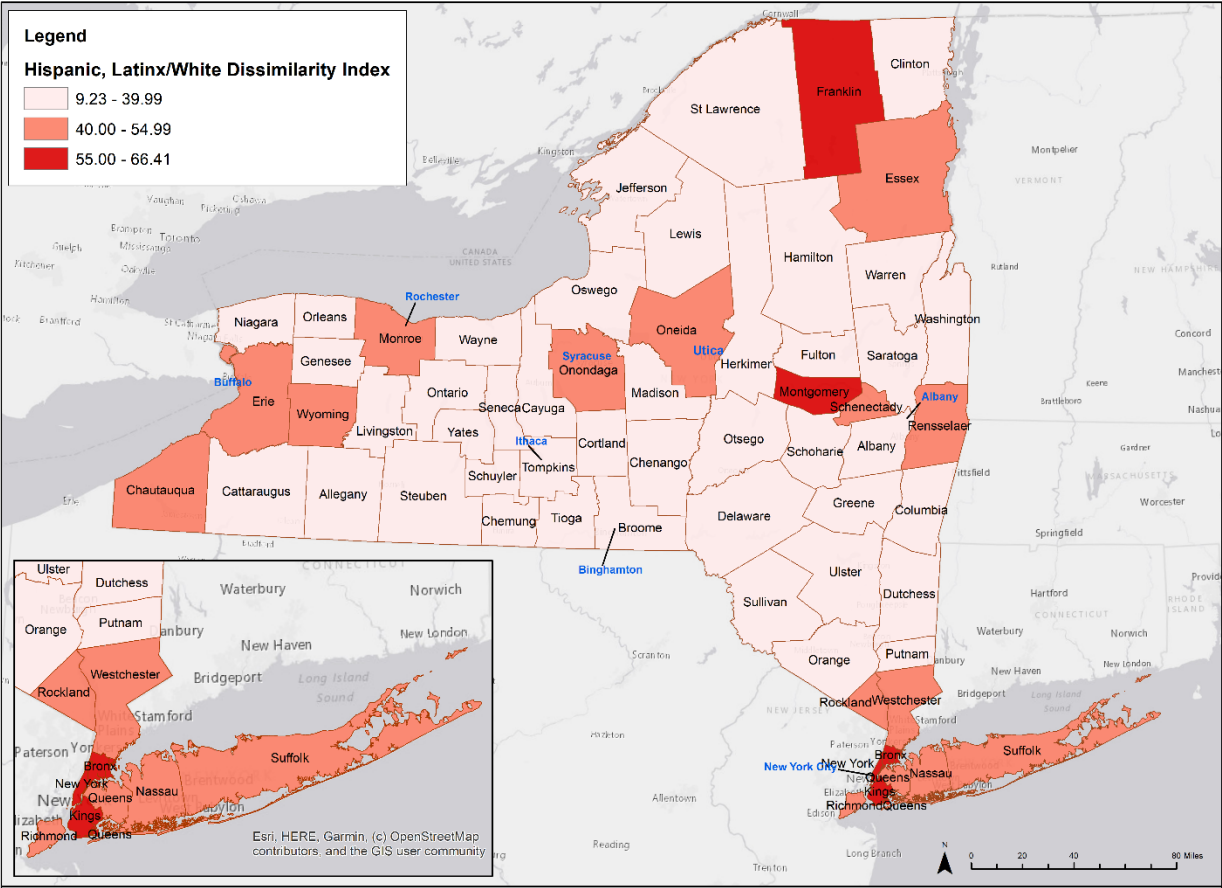
Region	In High-DI Counties	Hispanic/Latinx Population	
Upstate	7,160	383,437	2%
Downstate	1,641,275	3,033,485	54%
Statewide	1,648,435	3,416,922	48%

Source: AFFH-T (2020)

Fig. 27: Counties with High Hispanic, Latinx/White Dissimilarity Index Scores and Population

Counties with High Hispanic, Latinx/White DI scores							
			Hispanic, Latinx population		White population		Total Population of County
Region	County Name	DI Score	#	%	#	%	#
Upstate	Montgomery County	56.51	5,654	11%	42,732	85%	50,219
	Franklin County	55.4	1,506	3%	42,640	83%	51,599
Downstate	New York County	66.41	403,577	25%	761,493	48%	1,585,873
	Bronx County	65.37	741,413	54%	151,209	11%	1,385,108
	Kings County	61.02	496,285	20%	893,306	36%	2,504,700

Fig. 28: Hispanic, Latinx/White Dissimilarity Index, Statewide



**Counties with High Segregation between White and Asian/Pacific Islander Households**

Oneida County is the only county in the state with high segregation between white and Asian/Pacific Islander households, as measured by the DI. Given that only 3 percent of Oneida County’s population is Asian/Pacific Islander, it is likely that this high degree of measured segregation is due to a relatively small population cluster in one part of the county. Indeed, out of the 74 census tracts that make up Oneida County, only 3 have more than 500 Asian/Pacific Islander residents.

Fig. 29: Proportion of Asian/Pacific Islander Population Living in a County with a High Asian/White DI

Region	In High-DI Counties	Asian/Pacific Islander Pop.	
Upstate	6,571	157,792	4%
Downstate	0	1,253,722	0%
Statewide	6,571	1,411,514	0.5%

Fig. 30: Asian, Pacific Islander/White Dissimilarity Index, Statewide

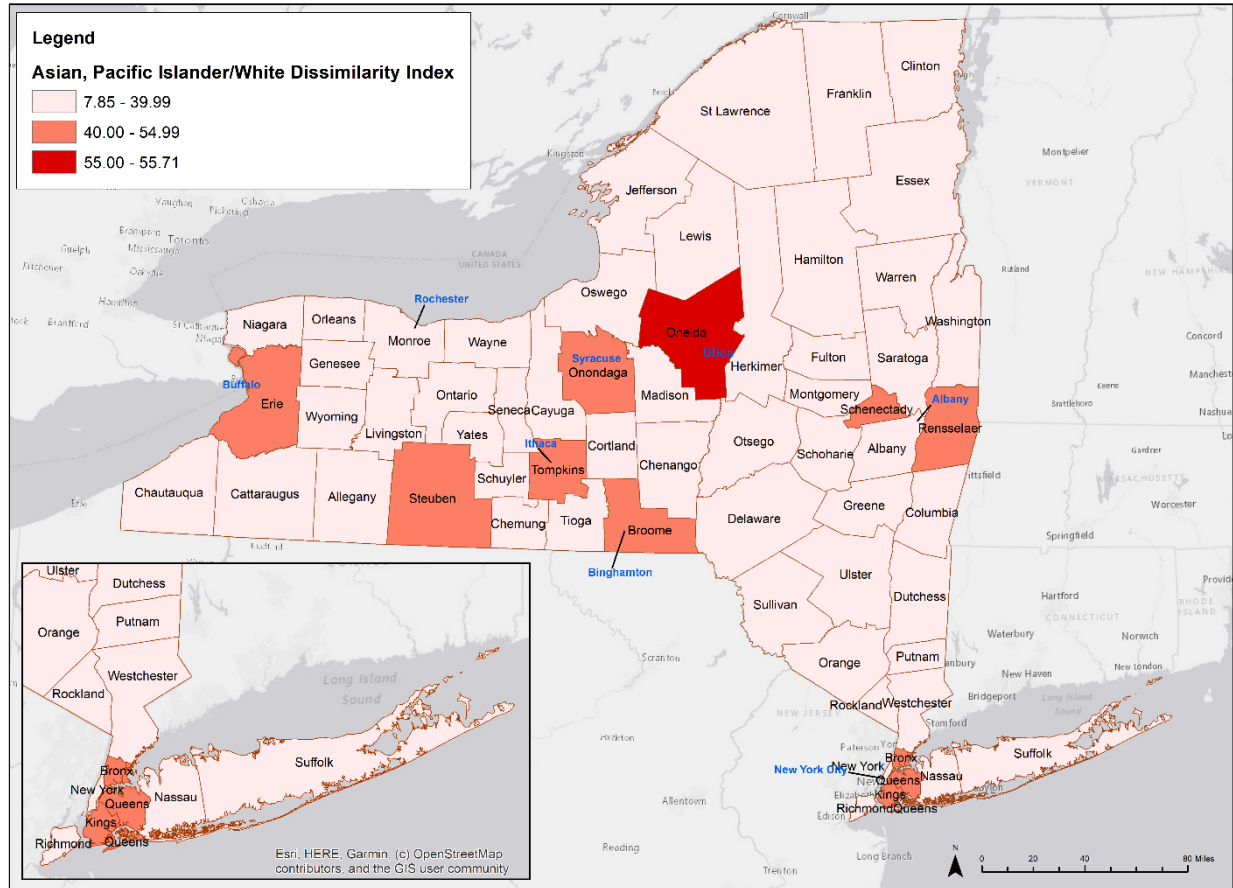


Fig. 31: Counties with High Asian/White Dissimilarity Index Scores and Population

Counties with High Asian, Pacific Islander/White DI scores							
Region	County Name	DI Score	Asian, Pacific Islander population		White population		Total Population of County
			#	%	#	%	#
Upstate	Oneida County	55.71	6,571	3%	199,254	85%	234,878

Source: AFFH-T (2020)

### b. Local Zoning and Land Use Policies

Throughout the public engagement process, a repeated factor that was reported to contribute to the fair housing issues discussed, whether segregation, the racial/ethnic concentration of poverty, or the location of publicly supported housing, was the existence of local zoning and land use policies. Participants discussed the fact that these types of policies prevent the development of affordable and/or multifamily homes, particularly in well-resourced areas, and



the results are exclusionary not only for low-income families but also communities of color and other housing-vulnerable groups.

A review of zoning and land use policies in cities, towns, and villages in the state revealed regular use of regulatory barriers to the development of multi-family or high-needs housing such as homeless shelters and transitional housing. Stringent lot size regulations, elevated parking requirements, lot setbacks requirements, restrictive definitions of “family” that cap numbers or put relationship requirements and lack of reasonable accommodation policies to these zoning/land use laws all can have the effect of erecting barriers to housing that disproportionately serves communities of color, people with disabilities and other groups with elevated housing needs.

## 2. Public Engagement

Throughout the public engagement process, both community residents and housing stakeholders confirmed the existence of entrenched segregation throughout the state. Fifty-five percent of urban residents, 45 percent of suburban residents, and 35 percent of rural residents reported perceived segregation in their communities in the Community Resident Survey. Forty-seven percent of white respondents perceived segregation in their communities, while 57 percent of Black/African American and 56 percent of Hispanic/Latinx individuals did. As fair housing advocates in the Central and Mid-Hudson regions noted:

*“We continue to suffer from the legacy of systemic racism in Central New York. Housing patterns, segregation, concentration of poverty are the number one issue.”*

The factors that have contributed to these segregated living patterns are many and overlapping, as outlined below.

### Private Discrimination and Racism

- Discrimination is both historic and continuing. Cited bases of discrimination include familial, race/ethnicity and source of income.
- Fair housing testing was described as critical “because the people who are the victims—they don't know they've been victimized.”
- Although source of income discrimination is now prohibited by law, many reported that it still exists and is used as a proxy for discrimination based on race and disability. Minimum income requirements and rent set at levels just above what would be affordable for the subsidy program are ways that housing providers attempt to circumvent the law.
- Lack of transparency by housing cooperative boards was described by stakeholders as leading boards to be able to turn families away based on racial, ethnic and other forms of discrimination. Co-op disclosure laws were called for.
- Stakeholders described landlords in college areas discriminating against local families with children and immigrants as they prefer to rent to students.

### Discrimination by Lenders, Real Estate Brokers and Salespeople

- Several stakeholders underscored the significant disparity in rates of homeownership between white residents and residents of color as one of the most critical fair housing issues to address in New York State.
- Entrenched racial wealth disparities were described as contributing to continued segregation because people of color cannot access capital necessary to buy housing.
- Discrimination in lending, as well as steering and bias perpetuated by real estate brokers and salespeople, were identified as key contributing factors to continued disparities in intergenerational wealth and segregation.
- Numerous stakeholders reported how discriminatory practices of banks and real estate brokers and salespeople, as well as exclusionary zoning practices, perpetuate a view that people of color are “not welcome” in areas of opportunity.
- Lending discrimination described included people of color being rejected more even when their credit and financial status is similar to white applicants’, lenders making the process more burdensome and/or less helpful for applicants of color or people with Spanish surnames, not offering materials in Spanish even in areas with significant Latinx populations, and predatory lending practices targeting communities of color and gutting Black/African American built wealth in long-held homes.
- One stakeholder lamented that the receipt of Section 8 subsidies is not counted favorably by lenders although they can be a source of mortgage payment.
- Burdensome income documentation requirements and language barriers impact immigrant communities who might have difficulty getting income verification from their employers.

### Location and Type of Affordable Housing

The stakeholders and residents described how segregation, and the location and type of affordable housing are inextricably linked. They reported that affordable housing, including government-financed housing, tends to be concentrated in distressed areas rather than in well-resourced areas, including suburban areas. They attributed this inequitable allocation of affordable housing to several factors, including exclusionary zoning, discriminatory lending practices, and community opposition.

### Gentrification and Displacement of Residents Due to Economic Pressures

Across several regions of the state and New York City, the stakeholders and residents described the impacts of gentrification on segregation. Gentrification and economic pressures were described as “pushing out” the current residents who are members of protected classes in communities. Several stakeholders described how communities that were once inhabited by people of color, LGBTQ residents, immigrants, and other protected and vulnerable groups are now unaffordable to these communities. In addition, the COVID-19-pandemic prompted migration from cities to suburban and rural areas, spiked costs in the housing market in these areas and was identified as precluding homeownership opportunities for local residents of color.



## Land Use and Zoning Laws and Community Opposition

The combination of land use and zoning laws compounded by community opposition were identified throughout public engagement discussions as perpetuating segregation. As a faith leader in the Capital region described:

*“Zoning laws are just such a problem, and there are so many games that get played, things like one-acre zoning or stuff that doesn't allow for density. And then in addition, just the actual pushback you get from neighbors, any time you try.... They can't say, ‘We don't want black people in our neighborhoods’, [so instead they say] things like, ‘it's going to burden our schools’, or, ‘No, there's too much traffic’...this kind of stuff, and it just really reinforces segregation.”*

### **B. Fair Housing Issue 2: Racial/Ethnic Concentrations of Poverty**

A large body of social research has demonstrated the powerful negative effects of residential segregation on income and opportunity for minority families. Households living in lower income areas of racial and ethnic concentration have fewer opportunities for education, wealth building, and employment.<sup>4</sup> Historically, HUD has relied on identifying geographic areas where both high poverty rates and a high percentage of minorities are clustered in order to determine where to invest housing resources by pinpointing the areas of greatest existing need.

#### **Key Takeaways from the Analysis of the Data:**

- Using the New York State adjusted methodology for measuring the “racially and ethnically concentrated areas of poverty” (R/ECAP) indicates that about 17 percent of Census tracts and 19 percent of households are in areas of racial and ethnic concentrations of poverty.
- Since 1990, the Black/African American and white populations in R/ECAPs have declined slightly while the Asian/Pacific Islander and Hispanic populations increased.
- The proportion of the Black and Hispanic/Latinx populations living in R/ECAPs is declining in all regions of the state *except* in the upstate NYSEJ, where it is increasing.
- Racial concentrations of poverty intersect with other fair housing issues; people with disabilities live in higher concentrations in R/ECAPs than outside them.

#### **Key Takeaways from Public Engagement:**

- Stakeholders noted that low-income families of color and undocumented families often have no choice but to live in R/ECAPS.
- Stakeholders described outside influences such as absentee landlords, private discrimination, and gentrification continue to contribute to a system of segregation and the continued existence of race/ethnic concentrations of poverty.

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<sup>4</sup> Turner, Margery, et al. “Discrimination in Metropolitan Housing Markets: National Results from Phase I HDS 2000,” (November 2002). Urban Institute. Online: [huduser.org/Publications/pdf/Phase1\\_Report.pdf](http://huduser.org/Publications/pdf/Phase1_Report.pdf).

## 1. Analysis

### Defining and Measuring Concentrated Poverty

HUD uses a combined metric to determine which census tracts represent “racially and ethnically concentrated areas of poverty” or “R/ECAPs.” The standard HUD definition of a R/ECAP is any tract where the total non-white population is greater than 50 percent and the poverty rate is greater than 40 percent, though HUD encourages communities to modify these thresholds if they do not make sense for local demographics. This is the case for the NYSEJ, and this analysis adopts a similar approach to the Analysis of Impediments to Fair Housing Choice (2016) in that it adjusts the methodology to account for areas of the state where poverty is concentrated by race and ethnicity even in areas where there is a small non-white population. A R/ECAP for this Assessment refers to a census tract in which fewer than 80 percent of its households are white and 25 percent or higher of its households are below the poverty level.

Using this more expansive definition, New York State has 868 R/ECAP tracts that contain 1.2 million households and nearly 3.5 million people. This accounts for 17 percent of the Census tracts in the state and 19 percent of the households. RECAPs are largely located in the New York’s major and mid-sized cities, as well as some of the state’s Native American reservation areas.

*Fig. 32: Distribution of R/ECAPs by Region and Entitlement Jurisdiction Designation*

REGION	ENTITLEMENT JURISDICTION	No. of R/ECAP Census Tracts
Upstate	HUD EJs	242
Upstate	NYSEJ	17
Upstate	Both	259
Downstate	Both	609
Statewide	Both	868

### Demographics of R/ECAPs

The proportion of New York’s protected class racial and ethnic groups that live in R/ECAPs varies by race and geography. In HUD-designated entitlement jurisdictions upstate, more than three-fifths of the Black/African American population live in R/ECAPs, though this represents a decline from almost three-quarters of the population of these communities in 1990. Downstate there has been a more modest decline, from 41 percent in 1990 to 38 percent in 2015, for an overall drop of 45 percent to 41 percent. In the NYSEJ, the slight decline from 1990 to 2010 of 7 percent to 6 percent appears to have reversed, and in 2015 10 percent of Black/African Americans in this area were in R/ECAPs. This same pattern – a decline in the HUD-EJs but increase in the NYSEJ from 1990 to 2015 – is reflected in the Hispanic/Latinx population.

The proportions of white and Asian/Pacific Islander households living in R/ECAPs has declined since 1990 in all categories except for Asian/Pacific Islanders living in upstate HUD EJs (increasing from 29 percent to 33 percent). The overall proportion of the state living in R/ECAPs has declined slightly, from 18 percent to 17 percent.

The absolute population living in R/ECAPs has increased slightly (from under 3.3 million in 1990 to over 3.5 in 2019), though by less than the growth in population outside R/ECAPs (14.7 million to over 16 million, respectively). Since 1990, the Black/African American and white populations in R/ECAPs have declined slightly while the Asian/Pacific Islander and Hispanic/Latinx populations increased.

Fig. 33: Population by Racial/Ethnic Group Within and Outside R/ECAPs and their Proportions of the Overall Population

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYSEJ		Both		Both		Both	
<b>RECAP</b>										
White, 1990	480,423	60%	46,250	76%	526,673	61%	383,974	16%	910,647	28%
White, 2000	339,918	47%	38,216	67%	378,134	48%	293,077	11%	671,211	20%
White, 2010	272,606	39%	37,164	58%	309,770	40%	311,074	11%	620,844	18%
White, 2019	296,312	43%	38,768	62%	335,080	45%	709,692	26%	1,044,772	30%
Black / African-American, 1990	244,079	30%	4,562	7%	248,641	29%	892,665	37%	1,141,306	35%
Black / African-American, 2000	277,772	38%	5,402	9%	283,174	36%	909,832	35%	1,193,006	35%
Black / African-American, 2010	279,172	40%	6,851	11%	286,023	37%	852,259	32%	1,138,282	33%
Black / African-American, 2019	254,134	37%	6,354	10%	260,488	35%	942,654	34%	1,203,142	34%
Asian / Pacific Islander, 1990	14,322	2%	1,880	3%	16,202	2%	133,623	6%	149,825	5%
Asian / Pacific Islander, 2000	22,640	3%	2,603	5%	25,243	3%	202,678	8%	227,921	7%
Asian / Pacific Islander, 2010	37,113	5%	4,804	7%	41,917	5%	251,146	9%	293,063	8%
Asian / Pacific Islander, 2019	46,024	7%	3,843	6%	49,867	7%	255,351	9%	305,218	9%
Hispanic / Latinx, 1990	52,491	7%	4,597	8%	57,088	7%	997,834	41%	1,054,922	32%
Hispanic / Latinx, 2000	76,848	11%	5,866	10%	82,714	10%	1,174,118	45%	1,256,832	37%
Hispanic / Latinx, 2010	103,723	15%	9,638	15%	113,361	15%	1,264,943	47%	1,378,304	40%
Hispanic / Latinx, 2019	113,387	17%	10,535	17%	123,922	17%	1,289,300	47%	1,413,222	40%
Native American / Indigenous, 1990	7,176	1%	3,724	6%	10,900	1%	6,823	0%	17,723	1%
Native American / Indigenous, 2000	8,559	1%	4,851	8%	13,410	2%	10,216	0%	23,626	1%
Native American / Indigenous, 2010	8,107	1%	5,829	9%	13,936	2%	9,820	0%	23,756	1%
Native American / Indigenous, 2019	5,998	1%	5,465	9%	11,463	2%	15,363	1%	26,826	1%
Total Population, 1990	800,888		61,175		862,063		2,426,106		3,288,169	
Total Population, 2000	730,847		57,120		787,967		2,620,876		3,408,843	
Total Population, 2010	703,798		64,472		768,270		2,705,102		3,473,372	
Total Population, 2019	686,509		62,817		749,326		2,762,083		3,511,409	
<b>Non-RECAP</b>										
White, 1990	2,504,729	93%	3,217,501	96%	5,722,230	94%	5,822,906	67%	11,545,136	79%
White, 2000	2,436,744	89%	3,241,608	94%	5,678,352	91%	5,410,571	58%	11,088,923	71%
White, 2010	2,342,481	83%	3,234,822	92%	5,577,303	88%	5,106,100	53%	10,683,403	67%
White, 2019	2,356,714	84%	3,198,989	92%	5,555,703	89%	5,859,212	60%	11,414,915	71%
Black / African-American, 1990	91,329	3%	59,959	2%	151,288	2%	1,271,889	15%	1,423,177	10%
Black / African-American, 2000	140,810	5%	84,151	2%	224,961	4%	1,544,058	17%	1,769,019	11%
Black / African-American, 2010	197,044	7%	101,207	3%	298,251	5%	1,510,347	16%	1,808,598	11%
Black / African-American, 2019	209,894	7%	89,439	3%	299,333	5%	1,562,996	16%	1,862,329	12%
Asian / Pacific Islander, 1990	35,771	1%	21,136	1%	56,907	1%	457,612	5%	514,519	4%
Asian / Pacific Islander, 2000	57,337	2%	36,062	1%	93,399	2%	808,244	9%	901,643	6%
Asian / Pacific Islander, 2010	87,891	3%	54,345	2%	142,236	2%	1,086,471	11%	1,228,707	8%
Asian / Pacific Islander, 2019	90,685	3%	54,032	2%	144,717	2%	1,197,671	12%	1,342,388	8%
Hispanic / Latinx, 1990	53,724	2%	49,634	1%	103,358	2%	1,052,015	12%	1,155,373	8%
Hispanic / Latinx, 2000	92,288	3%	75,580	2%	167,868	3%	1,442,038	15%	1,609,906	10%
Hispanic / Latinx, 2010	159,074	6%	111,002	3%	270,076	4%	1,768,542	18%	2,038,618	13%
Hispanic / Latinx, 2019	196,879	7%	139,981	4%	336,860	5%	1,970,901	20%	2,307,761	14%
Native American / Indigenous, 1990	6,591	0%	8,839	0%	15,430	0%	15,214	0%	30,644	0%
Native American / Indigenous, 2000	14,980	1%	20,830	1%	35,810	1%	31,824	0%	67,634	0%
Native American / Indigenous, 2010	17,396	1%	24,888	1%	42,284	1%	29,789	0%	72,073	0%
Native American / Indigenous, 2019	9,323	0%	10,234	0%	19,557	0%	33,129	0%	52,686	0%
Total Population, 1990	2,695,942		3,361,242		6,057,184		8,641,504		14,698,688	
Total Population, 2000	2,750,409		3,466,111		6,216,520		9,351,947		15,568,467	
Total Population, 2010	2,810,053		3,530,964		6,341,017		9,563,713		15,904,730	
Total Population, 2019	2,805,104		3,464,920		6,270,024		9,790,886		16,060,910	

*Fig. 34: Percentage of Racial/Ethnic Demographic Groups Living in R/ECAPs*

Region	Upstate	Upstate	Upstate	Downstate	Statewide
Entitlement Jurisdiction	HUD-EJ	NYSEJ	Both	Both	Both
<b>RECAP</b>					
White, 1990	16%	1%	8%	6%	7%
White, 2000	12%	1%	6%	5%	6%
White, 2010	10%	1%	5%	6%	5%
White, 2019	11%	1%	6%	11%	8%
Black / African-American, 1990	73%	7%	62%	41%	45%
Black / African-American, 2000	66%	6%	56%	37%	40%
Black / African-American, 2010	59%	6%	49%	36%	39%
Black / African-American, 2019	55%	7%	47%	38%	39%
Asian / Pacific Islander, 1990	29%	8%	22%	23%	23%
Asian / Pacific Islander, 2000	28%	7%	21%	20%	20%
Asian / Pacific Islander, 2010	30%	8%	23%	19%	19%
Asian / Pacific Islander, 2019	34%	7%	26%	18%	19%
Hispanic / Latinx, 1990	49%	8%	36%	49%	48%
Hispanic / Latinx, 2000	45%	7%	33%	45%	44%
Hispanic / Latinx, 2010	39%	8%	30%	42%	40%
Hispanic / Latinx, 2019	37%	7%	27%	40%	38%
Native American / Indigenous, 1990	52%	30%	41%	31%	37%
Native American / Indigenous, 2000	36%	19%	27%	24%	26%
Native American / Indigenous, 2010	32%	19%	25%	25%	25%
Native American / Indigenous, 2019	39%	35%	37%	32%	34%
Total Population, 1990	23%	2%	12%	22%	18%
Total Population, 2000	21%	2%	11%	22%	18%
Total Population, 2010	20%	2%	11%	22%	18%
Total Population, 2019	20%	2%	11%	22%	18%

R/ECAPs are most often found in the large cities of upstate New York and the portions of New York City that are close to the city’s center but outside the Brooklyn and Queens waterfronts and the predominantly white portions of Manhattan. The three counties with the highest proportion of their population living in R/ECAPs are all in New York City: Bronx County (63 percent), Kings County/Brooklyn (32 percent), and New York County/Manhattan (24 percent). There are also a small number of Native American Reservations in rural parts of the state that meet NYSHCR’s definition of a R/ECAP, including the St. Regis Mohawk Reservation and the Allegany Reservation, among others.

Fig. 35: Map of R/ECAPs Statewide

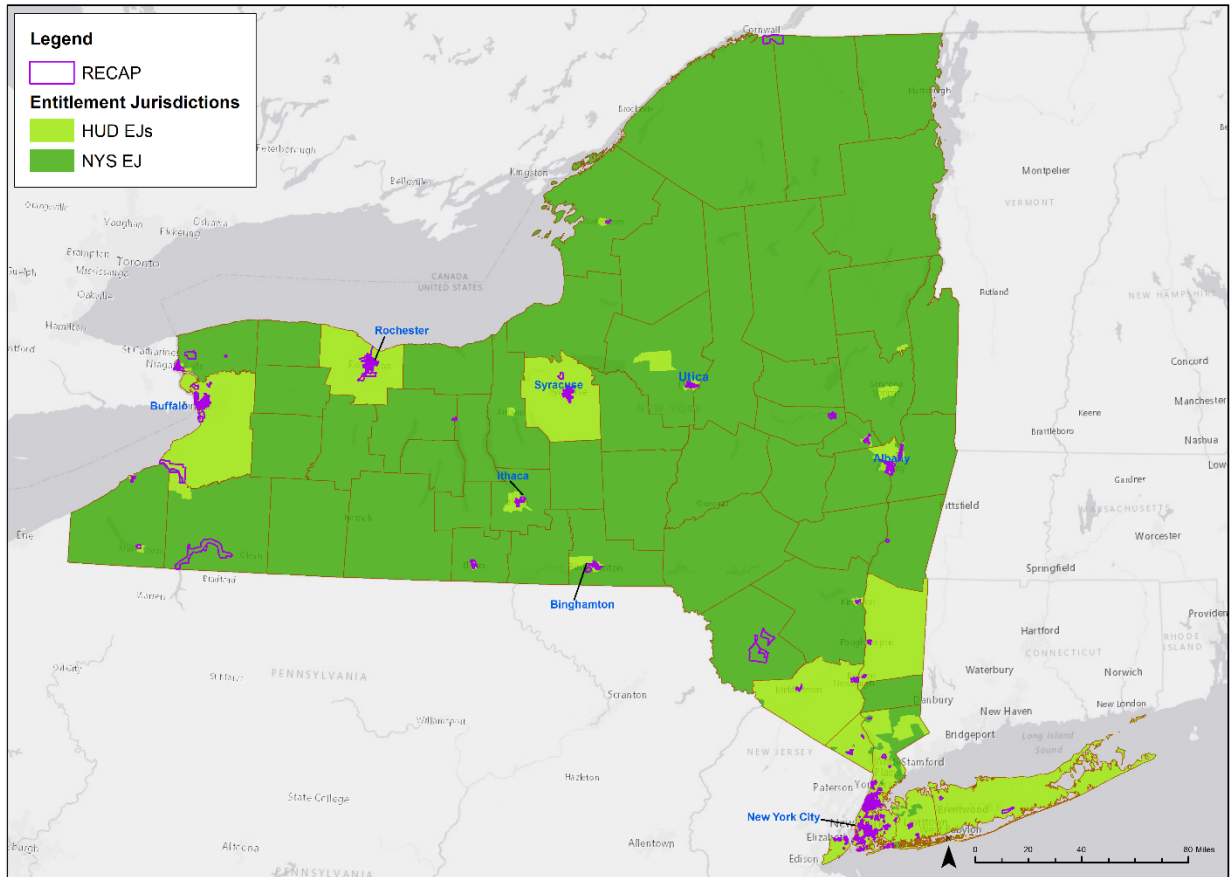


Fig. 36: Distribution of R/ECAPs in NYS Census Tracts

County	R/ECAP Tracts	Households in R/ECAP Tracts	%	Non-R/ECAP Tracts	Households in Non-R/ECAP Tracts	%
Albany County	14	21,325	17%	60	102,760	83%
Bronx County	204	311,514	63%	125	179,095	37%
Broome County	11	11,820	15%	44	66,940	85%
Cattaraugus County	2	2,575	8%	18	28,925	92%
Chautauqua County	3	3,360	6%	32	49,365	94%
Chemung County	5	5,585	16%	16	29,305	84%
Columbia County	1	1,520	6%	20	23,790	94%
Dutchess County	4	4,415	4%	73	102,520	96%
Erie County	54	70,840	19%	176	311,970	81%
Franklin County	1	1,295	7%	13	18,000	93%
Jefferson County	1	1,290	3%	23	42,130	97%
Kings County	224	304,763	32%	524	634,049	68%
Monroe County	58	57,035	19%	131	243,304	81%
Montgomery County	5	4,450	23%	11	15,090	77%
Nassau County	5	7,705	2%	271	432,504	98%
New York County	78	184,258	24%	200	569,085	76%
Niagara County	12	11,255	13%	48	76,380	87%
Oneida County	16	14,440	16%	52	75,820	84%
Onondaga County	35	33,915	18%	104	151,000	82%
Ontario County	1	660	1%	24	43,530	99%
Orange County	7	9,960	8%	72	115,180	92%
Queens County	58	84,244	11%	583	694,939	89%
Rensselaer County	9	11,845	19%	33	51,705	81%
Richmond County	16	22,739	14%	91	143,270	86%
Rockland County	3	3,285	3%	62	95,750	97%
Schenectady County	8	7,690	14%	35	47,330	86%
Suffolk County	2	3,190	1%	318	486,433	99%
Sullivan County	3	4,520	16%	21	23,480	84%
Tompkins County	6	5,520	14%	16	32,695	86%
Ulster County	2	2,340	3%	45	66,985	97%
Westchester County	19	25,199	7%	199	316,520	93%
<b>Total</b>	<b>867</b>	<b>1,234,552</b>				

People with Disabilities in R/ECAPs

Nearly all categories of people with disabilities are over-represented in R/ECAPs compared to non-R/ECAP census tracts. Though the relative over-representation varies, there is strong evidence that the fair housing problems associated with disability intersect with those of poverty and race in a significant way.

## Key Takeaways

All categories of disability are over-represented in R/ECAPs compared to non-RECAP census tracts, with the exception of hearing disabilities, which are slightly under-represented.

- **EXAMPLE:** 22.8 percent of households in a R/ECAP have a member with an ambulatory disability and 16.2 percent have a member with a cognitive disability, while only 15.2 percent of households outside R/ECAPs have a member with an ambulatory disability and only 9.7 percent have a member with a cognitive disability.

The disparity in the incidence of cognitive disabilities is more pronounced upstate.

- **EXAMPLE:** There is a 6.6 percentage point difference between the incidence of people with a cognitive disability between R/ECAPs and non-R/ECAPs statewide (16.2 percent compared to 9.7 percent), but in HUD Entitlement Jurisdictions it is 9.5 percentage point disparity (20.3 percent compared to 10.8 percent) and in the NYSEJ upstate it is 10.7 percentage point disparity (22.9 percent compared to 12.2 percent).

Conversely, the disparity in the incidence of ambulatory disabilities is more pronounced downstate.

- **EXAMPLE:** There is a 7.6 percentage point difference between the incidence of people with an ambulatory disability between R/ECAPs and non-R/ECAPs statewide (22.8 percent in R/ECAPs compared to 15.2 percent outside) but an 8.1 percentage point difference between R/ECAPs and non-R/ECAPs downstate (22.5 percent compared to 14.4 percent).

*Fig. 37: Proportion of People Living with Disabilities in R/ECAPs Compared to Other Census Tracts*

	Upstate				Downstate			Statewide		
	HUD EJs		NYS EJ		Both					
<b>RECAP</b>										
Households w. Hearing Disability	21,198	7.9%	2,052	10.7%	23,250	8.1%	63,756	6.7%	87,006	7.0%
Households w. Vision Disability	21,442	8.0%	1,602	8.4%	23,044	8.0%	78,882	8.3%	101,926	8.3%
Households w. Cognitive Disability	54,407	20.3%	4,368	22.9%	58,775	20.4%	141,239	14.9%	200,014	16.2%
Households w. Ambulatory Disability	64,222	23.9%	4,513	23.6%	68,735	23.9%	212,980	22.5%	281,715	22.8%
Households in Self-Care	21,114	7.9%	1,507	7.9%	22,621	7.9%	83,805	8.9%	106,426	8.6%
Households Living Independently	41,669	15.5%	3,169	16.6%	44,838	15.6%	132,262	14.0%	177,100	14.3%
<b>Total Households</b>	<b>268,555</b>	<b>100%</b>	<b>19,100</b>	<b>100%</b>	<b>287,655</b>	<b>100%</b>	<b>946,897</b>	<b>100%</b>	<b>1,234,552</b>	<b>100%</b>
<b>Non-RECAP</b>										
Households w. Hearing Disability	96,679	8.6%	135,578	10.0%	232,257	9.4%	217,144	6.1%	449,401	7.5%
Households w. Vision Disability	51,640	4.6%	66,175	4.9%	117,815	4.8%	161,152	4.5%	278,967	4.6%
Households w. Cognitive Disability	121,176	10.8%	165,508	12.2%	286,684	11.6%	295,379	8.3%	582,063	9.7%
Households w. Ambulatory Disability	171,064	15.3%	233,835	17.2%	404,899	16.3%	511,351	14.4%	916,250	15.2%
Households in Self-Care	62,757	5.6%	85,507	6.3%	148,264	6.0%	213,593	6.0%	361,857	6.0%
Households Living Independently	122,004	10.9%	157,665	11.6%	279,669	11.3%	356,446	10.0%	636,115	10.5%
<b>Total Households</b>	<b>1,120,539</b>	<b>100%</b>	<b>1,358,790</b>	<b>100%</b>	<b>2,479,329</b>	<b>100%</b>	<b>3,551,645</b>	<b>100%</b>	<b>6,030,974</b>	<b>100%</b>
<b>RECAP + Non-RECAP</b>	<b>1,389,094</b>		<b>1,377,890</b>		<b>2,766,984</b>		<b>4,498,542</b>		<b>7,265,526</b>	



## 2. Public Engagement

Those participating in the public engagement process described the issue of racially and ethnically concentrated areas of poverty (R/ECAPS), and detailed the factors contributing to this concentration, many of them very similar to and overlapping with those identified in the segregation issue, above. Factors discussed as contributing to the existence of racial and ethnic concentrations of poverty included private discrimination and racism and the displacement of residents due to economic pressures (both discussed more in Subsection VI.A.2, above), as well as the factors below.

### Community Opposition

Community opposition to affordable housing or NIMBYism (“Not in My Back Yard”) was widely described by stakeholders in all regions of New York State. Seventy-one percent of housing stakeholders surveyed agreed that community opposition occurs and contributes to the concentration of poverty along race and ethnic lines. According to numerous stakeholders, high opportunity, and suburban communities in particular exhibit strong community opposition to affordable housing. Stakeholders indicated that housing for older persons is the type of affordable housing that communities tend to be the most open to but described widespread and often hostile opposition to multifamily housing. Additionally, school districts often mirror residential segregation. Higher performing school districts tend to have little to no multifamily housing and fewer residents of color.

### Location and Type of Affordable Housing

Participants felt that affordable housing tends to be located in low-income areas with fewer opportunities due to exclusionary zoning, private discrimination, and lending discrimination. As a result, people of color and immigrants experiencing affordability barriers typically have few choices for housing and are thus concentrated in areas of poverty. Subsidy recipients were also discussed as having limited choices in their housing search (partially due to the low dollar amount of public assistance), and often end up living in areas of concentrated poverty. Section 8 Housing Choice Vouchers in particular were highlighted as being generally concentrated in high-poverty areas although they are able to be used in more well-resourced areas.

One participant called these issues “legacy” issues because R/ECAPS also experience greater disparities in education and the type of services that are brought into the area. Overall, racial segregation is deeply embedded in many areas of the state and will be a heavy lift to undo.

### Deteriorated and Abandoned Properties

Another contributing factor discussed by public engagement participants was the presence of community disinvestment, as evidenced by deteriorated and abandoned residential and commercial properties. Absentee landlords renting to low-income community members of color and undocumented families were reported as providing substandard and unsafe housing conditions. While abandoned and blighted properties are overrepresented in low-income communities, participants noted that it is difficult for these communities to finance the renovation of these properties because of lack of access to credit and financial resources to do so.

### C. Fair Housing Issue 3: Mobility & Access to Opportunity

Throughout the state, disparities in access to resources that represent economic and social mobility are glaring. Whether it is the social and economic mobility of children, school quality, access to environmentally healthy areas, employment opportunities, access to low-poverty areas and homeownership, the patterns are similar. Communities of color, immigrants, and those with limited-English proficiency are disproportionately underrepresented in areas with a high level of access to these resources. The visualizations in this subsection repeatedly show urban centers throughout the state with limited access to the resources that define opportunity, surrounded by and abutting neighborhoods that are in the very highest category of access to these resources. The accompanying data again show dramatic drop offs in the proportion of families of color depending on the level of access the places they live have access to these opportunity-defining resources.

The public engagement conducted on mobility and access to opportunity echo these findings and highlight that these living patterns are not created by choice. Of New Yorkers who responded to the Fair Housing Matters NY survey, about half wanted to move to another neighborhood – a number that increased to 83 percent among African Americans and 75 percent of those that identified as more than one race/ethnicity.

In Section VIII, NYSHCR set goals specifically responsive to these findings – to increase mobility for families so they can choose to live in a neighborhood that best suits their needs, while increasing opportunity within neighborhoods with meaningful community investments and community support through housing.

#### **Key Takeaways from the Analysis of the Data:**

- Across nearly all measures of social, economic, educational, health, and transportation access, white households are found in higher concentrations in higher-scoring tracts (that is, better access to resources), while Black/African American and Hispanic/Latinx households are found in higher concentrations in lower-scoring tracts.
- Similar disparities exist for other protected classes, including people not proficient in the English language and those born outside the United States.

#### **Key Takeaways from Public Engagement:**

- The desire to move to a different neighborhood is disproportionately felt by Black/African Americans, supporting the fact that segregated living patterns and restricted fair housing choice is not a product of personal preference.
- Stakeholders described the factors contributing to these disparities are many and interconnected – they involve racism, discrimination in renting and lending, land use and zoning, historical disinvestment, and unaffordability in areas that have high levels of resources, among others.

## 1. Analysis

### Child Opportunity Index

To get a sense of the disparities in access to opportunity in the state requires the examination of various factors, indices and data sources. The analysis below looks at social and economic mobility, access to quality education, environmentally healthy areas, employment opportunities, transportation, low-poverty, and homeownership. It is a combination of HUD-provided ACS metrics and data provided by the Child Opportunity Index 2.0 (COI). The COI, produced by the Institute for Child, Youth and Family Policy, Brandeis University, measures and maps the quality of resources and conditions that matter for children to develop in a healthy way in the neighborhoods where they live<sup>5</sup>.

The COI combines data from 29 different measures into three domain indices comparable across geographies at the census tract level. They are:

- Social and Economic Mobility Index: Employment rate, commute duration, poverty rate, public assistance rate, homeownership rate, high-skill employment, median household income, single-headed households.
- Health and Environment Index: Access to healthy food, access to green space, walkability, housing vacancy rate, hazardous waste dump sites, industrial pollutant in air/water/soil, airborne microparticles, ozone concentration, extreme heat exposure, health insurance coverage.
- Education Index: Early childhood education (ECE) centers, high-quality ECE centers, ECE enrollment, third grade reading proficiency, third grade math proficiency, high school graduation rate, Advanced Placement course enrollment, college enrollment in nearby institutions, school poverty, teacher experience, adult educational attainment.

In creating these indices, the Child Opportunity Institute “[converted] each indicator to z-scores, a common statistical procedure that puts indicators measured on different scales (e.g., counts, percentages, dollars) onto a common scale that is comparable across indicators, neighborhoods and over time. [The Institute] then [takes] a weighted average of the indicator z-scores within a domain to obtain a domain average z-score.”<sup>6</sup> The three indices from the COI are therefore a 0 to 100 score assigned to every census tract in the state, with higher numbers representing a better environment for child opportunity and development across that domain.

NYSHCR supplemented or substituted the AFFH-T fair housing indices with the COI indices in order to take advantage of the broader range of measures used by the Child Opportunity Institute, that directly relate not just to the *current* conditions in neighborhoods but to the potential for *future* growth for the children who live there. The weighting done by the Child Opportunity Institute when creating their composite scores for Education, Social and Economic Mobility, and Health and Environmental Quality are all based on empirical measures of the

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<sup>5</sup> Diversity Data Kids. “Child Opportunity Index.” Brandeis University, Heller School for Social Policy and Management. Online: <https://www.diversitydatakids.org/child-opportunity-index>.

<sup>6</sup> Diversity Data Kids, “Research Library.” Brandeis University, Heller School for Social Policy and Management. Online: <https://www.diversitydatakids.org/research-library/research-brief/what-child-opportunity>

impact these different factors have on childhood development, and therefore create a more holistic picture of opportunity and mobility.

Below is an analysis of the connectivity between the concentration of protected classes within census tracts and those tracts' scores across the different indices included in the Child Opportunity Index as well as ACS measures of opportunity provided by HUD. This section does not examine barriers to mobility and opportunity faced by people with disabilities, as those are discussed in Part F.

#### a. Social and Economic Opportunity

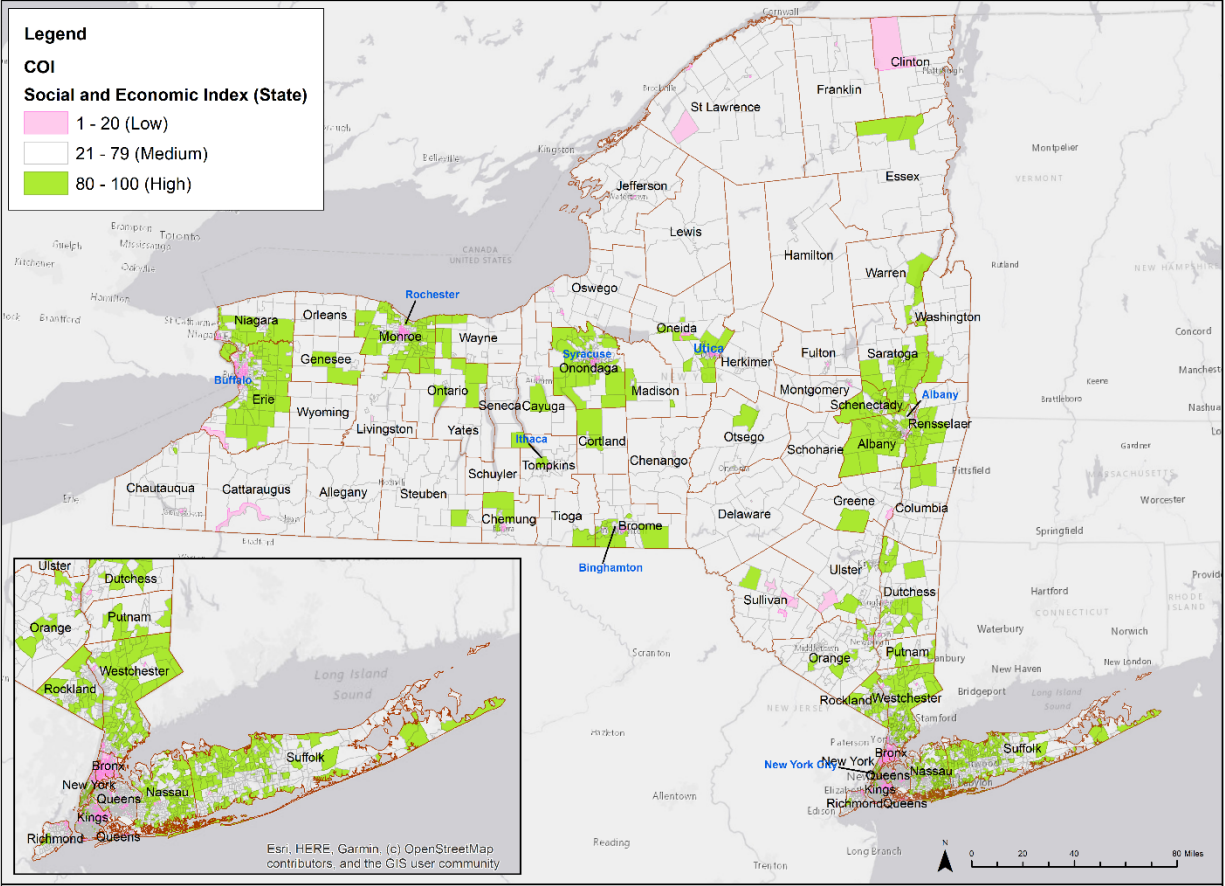
The primary measure used by NYSHCR to evaluate disparities in social and economic mobility is the Social and Economic Mobility component index from the COI. By comparing the relative demographic makeup of low-scoring census tracts (those with scores in the 0-20 range) with that of higher scoring tracts, disparities in access to the conditions of upward social mobility can be quantified. Some trends in these disparities are true across all geographies of the state, while others are concentrated or are more severe in a particular region, or in the NYSEJ compared to HUD-EJs.

#### [The Geography of Social and Economic Mobility](#)

##### **Key Observations**

- The mid-Hudson and Long Island regions have many tracts that have received high Social and Economic Mobility Index scores.
- Low-scoring tracts are concentrated in urban cores such as Buffalo, Rochester, Syracuse, Albany, the Bronx, Central Brooklyn, and in rural areas such as Cayuga, Orleans, Clinton, Franklin, and St. Lawrence Counties. The notable exceptions to this pattern are in Lower Manhattan and the waterfront neighborhoods in Brooklyn, Queens, and Staten Island.
- Across the state, low-scoring cities tend to be ringed by high-scoring suburbs.

Fig. 38: Map of High and Low Social/Economic Mobility Census Tracts



Disparities in Social and Economic Mobility by Race

**Key Observations**

In all areas of the state, higher opportunity census tracts are whiter than lower opportunity ones, while lower opportunity tracts have higher concentrations of Black/African American and Hispanic/Latinx households.

- **EXAMPLE:** Census tracts scoring 80-100 on the COI Social and Economic Mobility Index are on average 85.6 percent white and only 2.4 percent Black/African American and 5.0 percent Hispanic/Latinx. Census tracts scoring 0-20 using this same Index are on average 16.9 percent white, 38.9 percent Black/African American, and 37.2 percent Hispanic/Latinx, and the state overall is 62.7 percent white, 13.6 percent Black/African American, and 14.9 percent Hispanic/Latinx.

Asian/Pacific Islander households are more varied; in the upstate HUD Entitlement Jurisdictions, Asian/Pacific Islanders are more concentrated in lower opportunity tracts, but in the NYSEJ they are disproportionately in the higher opportunity tracts. Downstate, they are concentrated more in the lower opportunity tracts except for the lowest quintile, which have comparatively few Asian/Pacific Islander households.

The NYSEJ has a disproportionately high concentration of white people compared to the state overall, but it has some of the most extreme drop-offs in the concentration of Black/African

American and Hispanic/Latinx populations between the lowest opportunity tracts and the next lowest.

- **EXAMPLE:** Tracts scoring 0-20 in the NYSEJ were 6.6 percent Black and 8.3 percent Hispanic/Latinx. Tracts scoring 21-40 were 2.5 percent Black and 3.7 percent Hispanic/Latinx, in both cases a drop-off of more than half.

*Fig. 39: Racial and Ethnic Composition of NYS Census Tracts, by Social and Economic Mobility*

Region	Entitlement Jurisdiction	Social / Economic Mobility Index	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	40.7%	39.5%	3.3%	12.4%	212,055	197
		21 - 40	65.3%	18.4%	3.3%	9.9%	181,215	134
		41 - 60	81.5%	7.5%	2.5%	6.6%	247,110	158
		61 - 80	87.3%	4.8%	2.3%	4.3%	329,110	203
		81 - 100	91.9%	2.5%	2.4%	2.3%	419,604	232
			<b>77.7%</b>	<b>11.7%</b>	<b>2.6%</b>	<b>6.1%</b>	<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	79.8%	6.6%	0.9%	8.3%	36,510	27
		21 - 40	91.7%	2.5%	0.7%	3.7%	161,725	112
		41 - 60	94.4%	1.1%	0.9%	2.0%	454,510	308
		61 - 80	94.7%	1.1%	1.1%	2.0%	449,145	286
		81 - 100	93.4%	1.4%	2.2%	2.0%	253,685	142
			<b>93.7%</b>	<b>1.5%</b>	<b>1.2%</b>	<b>2.4%</b>	<b>1,355,575</b>	<b>875</b>
Upstate	Both	0 - 20	46.5%	34.7%	3.0%	11.8%	248,565	224
		21 - 40	77.8%	10.9%	2.1%	7.0%	342,940	246
		41 - 60	89.8%	3.4%	1.5%	3.6%	701,620	466
		61 - 80	91.6%	2.7%	1.6%	3.0%	778,255	489
		81 - 100	92.5%	2.1%	2.3%	2.2%	673,289	374
			<b>85.6%</b>	<b>6.6%</b>	<b>1.9%</b>	<b>4.2%</b>	<b>2,744,669</b>	<b>1,799</b>
Downstate	Both	0 - 20	8.8%	40.1%	4.8%	44.1%	908,248	578
		21 - 40	29.7%	27.9%	13.8%	25.3%	930,719	729
		41 - 60	52.1%	13.3%	13.3%	19.0%	823,554	596
		61 - 80	70.5%	5.9%	9.2%	12.6%	838,183	542
		81 - 100	80.9%	2.6%	8.1%	6.9%	997,714	535
			<b>48.6%</b>	<b>18.0%</b>	<b>9.8%</b>	<b>21.5%</b>	<b>4,498,418</b>	<b>2,980</b>
Statewide	Both	0 - 20	16.9%	38.9%	4.4%	37.2%	1,156,813	802
		21 - 40	42.7%	23.3%	10.6%	20.4%	1,273,659	975
		41 - 60	69.5%	8.7%	7.8%	11.9%	1,525,174	1,062
		61 - 80	80.7%	4.3%	5.6%	8.0%	1,616,438	1,031
		81 - 100	85.6%	2.4%	5.8%	5.0%	1,671,003	909
			<b>62.7%</b>	<b>13.6%</b>	<b>6.8%</b>	<b>14.9%</b>	<b>7,243,087</b>	<b>4,779</b>

[Disparities in Social and Economic Mobility by Country of Origin and English Language Proficiency](#)

**Key Observations**

The connection between concentrations of foreign-born New Yorkers and social and economic mobility is less pronounced than with other protected racial and ethnic groups, but overall, the lowest opportunity tracts have higher concentrations of foreign-born residents than the highest opportunity ones.

- **EXAMPLE:** Statewide, tracts with scores 0-20 for the COI's Social and Economic Mobility Index are on average 31.4 percent foreign-born compared to tracts with scores 81-100, which are 12.5 percent foreign-born.

The HUD-EJs (both upstate and downstate) see the highest concentrations of foreign-born New Yorkers in the census tracts scoring 21-40 on the mobility scale.

In the NYSEJ, concentrations of foreign-born New Yorkers are highest in both the lowest-opportunity tracts (6.6 percent foreign-born) and the highest-opportunity tracts (5.6 percent foreign-born). This is notably different than in the HUD-EJs (both upstate and downstate) where the highest opportunity tracts have the lowest concentrations of foreign-born residents.

Limited-English language proficiency follows a more straightforward trend. In all regions of the state, the lowest opportunity tracts have higher concentration of non-English speakers than the highest opportunity tracts. The HUD-EJs (both upstate and downstate) see the highest concentrations of non-English speakers in the tracts scoring 21-40.

Fig. 40: Country of Origin in NYS Census Tracts, by Social and Economic Mobility

Region	Entitlement Jurisdiction	Social / Economic Mobility Index	Avg. % Foreign Born	Avg. % US Born	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	10.8%	89.2%	535,493	197
		21 - 40	11.3%	88.7%	447,195	134
		41 - 60	8.7%	91.3%	598,919	158
		61 - 80	7.8%	92.2%	816,589	203
		81 - 100	6.7%	93.3%	1,062,483	232
			<b>9.0%</b>	<b>91.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	6.6%	93.4%	97,073	27
		21 - 40	4.0%	96.0%	428,970	112
		41 - 60	3.4%	96.6%	1,139,386	308
		61 - 80	4.4%	95.6%	1,121,924	286
		81 - 100	5.6%	94.4%	656,474	142
			<b>4.0%</b>	<b>96.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	10.1%	89.9%	632,566	224
		21 - 40	7.7%	92.3%	876,165	246
		41 - 60	5.2%	94.8%	1,738,305	466
		61 - 80	5.9%	94.1%	1,938,513	489
		81 - 100	6.3%	93.7%	1,718,957	374
			<b>6.0%</b>	<b>94.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	36.5%	63.5%	2,625,526	578
		21 - 40	43.6%	56.4%	2,796,454	729
		41 - 60	35.3%	64.7%	2,320,150	596
		61 - 80	24.1%	75.9%	2,293,055	542
		81 - 100	16.8%	83.2%	2,485,643	535
			<b>32.0%</b>	<b>68.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	31.4%	68.6%	3,258,092	802
		21 - 40	35.0%	65.0%	3,672,619	975
		41 - 60	22.4%	77.6%	4,058,455	1,062
		61 - 80	15.7%	84.3%	4,231,568	1,031
		81 - 100	12.5%	87.5%	4,204,600	909
			<b>23.0%</b>	<b>77.0%</b>	<b>19,425,334</b>	<b>4,779</b>



Fig. 41: English Language Proficiency in NYS Census Tracts, by Social and Economic Mobility

Region	Entitlement Jurisdiction	Social / Economic Mobility Index	Avg. % w. Limited English Proficiency	Avg. % Fluent in English	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	8.5%	91.5%	535,493	197
		21 - 40	6.3%	93.7%	447,195	134
		41 - 60	4.0%	96.0%	598,919	158
		61 - 80	3.1%	96.9%	816,589	203
		81 - 100	2.4%	97.6%	1,062,483	232
			<b>4.0%</b>	<b>96.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	4.3%	95.7%	97,073	27
		21 - 40	4.8%	95.2%	428,970	112
		41 - 60	1.7%	98.3%	1,139,386	308
		61 - 80	1.8%	98.2%	1,121,924	286
		81 - 100	1.9%	98.1%	656,474	142
			<b>2.0%</b>	<b>98.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	7.9%	92.1%	632,566	224
		21 - 40	5.6%	94.4%	876,165	246
		41 - 60	2.5%	97.5%	1,738,305	466
		61 - 80	2.3%	97.7%	1,938,513	489
		81 - 100	2.2%	97.8%	1,718,957	374
			<b>3.0%</b>	<b>97.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	24.1%	75.9%	2,625,526	578
		21 - 40	26.7%	73.3%	2,796,454	729
		41 - 60	20.2%	79.8%	2,320,150	596
		61 - 80	12.0%	88.0%	2,293,055	542
		81 - 100	5.5%	94.5%	2,485,643	535
			<b>18.0%</b>	<b>82.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	20.9%	79.1%	3,258,092	802
		21 - 40	21.6%	78.4%	3,672,619	975
		41 - 60	12.7%	87.3%	4,058,455	1,062
		61 - 80	7.5%	92.5%	4,231,568	1,031
		81 - 100	4.1%	95.9%	4,204,600	909
			<b>13.0%</b>	<b>87.0%</b>	<b>19,425,334</b>	<b>4,779</b>

Disparities in Social and Economic Mobility by Age

**Key Observations**

The tracts with the highest scores for social and economic mobility have higher concentrations of older adults and lower concentrations of children.

- EXAMPLE:** Statewide, residents of tracts scoring 0-20 in the Social and Economic Mobility Index are 24.8 percent aged under 18 years old and 12.2 percent aged 65 years and older, while tracts scoring 80-100 are 19.6 percent aged under 18 years old and 18.5 percent aged 65 years and older.

This effect is mostly driven by age disparities downstate.

- **EXAMPLE:** Downstate, residents of tracts scoring 0-20 in the Education Quality Index are 24.7 percent aged under 18 years old and 12.2 percent aged 65 years and older, while tracts scoring 80-100 are 18.9 percent aged under 18 years old and 17.7 percent aged 65 years and older.

The under-representation of children in the highest performing tracts for education quality upstate is concentrated in the lowest-performing school districts. Middle- and high-performing districts have generally similar percentages of the population under the age of 18 years old.

- **EXAMPLE:** Upstate tracts scoring 0-20 and 21-40 are 25.3 percent and 21.8 percent aged under 18 years, respectively, but tracts scoring in the, 41-60, 61-80, and 81-100 ranges all have roughly similar proportions of their population aged under 18 years (between 19.3 percent and 20.5 percent).

*Fig. 42: Age Composition in NYS Census Tracts, by Social and Economic Mobility*

Region	Entitlement Jurisdiction	Social / Econ. Index	Avg. % Under 18	Avg. % 18 - 54	Avg. % 55 - 64	Avg. % 65+	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	26.3%	50.9%	11.4%	11.5%	535,493	197
		21 - 40	21.1%	54.2%	11.6%	13.1%	447,195	134
		41 - 60	19.2%	51.0%	13.4%	16.3%	598,919	158
		61 - 80	19.3%	48.1%	14.6%	18.0%	816,589	203
		81 - 100	20.5%	44.3%	15.4%	19.8%	1,062,483	232
			<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	19.8%	52.9%	12.5%	14.8%	97,073	27
		21 - 40	22.5%	48.7%	12.7%	16.1%	428,970	112
		41 - 60	20.3%	45.7%	15.2%	18.8%	1,139,386	308
		61 - 80	19.3%	45.2%	15.9%	19.5%	1,121,924	286
		81 - 100	20.4%	44.9%	15.5%	19.3%	656,474	142
			<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	25.3%	51.2%	11.6%	12.0%	632,566	224
		21 - 40	21.8%	51.5%	12.1%	14.6%	876,165	246
		41 - 60	19.9%	47.5%	14.6%	17.9%	1,738,305	466
		61 - 80	19.3%	46.4%	15.4%	18.9%	1,938,513	489
		81 - 100	20.5%	44.5%	15.4%	19.6%	1,718,957	374
			<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	24.7%	52.1%	11.0%	12.2%	2,625,526	578
		21 - 40	22.5%	51.7%	11.9%	13.9%	2,796,454	729
		41 - 60	20.5%	50.8%	12.8%	15.9%	2,320,150	596
		61 - 80	19.5%	49.5%	13.6%	17.3%	2,293,055	542
		81 - 100	18.9%	49.9%	13.5%	17.7%	2,485,643	535
			<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	24.8%	51.9%	11.1%	12.2%	3,258,092	802
		21 - 40	22.3%	51.6%	12.0%	14.0%	3,672,619	975
		41 - 60	20.3%	49.4%	13.6%	16.8%	4,058,455	1,062
		61 - 80	19.4%	48.1%	14.4%	18.1%	4,231,568	1,031
		81 - 100	19.6%	47.7%	14.3%	18.5%	4,204,600	909
			<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>19,425,334</b>	<b>4,779</b>

### b. Access to Quality Education

New York State has historically suffered from the dual, and interrelated, issues of income inequality and school segregation. Due to factors such as historic community disinvestment, redlining, and the resultant intergenerational cycle of poverty, many New York children –

particularly children of color – have lacked access to opportunities leading to academic success and resulting improved social and health outcomes.

Numerous studies have shown that children who live in communities that are under-resourced or disadvantaged fare worse than those who live in lower-poverty and better resourced communities across a wide range of long-term outcomes, from economic to health to education. The inverse is also true. The 2015 Moving to Opportunity experiment, which randomly selected families in high-poverty housing projects to move to lower-poverty neighborhoods, found that young children (under the age of 8) who moved to low-poverty areas saw a substantial gain in lifetime earnings – approximately \$302,000 over the course of the child’s lifetime.<sup>7</sup> The same study found that, while there were no evident short- or long-term improvement in economic or educational outcomes for adults that moved to low-poverty areas, these same adults benefited from improved outcomes in mental and physical health and subjective well-being. Put differently, adults that move out of high-poverty areas and into low-poverty areas are healthier and happier.<sup>8</sup>

Similar to the Social and Economic Opportunity analysis above, the COI 2.0 Educational Opportunity Index represents a composite of many measures of educational quality and performance, standardized into a 0-100 point scale, weighted based on each factor’s empirically measured contribution to future childhood success, and then assigned to each census tract. Higher scoring tracts therefore represent a better environment for child opportunity and development through better educational outcomes.

### [The Geography of Educational Resources](#)

#### **Key Observations**

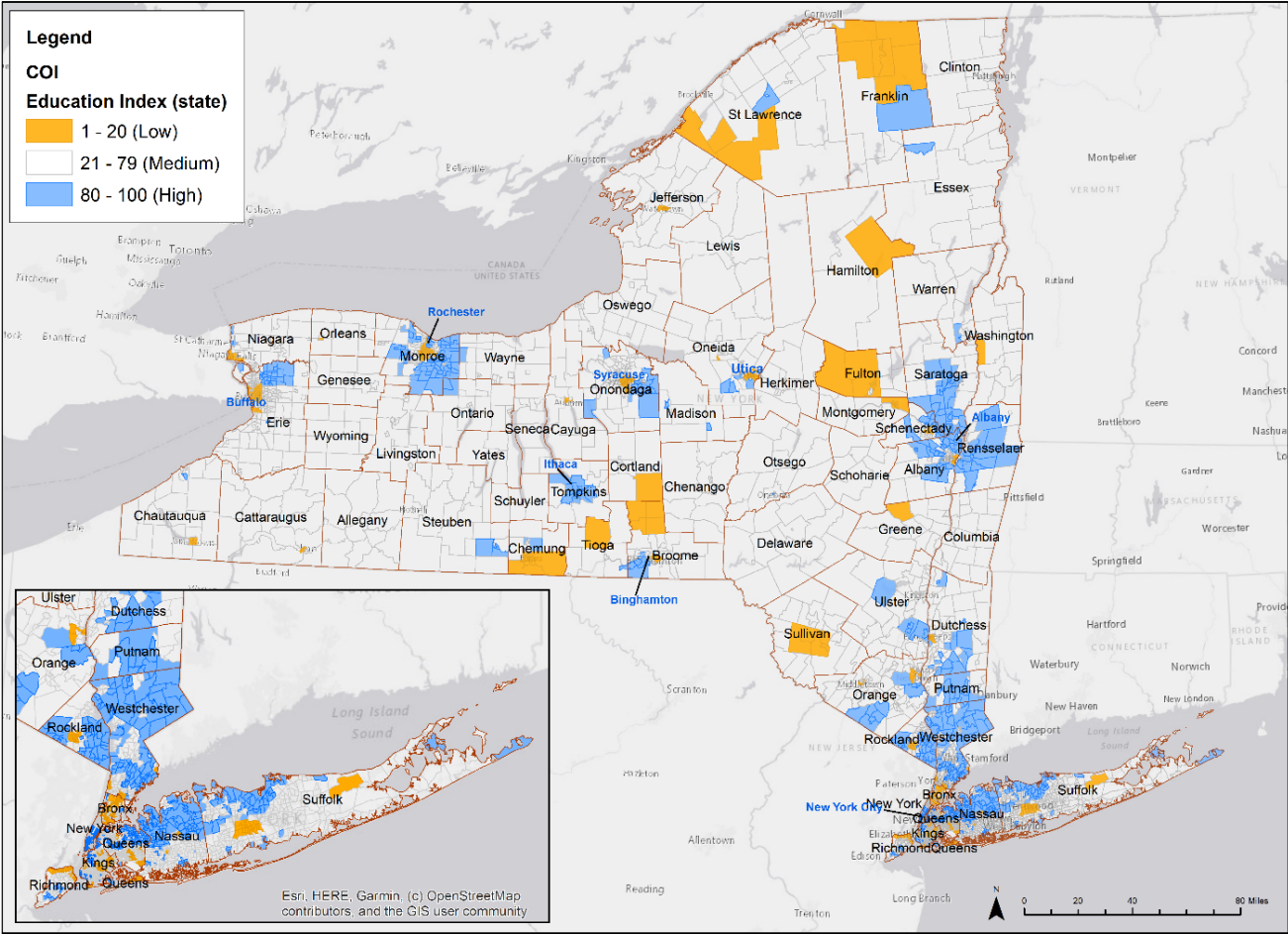
- As indicated in the map, below, the highest and lowest scoring tracts are not evenly spread out throughout the state, but rather occur in clusters. The clusters of high educational opportunity and low educational opportunity often are proximate to each other. Clusters of low educational opportunity are generally in urban centers and high educational opportunity often surround them in the suburban areas (see e.g., Rochester and Schenectady).
- The clusters in the major cities of New York have the worst clustering of low and high educational opportunity tracts.
- Mid-Hudson has a concentration of high educational opportunity tracts.

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<sup>7</sup> Chetty, Raj, et al. “The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Project.” *American Economic Review* 106(4), pages 855-902. (2016).

<sup>8</sup> Id.

Fig. 43: Map of Educational Index Score



Disparities in Educational Resources by Race

As with social and economic mobility, neighborhood educational resources are highly correlated with racial and ethnic makeup. The highest scoring tracts in all regions of the state are disproportionately white and Asian/Pacific Islander while the lowest scoring are disproportionately Black/African American and Hispanic/Latinx. The steepest drop-offs in racial/ethnic concentration among low-scoring tracts are among Black/African American households, particularly upstate.

- **EXAMPLE:** Statewide the tracts scoring 0-20 in the Education Index are 28.4 percent white and 3.1 percent Asian/Pacific Islander, while those performing 81-100 are 76.4 percent white and 11.3 percent Asian/Pacific Islander. The 2015 ACS found New York overall was 62 percent white and 6.8 percent Asian/Pacific Islander. Upstate census tracts scoring 0-20 in the COI Education Index are on average 26.5 percent Black, whereas tracts scoring 81-100 are only 2.6 percent Black.

Higher-scoring tracts upstate see higher concentrations of Asian/Pacific Islander households than lower-scoring tracts, both in the HUD Entitlement Jurisdictions and the NYSEJ, and middle-scoring tracts saw the lowest proportions of Asian/Pacific Islander households. Downstate, there is a more straightforward positive relationship between Asian/Pacific Islander concentration and COI Education Index score.

Fig. 44: Racial and Ethnic Composition of NYS Census Tracts, by Educational Quality

Region	Entitlement Jurisdiction	Education Index	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	51.3%	31.7%	2.8%	10.9%	331,905	291
		21 - 40	75.3%	12.2%	2.2%	8.1%	185,140	121
		41 - 60	88.2%	4.7%	1.4%	4.1%	284,915	181
		61 - 80	88.5%	3.9%	2.1%	4.3%	298,750	181
		81 - 100	87.9%	3.2%	4.7%	2.9%	288,384	150
			<b>77.7%</b>	<b>11.7%</b>	<b>2.6%</b>	<b>6.1%</b>	<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	90.7%	2.5%	0.5%	4.7%	71,940	51
		21 - 40	93.9%	1.5%	0.6%	2.2%	402,255	273
		41 - 60	95.1%	1.3%	0.5%	1.9%	440,240	287
		61 - 80	94.2%	1.3%	1.2%	2.4%	232,615	144
		81 - 100	90.2%	1.8%	3.9%	2.9%	208,525	120
			<b>93.7%</b>	<b>1.5%</b>	<b>1.2%</b>	<b>2.4%</b>	<b>1,355,575</b>	<b>875</b>
Upstate	Both	0 - 20	58.3%	26.5%	2.4%	9.8%	403,845	342
		21 - 40	88.0%	4.9%	1.1%	4.1%	587,395	394
		41 - 60	92.4%	2.6%	0.9%	2.8%	725,155	468
		61 - 80	91.0%	2.7%	1.7%	3.5%	531,365	325
		81 - 100	88.9%	2.6%	4.3%	2.9%	496,909	270
			<b>85.6%</b>	<b>6.6%</b>	<b>1.9%</b>	<b>4.2%</b>	<b>2,744,669</b>	<b>1,799</b>
Downstate	Both	0 - 20	11.9%	41.8%	3.5%	40.6%	732,811	535
		21 - 40	25.9%	34.2%	5.7%	31.7%	753,699	537
		41 - 60	47.8%	17.9%	9.5%	22.3%	754,011	524
		61 - 80	64.3%	7.1%	12.3%	14.2%	1,000,108	678
		81 - 100	71.4%	3.1%	14.1%	9.6%	1,257,789	706
			<b>48.6%</b>	<b>18.0%</b>	<b>9.8%</b>	<b>21.5%</b>	<b>4,498,418</b>	<b>2,980</b>
Statewide	Both	0 - 20	28.4%	36.3%	3.1%	29.7%	1,136,656	877
		21 - 40	53.1%	21.4%	3.7%	19.6%	1,341,094	931
		41 - 60	69.7%	10.4%	5.2%	12.7%	1,479,166	992
		61 - 80	73.6%	5.6%	8.6%	10.5%	1,531,473	1,003
		81 - 100	76.4%	2.9%	11.3%	7.7%	1,754,698	976
			<b>62.7%</b>	<b>13.6%</b>	<b>6.8%</b>	<b>14.9%</b>	<b>7,243,087</b>	<b>4,779</b>

[Disparities in Educational Resources by Country of Origin and English Language Proficiency](#)

**Key Observations**

- Downstate, the foreign-born population is disproportionately concentrated in census tracts with low Education Index scores.
- In the NYSEJ, the opposite is true: the foreign-born population is disproportionately concentrated in census tracts with high Education Index scores.
- In the HUD Entitlement Jurisdictions upstate, the foreign-born population is split between low- and high-scoring census tracts, with the middle performing tracts having the lowest concentrations of foreign-born residents.
- People with limited English-language proficiency, on the other hand, are in all regions disproportionately concentrated in low-scoring tracts.

Fig. 45: Country of Origin in NYS Census Tracts, by Educational Quality

Region	Entitlement Jurisdiction	Education Index	Avg. % Foreign Born	Avg. % US Born	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	10.9%	89.1%	824,900	291
		21 - 40	8.6%	91.4%	432,403	121
		41 - 60	6.0%	94.0%	684,960	181
		61 - 80	7.4%	92.6%	779,278	181
		81 - 100	9.5%	90.5%	739,138	150
			<b>9.0%</b>	<b>91.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	3.5%	96.5%	179,619	51
		21 - 40	3.3%	96.7%	1,026,972	273
		41 - 60	3.2%	96.8%	1,096,790	287
		61 - 80	5.1%	94.9%	583,558	144
		81 - 100	7.9%	92.1%	556,888	120
			<b>4.0%</b>	<b>96.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	9.6%	90.4%	1,004,519	342
		21 - 40	4.9%	95.1%	1,459,375	394
		41 - 60	4.2%	95.8%	1,781,750	468
		61 - 80	6.4%	93.6%	1,362,836	325
		81 - 100	8.8%	91.2%	1,296,026	270
			<b>6.0%</b>	<b>94.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	37.8%	62.2%	2,275,877	535
		21 - 40	36.0%	64.0%	2,234,212	537
		41 - 60	32.4%	67.6%	2,131,684	524
		61 - 80	28.8%	71.2%	2,801,118	678
		81 - 100	26.0%	74.0%	3,077,937	706
			<b>32.0%</b>	<b>68.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	29.1%	70.9%	3,280,396	877
		21 - 40	23.7%	76.3%	3,693,587	931
		41 - 60	19.6%	80.4%	3,913,434	992
		61 - 80	21.5%	78.5%	4,163,954	1,003
		81 - 100	20.9%	79.1%	4,373,963	976
			<b>23.0%</b>	<b>77.0%</b>	<b>19,425,334</b>	<b>4,779</b>

Fig. 46: Limited-English Language Proficiency in NYS Census Tracts, by Educational Quality Index

Region	Entitlement Jurisdiction	Education Index	Avg. % w. Limited English Proficiency	Avg. % Fluent in English	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	7.6%	92.4%	824,900	291
		21 - 40	4.7%	95.3%	432,403	121
		41 - 60	2.7%	97.3%	684,960	181
		61 - 80	2.8%	97.2%	779,278	181
		81 - 100	3.4%	96.6%	739,138	150
			<b>4.0%</b>	<b>96.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	2.6%	97.4%	179,619	51
		21 - 40	2.9%	97.1%	1,026,972	273
		41 - 60	1.4%	98.6%	1,096,790	287
		61 - 80	2.0%	98.0%	583,558	144
		81 - 100	2.7%	97.3%	556,888	120
			<b>2.0%</b>	<b>98.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	6.7%	93.3%	1,004,519	342
		21 - 40	3.4%	96.6%	1,459,375	394
		41 - 60	1.9%	98.1%	1,781,750	468
		61 - 80	2.5%	97.5%	1,362,836	325
		81 - 100	3.1%	96.9%	1,296,026	270
			<b>3.0%</b>	<b>97.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	23.3%	76.7%	2,275,877	535
		21 - 40	20.9%	79.1%	2,234,212	537
		41 - 60	19.5%	80.5%	2,131,684	524
		61 - 80	16.6%	83.4%	2,801,118	678
		81 - 100	12.3%	87.7%	3,077,937	706
			<b>18.0%</b>	<b>82.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	18.2%	81.8%	3,280,396	877
		21 - 40	14.0%	86.0%	3,693,587	931
		41 - 60	11.5%	88.5%	3,913,434	992
		61 - 80	12.0%	88.0%	4,163,954	1,003
		81 - 100	9.6%	90.4%	4,373,963	976
			<b>13.0%</b>	<b>87.0%</b>	<b>19,425,334</b>	<b>4,779</b>

[Disparities in Educational Resources by Age](#)

**Key Observations**

The tracts with the highest scores for educational quality have higher concentrations of older adults and lower concentrations of children.

- EXAMPLE:** Statewide, residents of tracts scoring 0-20 in the Education Quality Index are 24.9 percent aged under 18 years old and 12.5 percent aged 65 years and older, while tracts scoring 80-100 are 18.9 percent aged under 18 years old and 18.3 percent aged 65 years and older.

This effect is mostly driven by age disparities downstate.



- **EXAMPLE:** Downstate, residents of tracts scoring 0-20 in the Education Quality Index are 25.5 percent aged under 18 years old and 11.0 percent aged 65 years and older, while tracts scoring 80-100 are 18.4 percent aged under 18 years old and 18.0 percent aged 65 years and older.

The over-representation of children in the lowest performing tracts for education quality upstate is particularly stark. Middle- and high-performing tracts in that region have generally similar percentages of the population under the age of 18 years old.

- **EXAMPLE:** Upstate tracts scoring 0-20 are 23.5 percent aged under 18 years, but tracts scoring in the 21-40, 41-60, 61-80, and 81-100 ranges all have roughly similar proportions of their population aged under 18 years (between 19.7 percent and 21.0 percent).

*Fig. 47: Age Composition of NYS Census Tracts, by Educational Quality*

Region	Entitlement Jurisdiction	Education Index	Avg. % Under 18	Avg. % 18 - 54	Avg. % 55 - 64	Avg. % 65+	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	24.2%	51.1%	11.9%	12.9%	824,900	291
		21 - 40	19.2%	53.0%	12.7%	15.1%	432,403	121
		41 - 60	19.5%	47.8%	14.7%	17.9%	684,960	181
		61 - 80	20.3%	47.1%	14.9%	17.7%	779,278	181
		81 - 100	20.4%	45.7%	14.5%	19.4%	739,138	150
			<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	20.7%	45.9%	14.9%	18.5%	179,619	51
		21 - 40	21.7%	44.7%	15.0%	18.6%	1,026,972	273
		41 - 60	19.8%	45.6%	15.6%	19.0%	1,096,790	287
		61 - 80	19.2%	46.7%	15.1%	18.9%	583,558	144
		81 - 100	19.5%	48.2%	14.3%	18.1%	556,888	120
			<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	23.5%	50.1%	12.4%	13.9%	1,004,519	342
		21 - 40	21.0%	47.2%	14.3%	17.5%	1,459,375	394
		41 - 60	19.7%	46.5%	15.2%	18.6%	1,781,750	468
		61 - 80	19.9%	47.0%	15.0%	18.2%	1,362,836	325
		81 - 100	20.0%	46.8%	14.4%	18.8%	1,296,026	270
			<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	25.5%	51.6%	11.0%	11.9%	2,275,877	535
		21 - 40	22.8%	52.3%	11.6%	13.3%	2,234,212	537
		41 - 60	21.5%	51.0%	12.5%	15.0%	2,131,684	524
		61 - 80	19.9%	49.6%	13.6%	16.9%	2,801,118	678
		81 - 100	18.4%	50.4%	13.2%	18.0%	3,077,937	706
			<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	24.9%	51.2%	11.4%	12.5%	3,280,396	877
		21 - 40	22.1%	50.2%	12.7%	15.0%	3,693,587	931
		41 - 60	20.7%	48.9%	13.8%	16.6%	3,913,434	992
		61 - 80	19.9%	48.7%	14.1%	17.3%	4,163,954	1,003
		81 - 100	18.9%	49.3%	13.6%	18.3%	4,373,963	976
			<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>19,425,334</b>	<b>4,779</b>

### c. Access to Environmentally Healthy Areas

In analyzing disparities in environmental quality, NYSHCR substituted the COI Health and Environment Index score in place of the HUD-provided Environmental Hazard Index. Both measures look at the prevalence of pollutants in the air as a primary measure of environmental health, but the COI Health and Environment Index adds in other relevant factors such as walkability, access to healthy food, and health insurance coverage that are important determinants of environmental health. The COI Health and Environment Index scores show



significant disparities in environmental quality in the upstate region, where the HUD Environmental Hazard Index shows generally good air quality across-the-board, even in urban centers where the COI Health and Environmental Quality Index reflects disparities in other aspects of population health.

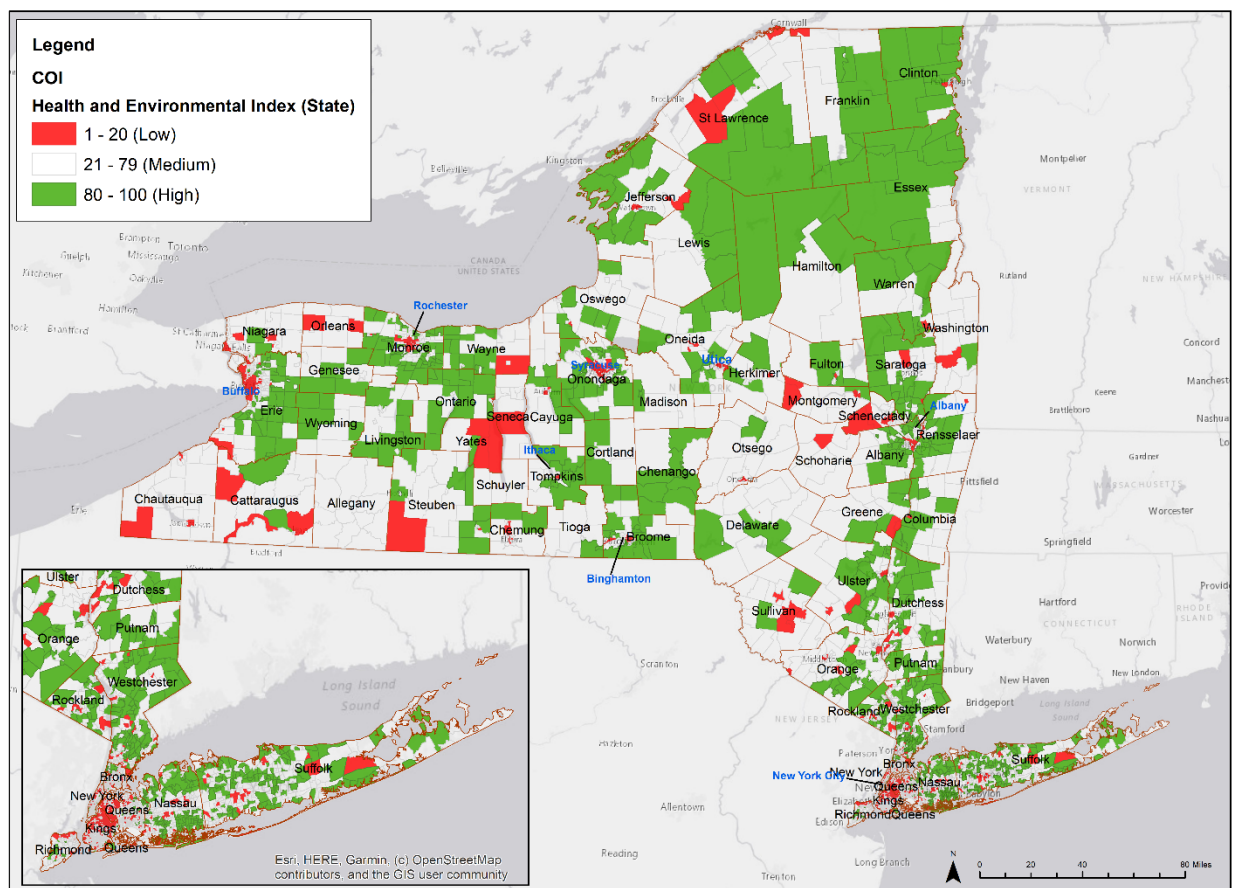
As with the other COI index measures, census tracts are assigned a score of 0-100 that represents a weighted average of many different health and environmental quality factors that have been demonstrated to have a measurable effect on future child development. Tracts with higher scores therefore represent the portions of the state with the healthiest environments.

### Geography of Environmental Health

#### Key Observations

- High- and low-scoring tracts for the Health and Environment Index are more evenly spread across the state than the Educational Quality or Social and Economic Mobility indices, covering many rural as well as suburban areas.
- Clusters of low-scoring tracts still exist in urban centers in both the downstate and upstate HUD-EJs.
- A higher proportion of tracts upstate score between 80 and 100 on the Health and Environmental Quality Index than do downstate.

*Fig. 48: Map of High/Low Environmental Health Census Tracts*



Disparities in Health and Environmental Quality by Race and Ethnicity

**Key Observations**

Health and Environmental Quality exhibits the same pattern of racial and ethnic disparities as Social and Economic Mobility: high-scoring census tracts are disproportionately white, while low-scoring tracts are disproportionately Black/African American and Hispanic/Latinx.

- **EXAMPLE:** In HUD Entitlement Jurisdictions, the tracts with the lowest Health and Environment scores are on average 28.4 percent Black/African American, while the tracts with the highest scores are on average 2.7 percent Black/African American.

Though Asian/Pacific Islander households are more highly concentrated in tracts scoring 21-40 than 0-20, they are least concentrated in tracts scoring 81-100.

*Fig. 49: Racial and Ethnic Composition of NYS Census Tracts, by Health and Environmental Quality*

Region	Entitlement Jurisdiction	Health / Env. Index	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	54.7%	28.4%	3.0%	10.4%	382,195	320
		21 - 40	74.7%	12.1%	3.3%	7.8%	170,460	114
		41 - 60	85.7%	5.4%	2.6%	4.8%	206,685	120
		61 - 80	88.3%	4.3%	2.3%	4.0%	290,615	174
		81 - 100	91.0%	2.7%	2.3%	2.9%	339,139	196
			<b>77.7%</b>	<b>11.7%</b>	<b>2.6%</b>	<b>6.1%</b>	<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	86.5%	3.7%	1.1%	5.1%	119,455	93
		21 - 40	92.6%	1.8%	1.5%	2.8%	156,425	105
		41 - 60	93.6%	1.2%	1.1%	2.7%	237,800	156
		61 - 80	94.7%	1.2%	1.2%	1.8%	389,015	250
		81 - 100	94.8%	1.1%	1.2%	1.8%	452,880	271
			<b>93.7%</b>	<b>1.5%</b>	<b>1.2%</b>	<b>2.4%</b>	<b>1,355,575</b>	<b>875</b>
Upstate	Both	0 - 20	62.3%	22.6%	2.5%	9.1%	501,650	413
		21 - 40	83.3%	7.2%	2.4%	5.4%	326,885	219
		41 - 60	89.9%	3.2%	1.8%	3.7%	444,485	276
		61 - 80	92.0%	2.5%	1.7%	2.7%	679,630	424
		81 - 100	93.2%	1.8%	1.6%	2.3%	792,019	467
			<b>85.6%</b>	<b>6.6%</b>	<b>1.9%</b>	<b>4.2%</b>	<b>2,744,669</b>	<b>1,799</b>
Downstate	Both	0 - 20	33.4%	25.3%	9.9%	29.0%	876,701	660
		21 - 40	37.6%	22.7%	11.9%	25.2%	1,102,257	743
		41 - 60	47.3%	17.1%	10.5%	22.7%	1,038,026	670
		61 - 80	59.3%	13.6%	8.3%	16.8%	856,226	513
		81 - 100	76.4%	6.9%	6.6%	8.9%	625,208	394
			<b>48.6%</b>	<b>18.0%</b>	<b>9.8%</b>	<b>21.5%</b>	<b>4,498,418</b>	<b>2,980</b>
Statewide	Both	0 - 20	43.9%	24.3%	7.2%	21.8%	1,378,351	1,073
		21 - 40	48.1%	19.1%	9.7%	20.7%	1,429,142	962
		41 - 60	60.1%	12.9%	7.9%	17.0%	1,482,511	946
		61 - 80	73.7%	8.7%	5.4%	10.6%	1,535,856	937
		81 - 100	85.8%	4.0%	3.8%	5.2%	1,417,227	861
			<b>62.7%</b>	<b>13.6%</b>	<b>6.8%</b>	<b>14.9%</b>	<b>7,243,087</b>	<b>4,779</b>

Disparities in Health and Environmental Quality by Country of Origin and English Language Proficiency

**Key Observations**

In all regions of the state, the concentration of foreign-born and limited English-language proficiency households is higher in tracts with lower Health and Environment Index scores than in tracts with lower scores.

- **EXAMPLE:** The lowest scoring tracts statewide are on average 28.8 percent foreign-born and 18.1 percent limited English language proficiency households, while the highest scoring are 10.3 percent foreign-born and 4.3 percent limited English language proficiency.

*Fig. 50: Country of Origin in NYS Census Tracts, by Health and Environmental Quality*

Region	Entitlement Jurisdiction	Health / Env. Index	Avg. % Foreign Born	Avg. % US Born	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	10.8%	89.2%	945,641	320
		21 - 40	9.5%	90.5%	404,354	114
		41 - 60	8.2%	91.8%	501,156	120
		61 - 80	7.6%	92.4%	724,374	174
		81 - 100	6.6%	93.4%	885,154	196
			<b>9.0%</b>	<b>91.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	4.6%	95.4%	306,702	93
		21 - 40	4.3%	95.7%	391,315	105
		41 - 60	4.3%	95.7%	605,236	156
		61 - 80	4.4%	95.6%	991,837	250
		81 - 100	4.2%	95.8%	1,148,737	271
			<b>4.0%</b>	<b>96.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	9.3%	90.7%	1,252,343	413
		21 - 40	7.0%	93.0%	795,669	219
		41 - 60	6.0%	94.0%	1,106,392	276
		61 - 80	5.8%	94.2%	1,716,211	424
		81 - 100	5.2%	94.8%	2,033,891	467
			<b>6.0%</b>	<b>94.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	38.6%	61.4%	2,499,710	660
		21 - 40	38.0%	62.0%	3,069,046	743
		41 - 60	33.7%	66.3%	2,863,014	670
		61 - 80	25.3%	74.7%	2,310,373	513
		81 - 100	16.0%	84.0%	1,778,685	394
			<b>32.0%</b>	<b>68.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	28.8%	71.2%	3,752,053	1,073
		21 - 40	31.6%	68.4%	3,864,715	962
		41 - 60	26.0%	74.0%	3,969,406	946
		61 - 80	17.0%	83.0%	4,026,584	937
		81 - 100	10.3%	89.7%	3,812,576	861
			<b>23.0%</b>	<b>77.0%</b>	<b>19,425,334</b>	<b>4,779</b>

Fig. 51: English Language Proficiency in NYS Census Tracts, by Health and Environmental Quality

Region	Entitlement Jurisdiction	Health / Env. Index	Avg. % w. Limited English Proficiency	Avg. % Fluent in English	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	7.1%	92.9%	945,641	320
		21 - 40	5.1%	94.9%	404,354	114
		41 - 60	3.6%	96.4%	501,156	120
		61 - 80	3.1%	96.9%	724,374	174
		81 - 100	2.3%	97.7%	885,154	196
			<b>4.0%</b>	<b>96.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	3.2%	96.8%	306,702	93
		21 - 40	3.6%	96.4%	391,315	105
		41 - 60	2.3%	97.7%	605,236	156
		61 - 80	1.8%	98.2%	991,837	250
		81 - 100	1.9%	98.1%	1,148,737	271
			<b>2.0%</b>	<b>98.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	6.2%	93.8%	1,252,343	413
		21 - 40	4.3%	95.7%	795,669	219
		41 - 60	2.9%	97.1%	1,106,392	276
		61 - 80	2.3%	97.7%	1,716,211	424
		81 - 100	2.0%	98.0%	2,033,891	467
			<b>3.0%</b>	<b>97.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	24.1%	75.9%	2,499,710	660
		21 - 40	22.4%	77.6%	3,069,046	743
		41 - 60	19.3%	80.7%	2,863,014	670
		61 - 80	12.7%	87.3%	2,310,373	513
		81 - 100	7.0%	93.0%	1,778,685	394
			<b>18.0%</b>	<b>82.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	18.1%	81.9%	3,752,053	1,073
		21 - 40	18.7%	81.3%	3,864,715	962
		41 - 60	14.7%	85.3%	3,969,406	946
		61 - 80	8.3%	91.7%	4,026,584	937
		81 - 100	4.3%	95.7%	3,812,576	861
			<b>13.0%</b>	<b>87.0%</b>	<b>19,425,334</b>	<b>4,779</b>

[Disparities in Health and Environmental Quality by Age](#)

**Key Observations**

There is little connection between the concentration of children under 18 and Health and Environment Index scores, with children under 18 years representing similar percentages of the population regardless of Health and Environmental Quality Index score.

The concentration of residents aged 18-54 declines as Health and Environment Index scores go up.

- **EXAMPLE:** Statewide, the proportion of residents aged 18-54 is 54.1 percent in the lowest scoring Tracts and 45.1 percent in the highest scoring Tracts.

The opposite is true for residents aged 55+: In all regions of the state, they are disproportionately represented in the highest scoring tracts for health and environmental quality.

*Fig. 52: Age Composition of NYS Census Tracts, by Health and Environmental Quality*

Region	Entitlement Jurisdiction	Health / Env. Index	Avg. % Under 18	Avg. % 18 - 54	Avg. % 55 - 64	Avg. % 65+	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	23.3%	52.2%	11.7%	12.8%	945,641	320
		21 - 40	19.2%	53.0%	12.5%	15.3%	404,354	114
		41 - 60	19.2%	47.4%	14.6%	18.7%	501,156	120
		61 - 80	19.6%	47.3%	14.5%	18.7%	724,374	174
		81 - 100	21.4%	44.7%	15.5%	18.4%	885,154	196
			<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	21.5%	48.2%	13.5%	16.8%	306,702	93
		21 - 40	21.7%	46.8%	13.5%	17.9%	391,315	105
		41 - 60	20.3%	45.6%	14.8%	19.3%	605,236	156
		61 - 80	19.5%	46.1%	15.4%	18.9%	991,837	250
		81 - 100	20.1%	45.1%	15.9%	18.9%	1,148,737	271
			<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	22.8%	51.2%	12.1%	13.8%	1,252,343	413
		21 - 40	20.4%	50.0%	13.0%	16.6%	795,669	219
		41 - 60	19.8%	46.4%	14.7%	19.0%	1,106,392	276
		61 - 80	19.5%	46.6%	15.0%	18.8%	1,716,211	424
		81 - 100	20.6%	44.9%	15.7%	18.7%	2,033,891	467
			<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	21.5%	55.5%	10.8%	12.2%	2,499,710	660
		21 - 40	21.5%	52.7%	11.8%	14.0%	3,069,046	743
		41 - 60	21.2%	50.4%	12.6%	15.8%	2,863,014	670
		61 - 80	20.8%	48.3%	13.4%	17.5%	2,310,373	513
		81 - 100	21.7%	45.4%	14.7%	18.2%	1,778,685	394
			<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	22.0%	54.1%	11.2%	12.7%	3,752,053	1,073
		21 - 40	21.3%	52.1%	12.0%	14.6%	3,864,715	962
		41 - 60	20.8%	49.3%	13.2%	16.7%	3,969,406	946
		61 - 80	20.3%	47.6%	14.1%	18.1%	4,026,584	937
		81 - 100	21.2%	45.1%	15.3%	18.5%	3,812,576	861
			<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>19,425,334</b>	<b>4,779</b>

#### d. Access to Employment Opportunities

To evaluate disparities in access to good jobs and strong labor markets, NYSHCR used the Labor Market Conditions Index provided by HUD in the AFFH-T. This index is a composite of the unemployment rate, the labor force participation rate, and the percentage of the population over 25 years old with a bachelor's degree or higher, with every census tract given a score 0-100. Higher scores represent better opportunity for labor market engagement.

## Disparities in Labor Market Access by Race/Ethnicity

### **Key Observations**

In all regions of the state, the census tracts with the best access to jobs are disproportionately white, while those with the worst are disproportionately Black/African American and Hispanic/Latinx.

- **EXAMPLE:** Downstate census tracts scoring 0-20 for Labor Market Access are on average 8.5 percent white compared to 75.5 percent white for tracts scoring 81-100. Low-scoring upstate tracts are 58.5 percent white compared to 90.0 percent white for high-scoring Tracts.

The biggest disparities are between white and Black/African American households. For Black/African American households upstate, the most significant change in concentration is between the lowest quintiles of labor market access, while for Black/African American households downstate it is between the highest quintiles. This would seem to imply that among Black/African American households upstate, concentrated joblessness is a more significant problem than downstate, where the most extreme barriers are at the top of the job market.

- **EXAMPLE:** Upstate tracts scoring 0-20 are on average 25.8 percent Black/African American, while those scoring 21-40 are 6.2 percent Black/African American, a more than four-fold difference. On the other hand, downstate tracts scoring 61-80 are on average 11.2 percent Black/African American while those scoring 81-100 are on average 3.9 percent Black/African American.

Fig. 53: Racial and Ethnic Composition of NYS Census Tracts, by Labor Market Index

Region	Entitlement Jurisdiction	Labor Market Index	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	42.5%	38.5%	2.9%	12.3%	218,745	202
		21 - 40	67.6%	16.2%	3.0%	10.1%	156,315	117
		41 - 60	83.2%	7.4%	2.1%	5.6%	243,010	163
		61 - 80	86.8%	5.1%	2.4%	4.4%	391,855	239
		81 - 100	89.2%	3.8%	3.0%	2.8%	379,169	203
			<b>77.7%</b>	<b>11.7%</b>	<b>2.6%</b>	<b>6.1%</b>	<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	87.4%	3.0%	1.0%	5.1%	121,275	89
		21 - 40	94.8%	1.4%	0.5%	2.1%	325,245	219
		41 - 60	95.1%	1.2%	0.7%	1.8%	406,170	262
		61 - 80	94.1%	1.3%	1.2%	2.4%	345,780	218
		81 - 100	91.6%	1.5%	3.7%	2.1%	179,420	99
			<b>93.7%</b>	<b>1.5%</b>	<b>1.2%</b>	<b>2.4%</b>	<b>1,377,890</b>	<b>887</b>
Upstate	Both	0 - 20	58.5%	25.8%	2.2%	9.8%	340,020	291
		21 - 40	86.0%	6.2%	1.3%	4.7%	481,560	336
		41 - 60	90.7%	3.5%	1.2%	3.2%	649,180	425
		61 - 80	90.2%	3.3%	1.8%	3.4%	737,635	457
		81 - 100	90.0%	3.1%	3.2%	2.6%	558,589	302
			<b>85.6%</b>	<b>6.6%</b>	<b>1.9%</b>	<b>4.2%</b>	<b>2,766,984</b>	<b>1,811</b>
Downstate	Both	0 - 20	8.5%	39.0%	4.4%	45.8%	565,890	390
		21 - 40	23.4%	29.1%	12.1%	32.2%	786,587	593
		41 - 60	42.3%	22.4%	10.8%	22.3%	909,212	658
		61 - 80	62.5%	11.2%	10.0%	14.6%	930,575	639
		81 - 100	75.5%	3.9%	9.8%	8.9%	1,306,278	702
			<b>48.6%</b>	<b>18.0%</b>	<b>9.8%</b>	<b>21.5%</b>	<b>4,498,542</b>	<b>2,982</b>
Statewide	Both	0 - 20	27.2%	34.1%	3.6%	32.3%	905,910	681
		21 - 40	47.1%	20.4%	8.0%	21.8%	1,268,147	929
		41 - 60	62.5%	14.5%	6.8%	14.3%	1,558,392	1,083
		61 - 80	74.7%	7.7%	6.4%	9.7%	1,668,210	1,096
		81 - 100	79.8%	3.7%	7.9%	7.0%	1,864,867	1,004
			<b>62.7%</b>	<b>13.6%</b>	<b>6.8%</b>	<b>14.9%</b>	<b>7,265,526</b>	<b>4,793</b>

Disparities in Labor Market Access by Country of Origin and English Language Proficiency

Key Observations

Downstate, the highest concentrations of foreign-born residents are in the middle-scoring tracts for labor market access, while upstate, the highest concentrations of foreign-born residents are in the high- and low-scoring tracts.

- EXAMPLE:** Downstate tracts scoring 21-40 and 41-60 are 41.8 percent and 37 percent foreign-born, respectively, compared to 33.6 percent foreign-born in Tracts scoring 0-20 and 21.1 percent foreign-born in tracts scoring 81-100. Upstate tracts scoring 21-40 and 41-60 are 5.6 percent and 5.0 percent foreign-born, respectively, compared to 8.2 percent foreign-born in tracts scoring 0-20 and 7.7 percent foreign-born in Tracts scoring 81-100.

In the NYSEJ, the high-scoring tracts have the highest concentrations of foreign-born residents (7.4 percent, compared to 5.0 percent for the lowest-scoring tracts).

In all regions of the state, high concentrations of limited English language proficiency New Yorkers are correlated with low labor market access.

- **EXAMPLE:** Statewide, tracts with Labor Market Access Index scores of 0-20 are 17.9 percent limited English language proficiency speakers, while tracts with scores 81-100 are 6.3 percent limited English language proficiency speakers.

*Fig. 54: Country of Origin in NYS Census Tracts, by Labor Market Conditions*

Region	Entitlement Jurisdiction	Labor Market Index	Avg. % Foreign Born	Avg. % US Born	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	10.3%	89.7%	563,801	202
		21 - 40	10.8%	89.2%	393,007	117
		41 - 60	7.9%	92.1%	595,690	163
		61 - 80	7.7%	92.3%	967,841	239
		81 - 100	7.9%	92.1%	940,340	203
			<b>9.0%</b>	<b>91.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	5.0%	95.0%	352,041	88
		21 - 40	3.0%	97.0%	795,654	218
		41 - 60	3.3%	96.7%	991,642	258
		61 - 80	4.9%	95.1%	858,972	214
		81 - 100	7.4%	92.6%	445,518	97
			<b>4.0%</b>	<b>96.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	8.2%	91.8%	915,842	290
		21 - 40	5.6%	94.4%	1,188,661	335
		41 - 60	5.0%	95.0%	1,587,332	421
		61 - 80	6.4%	93.6%	1,826,813	453
		81 - 100	7.7%	92.3%	1,385,858	300
			<b>6.0%</b>	<b>94.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	33.6%	66.4%	1,685,868	390
		21 - 40	41.8%	58.2%	2,419,727	592
		41 - 60	37.0%	63.0%	2,691,854	658
		61 - 80	28.1%	71.9%	2,625,868	639
		81 - 100	21.1%	78.9%	3,097,511	701
			<b>32.0%</b>	<b>68.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	24.6%	75.4%	2,601,710	680
		21 - 40	29.9%	70.1%	3,608,388	927
		41 - 60	25.2%	74.8%	4,279,186	1,079
		61 - 80	19.2%	80.8%	4,452,681	1,092
		81 - 100	17.0%	83.0%	4,483,369	1,001
			<b>23.0%</b>	<b>77.0%</b>	<b>19,425,334</b>	<b>4,779</b>



Fig. 55: English Language Proficiency in NYS Census Tracts, by Labor Market Conditions

Region	Entitlement Jurisdiction	Labor Market Index	Avg. % w. Limited English Proficiency	Avg. % Fluent in English	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	8.3%	91.7%	563,801	202
		21 - 40	6.1%	93.9%	393,007	117
		41 - 60	3.7%	96.3%	595,690	163
		61 - 80	3.1%	96.9%	967,841	239
		81 - 100	2.8%	97.2%	940,340	203
			<b>4.0%</b>	<b>96.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	6.0%	94.0%	352,041	88
		21 - 40	1.6%	98.4%	795,654	218
		41 - 60	1.5%	98.5%	991,642	258
		61 - 80	1.9%	98.1%	858,972	214
		81 - 100	2.4%	97.6%	445,518	97
			<b>2.0%</b>	<b>98.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	7.4%	92.6%	915,842	290
		21 - 40	3.1%	96.9%	1,188,661	335
		41 - 60	2.3%	97.7%	1,587,332	421
		61 - 80	2.5%	97.5%	1,826,813	453
		81 - 100	2.6%	97.4%	1,385,858	300
			<b>3.0%</b>	<b>97.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	23.6%	76.4%	1,685,868	390
		21 - 40	26.3%	73.7%	2,419,727	592
		41 - 60	22.0%	78.0%	2,691,854	658
		61 - 80	14.6%	85.4%	2,625,868	639
		81 - 100	7.9%	92.1%	3,097,511	701
			<b>18.0%</b>	<b>82.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	17.9%	82.1%	2,601,710	680
		21 - 40	18.7%	81.3%	3,608,388	927
		41 - 60	14.7%	85.3%	4,279,186	1,079
		61 - 80	9.7%	90.3%	4,452,681	1,092
		81 - 100	6.3%	93.7%	4,483,369	1,001
			<b>13.0%</b>	<b>87.0%</b>	<b>19,425,334</b>	<b>4,779</b>

[Disparities in Labor Market Access by Age](#)

**Key Observations**

Poverty is closely related to overall economic mobility. Consequently, as with the COI Social and Economic Mobility Index, the tracts with the highest scores for Labor Market Access have higher concentrations of older adults and lower concentrations of children.

- EXAMPLE:** Statewide, residents of tracts scoring 0-20 are 25.9 percent aged under 18 years old and 12.1 percent aged 65 years and older, while tracts scoring 80-100 are 18.6 percent aged under 18 years old and 18.0 percent aged 65 years and older.

As with the other economic indicators discussed above, this effect is mostly driven by age disparities downstate.

- **EXAMPLE:** Downstate, residents of tracts scoring 0-20 in the Labor Market Index are 26.4 percent aged under 18 years old and 11.7 percent aged 65 years and older, while tracts scoring 80-100 are 17.9 percent aged under 18 years old and 17.6 percent aged 65 years and older.

The over-representation of children in the worst performing tracts upstate is very high. Middle- and high-performing tracts have generally similar percentages of the population under the age of 18 years old.

- **EXAMPLE:** Upstate tracts scoring 0-20 are 24.9 percent aged under 18 years, but tracts scoring in the, 41-60, 61-80, and 81-100 ranges all have roughly similar proportions of their population aged under 18 years (between 19.2 percent and 20.3 percent).

*Fig. 56: Age Distribution in NYS Census Tracts, by Labor Market Conditions*

Region	Entitlement Jurisdiction	Labor Market Index	Avg. % Under 18	Avg. % 18 - 54	Avg. % 55 - 64	Avg. % 65+	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	26.5%	50.5%	11.4%	11.6%	563,801	202
		21 - 40	20.7%	53.3%	12.1%	13.9%	393,007	117
		41 - 60	19.6%	49.3%	14.1%	17.0%	595,690	163
		61 - 80	19.3%	48.0%	14.6%	18.1%	967,841	239
		81 - 100	20.3%	45.9%	14.7%	19.0%	940,340	203
			<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	22.4%	50.6%	12.3%	14.7%	352,041	88
		21 - 40	21.4%	44.5%	15.4%	18.8%	795,654	218
		41 - 60	19.6%	45.7%	15.5%	19.2%	991,642	258
		61 - 80	19.1%	45.9%	15.6%	19.5%	858,972	214
		81 - 100	20.3%	45.7%	15.0%	19.0%	445,518	97
			<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	24.9%	50.5%	11.7%	12.8%	915,842	290
		21 - 40	21.1%	47.4%	14.3%	17.2%	1,188,661	335
		41 - 60	19.6%	47.0%	15.0%	18.4%	1,587,332	421
		61 - 80	19.2%	47.0%	15.1%	18.7%	1,826,813	453
		81 - 100	20.3%	45.8%	14.8%	19.0%	1,385,858	300
			<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	26.4%	51.0%	10.8%	11.7%	1,685,868	390
		21 - 40	23.4%	52.0%	11.5%	13.0%	2,419,727	592
		41 - 60	21.4%	51.1%	12.5%	15.0%	2,691,854	658
		61 - 80	20.2%	48.7%	13.8%	17.3%	2,625,868	639
		81 - 100	17.9%	51.5%	13.0%	17.6%	3,097,511	701
			<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	25.9%	50.9%	11.2%	12.1%	2,601,710	680
		21 - 40	22.6%	50.5%	12.5%	14.4%	3,608,388	927
		41 - 60	20.8%	49.6%	13.4%	16.2%	4,279,186	1,079
		61 - 80	19.8%	48.0%	14.3%	17.9%	4,452,681	1,092
		81 - 100	18.6%	49.8%	13.6%	18.0%	4,483,369	1,001
			<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>19,425,334</b>	<b>4,779</b>

## e. Transportation

To evaluate disparities in access to low-cost transportation, NYSHCR used the Transportation Costs Index provided by HUD in the AFFH-T. This index is a composite measure of the cost of transportation and the proximity to public transit, with every census tract given a score 0-100. Higher scores represent better access to low-cost transportation, while low scores represent high costs.

It is worth noting when reading this section that – given the expansive scope of the public transportation network downstate, the overwhelming majority of that region’s households (3.58 million out of 4.5 million, about 80 percent) live in high-scoring tracts. Furthermore, there are no census tracts downstate with a transport cost score of 20 or less, only one tract with a score of 40 or less.

### [Disparities in Transportation Cost by Race](#)

#### **Key Observations**

In all regions of the state, white households live in the census tracts with the highest transportation costs, while Black, Hispanic/Latinx, and Asian/Pacific Islander households live in the tracts with the lowest. This reflects historic patterns in housing development and mortgage lending whereby non-white households were excluded from car-dependent (and therefore higher-cost) communities.

The most extreme disparities are among Black and Hispanic/Latinx households upstate.

- **EXAMPLE:** The lowest-scoring Census tracts on the Low-Transportation Cost Index are only 0.5 percent Black and 1.2 percent Hispanic/Latinx, while the highest-scoring tracts are 24.1 percent and 12.0 percent, respectively.

Though transportation costs downstate are lower across-the-board, the pattern of high-cost communities being disproportionately white and low-cost communities being disproportionately Black, Hispanic/Latinx, and Asian/Pacific Islander is present there as well.

Fig. 57: Racial and Ethnic Composition of NYS Census Tracts, by Transportation Cost

Region	Entitlement Jurisdiction	Transport Cost Index	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Total Households	Census Tracts	
Upstate	HUD-EJ	0 - 20	95.5%	0.6%	1.5%	1.6%	41,349	25	
		21 - 40	92.6%	2.3%	1.5%	2.2%	294,975	172	
		41 - 60	85.9%	6.6%	2.2%	3.7%	481,635	307	
		61 - 80	64.7%	20.0%	3.3%	9.5%	449,755	332	
		81 - 100	50.7%	27.3%	5.3%	13.3%	121,380	88	
			<b>77.7%</b>	<b>11.7%</b>	<b>2.6%</b>	<b>6.1%</b>	<b>1,389,094</b>	<b>924</b>	
Upstate	NYS-EJ	0 - 20	96.4%	0.5%	0.4%	1.1%	363,100	244	
		21 - 40	94.4%	1.3%	0.9%	2.2%	583,785	369	
		41 - 60	91.7%	2.1%	1.9%	3.1%	304,220	201	
		61 - 80	87.0%	3.3%	3.2%	4.9%	106,865	59	
		81 - 100	86.6%	4.6%	2.2%	4.2%	19,920	14	
			<b>93.7%</b>	<b>1.5%</b>	<b>1.2%</b>	<b>2.4%</b>	<b>1,377,890</b>	<b>887</b>	
Upstate	Both	0 - 20	96.3%	0.5%	0.6%	1.2%	404,449	269	
		21 - 40	93.8%	1.6%	1.1%	2.2%	878,760	541	
		41 - 60	88.2%	4.8%	2.1%	3.5%	785,855	508	
		61 - 80	69.0%	16.8%	3.3%	8.6%	556,620	391	
		81 - 100	55.7%	24.1%	4.9%	12.0%	141,300	102	
			<b>85.6%</b>	<b>6.6%</b>	<b>1.9%</b>	<b>4.2%</b>	<b>2,766,984</b>	<b>1,811</b>	
Downstate	Both	0 - 20	N/A						
		21 - 40	95.5%	0.0%	2.1%	2.4%	1,165	1	
		41 - 60	86.4%	2.5%	4.3%	6.1%	133,620	88	
		61 - 80	77.4%	6.1%	4.8%	10.6%	785,442	527	
		81 - 100	40.8%	21.2%	11.1%	24.5%	3,578,315	2,366	
			<b>48.6%</b>	<b>18.0%</b>	<b>9.8%</b>	<b>21.5%</b>	<b>4,498,542</b>	<b>2,982</b>	
Statewide	Both	0 - 20	96.3%	0.5%	0.6%	1.2%	404,449	269	
		21 - 40	93.8%	1.6%	1.1%	2.2%	879,925	542	
		41 - 60	87.9%	4.5%	2.4%	3.9%	919,475	596	
		61 - 80	73.9%	10.5%	4.2%	9.8%	1,342,062	918	
		81 - 100	41.4%	21.3%	10.8%	24.0%	3,719,615	2,468	
			<b>62.7%</b>	<b>13.6%</b>	<b>6.8%</b>	<b>14.9%</b>	<b>7,265,526</b>	<b>4,793</b>	

Disparities in Transportation Cost by Country of Origin and English Language Proficiency

**Key Observations**

In all regions of the state, higher proportions of residents are foreign-born and have limited proficiency with the English language, reflecting the tendency of migrants to live in more densely populated urban areas with shorter commutes and better public transit.

- **EXAMPLE:** In tracts scoring 0-20 for transportation costs, only 1.5 percent of residents are foreign-born and 3 percent have limited English proficiency, compared to 20.6 percent and 35.5 percent, respectively, for tracts scoring 81-100.

This is true even for the rural NYSEJ upstate, where 1.5 percent of residents of the lowest scoring tracts are foreign-born and 2.7 percent have limited English language proficiency, compared to 17.4 percent and 5 percent, respectively, for the highest-scoring tracts.

Fig. 58: Country of Origin in NYS Census Tracts, by Transportation Costs

Region	Entitlement Jurisdiction	Transport Cost Index	Avg. % Foreign Born	Avg. % Fluent in English	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	1.3%	98.7%	112,209	25
		21 - 40	2.0%	98.0%	752,613	172
		41 - 60	3.5%	96.5%	1,161,654	307
		61 - 80	5.8%	94.2%	1,136,184	332
		81 - 100	8.3%	91.7%	298,019	88
			<b>9.0%</b>	<b>91.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	1.5%	98.5%	917,377	243
		21 - 40	1.7%	98.3%	1,428,787	360
		41 - 60	2.2%	97.8%	767,864	199
		61 - 80	4.3%	95.7%	272,936	59
		81 - 100	17.4%	82.6%	56,863	14
			<b>4.0%</b>	<b>96.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	1.5%	98.5%	1,029,586	268
		21 - 40	1.8%	98.2%	2,181,400	532
		41 - 60	3.0%	97.0%	1,929,518	506
		61 - 80	5.5%	94.5%	1,409,120	391
		81 - 100	9.8%	90.2%	354,882	102
			<b>6.0%</b>	<b>94.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	N/A			
		21 - 40	1.4%	98.6%	3,677	1
		41 - 60	4.4%	95.6%	397,759	88
		61 - 80	8.4%	91.6%	2,409,172	526
		81 - 100	21.0%	79.0%	9,710,220	2,365
			<b>32.0%</b>	<b>68.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	1.5%	98.5%	1,029,586	268
		21 - 40	1.8%	98.2%	2,185,077	533
		41 - 60	3.2%	96.8%	2,327,277	594
		61 - 80	7.4%	92.6%	3,818,292	917
		81 - 100	20.6%	79.4%	10,065,102	2,467
			<b>23.0%</b>	<b>77.0%</b>	<b>19,425,334</b>	<b>4,779</b>

Fig. 59: English Language Proficiency in NYS Census Tracts, by Transportation Costs

Region	Entitlement Jurisdiction	Transport Cost Index	Avg. % w. Limited English Proficiency	Avg. % US Born	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	5.1%	94.9%	112,209	25
		21 - 40	4.9%	95.1%	752,613	172
		41 - 60	7.5%	92.5%	1,161,654	307
		61 - 80	10.5%	89.5%	1,136,184	332
		81 - 100	15.5%	84.5%	298,019	88
			<b>4.0%</b>	<b>96.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	2.7%	97.3%	917,377	243
		21 - 40	3.8%	96.2%	1,428,787	360
		41 - 60	5.6%	94.4%	767,864	199
		61 - 80	8.6%	91.4%	272,936	59
		81 - 100	5.0%	95.0%	56,863	14
			<b>2.0%</b>	<b>98.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	3.0%	97.0%	1,029,586	268
		21 - 40	4.2%	95.8%	2,181,400	532
		41 - 60	6.7%	93.3%	1,929,518	506
		61 - 80	10.1%	89.9%	1,409,120	391
		81 - 100	13.8%	86.2%	354,882	102
			<b>3.0%</b>	<b>97.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	N/A			
		21 - 40	7.5%	92.5%	3,677	1
		41 - 60	12.6%	87.4%	397,759	88
		61 - 80	16.3%	83.7%	2,409,172	526
		81 - 100	36.3%	63.7%	9,710,220	2,365
			<b>18.0%</b>	<b>82.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	3.0%	97.0%	1,029,586	268
		21 - 40	4.2%	95.8%	2,185,077	533
		41 - 60	7.7%	92.3%	2,327,277	594
		61 - 80	14.0%	86.0%	3,818,292	917
		81 - 100	35.5%	64.5%	10,065,102	2,467
			<b>13.0%</b>	<b>87.0%</b>	<b>19,425,334</b>	<b>4,779</b>

[Disparities in Transportation Cost by Age](#)

**Key Observations**

Both upstate and downstate, the lowest-scoring (and therefore highest-cost) tracts have disproportionately high concentrations of elderly residents, while higher-scoring (and therefore lower-cost) tracts have higher concentrations of residents age 18-54.

- **EXAMPLE:** Statewide, tracts scoring 0-20 are on average 19.0 percent aged 65 and older, compared to 14.7 percent in tracts scoring 81-100. Tracts scoring 0-20 are on average 44.2 percent aged 18-54, compared to 52.4 percent in tracts scoring 81-100.

Children under the age of 18 are found in slightly higher concentrations in low-cost tracts in the NYSEJ (33 percent) and high-cost tracts downstate (27.3 percent).

*Fig. 60: Age Composition of NYS Census Tracts, by Transportation Cost*

Region	Entitlement Jurisdiction	Transport Cost Index	Avg. % Under 18	Avg. % 18 - 54	Avg. % 55 - 64	Avg. % 65+	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	22.7%	42.9%	16.8%	17.6%	112,209	25
		21 - 40	21.7%	43.8%	15.5%	18.9%	752,613	172
		41 - 60	20.2%	47.6%	14.1%	18.1%	1,161,654	307
		61 - 80	21.4%	51.1%	12.8%	14.7%	1,136,184	332
		81 - 100	19.7%	57.8%	10.6%	11.9%	298,019	88
						<b>3,460,679</b>	<b>924</b>	
Upstate	NYS-EJ	0 - 20	20.6%	44.4%	15.9%	19.2%	917,377	243
		21 - 40	20.0%	45.9%	15.2%	18.9%	1,428,787	360
		41 - 60	19.3%	47.2%	14.8%	18.7%	767,864	199
		61 - 80	20.8%	48.2%	14.0%	17.1%	272,936	59
		81 - 100	33.0%	46.7%	9.6%	10.7%	56,863	14
						<b>3,443,827</b>	<b>875</b>	
Upstate	Both	0 - 20	20.8%	44.2%	16.0%	19.0%	1,029,586	268
		21 - 40	20.6%	45.2%	15.3%	18.9%	2,181,400	532
		41 - 60	19.8%	47.5%	14.4%	18.3%	1,929,518	506
		61 - 80	21.3%	50.5%	13.0%	15.2%	1,409,120	391
		81 - 100	21.8%	56.0%	10.5%	11.7%	354,882	102
						<b>6,904,506</b>	<b>1,799</b>	
Downstate	Both	0 - 20	N/A					
		21 - 40	27.3%	38.9%	15.3%	18.6%	3,677	1
		41 - 60	22.4%	43.7%	16.0%	17.9%	397,759	88
		61 - 80	22.3%	46.6%	14.2%	17.0%	2,409,172	526
		81 - 100	21.1%	52.2%	11.9%	14.8%	9,710,220	2,365
						<b>12,520,828</b>	<b>2,980</b>	
Statewide	Both	0 - 20	20.8%	44.2%	16.0%	19.0%	1,029,586	268
		21 - 40	20.6%	45.1%	15.3%	18.9%	2,185,077	533
		41 - 60	20.3%	46.8%	14.7%	18.3%	2,327,277	594
		61 - 80	21.9%	48.0%	13.8%	16.3%	3,818,292	917
		81 - 100	21.1%	52.4%	11.9%	14.7%	10,065,102	2,467
						<b>19,425,334</b>	<b>4,779</b>	

#### f. Access to Low Poverty Areas

To evaluate disparities in access to low-poverty neighborhoods, NYSHCR used the Low Poverty Index provided by HUD in the AFFH-T. This index is a normalized measure of census tracts' household poverty rates, with every census tract given a score 0-100. Higher scores represent lower poverty rates while lower scores represent higher poverty rates.

#### Geography of Poverty

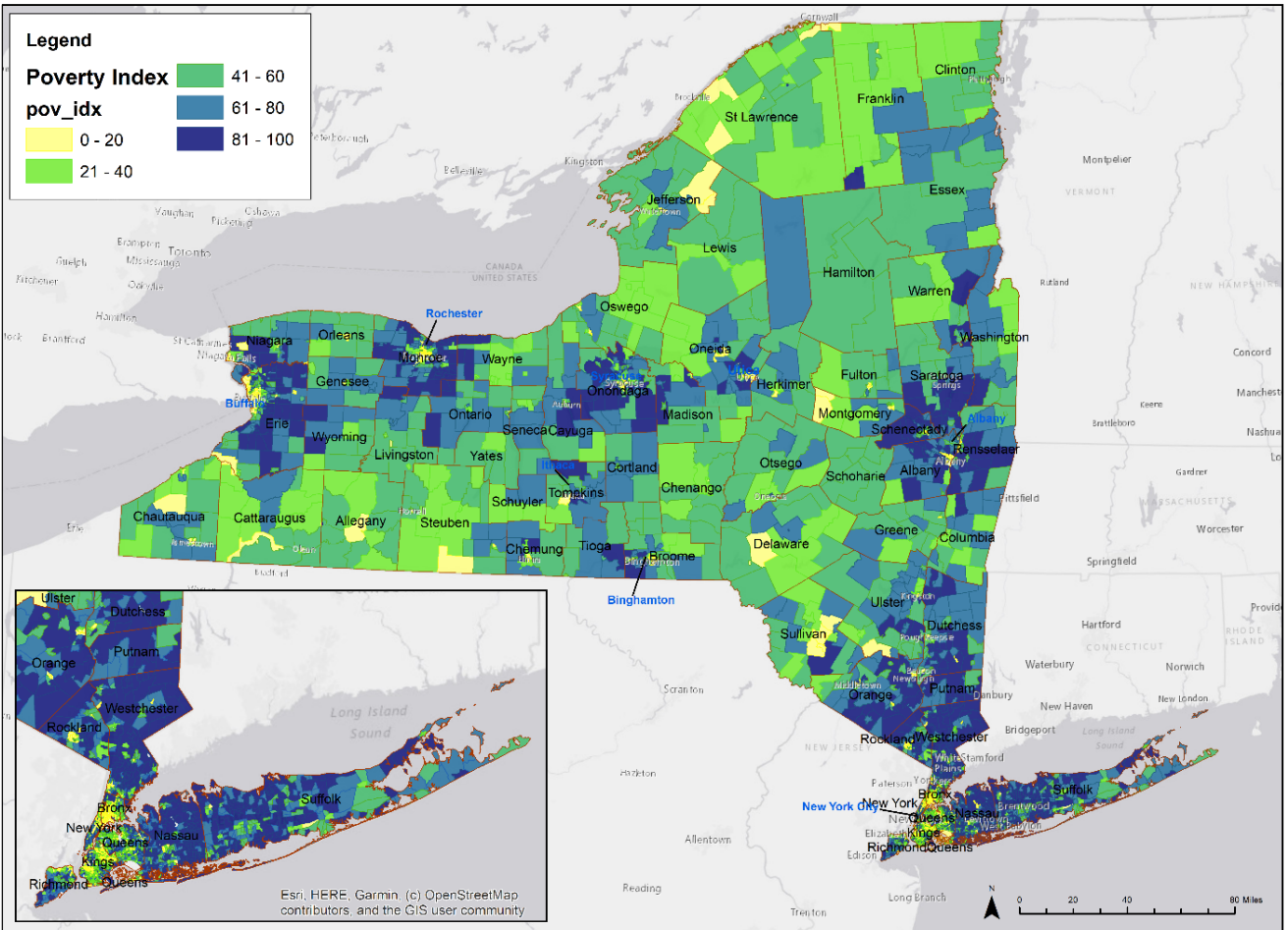
#### Key Observations

- There are both urban and rural areas of the state scoring low on Low Poverty Index. Tracts that scored high on the Low Poverty Index are often found in suburban rings around large cities.



- The highest scoring (and therefore lowest poverty) tracts in New York City are in Manhattan south of 96<sup>th</sup> Street, the waterfront neighborhoods of Brooklyn and Queens, and the South Shore of Staten Island.

Fig. 61: Map of Low-Poverty Index Census Tracts



### Disparities in Access to Low-Poverty Areas by Race/Ethnicity

A clear-cut relationship exists between a tract's Low Poverty Index score and its composition of white, Black/African-American, and Hispanic/Latinx households. Lower scoring (i.e. higher poverty) tracts have considerably higher proportions of Black/African-American and Hispanic/Latinx households and considerably fewer proportions of white households.

- **EXAMPLE:** Tracts scoring between 0-20 are on average 27.4 percent white, 30.0 percent Black, and 33.6 percent Hispanic, while tracts scoring between 81-100 are on average 82.4 percent white, 4.5 percent Black, and 6.0 percent Hispanic/Latinx. For comparison, the state as a whole is 63 percent white, 14 percent Black, and 15 percent Hispanic/Latinx.

Though upstate tracts have considerably higher proportions of white households than downstate tracts, the trend in both regions is that higher scores on the Low Poverty Index (i.e. lower poverty tracts) have considerably higher proportions of white households and lower proportions of Black/African-American and Hispanic/Latinx households.

While both the upstate NYSEJ and upstate HUD Entitlement Jurisdictions follow the same pattern as the state as a whole (higher concentrations of Black/African-American and Hispanic/Latinx households, lower concentrations of white households in higher poverty tracts), the effect is considerably more extreme in upstate tracts with the lowest index scores (i.e. the highest poverty).

- **EXAMPLE:** Upstate tracts in HUD-EJ with Low Poverty Index scores between 0 and 20 are on average 34.3 percent Black and 12.3 percent Hispanic/Latinx, while ones with Low Poverty Index score between 21 and 40 are 14.8 percent and 7.8 percent, and ones with poverty scores between 81 and 100 are 2.8 percent and 3.2 percent, respectively.
- **EXAMPLE:** Upstate NYSEJ tracts with Low Poverty Index scores between 0 and 20 are on average 3.6 percent Black and 5.1 percent Hispanic/Latinx, more than double the concentration of the next-highest poverty category (1.6 percent black and 2.2 percent Hispanic for upstate NYSEJ tracts with scores between 21 and 40).

The relationship between poverty and racial composition is less straightforward among Asian/Pacific Islander households, which maintain a roughly stable proportion of between 5.8 percent and 6.4 percent of a tract's population regardless of poverty level. This is roughly in line with the state's population as a whole, where Asian/Pacific Islander households make up 6.7 percent of the population. The one exception is among tracts with scores between 20 and 39, where Asian/Pacific Islander households make up 9.7 percent of the population.

Fig. 62: Racial and Ethnic Composition of NYS Census Tracts, by Poverty

Region	Entitlement Jurisdiction	Low Poverty Index	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	47.0%	34.3%	2.7%	12.3%	284,480	252
		21 - 40	71.8%	14.8%	2.9%	7.8%	141,900	102
		41 - 60	82.7%	7.6%	2.8%	5.1%	229,005	139
		61 - 80	87.9%	4.4%	2.2%	4.2%	332,850	201
		81 - 100	90.2%	2.8%	2.8%	3.2%	400,859	230
			<b>77.7%</b>	<b>11.7%</b>	<b>2.6%</b>	<b>6.1%</b>	<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	85.9%	3.6%	0.9%	5.1%	89,010	65
		21 - 40	94.2%	1.6%	0.6%	2.2%	276,125	191
		41 - 60	95.1%	1.1%	0.7%	2.0%	444,820	282
		61 - 80	93.5%	1.4%	1.7%	2.3%	341,490	218
		81 - 100	93.3%	1.3%	2.1%	2.3%	226,445	131
			<b>93.7%</b>	<b>1.5%</b>	<b>1.2%</b>	<b>2.4%</b>	<b>1,377,890</b>	<b>887</b>
Upstate	Both	0 - 20	56.3%	27.0%	2.3%	10.6%	373,490	317
		21 - 40	86.6%	6.1%	1.4%	4.1%	418,025	293
		41 - 60	90.9%	3.3%	1.5%	3.0%	673,825	421
		61 - 80	90.7%	2.9%	2.0%	3.2%	674,340	419
		81 - 100	91.3%	2.3%	2.5%	2.9%	627,304	361
			<b>85.6%</b>	<b>6.6%</b>	<b>1.9%</b>	<b>4.2%</b>	<b>2,766,984</b>	<b>1,811</b>
Downstate	Both	0 - 20	16.6%	31.2%	7.9%	42.2%	992,108	649
		21 - 40	31.5%	24.4%	14.4%	27.0%	736,509	527
		41 - 60	44.6%	20.6%	11.4%	20.6%	690,369	494
		61 - 80	63.5%	11.9%	9.6%	12.8%	937,110	570
		81 - 100	77.5%	5.8%	7.6%	7.7%	1,142,446	742
			<b>48.6%</b>	<b>18.0%</b>	<b>9.8%</b>	<b>21.5%</b>	<b>4,498,542</b>	<b>2,982</b>
Statewide	Both	0 - 20	27.4%	30.0%	6.4%	33.6%	1,365,598	966
		21 - 40	51.5%	17.8%	9.7%	18.7%	1,154,534	820
		41 - 60	67.5%	12.1%	6.5%	11.9%	1,364,194	915
		61 - 80	74.9%	8.1%	6.4%	8.8%	1,611,450	989
		81 - 100	82.4%	4.5%	5.8%	6.0%	1,769,750	1,103
			<b>62.7%</b>	<b>13.6%</b>	<b>6.8%</b>	<b>14.9%</b>	<b>7,265,526</b>	<b>4,793</b>

[Disparities in Access to Low-Poverty Areas by Country of Origin and English Language Proficiency](#)

**Key Observations**

Statewide, tracts with higher Low-Poverty Index scores (that is, with higher poverty) have higher rates of both foreign-born and limited English language proficiency residents.

- **EXAMPLE:** Thirty percent of residents of the lowest scoring tracts were born outside the United States and 22.9 percent have limited English language proficiency, compared to 14.4 percent and 5.3 percent, respectively, for the highest scoring tracts.

Interestingly, the opposite is true for foreign-born residents of the upstate NYSEJ, who are more highly concentrated in the lowest poverty tracts in that region.

- **EXAMPLE:** 4.7 percent of residents of tracts scoring 0-20 in the NYSEJ upstate are foreign-born, compared to 5.8 percent in tracts scoring 81-100.

Fig. 63: Country of Origin in NYS Census Tracts, by Poverty

Region	Entitlement Jurisdiction	Low Poverty Index	Avg. % Foreign Born	Avg. % US Born	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	11.0%	89.0%	704,356	252
		21 - 40	9.5%	90.5%	349,477	102
		41 - 60	8.4%	91.6%	542,126	139
		61 - 80	7.6%	92.4%	820,956	201
		81 - 100	7.3%	92.7%	1,043,764	230
			<b>9.0%</b>	<b>91.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	4.7%	95.3%	233,676	64
		21 - 40	3.2%	96.8%	661,722	187
		41 - 60	3.5%	96.5%	1,105,746	281
		61 - 80	5.1%	94.9%	850,244	214
		81 - 100	5.8%	94.2%	592,439	129
			<b>4.0%</b>	<b>96.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	9.4%	90.6%	938,032	316
		21 - 40	5.4%	94.6%	1,011,199	289
		41 - 60	5.1%	94.9%	1,647,872	420
		61 - 80	6.3%	93.7%	1,671,200	415
		81 - 100	6.8%	93.2%	1,636,203	359
			<b>6.0%</b>	<b>94.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	36.6%	63.4%	2,923,542	649
		21 - 40	44.3%	55.7%	2,117,857	526
		41 - 60	37.5%	62.5%	1,911,291	494
		61 - 80	27.1%	72.9%	2,451,934	570
		81 - 100	18.5%	81.5%	3,116,204	741
			<b>32.0%</b>	<b>68.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	30.0%	70.0%	3,861,574	965
		21 - 40	31.7%	68.3%	3,129,056	815
		41 - 60	22.5%	77.5%	3,559,163	914
		61 - 80	18.7%	81.3%	4,123,134	985
		81 - 100	14.4%	85.6%	4,752,407	1,100
			<b>23.0%</b>	<b>77.0%</b>	<b>19,425,334</b>	<b>4,779</b>

Fig. 64: English Language Proficiency in NYS Census Tracts, by Poverty

Region	Entitlement Jurisdiction	Low Poverty Index	Avg. % w. Limited English Proficiency	Avg. % Fluent in English	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	8.4%	91.6%	704,356	252
		21 - 40	5.3%	94.7%	349,477	102
		41 - 60	3.7%	96.3%	542,126	139
		61 - 80	3.0%	97.0%	820,956	201
		81 - 100	2.5%	97.5%	1,043,764	230
			<b>4.0%</b>	<b>96.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	7.6%	92.4%	233,676	64
		21 - 40	2.0%	98.0%	661,722	187
		41 - 60	1.5%	98.5%	1,105,746	281
		61 - 80	2.0%	98.0%	850,244	214
		81 - 100	2.1%	97.9%	592,439	129
			<b>2.0%</b>	<b>98.0%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	8.2%	91.8%	938,032	316
		21 - 40	3.1%	96.9%	1,011,199	289
		41 - 60	2.2%	97.8%	1,647,872	420
		61 - 80	2.5%	97.5%	1,671,200	415
		81 - 100	2.3%	97.7%	1,636,203	359
			<b>3.0%</b>	<b>97.0%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	27.7%	72.3%	2,923,542	649
		21 - 40	27.2%	72.8%	2,117,857	526
		41 - 60	19.2%	80.8%	1,911,291	494
		61 - 80	12.0%	88.0%	2,451,934	570
		81 - 100	6.8%	93.2%	3,116,204	741
			<b>18.0%</b>	<b>82.0%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	22.9%	77.1%	3,861,574	965
		21 - 40	19.4%	80.6%	3,129,056	815
		41 - 60	11.3%	88.7%	3,559,163	914
		61 - 80	8.1%	91.9%	4,123,134	985
		81 - 100	5.3%	94.7%	4,752,407	1,100
			<b>13.0%</b>	<b>87.0%</b>	<b>19,425,334</b>	<b>4,779</b>

[Disparities in Access to Low-Poverty Areas by Age](#)

**Key Observations**

Poverty is closely related to overall economic mobility. Consequently, as with the COI Social and Economic Mobility Index, the tracts with the highest scores for poverty (i.e. the lowest poverty tracts) have higher concentrations of older adults and lower concentrations of children.

- **EXAMPLE:** Statewide, residents of tracts scoring 0-20 are 26 percent aged under 18 years old and 12 percent aged 65 years and older, while tracts scoring 80-100 are 20.2 percent aged under 18 years old and 18.5 percent aged 65 years and older.

As with the other economic indicators discussed above, this effect is mostly driven by age disparities downstate.

- **EXAMPLE:** Downstate, residents of tracts scoring 0-20 in the Low Poverty Index are 25 percent aged under 18 years old and 11 percent aged 65 years and older, while tracts scoring 80-100 are 20.2 percent aged under 18 years old and 18.3 percent aged 65 years and older.

The over-representation of children in the worst performing tracts upstate is very high. Middle- and high-performing tracts have generally similar percentages of the population under the age of 18 years old.

- **EXAMPLE:** Upstate tracts scoring 0-20 are 26.4 percent aged under 18 years, but tracts scoring in the, 41-60, 61-80, and 81-100 ranges all have roughly similar proportions of their population aged under 18 years (between 19.2 percent and 20.3 percent).

*Fig. 65: Age Distribution in NYS Census Tracts, by Poverty*

Region	Entitlement Jurisdiction	Low Poverty Index	Avg. % Under 18	Avg. % 18 - 54	Avg. % 55 - 64	Avg. % 65+	Total Population	Census Tracts
Upstate	HUD-EJ	0 - 20	26.2%	50.6%	11.6%	11.6%	704,356	252
		21 - 40	19.6%	53.5%	12.1%	14.9%	349,477	102
		41 - 60	18.3%	51.1%	13.4%	17.2%	542,126	139
		61 - 80	19.2%	47.5%	14.9%	18.4%	820,956	201
		81 - 100	20.7%	45.3%	15.2%	18.8%	1,043,764	230
			<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>21.0%</b>	<b>3,460,679</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	27.1%	46.4%	11.7%	14.8%	233,676	64
		21 - 40	20.4%	45.8%	14.9%	18.9%	661,722	187
		41 - 60	19.9%	45.6%	15.6%	18.9%	1,105,746	281
		61 - 80	19.2%	46.4%	15.3%	19.1%	850,244	214
		81 - 100	19.6%	46.0%	15.3%	19.0%	592,439	129
			<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>20.3%</b>	<b>3,443,827</b>	<b>875</b>
Upstate	Both	0 - 20	26.4%	49.5%	11.6%	12.4%	938,032	316
		21 - 40	20.1%	48.5%	13.9%	17.5%	1,011,199	289
		41 - 60	19.4%	47.4%	14.9%	18.4%	1,647,872	420
		61 - 80	19.2%	47.0%	15.1%	18.8%	1,671,200	415
		81 - 100	20.3%	45.6%	15.2%	18.9%	1,636,203	359
			<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>20.6%</b>	<b>6,904,506</b>	<b>1,799</b>
Downstate	Both	0 - 20	25.8%	51.7%	10.6%	11.8%	2,923,542	649
		21 - 40	21.3%	53.3%	11.6%	13.8%	2,117,857	526
		41 - 60	19.8%	52.4%	12.7%	15.1%	1,911,291	494
		61 - 80	18.7%	51.0%	13.2%	17.0%	2,451,934	570
		81 - 100	20.2%	47.3%	14.2%	18.3%	3,116,204	741
			<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>21.3%</b>	<b>12,520,828</b>	<b>2,980</b>
Statewide	Both	0 - 20	26.0%	51.2%	10.8%	12.0%	3,861,574	965
		21 - 40	20.9%	51.7%	12.4%	15.0%	3,129,056	815
		41 - 60	19.6%	50.1%	13.7%	16.6%	3,559,163	914
		61 - 80	18.9%	49.4%	14.0%	17.7%	4,123,134	985
		81 - 100	20.2%	46.7%	14.5%	18.5%	4,752,407	1,100
			<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>21.1%</b>	<b>19,425,334</b>	<b>4,779</b>

### g. Access to Homeownership

As discussed above, significant racial disparities exist in homeownership rates throughout the state. Two-thirds of white households own their homes, while only a third of Black/African American, less than a quarter of Hispanic/Latinx, 46 percent of Asian/Pacific Islander, 41 percent of Native American/Indigenous, and 41 percent of other race households own their homes.

*Fig. 66: Households by Race and Tenure*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
Owners, White (Non-Hispanic)	753,902	70%	967,914	75%	1,721,816	73%	1,307,903	60%	3,029,719	66%
Renters, White (Non-Hispanic)	325,933	30%	322,977	25%	648,910	27%	878,745	40%	1,527,655	34%
Owners, Black/African-American	52,046	32%	8,040	40%	60,086	33%	256,273	32%	316,359	32%
Renters, Black/African-American	110,389	68%	12,216	60%	122,605	67%	554,171	68%	676,776	68%
Owners, Asian/Pacific Islander	16,958	46%	8,390	52%	25,348	48%	203,188	46%	228,536	46%
Renters, Asian/Pacific Islander	20,043	54%	7,890	48%	27,933	52%	238,319	54%	266,252	54%
Owners, Hispanic/Latinx	31,327	37%	14,962	46%	46,289	40%	216,425	22%	262,714	24%
Renters, Hispanic/Latinx	53,210	63%	17,550	54%	70,760	60%	753,114	78%	823,874	76%
Owners, Native American/Indigenous	1,810	44%	3,505	67%	5,315	57%	3,239	43%	8,554	51%
Renters, Native American/Indigenous	2,325	56%	1,757	33%	4,082	43%	4,286	57%	8,368	49%
Owners, Some Other Race	7,732	37%	6,732	52%	14,464	43%	33,374	40%	47,838	41%
Renters, Some Other Race	12,983	63%	6,115	48%	19,098	57%	49,110	60%	68,208	59%
Owners Overall	812,530	61%	946,705	73%	1,759,235	67%	1,701,003	42%	3,460,238	52%
Renters Overall	516,645	39%	351,965	27%	868,610	33%	2,339,099	58%	3,207,709	48%
<b>Total Households</b>	<b>1,389,094</b>		<b>1,377,978</b>		<b>2,767,072</b>		<b>4,498,852</b>		<b>7,265,924</b>	

In many cases – New York, Chicago, Detroit, St. Louis, Cleveland – greater homeownership gaps are accompanied by higher levels of segregation. In fact, the correlation between the homeownership gap and the dissimilarity index is 0.419, which suggests that there is a positive association between these two metrics. Otherwise stated, a history of racism in financial and housing markets influence current racial segregation and homeownership patterns. There is also evidence that racial segregation has declined in recent years, but income-based segregation has increased.

The interaction between race, homeownership rates and the historic and ongoing racial wealth gap is of particular interest to NYSHCR. A 2019 report by McKinsey & Co. found that in 2016, the median white family in the United States had over ten times the wealth of the median black family, with this gap only continuing to widen.<sup>9</sup> While the factors contributing to the wealth gap are varied, experts agree that the racial wealth gap is, primarily, a housing wealth gap. Historical and discriminatory laws and practices such as racial covenants and redlining have evolved into patterns of racial segregation that result in families of color living disproportionately in areas with higher poverty rates, lower home values and deficient infrastructure. Further, discriminatory mortgage lending patterns persist, and have particularly impacted African American families.

<sup>9</sup> McKinsey & Co. “The Economic Impact of Closing the Wealth Gap,” page 5. Online: <https://www.mckinsey.com/~media/McKinsey/Industries/Public%20Sector/Our%20Insights/The%20economic%20impact%20of%20closing%20the%20racial%20wealth%20gap/The-economic-impact-of-closing-the-racial-wealth-gap-final.ashx>



## h. 2020 Well-Resourced Area Tracts

As described in Subsection VII.B, NYSHCR has established a set of census tracts titled “Well-Resourced Areas” (WRAs) in which to incentivize development of affordable housing through the Low-Income Housing Tax Credit program. For a project to take advantage of these incentives, it must be a multifamily development with at least two-bedrooms and located in a census tract with a poverty rate at or less than 10 percent based on five-year averages from the American Community Survey, and served by a high- or moderate-proficiency school district, based on third through eighth grade English and Math exam state testing scores. The Well-Resourced Area tracts are also used for NYSHCR’s Section 8 mobility programs to assist voucher holder families who choose to move to areas that meet their needs and are well-resourced for their children to thrive.

### Key Observations

- As with the Educational Opportunity Index, the WRAs are disproportionately white.
- Black/African American individuals are highly underrepresented, with Asian/Pacific Islanders being more moderately, but still, underrepresented.

*Fig. 67: Racial and Ethnic Composition of NYSHCR-Designated Well-Resourced Areas*

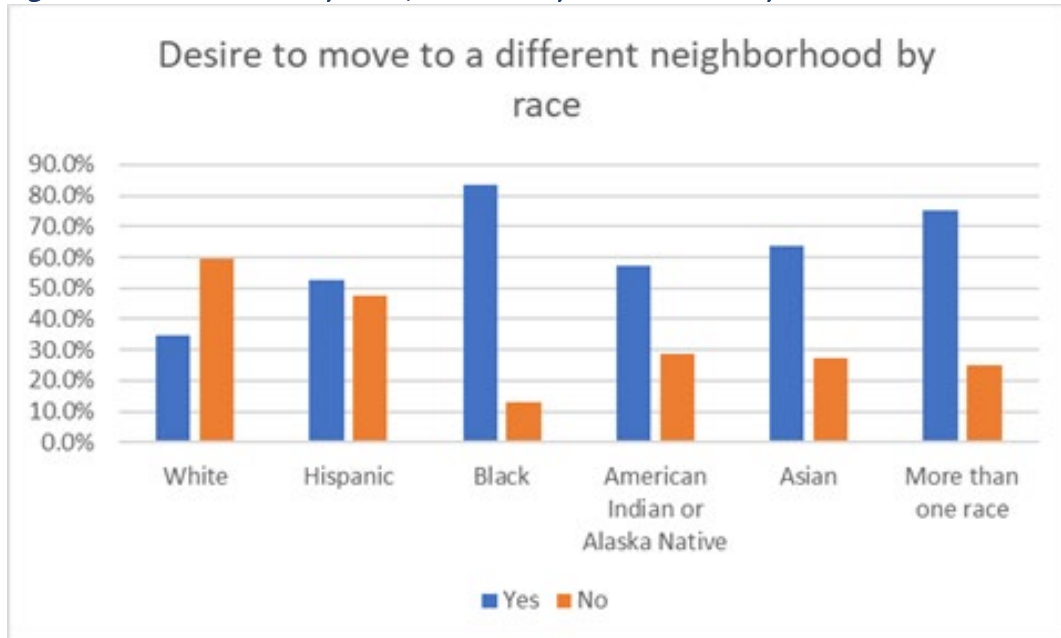
Region	Entitlement Jurisdiction	HCR Identified Well-Resourced Area	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Total Households	Census Tracts
Upstate	HUD-EJ	Well-Resourced Area	90.9%	2.6%	2.2%	3.2%	545,894	301
		Not a Well-Resourced Area	69.1%	17.5%	2.9%	7.9%	843,200	623
							<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	Well-Resourced Area	93.9%	1.3%	1.6%	2.3%	415,930	241
		Not a Well-Resourced Area	93.5%	1.6%	1.0%	2.4%	939,645	634
							<b>1,355,575</b>	<b>875</b>
Upstate	Both	Well-Resourced Area	92.2%	2.0%	2.0%	2.8%	961,824	542
		Not a Well-Resourced Area	81.9%	9.1%	1.9%	5.0%	1,782,845	1,257
							<b>2,744,669</b>	<b>1,799</b>
Downstate	Both	Well-Resourced Area	75.4%	4.8%	9.3%	8.8%	1,646,943	1,013
		Not a Well-Resourced Area	33.0%	25.6%	10.0%	28.8%	2,851,475	1,967
							<b>4,498,418</b>	<b>2,980</b>
Statewide	Both	Well-Resourced Area	81.6%	3.8%	6.6%	6.6%	2,608,767	1,555
		Not a Well-Resourced Area	51.9%	19.2%	6.9%	19.7%	4,634,320	3,224
							<b>7,243,087</b>	<b>4,779</b>

## 2. Public Engagement

When engaging the public in questions regarding factors contributing to the disparities in access to community resources and opportunities, the participants pointed to a range of contributing factors, discussed below. Responses to the Community Resident Survey indicated that the desire and resulting ability to move to different neighborhoods varied based on race. Although 53 percent of respondents in total expressed a desire to move, this number increased to 83 percent for Black/African Americans and 75 percent for those who identify as multi-racial. For all races/ethnicities other than white, the number of those who wanted to move outnumbered those who do not want to move.

The respondents that indicated that they would prefer to live in a different neighborhood cited, most frequently, safety concerns (17 percent), desire for proximity to supermarkets (15 percent), desire for proximity to parks and recreational opportunities (14 percent) and the desire for better quality schools (13 percent). Of those who would like to move, the vast majority (84 percent) indicate that there are barriers to doing so, such as difficulty finding quality housing in one’s price range (20 percent), high rental costs (19 percent), lack of money required for security deposits (13 percent), and credit issues (8 percent). Nine percent (9 percent) indicated housing discrimination as a barrier to moving.

*Fig. 68: Desire to Move by Race, Community Resident Survey*



#### Private Discrimination

Stakeholders participating in the public engagement process reported that discrimination based on race/color/ethnicity, source of income, immigration status, sexual identity, the presence of children, and other protected characteristics as a key factor contributing to disparities in access to opportunities. Members of protected classes, particularly those who are low-income, described being routinely denied housing that would present opportunities to improve quality of life. Some residents noted the prevalence of source of income discrimination.

#### Lending Discrimination

In addition to private discrimination in the rental market, the stakeholders frequently cited the dearth of homeownership opportunities for people of color, immigrants, and lower-income individuals as a key factor contributing to inequitable access to opportunity. Lending discrimination and predatory lending by banks and steering by real estate brokers and salespeople perpetuates segregation, further limiting opportunity access for members of protected classes.

### Location and Type of Affordable Housing

The stakeholders widely reported that affordable housing is located far from opportunities, creating further disparities for protected and vulnerable groups, who lack choices regarding where to live. Participants described how the majority of affordable housing options are predominantly found in racially concentrated high-poverty areas. The location of affordable housing in areas that lack neighborhood quality resources was noted as a driver of continued segregation in the State of New York. Participants from rural areas reported that affordable development occurs on property that is not “near anything”, further isolating people from areas of opportunity. Compounding the issue, rural areas that lower-income residents are better able to afford often lack broadband and reliable internet access, creating additional barriers to opportunity. Several rural housing stakeholders indicated that rural areas are experiencing an exodus of young people due to lack of opportunities.

### Land Use and Zoning Laws Combined with Community Opposition

The public engagement participants described zoning as one of the most critical barriers to opportunity disparities in New York State. According to the stakeholders, zoning regulations in many communities are exclusionary and limit the development of affordable, multifamily housing in particular. When affordable housing is developed, it often favors older adults or is concentrated in “low opportunity” neighborhoods, in which poverty is concentrated and segregation based on race and national origin are evident. Several stakeholders reported that zoning in well-resourced, suburban areas is predominately for single family homes, thus excluding less expensive multifamily housing.

When discussing exclusionary zoning, the stakeholders emphasized the critical need to address the issue of home rule as a main driver of segregation in the state. Town and village level zoning was viewed by many as a critical factor contributing to continued inequities, which propagate the legacy of segregation. Local jurisdictions use zoning regulations to restrict affordable housing, and multifamily housing particularly.

Several participants, including housing developers, described that when affordable housing is approved in a local jurisdiction, local officials often wish to prioritize community members who are already residing in the area. However, when the community lacks diversity, this approach continues to maintain segregated communities.

Finally, several participants underscored the impact of exclusionary zoning on school segregation, including how the resulting lack of opportunity sets children up for a lifetime of disadvantage.

### Lack of Public Investments in Specific Neighborhoods, Including Services or Amenities

The stakeholders indicated that areas that are affordable to live in are further burdened by a lack of public investment. These areas, which have a high concentration of those living in poverty and disproportionate representation of people of color, often have racially segregated, under-funded schools. These areas are often food deserts, with little access to medical care, and lack of opportunity for jobs that pay a living wage.

Several participants emphasized the need for community development that meets the particular needs of the community where the affordable housing is being built. Residents

similarly described a lack of investment in their communities, in the context of addressing aging housing stock. Several residents also described how disinvestment in urban neighborhoods is exacerbated by private landlords, many of which were characterized as absentee, who allow housing to fall into disrepair.

#### Availability, Type, Frequency, and Reliability of Public Transportation

Many described transportation as one of the most critical barriers to opportunity access in New York State. Stakeholders in several regions described a lack of reliable public transportation in suburban areas with high-performing schools, noting that such communities often oppose public transportation. Public transportation in rural areas was described by numerous rural housing stakeholders as inconvenient and unreliable. Many endorsed the need for mobility assistance programs that can support people of color who use Section 8 Housing Choice Vouchers to move to areas of opportunity.

This feedback and analysis were incorporated in the formulation of goals in Section VIII, below.

### **D. Fair Housing Issue 4: Disproportionate Housing Needs Among Protected and Vulnerable New Yorkers**

An important component of fair housing planning is assessing whether any group of protected classes experience greater housing needs when compared to other populations in the jurisdiction or region. For these purposes, NYSHCR has compiled information on the incidence of housing problems identified by HUD as experienced by households of different types and income levels, including homeowners, renters, families, unrelated households, families with children, elderly households, households containing people with disabilities, and households based on race and ethnicity.

#### **1. Analysis**

##### **a. Overview of Disproportionate Housing Needs**

#### Housing Problems Summary

The Comprehensive Housing Affordability Strategy (CHAS) data<sup>10</sup> compiled by HUD identifies four types of housing problem, each of which is disproportionately experienced by racial and ethnic minorities and other protected classes. These problems are:

- 1) Lack of complete kitchen facilities;
- 2) Lack of complete plumbing facilities;
- 3) Overcrowding (more than 1.5 people per room of the home); and
- 4) Housing cost burden (renter or owner costs in excess of 30 percent of household income).

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<sup>10</sup> Unless otherwise noted, all data from this section comes from the Comprehensive Housing Affordability Strategy (CHAS) data, released by U.S. HUD and based off the 2013-2017 ACS 5-year average.

These problems vary in intensity between the more rural NYSEJ and the HUD-EJs, both upstate and downstate. They also are much more pervasive in communities of color and among lower-income households across geographies.

**Key takeaways from analysis on the issue are:**

- Out of the four disproportionate housing needs, housing cost burden is the one that affects the most New Yorkers across all regions. In contrast, lacking complete plumbing and kitchen facilities affects the fewest New Yorkers across all regions.
- Housing problems are more prevalent among renter households. More than half (55 percent) of renter households statewide experience at least one housing problem compared to 30 percent of homeowners.
- Housing problems are more prevalent – for both homeowners and renters – in the downstate region than upstate. Almost half (49 percent) of downstate households experience at least one housing problem compared to less than a third (31 percent) of upstate households.
- Despite households of color making up lower proportions of the population of the state, they disproportionately experience higher rates of housing problems; while 38 percent of households in the state are households of color, 50 percent of households experiencing at least one housing problem are households of color.
- Non-family households experience housing problems at a greater rate than family households. In particular, elderly, non-family households experience higher rates of housing cost burden than other family types.

**The key takeaways from the public engagement process are:**

- Stakeholders noted that in addition to the glaring disparities in housing needs by race/ethnicity and disability, there are many specific populations that tend to be overlooked, but still face housing disparities.
- Many protected and housing-vulnerable groups have disproportionate housing needs compared to New Yorkers in general.

[Disproportionate Housing Needs by Housing Tenure](#)

The relationship between a household and their home (rent vs. own) can have a significant impact on the degree to which they experience housing problems, with renters much more likely to have one or more of the listed housing problems than homeowners.

**Key Observations:**

Seventy percent of owner-occupied households report not experiencing any of the 4 housing problems identified by the Census Bureau, while only a minority of renter-occupied households report not experiencing them, leading to an overall rate of 58 percent reporting none.

The incidence of at least one housing problem is more common downstate than upstate.

- **EXAMPLE:** Over 70 percent of households in the NYS-EJ and 66 percent of households in HUD-EJs upstate report having no identified problem, while only 51 percent of households downstate experience no identified problem.

Across New York State, 62 percent of households experience at least one of the four housing problems indicated. Households in the downstate region are more likely experience at least one of the housing problems than households upstate (69 percent compared to 51 percent, respectively). Regardless of region, renters experience housing problems at a greater rate than homeowners; 55 percent of renters statewide experience at least one housing problem compared to just 30 percent of homeowners. Again, this disparity is even more acute in the downstate region.

For all New Yorkers, regardless of region or tenure, housing cost burden is the most prevalent housing problem. More than one-third (35 percent) of households across the state are housing cost burdened (spending at least 30 percent of their income on housing costs), with almost one fifth (18 percent) experiencing severe housing cost burden (spending more than half of their income on housing costs). Housing cost burden is a more prevalent problem in the downstate region and among renter households (See Figure 69).

*Fig. 69: Incidence of Housing Problems by Housing Tenure*

		Owner-Occupied		Renter-Occupied		All Occupied	
Upstate HUD-EJ	Has 1 Or More Of The 4 Housing Unit Problems	193,469	22%	271,979	50%	465,448	33%
	Has None Of The 4 Housing Problems	683,720	77%	254,323	47%	938,043	66%
	Cost Burden Not Computed, None Of The Other 3 Housing Problems	5,110	0.6%	13,681	3%	18,791	1.3%
	<b>Total</b>	<b>882,299</b>		<b>539,983</b>		<b>1,422,282</b>	
Upstate NYS-EJ	Has 1 Or More Of The 4 Housing Unit Problems	213,464	21%	156,804	44%	370,268	27%
	Has None Of The 4 Housing Problems	783,039	78%	193,734	54%	976,773	72%
	Cost Burden Not Computed, None Of The Other 3 Housing Problems	5,744	0.6%	5,833	1.6%	11,577	0.9%
	<b>Total</b>	<b>1,002,247</b>		<b>356,371</b>		<b>1,358,618</b>	
Upstate Total	Has 1 Or More Of The 4 Housing Unit Problems	406,933	22%	428,783	48%	835,716	30%
	Has None Of The 4 Housing Problems	1,466,759	78%	448,057	50%	1,914,816	69%
	Cost Burden Not Computed, None Of The Other 3 Housing Problems	10,854	0.6%	19,514	2.2%	30,368	1.1%
	<b>Total</b>	<b>1,884,546</b>		<b>896,354</b>		<b>2,780,900</b>	
Downstate	Has 1 Or More Of The 4 Housing Unit Problems	767,586	37%	1,357,218	55%	2,124,804	47%
	Has None Of The 4 Housing Problems	1,273,887	62%	1,050,858	43%	2,324,745	51%
	Cost Burden Not Computed, None Of The Other 3 Housing Problems	16,192	0.8%	55,482	2.3%	71,674	1.6%
	<b>Total</b>	<b>2,057,665</b>		<b>2,463,558</b>		<b>4,521,223</b>	
Statewide	Has 1 Or More Of The 4 Housing Unit Problems	1,174,485	30%	1,786,065	53%	2,960,550	41%
	Has None Of The 4 Housing Problems	2,740,850	70%	1,499,140	45%	4,239,990	58%
	Cost Burden Not Computed, None Of The Other 3 Housing Problems	27,150	0.7%	75,020	2.2%	102,170	1.4%
	<b>Total</b>	<b>3,942,485</b>		<b>3,360,225</b>		<b>7,302,710</b>	

Figures 70 and 71, below, show the share of owner and renter households (respectively) by census tract who experience at least one housing problem. Figure 70 illustrates that housing problems for homeowners are largely concentrated in the downstate region. Figure 71 shows that large shares of renters across the state experience at least one housing problem, although it is again worth noting that renters downstate generally experience housing problems at a greater rate than renters upstate (57 percent compared to 50 percent respectively).

Fig. 70: Map of the Incidence of Housing Problems in Owner-Occupied Households, Statewide

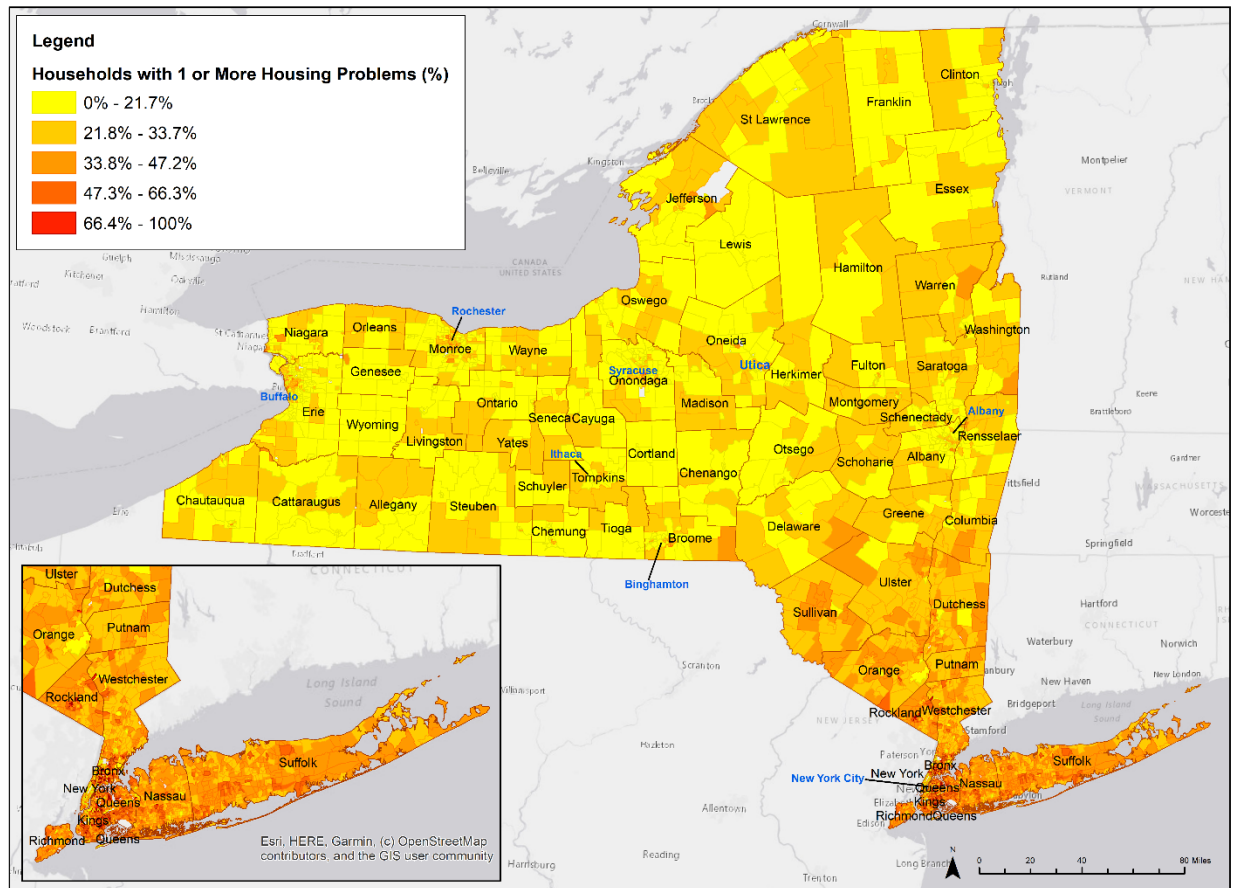
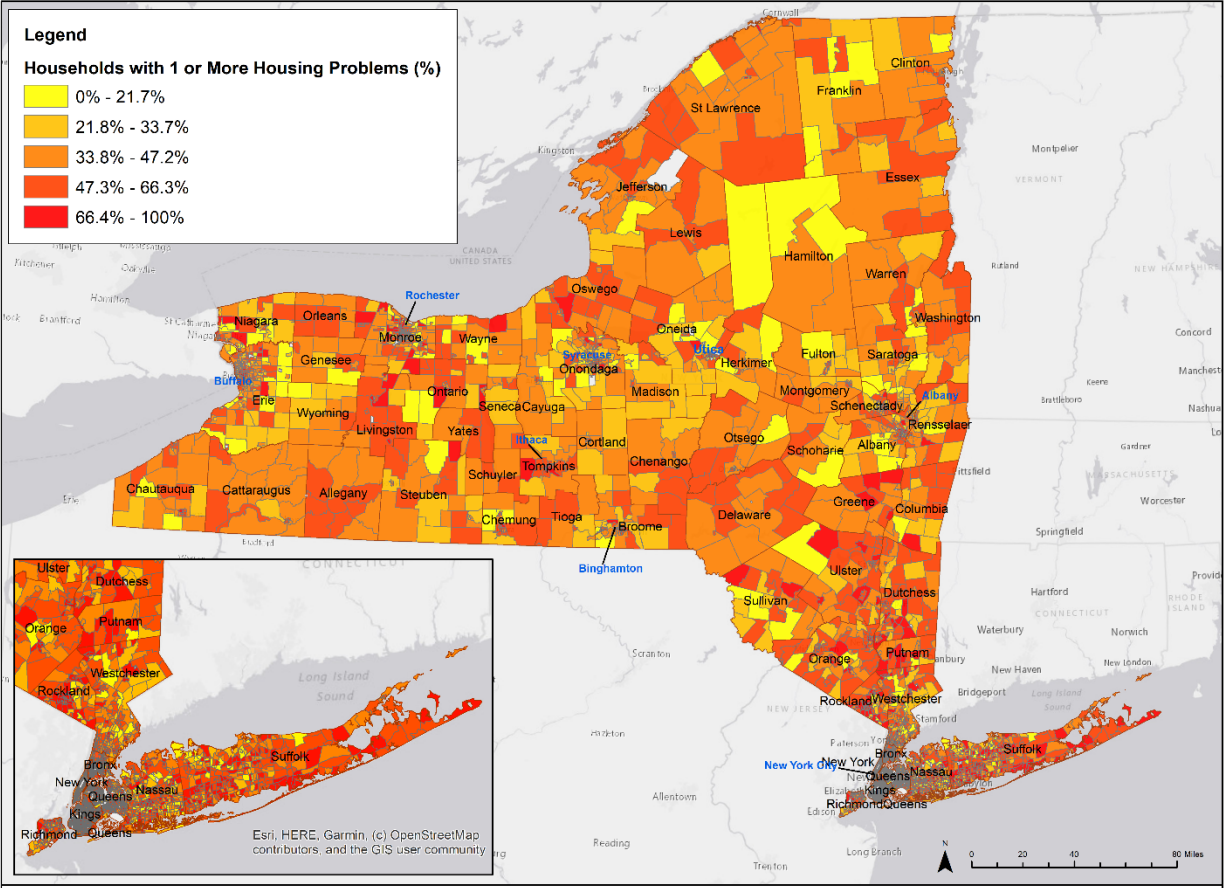




Fig. 71 Map of the Incidence of Housing Problems in Renter-Occupied Households, Statewide



Disproportionate Housing Needs Across Race/Ethnicity

In New York State, households of color are more likely than white households to experience at least one housing problem. More than half of Black and Hispanic/Latinx households reported experiencing at least one housing problem (52 percent and 58 percent, respectively), compared to just one-third of white households. Housing problems were experienced in about half of Asian households, and the rates exceed 40 percent for the Native American, Pacific Islander, and multiracial groups. Again, housing problems – among almost all races and ethnicities – are experienced at a higher rate in the downstate region compared to the upstate regions (See Figure 72).



Fig. 72: Incidence of Housing Problems by Race/Ethnicity

Region	Entitlement Jurisdiction	Race/Ethnicity	Has 1 or More of the 4 Housing Problems		Has None of the 4 Housing Problems		Total Households
Upstate	HUD-EJ	White	309,794	28.1%	781,372	71.0%	1,100,873
		Black/African-American	81,139	49.2%	79,364	48.1%	164,948
		Asian	17,022	41.3%	22,202	53.9%	41,200
		Hispanic	43,922	50.9%	40,434	46.9%	86,281
		Native American/Indigenous	1,686	40.9%	2,301	55.8%	4,122
		Pacific Islander	180	66.2%	80	29.4%	272
		More than One Race	10,448	46.7%	11,404	51.0%	22,379
Upstate	NYS-EJ	White	334,422	26.3%	928,480	73.0%	1,272,663
		Black/African-American	9,111	45.9%	10,324	52.0%	19,847
		Asian	4,888	33.0%	9,209	62.3%	14,793
		Hispanic	15,140	45.7%	17,666	53.3%	33,142
		Native American/Indigenous	1,884	36.4%	3,222	62.3%	5,170
		Pacific Islander	145	45.5%	174	54.5%	319
		More than One Race	4,796	36.8%	7,910	60.8%	13,017
Upstate	Both	White	644,216	27.1%	1,709,852	72.0%	2,373,536
		Black/African-American	90,250	48.8%	89,688	48.5%	184,795
		Asian	21,910	39.1%	31,411	56.1%	55,993
		Hispanic	59,062	49.5%	58,100	48.7%	119,423
		Native American/Indigenous	3,570	38.4%	5,523	59.4%	9,292
		Pacific Islander	325	55.0%	254	43.0%	591
		More than One Race	15,244	43.1%	19,314	54.6%	35,396
Downstate	Both	White	841,555	38.6%	1,316,714	60.3%	2,181,887
		Black/African-American	428,531	53.0%	361,195	44.6%	809,308
		Asian	229,161	51.0%	210,156	46.8%	449,458
		Hispanic	575,984	58.7%	388,424	39.6%	980,985
		Native American/Indigenous	3,557	46.0%	3,892	50.3%	7,732
		Pacific Islander	461	44.8%	522	50.8%	1,028
		More than One Race	41,314	75.2%	40,618	74.0%	54,915
Statewide	Both	White	1,487,035	32.6%	3,027,810	66.4%	4,558,005
		Black/African-American	519,830	52.2%	451,470	45.3%	995,825
		Asian	252,235	49.7%	242,570	47.8%	507,670
		Hispanic	636,475	57.7%	447,570	40.6%	1,102,905
		Native American/Indigenous	7,105	41.8%	9,430	55.5%	17,005
		Pacific Islander	789	47.9%	799	48.5%	1,648
		More than One Race	57,075	47.7%	60,320	50.4%	119,635

### Housing Problems by Family Type

CHAS Data on family composition classifies “families” as households in which all members are related to one another. Consequently, “family, no spouse” refers to households with a single parent and children, “married couple, family” refers to a household with two married members with or without children, and “non-family” refers to any living arrangement in which unrelated parties live within the home.

CHAS data on family types is not broken down by household income or race/ethnicity, so it is impossible to analyze differences or disparities along these lines while using this data.

### Key Observations

“Married couple, family” is the household type that experiences housing problems at the lowest rate.

- **EXAMPLE:** Less than a third of “married couple, family” households statewide experience any of the 4 housing problems, compared to 51 percent of family, no spouse and 46 percent of non-family households.

Downstate households of all types experience housing problems at a greater rate than upstate households.

- **EXAMPLE:** Nearly half of downstate households experience at least one housing problem, and more than half of family, no spouse households (56 percent) and non-family households (51 percent) experience housing problems.

*Fig. 73: Incidence of Housing Problems by Household Type*

Region	Household Type	has 1 or more of the 4 housing unit problems		has none of the 4 housing problems		cost burden not computed, none of the other 3 housing		Total Households
Upstate HUD-EJ	Household Type Is Family, No Spouse*	110,503	44%	137,369	55%	3,332	1.3%	251,204
	Household Type Is Married Couple Family	114,593	19%	482,936	81%	1,770	0.3%	599,299
	Household Type Is Non-Family	240,204	42%	317,597	56%	13,688	2%	571,489
	<b>Total</b>	<b>465,300</b>	<b>33%</b>	<b>937,902</b>	<b>66%</b>	<b>18,790</b>	<b>1%</b>	<b>1,421,992</b>
Upstate NYS-EJ	Household Type Is Family, No Spouse*	77,092	38%	124,400	61%	1,848	0.9%	203,340
	Household Type Is Married Couple Family	114,675	17%	566,824	83%	1,550	0.2%	683,049
	Household Type Is Non-Family	178,254	38%	285,607	61%	8,203	1.7%	472,064
	<b>Total</b>	<b>370,021</b>	<b>27%</b>	<b>976,831</b>	<b>72%</b>	<b>11,601</b>	<b>0.9%</b>	<b>1,358,453</b>
Upstate Total	Household Type Is Family, No Spouse*	187,595	41%	261,769	58%	5,180	1.1%	454,544
	Household Type Is Married Couple Family	229,268	18%	1,049,760	82%	3,320	0.3%	1,282,348
	Household Type Is Non-Family	418,458	40%	603,204	58%	21,891	2%	1,043,553
	<b>Total</b>	<b>835,321</b>	<b>30%</b>	<b>1,914,733</b>	<b>69%</b>	<b>30,391</b>	<b>1.1%</b>	<b>2,780,445</b>
Downstate	Household Type Is Family, No Spouse*	531,422	56%	406,690	43%	16,069	1.7%	954,181
	Household Type Is Married Couple Family	772,029	40%	1,161,167	60%	7,668	0.4%	1,940,864
	Household Type Is Non-Family	821,060	51%	756,874	47%	47,783	3%	1,625,717
	<b>Total</b>	<b>2,124,511</b>	<b>47%</b>	<b>2,324,731</b>	<b>51%</b>	<b>71,520</b>	<b>1.6%</b>	<b>4,520,762</b>
Statewide	Household Type Is Family, No Spouse*	719,150	51%	668,615	47%	21,360	2%	1,409,125
	Household Type Is Married Couple Family	1,001,810	31%	2,211,100	69%	11,000	0.3%	3,223,910
	Household Type Is Non-Family	1,239,590	46%	1,360,270	51%	69,815	3%	2,669,675
	<b>Total</b>	<b>2,960,550</b>	<b>41%</b>	<b>4,239,985</b>	<b>58%</b>	<b>102,175</b>	<b>1.4%</b>	<b>7,302,710</b>

### Housing Problems Among People with Disabilities

Overall, households with household members with disabilities experience housing problems at a greater rate than those without a member with a disability. Whereas 45 to 52 percent of households with a member with a disability (rates vary depending on the disability) experience one or more housing problems, just 38 percent of households where no member has a disability experience one or more housing problems. As noted previously, housing problems are more prevalent for renter households, but this is especially true for renter households with members with a disability; nearly two thirds of these households (61 to 65 percent depending on the disability) experience at least one housing problem.

Fig. 74: Incidence of Housing Problems in Households with a Member with a Disability

Incidence of Household Problems - All Households								
	Disability Status	has 1 or more of the 4 housing unit problems (lacks kitchen or plumbing, 1+ person per room, or cost burden greater than 30%)		has none of the 4 housing problems		cost burden not computed, none of the other 3 housing problems		Total Households
		#	%	#	%	#	%	
Statewide	Household member has a cognitive limitation	327,585	52%	291,150	46%	9,620	1.5%	628,355
	Household member has a hearing or vision impairment	323,510	45%	388,325	54%	8,340	1.2%	720,175
	Household member has a self-care or independent living limitation	400,085	51%	377,750	48%	10,185	1.3%	788,020
	Household member has an ambulatory limitation	517,825	50%	500,845	48%	14,680	1.4%	1,033,350
	Household member has none of the above limitations	2,138,795	38%	3,365,415	60%	78,550	1.4%	5,582,760
	<b>TOTAL</b>	<b>2,960,550</b>	<b>41%</b>	<b>4,239,990</b>	<b>58%</b>	<b>102,170</b>	<b>1.4%</b>	<b>7,302,710</b>
Incidence of Household Problems - RENTER OCCUPIED								
Statewide	Household member has a cognitive limitation	217,010	65%	110,275	33%	7,315	2%	334,600
	Household member has a hearing or vision impairment	189,340	61%	116,330	37%	5,520	2%	311,190
	Household member has a self-care or independent living limitation	245,255	64%	129,195	34%	7,185	2%	381,635
	Household member has an ambulatory limitation	319,655	63%	179,320	35%	10,230	2%	509,205
	Household member has none of the above limitations	1,284,925	50%	1,207,665	47%	58,245	2%	2,550,835
	<b>TOTAL</b>	<b>1,786,065</b>	<b>53%</b>	<b>1,499,140</b>	<b>45%</b>	<b>75,020</b>	<b>2%</b>	<b>3,360,225</b>

Data on housing problems as experienced by households with a member with a disability comes from CHAS, which does not include census tract-level counts of households by disability status or type. Consequently, regional analyses of the incidence of housing problems were not possible.

**b. Housing Problems in R/ECAPs**

Another method of examining disproportionate housing needs is the existence of housing problems in racially and ethnically concentrated areas of poverty.

Disparities in Housing Problems between R/ECAPs and Other Census Tracts

**Key Observations**

Households in Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) tracts experience housing problems at a greater rate than those in non-R/ECAP tracts.

- **EXAMPLE:** Over 60 percent of all households outside of R/ECAPs report not experiencing any housing problems, compared to only 41 percent of households in R/ECAP tracts.

Though each individual category of housing problem is more common in R/ECAPs than outside them, the disparity is larger for overcrowding than for cost burden.

- **EXAMPLE:** Households in R/ECAPs experience cost burden at 1.38 times the rate of households outside R/ECAPs (47 percent compared to 34 percent) but they experience overcrowding at 2.9 times the rate households outside R/ECAPs do (10.4 percent compared to 3.8 percent).

Renter-occupied households in R/ECAPs experience housing problems at a much higher rate than owner-occupied households and are a much higher proportion of the overall population of R/ECAPs.

- **EXAMPLE:** Over 60 percent of owner-occupied households in R/ECAP tracts and 70 percent of those in non-R/ECAP tracts experienced no housing problems, whereas only 37 percent of renter-occupied households in R/ECAP tracts, and 48 percent of those in non-R/ECAP tracts experienced no housing problems.

*Fig. 75: Incidence of One or More Housing Problem by Problem Type by R/ECAP Areas*

R/ECAP	has none of the 4 housing problems		FACILITIES lacking complete plumbing or kitchen facilities		OVERCROWDING TOTAL Households experiencing overcrowding (inc. severe overcrowding)		HOUSING COST BURDEN TOTAL Households experiencing housing cost burden (inc. severe housing cost burden)		Total Households
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	
R/ECAP	514,237	41%	14,990	1.2%	129,941	10.4%	586,100	47%	1,246,548
non-R/ECAP	3,724,503	62%	52,731	0.9%	232,657	3.8%	2,041,683	34%	6,055,899

### Disparities between Racial/Ethnic Groups within R/ECAPs

#### Key Takeaways

For all racial/ethnic groups, the rate of incidence of at least one housing problem is higher in R/ECAPs than outside them, though the size of the difference is twice as large for white (12 percentage points - 32 percent compared to 44 percent), Asian/Pacific Islander (13 percentage points - 47 percent compared to 60 percent), and other race households (11 percentage points - 45 percent compared to 56 percent ) than for Black/African American (5 percentage points - 50 percent compared to 55 percent) and Hispanic/Latinx households (9 percentage points - 54 percent compared to 63 percent).

White households are the only racial/ethnic group for whom less than half of households in R/ECAPs have at least one housing problem.

- **EXAMPLE:** More than four in ten white households in R/ECAPs have at least one problem compared to 55 percent for Black/African American households, 60 percent for Asian/Pacific Islander households, and 63 percent for Hispanic/Latinx households.

The proportion of households that are renters is twice as high in R/ECAPs as those in non-R/ECAP tracts.

- **EXAMPLE:** Over 80 percent of households in R/ECAP tracts are renters, whereas 39 percent of households in non-R/ECAP tracts are renters. Conversely, only 18 percent of households in R/ECAP tracts are homeowners, compared to 61 percent of households in non-R/ECAP tracts, and 46 percent statewide. The concentration of R/ECAPs is in urban areas with higher housing costs and lower homeownership.

Fig. 76: Incidence of One or More Housing Problem by Race/Ethnicity of Households by R/ECAP Areas

1 or More of Housing Problems by Race/Ethnicity - ALL Occupied									
Race/Ethnicity	#	%	has 1 or more of the 4 housing unit problems (lacks kitchen or plumbing, 1+ person per room, or cost burden greater than 30%)		has none of the 4 housing problems		cost burden not computed, none of the other 3 housing problems		Total Households
			#	%	#	%	#	%	
<b>R/ECAP</b>									
White alone, non-Hispanic	111,158	44%	138,633	54%	4,715	2%	254,506		
Black or African American alone, non-Hispanic	226,909	55%	167,953	41%	14,434	4%	409,296		
Asian alone, non-Hispanic	56,483	60%	33,583	36%	3,593	4%	93,659		
Native American/Indigenous, or Alaska Native alone, non-Hispanic	3,019	46%	3,289	50%	277	4%	6,585		
Pacific Islander alone, non-Hispanic	200	49%	167	41%	43	10%	410		
Hispanic, any race	284,054	63%	159,490	35%	10,665	2%	454,209		
other (including multiple races, non-Hispanic)	14,533	56%	10,360	40%	870	3%	25,763		
<b>TOTAL</b>	<b>696,356</b>	<b>56%</b>	<b>513,475</b>	<b>41%</b>	<b>34,597</b>	<b>2.8%</b>	<b>1,244,428</b>		
<b>non-R/ECAP</b>									
White alone, non-Hispanic	1,374,613	32%	2,887,933	67%	38,371	0.9%	4,300,917		
Black or African American alone, non-Hispanic	291,872	50%	282,930	48%	10,005	1.7%	584,807		
Asian alone, non-Hispanic	194,588	47%	207,984	51%	9,220	2%	411,792		
Native American/Indigenous, or Alaska Native alone, non-Hispanic	4,108	39%	6,126	59%	205	2%	10,439		
Pacific Islander alone, non-Hispanic	586	48%	609	50%	14	1.2%	1,209		
Hispanic, any race	350,992	54%	287,034	44%	8,173	1.3%	646,199		
other (including multiple races, non-Hispanic)	42,025	45%	49,572	53%	1,362	1.5%	92,959		
<b>TOTAL</b>	<b>2,258,784</b>	<b>37%</b>	<b>3,722,188</b>	<b>62%</b>	<b>67,350</b>	<b>1.1%</b>	<b>6,048,322</b>		

Fig. 77: Homeownership Rates by Race in and outside R/ECAPs

HHs by Race/Ethnicity							
Race/Ethnicity	Owner Occupied		Renter Occupied		All Households		
	#	%	#	%	#	%	
<b>R/ECAP</b>							
White alone, non-Hispanic	83,421	33%	171,085	67%	254,506	100%	
Black or African American alone, non-Hispanic	68,547	17%	340,749	83%	409,296	100%	
Asian alone, non-Hispanic	21,087	23%	72,572	77%	93,659	100%	
Native American/Indigenous, or Alaska Native alone, non-Hispanic	2,773	42%	3,812	58%	6,585	100%	
Pacific Islander alone, non-Hispanic	96	23%	314	77%	410	100%	
Hispanic, any race	40,517	9%	413,692	91%	454,209	100%	
other (including multiple races, non-Hispanic)	5,070	20%	20,693	80%	25,763	100%	
<b>TOTAL</b>	<b>221,511</b>	<b>18%</b>	<b>1,022,917</b>	<b>82%</b>	<b>1,244,428</b>	<b>100%</b>	
<b>non-R/ECAP</b>							
White alone, non-Hispanic	2,963,093	69%	1,337,824	31%	4,300,917	100%	
Black or African American alone, non-Hispanic	251,165	43%	333,642	57%	584,807	100%	
Asian alone, non-Hispanic	217,450	53%	194,342	47%	411,792	100%	
Native American/Indigenous, or Alaska Native alone, non-Hispanic	5,565	53%	4,874	47%	10,439	100%	
Pacific Islander alone, non-Hispanic	334	28%	875	72%	1,209	100%	
Hispanic, any race	234,208	36%	411,991	64%	646,199	100%	
other (including multiple races, non-Hispanic)	43,636	47%	49,323	53%	92,959	100%	
<b>TOTAL</b>	<b>3,715,451</b>	<b>61%</b>	<b>2,332,871</b>	<b>39%</b>	<b>6,048,322</b>	<b>100%</b>	

### c. Incidence of Specific Housing Problems

Below is an examination of the different housing problems broken down by demographics such as housing tenure, race/ethnicity and age.

#### Housing Cost Burden & Severe Housing Cost Burden

As discussed above, the burden placed on households by their monthly housing costs is the most common form of housing precarity experienced by New Yorkers. The US Census Bureau defines housing cost burden as having “monthly housing costs (including utilities) exceeding 30 percent of monthly income” and severe housing cost burden as “monthly housing costs (including utilities) exceeding 50 percent of monthly income.” For the purpose of this analysis

and in order to avoid double counting households, we will refer to households paying more than 30 percent but less than 50 percent of their income towards housing as “cost burdened” and those paying more than 50 percent as “severely cost burdened.”

Housing cost burden and severe housing cost burden are the most prevalent housing problem in all regions, for both owner- and renter-occupied households. About 17 percent of households experience a housing cost burden and 18 percent experience a severe housing cost burden with none of the other three problems reported. This is compared to 3.2 percent experiencing overcrowding, 1.8 percent experiencing severe overcrowding, and only 0.9 percent experiencing a lack of full kitchen or plumbing and no other problems Statewide.

There are stark disparities in the experience of cost burden across region, tenure, race, and income. Households of color experience housing cost burden and severe housing cost burden at a much higher rate than white households. In addition, owner-occupied households experience housing cost burden at a much lower rate than renter-occupied households, and there are more households experiencing cost burden downstate than upstate (both in number and as a proportion).

#### [Incidence of Housing Cost Burden by Tenure](#)

##### **Key Observations**

Downstate households experience housing cost burden and severe housing cost burden at a higher rate than upstate households.

Owner-occupied households downstate experience cost burden at a higher rate than upstate owner-occupied households. The disparity between renter households downstate and upstate is less pronounced.

- **EXAMPLE:** One in eight upstate owner-occupied households experience a cost burden and another 8 percent experience severe cost burden, compared to 18 percent downstate experiencing a cost burden and another 17 percent experiencing a severe cost burden.

Fig. 78: Incidence of Cost Burden by Tenure

Cost Burden by Tenure							
	Cost Burden	Owner-Occupied		Renter-Occupied		All-Occupied	
		#	%	#	%	#	%
Upstate HUD-EJ	less than or equal to 30%	690,701	78%	265,938	49%	956,639	67%
	greater than 30% but less than or equal to 50%	111,970	13%	113,808	21%	225,778	16%
	greater than 50%	73,788	8%	145,316	27%	219,104	15%
	not computed (no/negative income)	5,225	0.6%	14,668	2.7%	19,893	1.4%
	<b>TOTAL</b>	<b>881,684</b>		<b>539,730</b>		<b>1,421,414</b>	
Upstate NYSEJ	less than or equal to 30%	793,387	79%	201,878	57%	995,265	73%
	greater than 30% but less than or equal to 50%	122,756	12%	73,758	21%	196,514	14%
	greater than 50%	80,047	8%	74,618	21%	154,665	11%
	not computed (no/negative income)	6,070	0.6%	6,250	1.8%	12,320	0.9%
	<b>TOTAL</b>	<b>1,002,260</b>		<b>356,504</b>		<b>1,358,764</b>	
Upstate Total	less than or equal to 30%	1,484,088	79%	467,816	52%	1,951,904	70%
	greater than 30% but less than or equal to 50%	234,726	12%	187,566	21%	422,292	15%
	greater than 50%	153,835	8%	219,934	25%	373,769	13%
	not computed (no/negative income)	11,295	0.6%	20,918	2.3%	32,213	1.2%
	<b>TOTAL</b>	<b>1,883,944</b>		<b>896,234</b>		<b>2,780,178</b>	
Downstate	less than or equal to 30%	1,318,822	64%	1,184,343	48%	2,503,165	55%
	greater than 30% but less than or equal to 50%	368,883	18%	540,830	22%	909,713	20%
	greater than 50%	351,459	17%	677,227	28%	1,028,686	23%
	not computed (no/negative income)	16,690	0.8%	59,785	2.4%	76,475	1.7%
	<b>TOTAL</b>	<b>2,055,854</b>		<b>2,462,185</b>		<b>4,518,039</b>	
Statewide	less than or equal to 30%	2,803,800	71%	1,652,715	49%	4,456,515	61%
	greater than 30% but less than or equal to 50%	604,240	15%	729,045	22%	1,333,285	18%
	greater than 50%	506,345	13%	897,635	27%	1,403,980	19%
	not computed (no/negative income)	28,100	0.7%	80,830	2.4%	108,930	1.5%
	<b>TOTAL</b>	<b>3,942,485</b>		<b>3,360,225</b>		<b>7,302,710</b>	

Geography of Housing Cost Burden

As Figure 79 shows, a greater proportion of owner-occupied households in downstate census tracts experience housing cost burden than upstate census tracts.

Figure 80 shows that renters across the state experience housing cost burden at a much greater rate than homeowners, and with many more of the rural areas of the state affected at high rates.



Fig. 79: Map of Owner-Occupied Households Experiencing Housing Cost Burden Statewide

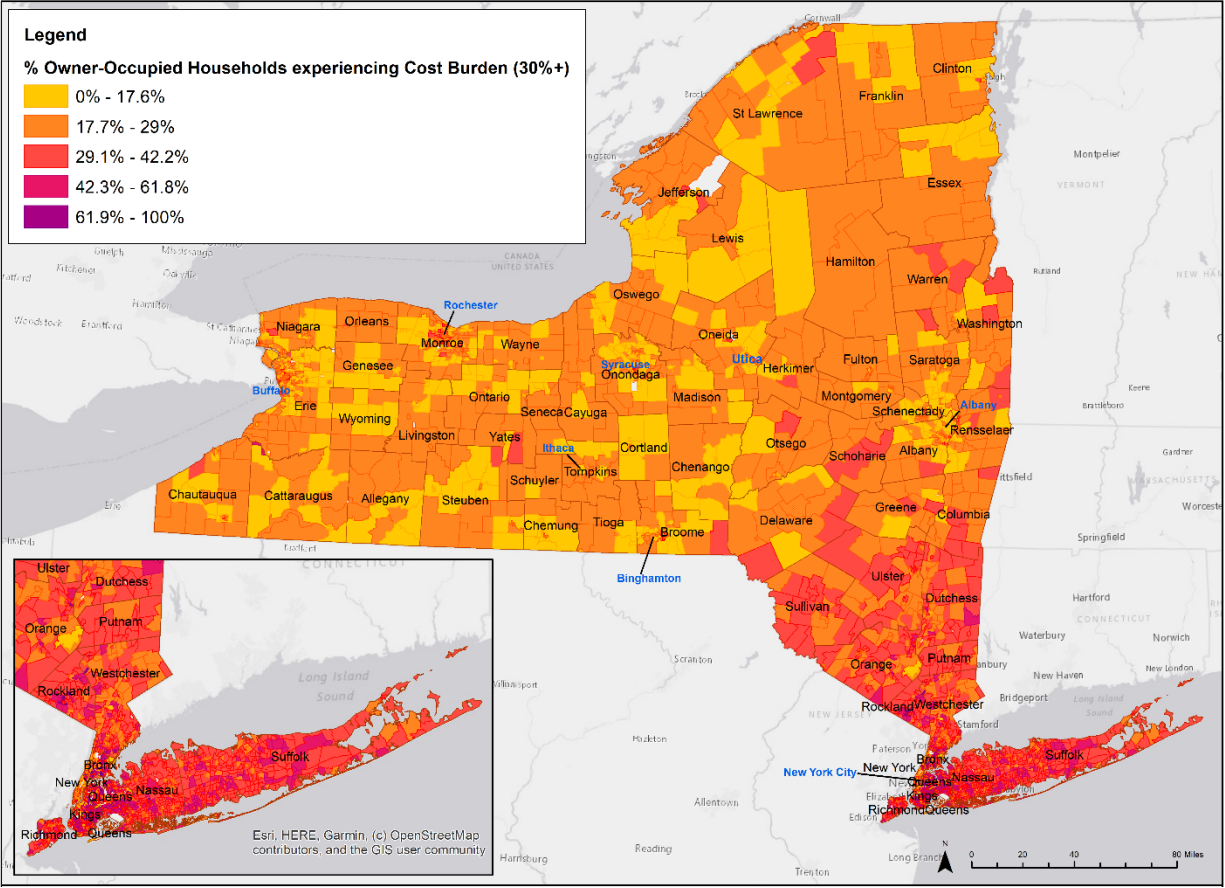
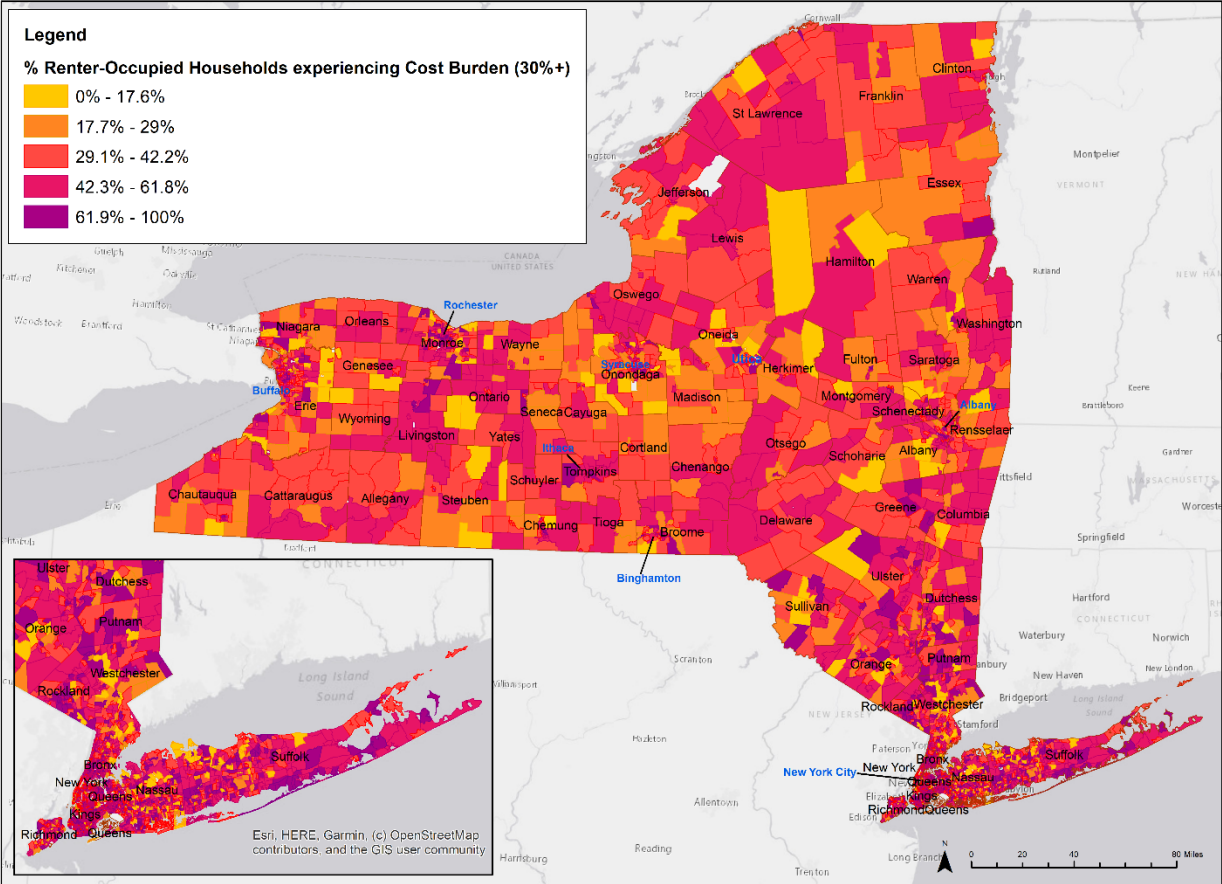




Fig. 80: Map of Renter-Occupied Households Experiencing Housing Cost Burden Statewide



Disparities in Housing Cost Burden by Race/Ethnicity

Households of color are more likely than white households to experience housing cost burden and severe housing cost burden in both the upstate and downstate regions. Statewide, Hispanic/Latinx households experience the highest level of cost burden (inclusive of severe cost burden), with Black/African American households experiencing the second-highest level of severe cost burden (51 percent and 49 percent, respectively).

Between the regions, the trends are quite similar. Households of color continue to experience a disproportionately high rate of cost burden and severe cost burden. In the upstate HUD-EJs, two thirds of Pacific Islander households experience the highest rate of cost burden of any group, inclusive of severe cost burden. Black/African American households experience the highest rate of severe cost burden (27 percent), with both Hispanic/Latinx and other race households following (26 percent). In the upstate HUD-EJs, Black/African American, Native American/Indigenous, Pacific Islander, Hispanic, and other race households all experience severe housing cost burden at approximately double the rate of the white households. This disparity is also true in the NYSEJ, though the trend is less severe; households of color of all groups experience higher cost burden and severe cost burden than white households.

Households of all races and ethnicities in the downstate region experience cost burden and severe cost burden at a greater rate than upstate households. More than half of Black/African

American and Hispanic/Latinx households report experiencing cost burden, including severe cost burden (51 percent and 54 percent, respectively). Approximately one in four non-white households in the downstate region report experiencing severe housing cost burden.

*Fig. 81: Incidence of Cost Burden and Severe Cost Burden by Race/Ethnicity*

Region	Race/Ethnicity	less than or equal to 30%		greater than 30% but less than or equal to 50%		greater than 50%		not computed (no/negative income)		Total Households
Upstate HUD EJs	White alone, non-Hispanic	792,353	72%	161,939	15%	136,948	12%	10,282	1%	1,101,622
	Black or African-American alone, non-Hispanic	82,266	50%	33,784	20%	44,431	27%	4,724	3%	165,346
	Asian alone, non-Hispanic	24,068	58%	6,770	16%	8,376	20%	2,136	5%	41,460
	Native American/Indigenous, or Alaska Native alone, non-Hispanic	2,470	59%	534	13%	989	24%	150	4%	4,156
	Pacific Islander alone, non-Hispanic	80	29%	111	41%	69	25%	12	4%	272
	Hispanic, any race	43,494	50%	18,510	21%	22,471	26%	2,013	2%	86,674
	other (including multiple races, non-Hispanic)	11,908	53%	4,130	18%	5,820	26%	576	3%	22,442
	<b>TOTAL</b>	<b>956,639</b>		<b>225,778</b>		<b>219,104</b>		<b>19,893</b>		<b>1,421,972</b>
Upstate NYSEJ	White alone, non-Hispanic	944,387	74%	179,631	14%	138,305	11%	10,287	1%	1,272,662
	Black or African-American alone, non-Hispanic	10,749	54%	4,204	21%	4,395	22%	497	3%	19,859
	Asian alone, non-Hispanic	9,683	66%	2,385	16%	1,992	13%	736	5%	14,764
	Native American/Indigenous, or Alaska Native alone, non-Hispanic	3,359	66%	1,015	20%	685	14%	76	2%	5,066
	Pacific Islander alone, non-Hispanic	204	64%	51	16%	64	20%	0	0%	319
	Hispanic, any race	18,858	57%	6,959	21%	6,851	21%	409	1%	33,167
	other (including multiple races, non-Hispanic)	8,025	62%	2,269	18%	2,373	18%	315	2%	12,950
	<b>TOTAL</b>	<b>995,265</b>		<b>196,514</b>		<b>154,665</b>		<b>12,320</b>		<b>1,358,787</b>
Upstate HUD EJs	White alone, non-Hispanic	1,736,740	73%	341,570	14%	275,253	12%	20,569	1%	2,374,284
	Black or African-American alone, non-Hispanic	93,015	50%	37,988	21%	48,826	26%	5,221	3%	185,205
	Asian alone, non-Hispanic	33,751	60%	9,155	16%	10,368	18%	2,872	5%	56,224
	Native American/Indigenous, or Alaska Native alone, non-Hispanic	5,829	63%	1,549	17%	1,674	18%	226	2%	9,222
	Pacific Islander alone, non-Hispanic	284	48%	162	27%	133	23%	12	2%	591
	Hispanic, any race	62,352	52%	25,469	21%	29,322	24%	2,422	2%	119,841
	other (including multiple races, non-Hispanic)	19,933	56%	6,399	18%	8,193	23%	891	3%	35,392
	<b>TOTAL</b>	<b>1,951,904</b>		<b>422,292</b>		<b>373,769</b>		<b>32,213</b>		<b>2,780,759</b>
Downstate	White alone, non-Hispanic	1,362,008	62%	393,325	18%	403,008	18%	24,685	1%	2,183,512
	Black or African-American alone, non-Hispanic	396,509	49%	177,865	22%	215,109	27%	20,762	3%	810,438
	Asian alone, non-Hispanic	240,834	53%	89,375	20%	109,111	24%	11,061	2%	451,112
	Native American/Indigenous, or Alaska Native alone, non-Hispanic	4,142	54%	1,389	18%	1,909	25%	293	4%	7,725
	Pacific Islander alone, non-Hispanic	601	58%	119	12%	263	26%	45	4%	1,028
	Hispanic, any race	454,875	46%	231,145	24%	278,009	28%	18,093	2%	982,763
	other (including multiple races, non-Hispanic)	44,196	53%	16,495	20%	21,277	25%	1,536	2%	83,711
	<b>TOTAL</b>	<b>2,503,165</b>		<b>909,713</b>		<b>1,028,686</b>		<b>76,475</b>		<b>4,520,289</b>
Statewide	White alone, non-Hispanic	3,098,895	68%	735,105	16%	678,670	15%	45,340	1%	4,558,005
	Black or African-American alone, non-Hispanic	489,685	49%	216,020	22%	264,065	27%	26,055	3%	995,825
	Asian alone, non-Hispanic	274,910	54%	98,855	19%	119,920	24%	13,985	3%	507,665
	Native American/Indigenous, or Alaska Native alone, non-Hispanic	9,985	59%	2,940	17%	3,580	21%	505	3%	17,020
	Pacific Islander alone, non-Hispanic	920	55%	280	17%	400	24%	60	4%	1,665
	Hispanic, any race	517,580	47%	257,055	23%	307,710	28%	20,555	2%	1,102,905
	other (including multiple races, non-Hispanic)	64,540	54%	23,030	19%	29,635	25%	2,430	2%	119,630
	<b>TOTAL</b>	<b>4,456,515</b>		<b>1,333,285</b>		<b>1,403,980</b>		<b>108,930</b>		<b>7,302,715</b>

Housing Cost Burden by Family Type

Of the five household types provided by CHAS, elderly non-family households experience housing cost burden and severe cost burden at the highest rate statewide (62 percent). This is true in every region of the state.

Fig. 82: Housing Cost Burden by Household Type, Owner Occupied

HOUSING COST BURDEN BY HOUSEHOLD TYPE - OWNER OCCUPIED										
Household Type	≤ 30% Cost burden		>30% ≤ 50% Cost burden		> 50% Cost burden		not computed (no/negative income)		Total Households	
	#	%	#	%	#	%	#	%	#	
Upstate HUD EJs	elderly family (2 persons, with either or both age 62 or over)	138,649	82%	19,044	11%	10,374	6%	546	0.3%	168,613
	elderly non-family	86,202	64%	24,768	18%	21,786	16%	1711	1.3%	134,467
	large family (5 or more persons)	52,830	80%	8,347	13%	4,639	7%	114	0.2%	65,930
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	323,201	84%	38,984	10%	20,999	5%	962	0.3%	384,146
	other household type (non-elderly non-family)	89,062	70%	20,136	16%	15,600	12%	1897	1.5%	126,695
	<b>Total</b>	<b>689,944</b>		<b>111,279</b>		<b>73,398</b>		<b>5,230</b>		<b>879,851</b>
Upstate NYSEJ	elderly family (2 persons, with either or both age 62 or over)	181,849	84%	22,081	10%	12,141	6%	741	0.3%	216,812
	elderly non-family	97,493	65%	28,540	19%	23,555	16%	1,487	1.0%	151,075
	large family (5 or more persons)	55,391	82%	8,185	12%	4,059	6%	210	0.3%	67,845
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	368,637	84%	43,329	10%	23,629	5%	1,003	0.2%	436,598
	other household type (non-elderly non-family)	89,371	69%	20,359	16%	16,745	13%	2,682	2.1%	129,157
	<b>Total</b>	<b>792,741</b>		<b>122,494</b>		<b>80,129</b>		<b>6,123</b>		<b>1,001,487</b>
Upstate Total	elderly family (2 persons, with either or both age 62 or over)	320,498	83%	41,125	11%	22,515	6%	1,287	0.3%	385,425
	elderly non-family	183,695	64%	53,308	19%	45,341	16%	3,198	1.1%	285,542
	large family (5 or more persons)	108,221	81%	16,532	12%	8,698	7%	324	0.2%	133,775
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	691,838	84%	82,313	10%	44,628	5%	1,965	0.2%	820,744
	other household type (non-elderly non-family)	178,433	70%	40,495	16%	32,345	13%	4,579	1.8%	255,852
	<b>Total</b>	<b>1,482,685</b>		<b>233,773</b>		<b>153,527</b>		<b>11,353</b>		<b>1,881,338</b>
Downstate	elderly family (2 persons, with either or both age 62 or over)	241,753	67%	60,826	17%	57,118	16%	1,742	0.5%	361,439
	elderly non-family	136,234	49%	52,383	19%	84,006	30%	4,572	1.6%	277,195
	large family (5 or more persons)	164,816	64%	51,721	20%	40,136	16%	485	0.2%	257,158
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	628,648	69%	162,851	18%	122,467	13%	3,758	0.4%	917,724
	other household type (non-elderly non-family)	145,462	61%	39,290	17%	45,821	19%	6,071	2.6%	236,644
	<b>Total</b>	<b>1,316,913</b>		<b>367,071</b>		<b>349,548</b>		<b>16,628</b>		<b>2,050,160</b>
Statewide	elderly family (2 persons, with either or both age 62 or over)	563,190	75%	102,735	14%	80,445	11%	3,030	0.4%	749,400
	elderly non-family	320,800	57%	106,525	19%	129,965	23%	7,765	1.4%	565,055
	large family (5 or more persons)	273,550	70%	68,585	17%	49,225	13%	805	0.2%	392,165
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	1,321,675	76%	246,190	14%	167,985	10%	5,740	0.3%	1,741,590
	other household type (non-elderly non-family)	324,585	66%	80,200	16%	78,725	16%	10,755	2.2%	494,265
	<b>Total</b>	<b>2,803,800</b>		<b>604,235</b>		<b>506,345</b>		<b>28,095</b>		<b>3,942,475</b>

Fig. 83: Housing Cost Burden by Household Type, Renter Occupied

HOUSING COST BURDEN BY HOUSEHOLD TYPE - RENTER OCCUPIED										
Household Type	≤ 30% Cost burden		>30% ≤ 50% Cost burden		> 50% Cost burden		not computed (no/negative income)		Total Households	
	#	%	#	%	#	%	#	%	#	
Upstate HUD EJs	elderly family (2 persons, with either or both age 62 or over)	14,114	60%	5,277	23%	3,882	17%	157	0.7%	23,430
	elderly non-family	36,813	42%	23,086	26%	26,662	30%	1,424	1.6%	87,985
	large family (5 or more persons)	12,631	43%	6,817	23%	9,420	32%	492	1.7%	29,360
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	92,047	52%	36,222	20%	45,803	26%	3,178	1.8%	177,250
	other household type (non-elderly non-family)	109,892	50%	42,315	19%	59,354	27%	9,476	4%	221,037
	<b>Total</b>	<b>265,497</b>		<b>113,717</b>		<b>145,121</b>		<b>14,727</b>		<b>539,062</b>
Upstate NYSEJ	elderly family (2 persons, with either or both age 62 or over)	13,394	67%	3,737	19%	2,675	13%	159	0.8%	19,965
	elderly non-family	31,676	50%	15,562	24%	15,553	24%	1,053	1.6%	63,844
	large family (5 or more persons)	10,535	58%	4,000	22%	3,473	19%	177	1.0%	18,185
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	74,978	59%	25,500	20%	24,642	19%	1,435	1.1%	126,555
	other household type (non-elderly non-family)	71,232	56%	25,005	20%	28,259	22%	3,418	3%	127,914
	<b>Total</b>	<b>201,815</b>		<b>73,804</b>		<b>74,602</b>		<b>6,242</b>		<b>356,463</b>
Upstate Total	elderly family (2 persons, with either or both age 62 or over)	27,508	63%	9,014	21%	6,557	15%	316	0.7%	43,395
	elderly non-family	68,489	45%	38,648	25%	42,215	28%	2,477	1.6%	151,829
	large family (5 or more persons)	23,166	49%	10,817	23%	12,893	27%	669	1.4%	47,545
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	167,025	55%	61,722	20%	70,445	23%	4,613	1.5%	303,805
	other household type (non-elderly non-family)	181,124	52%	67,320	19%	87,613	25%	12,894	4%	348,951
	<b>Total</b>	<b>467,312</b>		<b>187,521</b>		<b>219,723</b>		<b>20,969</b>		<b>895,525</b>
Downstate	elderly family (2 persons, with either or both age 62 or over)	87,841	50%	41,029	24%	43,225	25%	1,934	1.1%	174,029
	elderly non-family	120,256	34%	82,696	24%	137,747	39%	8,279	2.4%	348,978
	large family (5 or more persons)	95,821	46%	47,205	23%	61,169	30%	2,362	1.1%	206,557
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	505,155	52%	202,490	21%	246,352	25%	17,030	1.8%	971,027
	other household type (non-elderly non-family)	373,305	49%	166,580	22%	188,178	25%	30,098	4%	758,161
	<b>Total</b>	<b>1,182,378</b>		<b>540,000</b>		<b>676,671</b>		<b>59,703</b>		<b>2,458,752</b>
Statewide	elderly family (2 persons, with either or both age 62 or over)	115,990	53%	50,415	23%	50,025	23%	2,230	1.0%	218,660
	elderly non-family	189,285	38%	121,565	24%	180,085	36%	10,745	2.1%	501,680
	large family (5 or more persons)	119,505	47%	58,150	23%	74,290	29%	3,050	1.2%	254,995
	small family (2 persons, neither person 62 years or over, or 3 or 4 persons)	672,715	53%	264,475	21%	317,270	25%	21,750	1.7%	1,276,210
	other household type (non-elderly non-family)	555,230	50%	234,455	21%	275,960	25%	43,055	3.9%	1,108,700
	<b>Total</b>	<b>1,652,725</b>		<b>729,060</b>		<b>897,630</b>		<b>80,830</b>		<b>3,360,245</b>

Housing Cost Burden in R/ECAPs

Both owner and renter households in R/ECAP tracts experience housing cost burden and severe housing cost burden at higher rates than households in non-R/ECAP tracts. Again, renter-occupied households in both regions experience housing cost burden and severe housing cost burden at higher rates than owner-occupied households.

- **EXAMPLE:** The difference between the proportion of households paying less than 30 percent of their income in rent (and therefore not experiencing any form of cost burden) is roughly twenty percentage points both within and outside of R/ECAPs (64 percent to 43 percent within R/ECAPs, 72 percent to 52 percent outside of them).

*Fig. 84: Housing Cost Burden in R/ECAP by Tenure*

Cost Burden		Owner Occupied		Renter Occupied		All Occupied	
R/ECAP	Less Than Or Equal To 30%	142,664	64%	435,487	43%	578,151	46%
	Greater Than 30% But Less Than Or Equal To 50% (Cost Burdened)	35,809	16%	233,188	23%	268,997	22%
	Greater Than 50% (Severe Cost Burdened)	40,848	18%	320,179	31%	361,027	29%
	Not Computed (No/Negative Income)	2,777	1.3%	34,700	3%	37,477	3%
	<b>Total</b>	<b>222,098</b>	<b>100%</b>	<b>1,023,554</b>	<b>100%</b>	<b>1,245,652</b>	<b>100%</b>
Non-R/ECAP	Less Than Or Equal To 30%	2,660,246	72%	1,216,672	52%	3,876,918	64%
	Greater Than 30% But Less Than Or Equal To 50% (Cost Burdened)	567,800	15%	495,208	21%	1,063,008	18%
	Greater Than 50% (Severe Cost Burdened)	464,446	12%	576,982	25%	1,041,428	17%
	Not Computed (No/Negative Income)	25,208	0.7%	46,003	2%	71,211	1.2%
	<b>Total</b>	<b>3,717,700</b>	<b>100%</b>	<b>2,334,865</b>	<b>100%</b>	<b>6,052,565</b>	<b>100%</b>
<b>Total</b>	<b>3,939,798</b>		<b>3,358,419</b>		<b>7,298,217</b>		

Consistent with statewide trends, households of color in both R/ECAP and non-R/ECAP tracts experience housing cost burden at a higher rate than white, non-Hispanic households. Within the R/ECAP tracts, Hispanic/Latinx households report the highest rates of experiencing housing cost burden (inclusive of severe housing cost burden) at 56 percent, with Black/African American, Asian, and other race households experiencing the second highest rate of housing cost burden at 52 percent. Within the R/ECAP tracts, Hispanic/Latinx households report the highest rates of experiencing housing cost burden (inclusive of severe housing cost burden) at 48 percent.

*Fig. 85: Housing Cost Burden by Race in R/ECAP Tracts and Other Census Tracts*

R/ECAP	Race/Ethnicity	less than or equal to 30%		greater than 30% but less than or equal to 50% (Cost Burden)		greater than 50% (Severe Cost Burden)		not computed (no/negative income)		Total Households
R/ECAP	White alone, non-Hispanic	145,776	57%	47,336	19%	56,711	22%	4,960	1.9%	254,783
	Black or African-American alone, non-Hispanic	184,994	45%	88,271	22%	121,040	30%	15,434	3.8%	409,739
	Asian alone, non-Hispanic	41,251	44%	19,829	21%	28,730	31%	4,032	4.3%	93,842
	Native American/Indigenous, or Alaska Native alone, non-Hispanic	3,518	53%	1,105	17%	1,664	25%	292	4.4%	6,579
	Pacific Islander alone, non-Hispanic	201	49%	62	15%	104	25%	43	10%	410
	Hispanic, any race	190,946	42%	107,210	24%	144,615	32%	11,698	2.6%	454,469
	other (including multiple races, non-Hispanic)	11,465	44%	5,184	20%	8,163	32%	1,018	3.9%	25,830
	<b>TOTAL</b>	<b>578,151</b>		<b>268,997</b>		<b>361,027</b>		<b>37,477</b>		<b>1,245,652</b>
non-R/ECAP	White alone, non-Hispanic	2,952,972	69%	687,559	16%	621,550	14%	40,294	0.9%	4,302,375
	Black or African-American alone, non-Hispanic	304,530	52%	127,582	22%	142,895	24%	10,549	1.8%	585,556
	Asian alone, non-Hispanic	233,334	57%	78,701	19%	90,749	22%	9,901	2.4%	412,685
	Native American/Indigenous, or Alaska Native alone, non-Hispanic	6,453	62%	1,833	18%	1,919	18%	227	2.2%	10,432
	Pacific Islander alone, non-Hispanic	684	57%	219	18%	292	24%	14	1%	1,209
	Hispanic, any race	326,281	50%	149,404	23%	162,716	25%	8,817	1.4%	647,218
	other (including multiple races, non-Hispanic)	52,664	57%	17,710	19%	21,307	23%	1,409	1.5%	93,090
	<b>TOTAL</b>	<b>3,876,918</b>		<b>1,063,008</b>		<b>1,041,428</b>		<b>71,211</b>		<b>6,052,565</b>

### Overcrowding

“Overcrowding” and “severe overcrowding” are defined by the US Census Bureau as representing more than 1 permanent resident per room of the household and more than 1.5

permanent residents per room of the household, respectively. CHAS provides data on households experiencing these two problems by tenure, income, and family type, however, did not provide information specific to how other protected classes, such as race, color, national origin, or disability, experienced this housing problem.

Overall, there is a notable disparity in how households in the upstate and downstate regions experience overcrowding; households in the downstate region experience overcrowding at 4 times the rate of those experiencing overcrowding in the upstate region (8 percent to 1.5 percent respectively). These disparities are even greater when comparing households by tenure type. In addition, renter-occupied households in all regions experience overcrowding at a much higher rate than owner-occupied households.

Moreover, households in higher income groups experience overcrowding at a lower rate than those in lower income groups, although the disparity in experiencing overcrowding between income groups is much lower than that of experiencing housing cost burden. Statewide, 9.2 percent of households at less than 30 percent of AMI experience overcrowding (including severe overcrowding) whereas 5.5 percent of households at 100 percent of AMI or more experience overcrowding.

In terms of family type, family households with at least one or more subfamily or more than one family experience overcrowding at a higher rate than non-family households and one-family households in all regions and forms of tenure.

#### [Disparities in Overcrowding Rates by Tenure and Geography](#)

#### **Key Observations**

Overcrowding is significantly more prevalent in renter-occupied housing than owner-occupied.

- **EXAMPLE:** Five percent of all renter households statewide are overcrowded and 3 percent are severely overcrowded. This is more than three times greater than the overcrowding rate in owner-occupied households (1.5 percent) and six times greater than the severe overcrowding rate upstate (0.5 percent).

Overcrowding is significantly more prevalent downstate than upstate.

- **EXAMPLE:** Around 4 percent of households downstate experience overcrowding and 3 percent experience severe overcrowding. This is four times greater than the overcrowding rate upstate (1 percent) and six times greater than the severe overcrowding rate upstate (0.5 percent).

Fig. 86: Persons Per Room by Region and Tenure

Persons per Room by Tenure							
	Persons per room	Owner-Occupied		Renter-Occupied		All-Occupied	
		#	%	#	%	#	%
Upstate HUD-EJ	less than or equal to 1	875,250	99%	522,655	97%	1,397,905	98%
	greater than 1 but less than or equal to 1.5 (Overcrowding)	5,267	0.6%	10,700	2.0%	15,967	1.1%
	greater than 1.5 (Severe Overcrowding)	1,633	0.2%	6,659	1.2%	8,292	0.6%
	<b>TOTAL</b>	<b>882,150</b>		<b>540,014</b>		<b>1,422,164</b>	
Upstate NYSEJ	less than or equal to 1	993,504	99%	345,999	97%	1,339,503	99%
	greater than 1 but less than or equal to 1.5 (Overcrowding)	6,258	0.6%	6,442	1.8%	12,700	0.9%
	greater than 1.5 (Severe Overcrowding)	2,334	0.2%	3,946	1.1%	6,280	0.5%
	<b>TOTAL</b>	<b>1,002,096</b>		<b>356,387</b>		<b>1,358,483</b>	
Upstate Total	less than or equal to 1	1,868,754	99%	868,654	97%	2,737,408	98%
	greater than 1 but less than or equal to 1.5 (Overcrowding)	11,525	0.6%	17,142	1.9%	28,667	1.0%
	greater than 1.5 (Severe Overcrowding)	3,967	0.2%	10,605	1.2%	14,572	0.5%
	<b>TOTAL</b>	<b>1,884,246</b>		<b>896,401</b>		<b>2,780,647</b>	
Downstate	less than or equal to 1	1,992,888	97%	2,201,594	89%	4,194,482	93%
	greater than 1 but less than or equal to 1.5 (Overcrowding)	46,583	2.3%	157,304	6%	203,887	5%
	greater than 1.5 (Severe Overcrowding)	18,084	0.9%	104,695	4%	122,779	3%
	<b>TOTAL</b>	<b>2,057,555</b>		<b>2,463,593</b>		<b>4,521,148</b>	
Statewide	less than or equal to 1	3,861,940	98%	3,070,220	91%	6,932,160	95%
	greater than 1 but less than or equal to 1.5 (Overcrowding)	58,225	1.5%	174,465	5%	232,690	3%
	greater than 1.5 (Severe Overcrowding)	22,315	0.6%	115,540	3%	137,855	1.9%
	<b>TOTAL</b>	<b>3,942,480</b>		<b>3,360,225</b>		<b>7,302,705</b>	

Fig. 87: Persons Per Room by Household Income

Region	Persons per Room	≤ 30% HAMFI		30% - 50% HAMFI		50% - 80% HAMFI		80% - 100% HAMFI		> 100% HAMFI		Total Households
		#	%	#	%	#	%	#	%	#	%	
Upstate HUD EJs	1 Person or Fewer per Room	213,656	97.1%	168,431	96.8%	228,988	98.1%	138,667	98.3%	647,728	99.2%	1,397,470
	More than 1 but Fewer than 1.5 per Room	4,526	2.1%	3,512	2.0%	3,002	1.3%	1,718	1.2%	3,186	0.5%	15,944
	More than 1.5 per Room (Severe Overcrowding)	1,940	0.9%	1,967	1.1%	1,534	0.7%	630	0.4%	2,175	0.3%	8,246
	Total Overcrowded Households	6,466	2.9%	5,479	3.2%	4,536	1.9%	2,348	1.7%	5,361	0.8%	24,190
	<b>Total Households</b>	<b>220,122</b>		<b>173,910</b>		<b>233,524</b>		<b>141,015</b>		<b>653,089</b>		<b>1,421,660</b>
Upstate NYSEJ	1 Person or Fewer per Room	143,754	97.4%	151,560	97.8%	231,569	98.1%	141,599	98.4%	670,447	99.3%	1,338,929
	More than 1 but Fewer than 1.5 per Room	2,183	1.5%	2,399	1.5%	3,263	1.4%	1,571	1.1%	3,318	0.5%	12,734
	More than 1.5 per Room (Severe Overcrowding)	1,638	1.1%	1,034	0.7%	1,204	0.5%	717	0.5%	1,726	0.3%	6,319
	Total Overcrowded Households	3,821	2.6%	3,433	2.2%	4,467	1.9%	2,288	1.6%	5,044	0.7%	19,053
	<b>Total Households</b>	<b>147,575</b>		<b>154,993</b>		<b>236,036</b>		<b>143,887</b>		<b>675,491</b>		<b>1,357,982</b>
Upstate Total	1 Person or Fewer per Room	357,410	97.2%	319,991	97.3%	460,557	98.1%	280,266	98.4%	1,318,175	99.2%	2,736,399
	More than 1 but Fewer than 1.5 per Room	6,709	1.8%	5,911	1.8%	6,265	1.3%	3,289	1.2%	6,504	0.5%	28,678
	More than 1.5 per Room (Severe Overcrowding)	3,578	1.0%	3,001	0.9%	2,738	0.6%	1,347	0.5%	3,901	0.3%	14,565
	Total Overcrowded Households	10,287	2.8%	8,912	2.7%	9,003	1.9%	4,636	1.6%	10,405	0.8%	43,243
	<b>Total Households</b>	<b>367,697</b>		<b>328,903</b>		<b>469,560</b>		<b>284,902</b>		<b>1,328,580</b>		<b>2,779,642</b>
Downstate	1 Person or Fewer per Room	881,107	90.6%	522,957	88.6%	596,153	90.4%	366,732	92.7%	1,824,330	96.1%	4,191,279
	More than 1 but Fewer than 1.5 per Room	54,940	5.6%	41,662	7.1%	40,537	6.2%	18,699	4.7%	46,944	2.5%	202,782
	More than 1.5 per Room (Severe Overcrowding)	36,747	3.8%	25,426	4.3%	22,437	3.4%	10,229	2.6%	27,356	1.4%	122,195
	Total Overcrowded Households	91,687	9.4%	67,088	11.4%	62,974	9.6%	28,928	7.3%	74,300	3.9%	324,977
	<b>Total Households</b>	<b>972,794</b>		<b>590,045</b>		<b>659,127</b>		<b>395,660</b>		<b>1,898,630</b>		<b>4,516,256</b>
Statewide	1 Person or Fewer per Room	1,239,535	92.4%	843,575	91.7%	1,057,435	93.6%	647,980	95.0%	3,143,645	97.4%	6,932,170
	More than 1 but Fewer than 1.5 per Room	61,805	4.6%	47,860	5.2%	47,115	4.2%	22,155	3.2%	53,765	1.7%	232,700
	More than 1.5 per Room (Severe Overcrowding)	40,500	3.0%	28,605	3.1%	25,345	2.2%	11,735	1.7%	31,665	1.0%	137,850
	Total Overcrowded Households	102,305	7.6%	76,465	8.3%	72,460	6.4%	33,890	5.0%	85,430	2.6%	370,550
	<b>Total Households</b>	<b>1,341,840</b>		<b>920,040</b>		<b>1,129,895</b>		<b>681,870</b>		<b>3,229,075</b>		<b>7,302,720</b>



Fig. 88: Persons Per Room by Family Type

Region	Family Type	1 Person or Fewer per Room		More than 1 but Fewer than 1.5 per Room		More than 1.5 per Room (Severe Overcrowding)		Total Overcrowded Households		Total Households
Upstate HUD EJs	Household is non-family	569,530	99.7%	371	0.1%	1,589	0.3%	1,960	0.3%	571,490
	Household is one family with at least one subfamily or more than one family	27,332	90.2%	2,380	7.9%	597	2.0%	2,977	9.8%	30,309
	Household is one family with no subfamilies	800,608	97.7%	13,193	1.6%	6,060	0.7%	19,253	2.3%	819,861
	<b>Total Households</b>	<b>1,397,470</b>	<b>98.3%</b>	<b>15,944</b>	<b>1.1%</b>	<b>8,246</b>	<b>0.6%</b>	<b>24,190</b>	<b>1.7%</b>	<b>1,421,660</b>
Upstate NYSEJ	Household is non-family	469,971	99.6%	256	0.1%	1,410	0.3%	1,666	0.4%	471,637
	Household is one family with at least one subfamily or more than one family	24,839	92.6%	1,596	5.9%	396	1.5%	1,992	7.4%	26,831
	Household is one family with no subfamilies	844,119	98.2%	10,882	1.3%	4,513	0.5%	15,395	1.8%	859,514
	<b>Total Households</b>	<b>1,338,929</b>	<b>98.6%</b>	<b>12,734</b>	<b>0.9%</b>	<b>6,319</b>	<b>0.5%</b>	<b>19,053</b>	<b>1.4%</b>	<b>1,357,982</b>
Upstate Total	Household is non-family	1,039,501	99.7%	627	0.1%	2,999	0.3%	3,626	0.3%	1,043,127
	Household is one family with at least one subfamily or more than one family	52,171	91.3%	3,976	7.0%	993	1.7%	4,969	8.7%	57,140
	Household is one family with no subfamilies	1,644,727	97.9%	24,075	1.4%	10,573	0.6%	34,648	2.1%	1,679,375
	<b>Total Households</b>	<b>2,736,399</b>	<b>98.4%</b>	<b>28,678</b>	<b>1.0%</b>	<b>14,565</b>	<b>0.5%</b>	<b>43,243</b>	<b>1.6%</b>	<b>2,779,642</b>
Downstate	Household is non-family	1,608,559	99.0%	3,001	0.2%	12,878	0.8%	15,879	1.0%	1,624,438
	Household is one family with at least one subfamily or more than one family	139,383	69.1%	42,646	21.2%	19,572	9.7%	62,218	30.9%	201,601
	Household is one family with no subfamilies	2,443,337	90.8%	157,135	5.8%	89,745	3.3%	246,880	9.2%	2,690,217
	<b>Total Households</b>	<b>4,191,279</b>	<b>92.8%</b>	<b>202,782</b>	<b>4.5%</b>	<b>122,195</b>	<b>2.7%</b>	<b>324,977</b>	<b>7.2%</b>	<b>4,516,256</b>
Statewide	Household is non-family	2,650,005	99.3%	3,695	0.1%	15,985	0.6%	19,680	0.7%	2,669,685
	Household is one family with at least one subfamily or more than one family	192,690	74.0%	46,990	18.0%	20,830	8.0%	67,820	26.0%	260,510
	Household is one family with no subfamilies	4,089,475	93.5%	182,015	4.2%	101,035	2.3%	283,050	6.5%	4,372,525
	<b>Total Households</b>	<b>6,932,170</b>	<b>94.9%</b>	<b>232,700</b>	<b>3.2%</b>	<b>137,850</b>	<b>1.9%</b>	<b>370,550</b>	<b>5.1%</b>	<b>7,302,720</b>



Fig. 89: Map of Owner-Occupied Households Experiencing Overcrowding Statewide

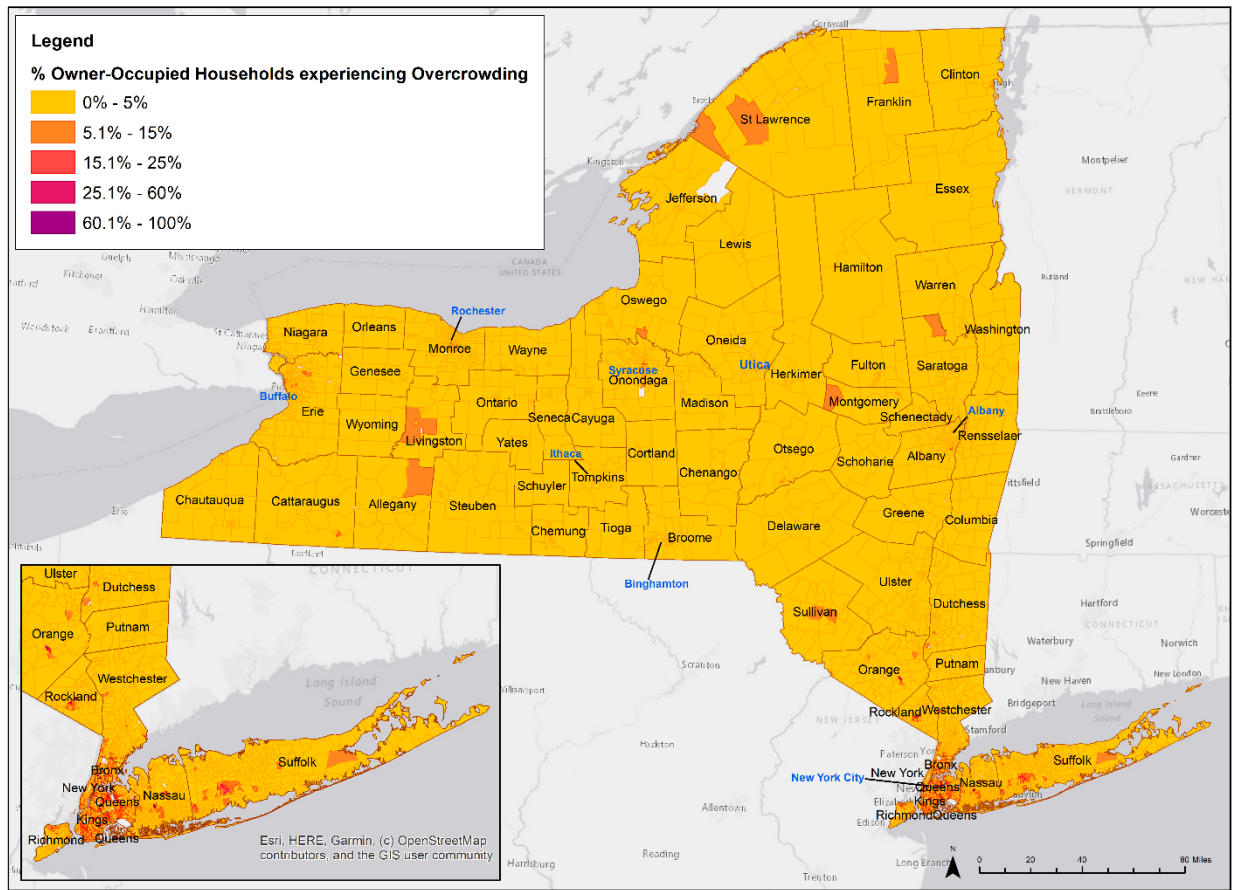
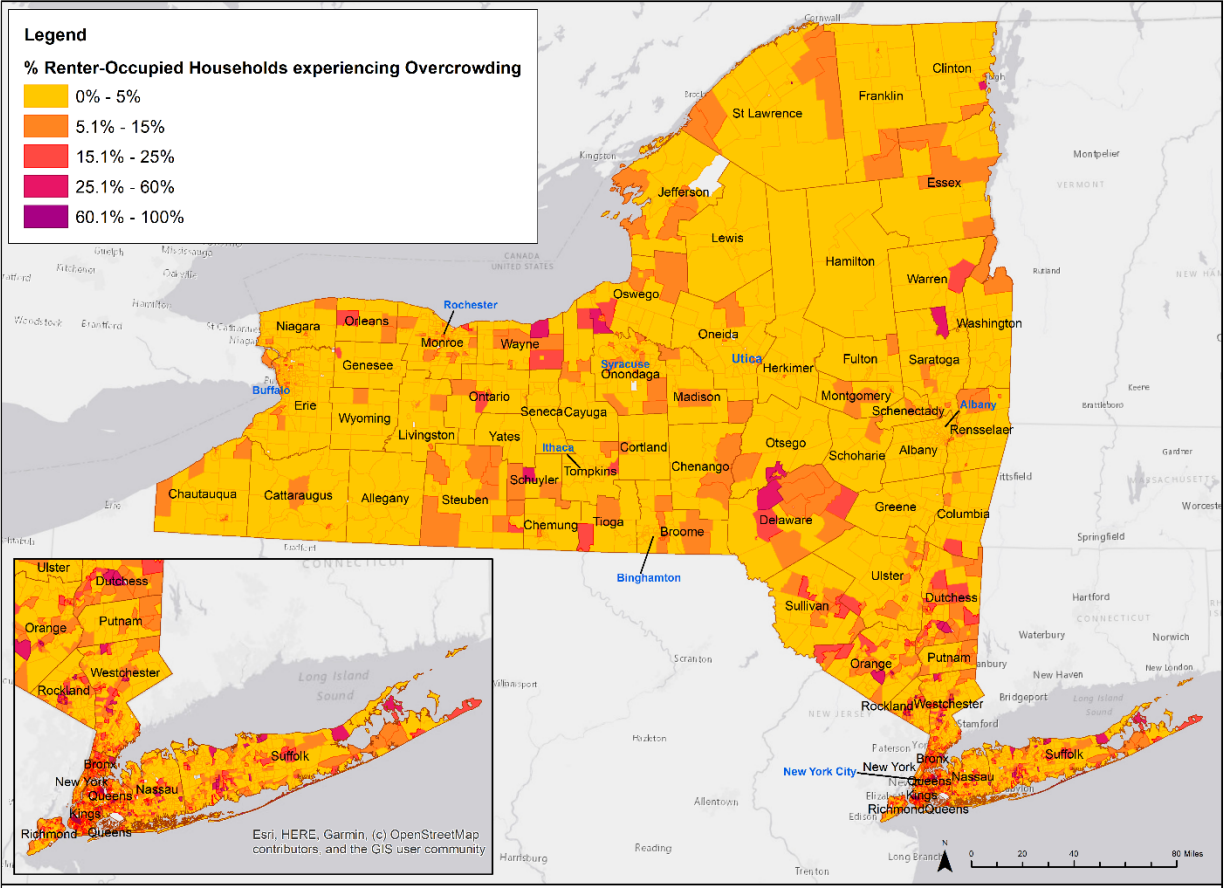


Fig. 90: Map of Renter-Occupied Households Experiencing Overcrowding Statewide



Lacking Complete Plumbing and Kitchen Facilities

In comparison to the two previous housing problems, the fewest number of New Yorkers experience the housing problem of lacking complete plumbing and kitchen facilities. CHAS provides data on households experiencing these two problems by tenure, income, and housing cost burden. However, it does not provide information specific to how other protected classes, such as race, color, national origin, familial status, or disability, experienced this housing problem.

Statewide, less than 1 percent of all households experience a lack of complete plumbing and kitchen facilities. This trend persists for all regions, and renter-occupied households only experience this housing problem at a slightly higher rate than owner-occupied households (1.4 percent vs. 0.5 percent, respectively).

Additionally, the data suggests that households at lower income levels and those experiencing higher cost burdens experience this housing problem at a slightly higher rate as those at higher income levels and experiencing lower cost burdens, but the disparity is much smaller than the disparities between these households seen with other housing problems.

Fig. 91: Complete Plumbing and Kitchen Facilities by Region and Tenure

PLUMBING & KITCHEN FACILITIES - ALL OCCUPIED					
	Housing unit has complete plumbing and kitchen facilities		Housing unit lacks complete plumbing or kitchen facilities		Total households
	#	%	#	%	#
Upstate HUD-EJ	1,407,070	99.0%	14,212	1.0%	1,421,418
Upstate NYSEJ	1,346,707	99.1%	12,120	0.9%	1,358,664
Upstate Total	2,753,777	99.1%	26,332	0.9%	2,780,038
Downstate	4,476,922	99.1%	41,369	0.9%	4,518,663
Statewide	7,234,665	99.1%	68,025	0.9%	7,302,690
PLUMBING & KITCHEN FACILITIES - OWNER OCCUPIED					
	Housing unit has complete plumbing and kitchen facilities		Housing unit lacks complete plumbing or kitchen facilities		Total households
	#	%	#	%	#
Upstate HUD-EJ	878,434	99.6%	3,324	0.4%	881,792
Upstate NYSEJ	996,003	99.4%	6,411	0.6%	1,002,309
Upstate Total	1,874,437	99.5%	9,735	0.5%	1,884,101
Downstate	2,045,663	99.5%	10,230	0.5%	2,055,962
Statewide	3,922,505	99.5%	19,965	0.5%	3,942,470
PLUMBING & KITCHEN FACILITIES - RENTER OCCUPIED					
	Housing unit has complete plumbing and kitchen facilities		Housing unit lacks complete plumbing or kitchen facilities		Total households
	#	%	#	%	#
Upstate HUD-EJ	528,636	98.0%	10,888	2.0%	539,626
Upstate NYSEJ	350,704	98.4%	5,709	1.6%	356,355
Upstate Total	879,340	98.1%	16,597	1.9%	895,937
Downstate	2,431,259	98.7%	31,139	1.3%	2,462,701
Statewide	3,312,160	98.6%	48,060	1.4%	3,360,220

**Key Observations:**

- Proportionally, owner-occupied units are less likely to lack complete plumbing or kitchen facilities for nearly every income bracket in each region.
- The only exception to this trend is for households in the rural NYSEJ upstate earning less than 30 percent of AMI (extremely low-income households). About 2.7 percent of owner-occupied households fitting this description lack complete plumbing and kitchen, compared to only 2.5 percent of renter households.

- In all regions, households at lower income brackets of both owner occupied and renter occupied households are more likely to be living in a unit without complete plumbing and kitchen facilities than those in higher income brackets.

Because CHAS does not include data on kitchen and plumbing facilities broken out by racial group, this analysis focuses only on disparities by income.

*Fig. 92: Complete Plumbing and Kitchen Facilities by Household Income*

PLUMBING & KITCHEN FACILITIES - ALL OCCUPIED							
	Household Income	Housing unit has complete plumbing and kitchen facilities		Housing unit lacks complete plumbing or kitchen facilities		Total households	
		#	%	#	%	#	%
Upstate NYSEJ	≤ 30% HAMFI	144,138	98%	3,772	2.6%	147,819	100%
	30% - 50% HAMFI	152,552	98.5%	2,288	1.5%	154,799	100%
	50% - 80% HAMFI	233,961	99.1%	2,169	0.9%	236,158	100%
	80% - 100% HAMFI	142,774	99.2%	1,200	0.8%	143,971	100%
	> 100% HAMFI	673,282	99.6%	2,691	0.4%	675,917	100%
	<b>Total</b>	<b>1,346,707</b>			<b>12,120</b>		<b>1,358,664</b>
Upstate HUD-EJ	≤ 30% HAMFI	214,624	98%	5,296	2.4%	219,990	100%
	30% - 50% HAMFI	170,761	98%	2,867	1.7%	173,622	100%
	50% - 80% HAMFI	230,651	98.8%	2,635	1.1%	233,346	100%
	80% - 100% HAMFI	140,252	99.4%	886	0.6%	141,138	100%
	> 100% HAMFI	650,782	99.6%	2,528	0.4%	653,322	100%
	<b>Total</b>	<b>1,407,070</b>			<b>14,212</b>		<b>1,421,418</b>
Upstate Total	≤ 30% HAMFI	879,913	98%	16,104	1.8%	896,070	100%
	30% - 50% HAMFI	544,280	98.6%	7,407	1.3%	551,810	100%
	50% - 80% HAMFI	678,039	99.1%	6,376	0.9%	684,497	100%
	80% - 100% HAMFI	398,905	99.3%	2,629	0.7%	401,534	100%
	> 100% HAMFI	1,804,559	99.5%	8,358	0.5%	1,812,891	100%
	<b>Total</b>	<b>4,305,696</b>			<b>40,874</b>		<b>4,346,802</b>
Downstate	≤ 30% HAMFI	957,288	98%	15,705	1.6%	973,129	100%
	30% - 50% HAMFI	583,171	98.8%	7,211	1.2%	590,543	100%
	50% - 80% HAMFI	653,042	99.0%	6,240	0.9%	659,327	100%
	80% - 100% HAMFI	393,492	99.3%	2,743	0.7%	396,256	100%
	> 100% HAMFI	1,889,929	99.5%	9,470	0.5%	1,899,408	100%
	<b>Total</b>	<b>4,476,922</b>			<b>41,369</b>		<b>4,518,663</b>
Statewide	≤ 30% HAMFI	1,316,935	98.1%	24,910	1.9%	1,341,845	100%
	30% - 50% HAMFI	907,610	98.7%	12,415	1.3%	920,025	100%
	50% - 80% HAMFI	1,118,745	99.0%	11,145	1.0%	1,129,890	100%
	80% - 100% HAMFI	677,030	99.3%	4,840	0.7%	681,870	100%
	> 100% HAMFI	3,214,345	99.5%	14,715	0.5%	3,229,060	100%
	<b>Total</b>	<b>7,234,665</b>			<b>68,025</b>		<b>7,302,690</b>

#### d. Specific Populations Facing Housing Disparities

In addition to the glaring disparities in housing needs by race/ethnicity, disability, and housing tenure described above, there are many specific populations that face housing disparities not available in the dataset. Research and public engagement discussions highlight the following protected and vulnerable groups as having disproportionate housing needs compared to New Yorkers in general.

## Individuals with a History of Justice Involvement

In the public engagement process, several stakeholders described the lack of affordable housing opportunities for justice-involved individuals. The stakeholders reported that justice-involved individuals are likely to encounter discrimination from landlords who will not rent to them based on having a record.

Studies estimate that as many as one in three New Yorkers have had some form of contact with the criminal justice system.<sup>11</sup> The incarceration rate has increased dramatically in New York in the past decades; since 1970, the total jail population in New York has increased 47 percent, and since 1983, the total prison population in New York has increased by 53 percent.<sup>12</sup> This increase is particularly troubling, as research has indicated that there is a link between homelessness or housing instability and recidivism. Individuals who have a history of incarceration experience homelessness at a rate nearly seven times higher than the general population.<sup>13</sup> In the United States, approximately 570 out of every 10,000 formerly incarcerated individuals is housing insecure, which is attributable, at least in part, to the stigma of incarceration and housing discrimination. Further, homelessness and housing insecurity have been shown to increase the likelihood of re-arrest and recidivism.<sup>14</sup>

Automatic denials of individuals with a history of criminal justice involvement not only increase the risk of homelessness and recidivism, but they also disproportionately impact communities of color. In 2014, Black/African American individuals in New York State prisons represented nearly 49 percent of the incarcerated population, but represented only 15 percent of the overall population.<sup>15</sup> That same year, Hispanic/Latinx individuals in New York State prisons represented 24 percent of the prison population, but represented only 18 percent of the overall population. Adult arrest data from 2019 shows that 38 percent of those arrested were Black/African American and 24 percent were Hispanic/Latinx, with these groups represented the same overall share of the New York population from 2015.<sup>16</sup>

In light of this data, which shows that Black/African American and Hispanic/Latinx individuals are arrested and incarcerated at rates disproportionate to their white peers, it is clear that any landlord policy or practice that automatically bars applicants with a history of justice involvement is likely to have a disproportionate impact on communities of color. For this reason, as explained in Subsection VII.B.4, below, NYSHCR has prohibited the use of criminal

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<sup>11</sup> See, Clean Slate NY: <https://www.cleanslateny.org/>

<sup>12</sup> Vera Institute. "Incarceration Trends in New York," (December 2019). Online <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-new-york.pdf>

<sup>13</sup> Couloute, Lucius. "Nowhere to Go: Homelessness among formerly incarcerated people," (August 2018). Prison Policy Initiative. Online: <https://www.prisonpolicy.org/reports/housing.html>.

<sup>14</sup> Id.

<sup>15</sup> Nellis, Ashley. "The Color of Justice: Racial and Ethnic Disparity in State Prisons, (October 13, 2021). The Sentencing Project. Online: <https://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/#VII.%20Appendix>

<sup>16</sup> New York State Division of Criminal Justice Services. "NYS Adult Arrests and Prison Sentences by Race/Ethnicity in 2019," (August 31, 2020). Online: <https://www.criminaljustice.ny.gov/crimnet/ojsa/comparison-population-arrests-prison-demographics/2019%20Population%20Arrests%20Prison%20by%20Race.pdf>

background checks as an automatic bar to housing that it finances and instead requires an individualized assessment of applicants.

### Individuals with Negative or Non-Existent Credit

It remains common practice among housing providers to run a credit check on applicants and reject them if their credit score falls below a certain numerical threshold, or if their credit file is sparse or nonexistent. This practice is problematic for a number of reasons: it fails to take into account whether an applicant is in receipt of a rental subsidy that pays the rent; it does not allow for a household's episodic financial crisis such as illness or job loss; and it does not allow an applicant to demonstrate that they have paid rent on-time and in full. As we emerge from the COVID-19 pandemic, which saw many New Yorkers lose jobs and income, fall behind on bills and student loan payments, or incur significant medical debt, this tenant screening practice will only become more pernicious. For all of the reasons noted above, credit scores are poor indicators of whether a person has the ability or willingness to pay rent.

Further, such a practice disproportionately harms communities of color, survivors of domestic violence, individuals with disabilities and other vulnerable New Yorkers. Studies have found that communities of color tend to have lower credit scores than their white counterparts, due to a host of historical and ongoing harms. Among these are the persistent racial income gap, which result in the median Black/African American household earning 61 cents for each dollar earned by the median white household, and the median Hispanic/Latinx household earning 74 cents.<sup>17</sup> Layering in gender further evidences this gap: on average, Latinas are paid 55 cents for each dollar paid to white, non-Hispanic/Latino men and Black/African American women are paid 63 cents per dollar paid to white, non-Hispanic/Latino men.<sup>18</sup>

Additionally, as a group, households of color own fewer assets than white households: Black/African American households own less than seven cents for every dollar of white household wealth. Hispanic/Latinx households own under eight cents for every dollar of white household wealth. As a result, households of color may be less likely to recover from episodic financial catastrophes such as the loss of a job or serious illness.

Households of color are not the only group that are disproportionately harmed by automatic tenancy rejections due to negative credit history. Research has shown that survivors of domestic violence/intimate partner violence are often subject to economic isolation and negative credit history due to the abuse. A National Coalition Against Domestic Violence report found that between 94 and 99 percent of survivors have experienced economic abuse. An abuser may prevent a survivor from going to work or sabotage their employment, or else may prevent the survivor from accessing funds, or coerce the survivor into taking on additional debt.

Such a practice also harms individuals with medical debt or student loan debt. Individuals with disabilities may find their credit depleted due to outstanding medical bills. On a broad scale, a

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<sup>17</sup> Wilson, Valerie. "Racial Disparities in Income and Poverty Remain Largely Unchanged Amid Strong Economic Growth in 2019," (September 16, 2020). Economic Policy Institute. Online: <https://www.epi.org/blog/racial-disparities-in-income-and-poverty-remain-largely-unchanged-amid-strong-income-growth-in-2019/>

<sup>18</sup> National Partnership for Women and Families. "Quantifying America's Gender Wage Gap by Race/Ethnicity," (October 2022). Online: <https://www.nationalpartnership.org/our-work/resources/economic-justice/fair-pay/quantifying-americas-gender-wage-gap.pdf>



report published by the Consumer Financial Protection Bureau found that approximately half of all debt in collections nationwide is debt owed to hospitals or medical providers, impacting approximately one-fifth of individuals with a credit file.<sup>19</sup> In the context of student loan debt, the New York State Department of Financial Services announced in March 2021 that approximately 2.4 million New Yorkers owe \$90 billion in outstanding student loan debt. Both medical and student loan debt can contribute substantially to financial insecurity, inability to pay bills, and damaged credit history.

As explained more fully in Subsection VII.B.4 below, in 2019 NYSHCR prohibited automatic rejections due to credit and requires NYSHCR-financed housing providers to individually assess credit history for applicants in State-funded housing.

#### Very Low-Income and Homeless Individuals

The public engagement process highlighted how the availability of affordable housing for very low-income or homeless individuals is limited. As a faith leader serving the Capital region reported:

*“There’s discrimination among many groups. Where it’s really a struggle is for people who are now 30 percent of AMI or less to be able to access housing. A lot of the affordable housing programs only reach maybe, at best, 40 percent of AMI.”*

#### Individuals with Non-Wage or “Gig Economy” Lawful Sources of Income

Applicants to housing face rejections and closed doors when they disclose that they will use lawful non-wage income such as their Section 8 Housing Choice Vouchers, Social Security benefits, veterans’ benefits, or “gig economy” work such as Uber and Door Dash, to pay rent. These rejections result in New Yorkers spending more time in shelters, substandard housing, or concentrated areas of poverty because applicants are unable to find a landlord that would accept these types of income. This discrimination harms veterans, survivors of domestic violence, the elderly, individuals with disabilities, families with children and households of color, all of whom tend to be disproportionately reliant on government assistance or non-wage income, when compared to the general population.

Indeed, discrimination based on lawful source of income often works as a proxy to other forms of discrimination; a landlord might state that they did not accept Section 8 Housing Choice Vouchers as a method to keep out tenants of color or tenants with children. Such discrimination historically perpetuates patterns of segregation and concentrated areas of poverty and prevents access to important resources such as well-performing schools and access to employment.

In April 2019, New York amended its Human Right Law to protect New Yorkers from discrimination based on their lawful sources of income to pay rent. However, despite this change in the law, source of income discrimination was repeatedly cited both by the public engagement participants in this Assessment process, by New York administrators of Section 8

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<sup>19</sup> Consumer Financial Protection Bureau. “Consumer Credit Reports: A Study of Medical and Non-Medical Collections,” (December 2014). Online: [https://files.consumerfinance.gov/f/201412\\_cfpb\\_reports\\_consumer-credit-medical-and-non-medical-collections.pdf](https://files.consumerfinance.gov/f/201412_cfpb_reports_consumer-credit-medical-and-non-medical-collections.pdf)



Housing Choice Vouchers, by local fair housing organizations and by the Division of Human Rights as a major and rising basis for discrimination, despite it now being outlawed statewide. Increased education and enforcement are underway and will continue to be a meaningful action item to be carried out by NYSDHR in collaboration with NYSHCR and NYSDOS. In addition, NYSHCR requires providers of its Section 8 Housing Choice Vouchers to provide notices to recipients regarding source of income protection.

### Immigrant Communities

Stakeholders serving immigrant communities discussed the lack of affordable housing for this population particularly. Immigrants who are undocumented face particular hardships in securing affordable housing, and are often overcrowded in sub-standard, illegal dwellings that present significant safety issues. As a service provider working with immigrants reported:

*“There’s so much overcrowding...and also, substandard housing. We have had clients who have been in fires for example, just because they have to rent unlawful apartments like basements.”*

These illegal dwellings create additional housing disparities for immigrants. The stakeholders indicated that immigrants are often ejected from illegal dwellings. They also indicated that immigrants renting illegal dwellings struggle to obtain needed documentation to verify their addresses, which is required for schools and other services. As two service providers working with immigrants in the Mid-Hudson region reported:

*“I can’t emphasize the safety enough because we’ve had situations where a smoke alarm goes off and the fire department comes in and says, ‘you guys can’t be here’ and people are evicted on the spot. Local enforcement, they’re trying to do the right thing by making sure that people are safe, but then they are displacing people, and what to do with the families afterwards?”*

*“Documentation [is a barrier] because some landowners rent out spaces that are not lawful. So they don’t provide documentation for families [such as a lease]. It’s very hard to prove address verification, for example, when they have to enroll their kids in school.”*

### LGBTQ Individuals

Service providers working with LGBTQ residents discussed the specific affordable housing needs encountered by this community. These stakeholders described the need for affordable housing that is safe and affirming for LGBTQ residents, and transgender individuals, specifically.

LGBTQ individuals are more likely to face housing unaffordability and are more likely to be homeless.<sup>20</sup> LGBTQ youth in particular, experience higher levels of homelessness with the major contributing factor being rejection from their families.<sup>21</sup> Accordingly, LGBTQ youth are more likely to be in need of shelter. However, shelters are often unequipped to service LGBTQ individuals, and LGBTQ individuals face higher rates of harassment and discrimination in shelter

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<sup>20</sup> Romero, Adam P. et al. “LGBT People and Housing Affordability, Discrimination, and Homelessness,” page 4, (April 2020). UCLA School of Law Williams Institute. Online: <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Housing-Apr-2020.pdf>

<sup>21</sup> See *id* at Page 3.

settings.<sup>22</sup> This is amplified for transgender individuals, as sex-segregated shelters often house individuals by their birth-assigned gender.<sup>23</sup> LGBTQ older adults also face issues with securing affordable and safe housing.<sup>24</sup> LGBTQ older adults are more likely to live independently without a spouse or children, which are crucial support systems.<sup>25</sup> Additionally, rejection from family often continues into that individual's adult and elderly years, further reducing the availability of a safety net.<sup>26</sup> Thus, LGBTQ seniors are often forced to rely on service providers for care.<sup>27</sup> As a result, LGBTQ older adults tend to face more discrimination when seeking care because of their sexual orientation and/or gender identity.<sup>28</sup>

As a service provider working with LGBTQ residents in the New York City area explained:

*"I would say housing for trans communities [is critical]. Even [with] an LGBT affirming or friendly housing...we're not reaching enough trans people that are in dire need of affordable housing, including seniors... Trans people are often kind of erased in their identities based on the systems that are set up. So we don't even have ways to collect really accurate data, because the systems collecting data are not reflective of their identities."*

#### Survivors of Domestic Violence/Intimate Partner Violence

According to data from the New York Office for the Prevention of Domestic Violence (OPDV), more than one in three women and one in four men have experienced some form of physical violence by an intimate partner.<sup>29</sup> Nationwide, 29 million women have experienced severe physical violence from an intimate partner. Domestic violence and intimate partner violence can have severe and lasting consequences for the survivor's physical and mental health and economic well-being. The dearth of affordable housing, especially with two bedrooms to accommodate children, becomes especially problematic for survivors of domestic violence, according to service providers working with this population. These stakeholders reported that individuals are often hesitant to leave abusive relationships because of the financial impact, leading to housing insecurity that is compounded by the lack of affordable options. As a service provider from the Central region described:

*"A single woman may be even more reluctant, depending on how they perceive the consequences of that action, of leaving abusive relationship and losing their financial support. Where are they going to go, and what are they going to do after they've left a shelter?"*

Participants serving survivors of domestic violence further described how affordable housing is often located in neighborhoods that are unsafe for victims of domestic violence. They also

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<sup>22</sup> See *id.* at Page 5.

<sup>23</sup> See *id.*

<sup>24</sup> See *id.* at Page 18.

<sup>25</sup> See *id.*

<sup>26</sup> See *id.*

<sup>27</sup> See *id.*

<sup>28</sup> See *id.*

<sup>29</sup> Office for the Prevention of Domestic Violence, <https://opdv.ny.gov/domestic-violence/prevalence.html>.

noted that affordable units are often substandard, presenting health and safety issues for survivors and their children.

### Manufactured Home Residents

Stakeholders serving rural areas described disproportionate housing needs encountered by low-income rural residents residing in manufactured homes. While many residents own their manufactured home, they do not own the land, forcing them to stay where they are.

Manufactured home residents who are in land contracts were described by a service provider serving the North Country as particularly under-served:

*“People [living in manufactured homes] on land contracts, they’re not owners but they’re not renters, and they totally fall through the cracks for just about every program that exists.”*

Participants across a number of regions indicated that residents of manufactured homes often live in unsafe and unhealthy housing conditions. Moisture issues contributing to mold were often mentioned, as well as the manufactured home falling into disrepair due to the inability of residents to afford upkeep. The stakeholders further indicated that manufactured homes are often concentrated in disinvested, low-income rural areas that are far from opportunities.

## 2. Public Engagement

In addition to the housing needs (i.e. overcrowding, rent burden and housing conditions) and specific populations discussed above, the interviews and focus groups provided further insight into the factors leading to the disproportionate housing needs experienced by communities of color and vulnerable New Yorkers. Exclusionary practices such as local opposition, land use and zoning laws and gentrification/displacement of residents due to economic pressures (all as discussed more in Subsections VI.A.2 and B.2, above) were discussed as reasons why New Yorkers of color and low-income families are constrained to live in substandard conditions or be rent burdened. Participants also discussed the lack of affordable housing as disproportionately affecting low-income families and communities of color, resulting in reduced housing choice for these communities.

### E. Fair Housing Issue 5: Publicly Supported & Affordable Housing Analysis

NYSHCR also looked at the siting and distribution of publicly supported housing statewide and in the subregions. The analysis uses data provided by HUD on publicly supported affordable housing including Section 8 Housing Choice Vouchers (HCV) and Project-based Vouchers, public housing, as well as other HUD-funded units. These units include those administered and/or financed by local, state, and federal agencies. In addition, NYSHCR analyzed internal data on the agency’s own affordable multifamily housing stock, particularly the housing financed with its allocation of federal low-income housing tax credits (LIHTC).

Key takeaways from analysis and public engagement on the issue are:

- White households are underrepresented in all categories of assisted housing except for “Other Multifamily” housing assisted by HUD, which is largely targeted towards older

adults and people with disabilities. Black and Hispanic/Latinx households are overrepresented.

- The disparities are even more extreme within R/ECAPs: white households in R/ECAPs make up a smaller proportion of assisted housing recipients than within R/ECAPs, while Black and Hispanic/Latinx households are a larger proportion, with the sole exception being “Other Multifamily” housing built downstate.
- NYSHCR’s LIHTC new construction projects are disproportionately concentrated in areas of low social and economic mobility, but the proportion of projects in the highest-scoring tracts for both education and social and economic mobility are increasing relative to the overall portfolio of LIHTC-funded housing.

## 1. Analysis

Subsection (a) below is an analysis of HUD-financed housing with data provided by HUD for its programs which include the Section 8 Housing Choice Voucher Program and federally-funded Public Housing. The following subsection (b) analyzes NYSHCR-financed housing using NYSHCR data for affordable housing financed by NYSHCR through programs like state and federal low-income housing tax credits.

### a. HUD-Financed Housing

The following is an analysis of HUD-financed housing with data provided by HUD for its programs which include the Section 8 Housing Choice Voucher Program and federally-funded Public Housing. The following Subsection (b) analyzes NYSHCR-financed housing using NYSHCR data for affordable housing financed by NYSHCR through programs like state and federal low-income housing tax credits.

#### Demographics of HUD-Financed Housing

##### ***Disparities in HUD-assisted Program Participation by Race/Ethnicity***

In all regions of the state, Black/African American households are represented among Public Housing residents in higher concentrations than in any other category of publicly-assisted housing. In all regions, the next highest concentrations of Black/African American households are among HCV recipients.

In all regions of the state, white households represent a higher proportion of the “Other Multifamily” population than the HCV, Project-based Voucher, or Public Housing populations. In HUD-EJs upstate, white households also represent noticeably higher proportions of the Project-based Voucher population.

Hispanic/Latinx households are most represented among Public Housing residents upstate and among Project-based Voucher residents downstate. Unlike Black/African American households, who represent a much smaller proportion of Project-based Voucher recipients than they do HCV recipients, Hispanic/Latinx households represent similar proportions of the HCV and Project-based Voucher portfolios in all regions of the state.

Asian/Pacific Islander households represent roughly similar proportions of the recipients of all publicly-supported housing categories, with the most notable exception being downstate, where they represent a much higher proportion of “Other Multifamily” households than any

other category. In HUD-EJs (including both upstate and downstate) they represent a slightly higher proportion of Project-based Voucher recipients.

### ***HUD-assisted Housing Program Participation Relative to Income Eligibility***

Figure 93 shows the racial/ethnic makeup of each category of HUD-supported housing in the different sub-regions for the four most populous racial/ethnic categories in the state, as well as the makeup of the relevant income categories in those regions. Comparing the demographics of each low-income bracket with the assisted housing serving people of that income shows which parts of the state's assisted housing stock is disproportionately serving a single racial or ethnic group. Section 8 Housing Choice Vouchers, Project-Based Vouchers, and the "Other Multifamily" projects largely serve the extremely low income (earning less than 30 percent of AMI) population, while Public Housing is a mix of extremely low-income, very low-income (less than 50 percent of AMI), and low income (less than 80 percent of AMI) households.

For all regions and forms of public housing assistance, white households are under-represented, both relative to their overall proportion of the population and to the eligible income categories. The only exception is among "Other Multifamily" households in the HUD-defined Entitlement Jurisdictions upstate, where they represent a higher proportion of residents (70 percent) than the relevant income category (59 percent of households at 30 percent AMI).

Black/African American households, on the other hand, are over-represented among Public Housing residents and both HCV and Project-based Voucher recipients in all regions, both relative to the overall population and the eligible income categories. They are similarly under-represented among "Other Multifamily" households in all regions. The same pattern holds with Hispanic/Latinx households, though downstate they are represented in "Other Multifamily" developments at a rate much closer to their proportion of the population.

Asian/Pacific Islander households are, like white households, underrepresented in all categories of publicly assisted housing except for "Other Multifamily." In the case of Asian/Pacific Islander households the over-representation in the "Other Multifamily" category happens downstate, rather than upstate, as with white households.

Fig. 93 Relative Concentrations of Racial/Ethnic Groups in HUD Supported Housing and Income Levels

Region	Entitlement Jurisdiction	Population Category	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic
Upstate	HUD-EJ	<30% AMI	59%	25%	4%	12%
		<50% AMI	65%	21%	3%	10%
		<80% AMI	70%	18%	3%	9%
		Housing Choice Vouchers	34%	46%	1%	15%
		Public Housing	26%	51%	1%	20%
		Project Based Section 8	54%	26%	2%	16%
		Other Multifamily	70%	15%	2%	7%
		Overall Population	79%	12%	3%	6%
Upstate	NYS-EJ	<30% AMI	91%	3%	2%	4%
		<50% AMI	92%	2%	1%	4%
		<80% AMI	93%	2%	1%	3%
		Housing Choice Vouchers	77%	8%	1%	7%
		Public Housing	82%	9%	1%	7%
		Project Based Section 8	84%	7%	1%	7%
		Other Multifamily	85%	3%	1%	2%
		Overall Population	95%	2%	1%	2%
Upstate	Both	<30% AMI	72%	16%	3%	9%
		<50% AMI	77%	13%	2%	7%
		<80% AMI	81%	11%	2%	6%
		Housing Choice Vouchers	49%	33%	1%	12%
		Public Housing	40%	40%	1%	17%
		Project Based Section 8	65%	20%	2%	13%
		Other Multifamily	74%	12%	1%	6%
		Overall Population	87%	7%	2%	4%
Downstate	Both	<30% AMI	32%	24%	10%	34%
		<50% AMI	34%	23%	10%	32%
		<80% AMI	36%	23%	10%	30%
		Housing Choice Vouchers	18%	35%	2%	42%
		Public Housing	23%	37%	4%	34%
		Project Based Section 8	19%	28%	8%	45%
		Other Multifamily	23%	20%	19%	36%
		Overall Population	50%	18%	10%	22%
Statewide	Both	<30% AMI	43%	22%	8%	27%
		<50% AMI	47%	20%	8%	25%
		<80% AMI	52%	19%	7%	22%
		Housing Choice Vouchers	28%	34%	2%	33%
		Public Housing	27%	38%	4%	31%
		Project Based Section 8	33%	26%	6%	35%
		Other Multifamily	38%	18%	14%	27%
		Overall Population	64%	14%	7%	15%

Figure 94, below, restates the demographic distribution of the state’s HUD-supported housing, along with other information about residents. In all areas of the state and all HUD-supported housing assistance categories, white and Asian/Pacific Islander households are under-represented relative to the rest of the region while Black/African American and Hispanic/Latinx households are over-represented. White households represent 50 percent

of households downstate but only 18 percent of Section 8 Housing Choice Voucher recipients, 19 percent of Project-Based Voucher recipients, and 23 percent of Public Housing residents.

*Fig. 94: Overall Demographics of HUD Supported Housing Programs*

Region	Entitlement Jurisdiction	HUD Program	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Avg. % Native American / Indigenous	Avg. % Households w. Children	Avg. % w. Disability	Avg. % Age 62 or Older
Upstate	HUD Entitlement Jurisdictions	Housing Choice Vouchers	34%	46%	1%	15%	0%	39%	32%	26%
		Public Housing	26%	51%	1%	20%	0%	30%	35%	34%
		Project Based Section 8	54%	26%	2%	16%	1%	21%	28%	49%
		Other Multifamily	70%	15%	2%	7%	1%	0%	17%	86%
Upstate	New York State Entitlement Jurisdiction	Housing Choice Vouchers	77%	8%	1%	7%	1%	34%	33%	28%
		Public Housing	82%	9%	1%	7%	1%	27%	36%	45%
		Project Based Section 8	84%	7%	1%	7%	1%	13%	32%	63%
		Other Multifamily	85%	3%	1%	2%	1%	0%	14%	85%
Upstate	Both	Housing Choice Vouchers	49%	33%	1%	12%	1%	37%	33%	27%
		Public Housing	40%	40%	1%	17%	0%	29%	35%	37%
		Project Based Section 8	65%	20%	2%	13%	1%	18%	29%	54%
		Other Multifamily	74%	12%	1%	6%	1%	0%	16%	86%
Downstate	Both	Housing Choice Vouchers	18%	35%	2%	42%	0%	33%	30%	37%
		Public Housing	23%	37%	4%	34%	0%	31%	38%	44%
		Project Based Section 8	19%	28%	8%	45%	0%	21%	15%	59%
		Other Multifamily	23%	20%	19%	36%	0%	0%	13%	92%
Statewide	Both	Housing Choice Vouchers	28%	34%	2%	33%	0%	34%	31%	34%
		Public Housing	27%	38%	4%	31%	0%	30%	37%	43%
		Project Based Section 8	33%	26%	6%	35%	0%	20%	19%	57%
		Other Multifamily	38%	18%	14%	27%	0%	0%	14%	90%

Not surprisingly, New Yorkers aged 62 and older represent the highest proportions of “Other Multifamily” housing residents, as many of these developments are set aside for older adults or people with disabilities.

In all parts of the state, households with children live in higher concentrations in Housing Choice Voucher and Public Housing than Project-Based Voucher developments. Households with children are not represented in the “Other Multifamily” category for reasons described above.

People with disabilities are found in the highest concentrations in Public Housing and Housing Choice Voucher households.

[Siting of HUD-Supported Housing with Respect to R/ECAP](#)

Publicly-supported housing is overrepresented in R/ECAPs. As in Subsection VI.B, above, the alternative definition of R/ECAP was used in the assessment of the degree to which publicly-supported housing is concentrated in these communities. This is to better capture areas of the state where poverty is concentrated along race and ethnicity lines even in areas where there is a small non-white population (such as in the NYSEJ). A R/ECAP for this Assessment refers to a



census tract that is both less than 80 percent white and has a 25 percent or higher rate of people living below the poverty level.

Figure 95, below, shows the total number of HUD-supported housing units in R/ECAPs for each category and region, and the number per 1,000 households. Analyzing the number of units per 1,000 households more clearly illustrates the degree to which subsidized housing makes up a substantial proportion of the housing stock in R/ECAPs, even in lower population regions where the overall number of units may not seem as high.

**Key Takeaways:**

Publicly-supported housing is concentrated in R/ECAPs at a significantly higher rate than the state overall. Despite only 18 percent of households (1.2m out of 6.68m) being in R/ECAPs Statewide, 61 percent of HUD-supported housing units are (350,000 out of over 570,000).

In all regions of the state, the number of HUD-supported units per 1,000 households in R/ECAPs is many times higher than the rate outside R/ECAPs.

- **EXAMPLE:** R/ECAPs downstate have 152 Public Housing units per 1,000 households, compared to only 8 Public Housing units per 1,000 households in non-R/ECAP tracts. Because R/ECAPs represent only a small proportion of the downstate region’s population, this works out to only 40 Public Housing units per 1,000 households for the region as a whole.

*Fig. 95: Distribution of HUD Supported Housing in R/ECAPs*

Region	Entitlement Jurisdiction	Public Housing Units	HCV Units	Project-based Sec. 8 Units	Other HUD Multifamily Units	Total HUD Units	Total Households	Public Housing Units per 1,000 Households	HCV Units per 1,000 Households	Project-based Sec. 8 Units per 1,000 Households	Other HUD Multifamily Units per 1,000 Households	Total HUD Units per 1,000 Households
<b>RECAP</b>												
Upstate	HUD-EJ	12,786	25,897	10,021	797	49,498	268,555	48	96	37	3	184
	NYS-EJ	696	1,286	959	20	2,961	19,100	36	67	50	1	155
	Both	13,482	27,183	10,980	817	52,459	287,655	47	94	38	3	182
Downstate	Both	143,994	100,189	46,804	5,998	296,978	946,897	152	106	49	6	314
Statewide	Both	157,476	127,372	57,784	6,815	349,437	1,234,552	128	103	47	6	283
<b>Non-RECAP</b>												
Upstate	HUD-EJ	3,832	22,833	10,032	2,418	39,115	1,120,539	3	20	9	2	35
	NYS-EJ	4,586	26,433	9,549	1,133	41,700	1,358,790	3	19	7	1	31
	Both	8,418	49,266	19,581	3,551	80,815	2,479,329	3	20	8	1	33
Downstate	Both	28,589	79,215	28,692	4,296	140,804	3,551,645	8	22	8	1	40
Statewide	Both	37,007	128,481	48,273	7,847	221,619	6,030,974	6	21	8	1	37
<b>Total</b>												
Upstate	HUD-EJ	16,618	48,730	20,053	3,215	88,613	1,389,094	12	35	14	2	64
	NYS-EJ	5,282	27,719	10,508	1,153	44,661	1,377,890	4	20	8	1	32
	Both	21,900	76,449	30,561	4,368	133,274	2,766,984	8	28	11	2	48
Downstate	Both	172,583	179,404	75,496	10,294	437,782	4,498,542	38	40	17	2	97
Statewide	Both	194,483	255,853	106,057	14,662	571,056	7,265,526	27	35	15	2	79

In all regions of the state HUD-supported housing is disproportionately concentrated in R/ECAPs, with the proportion of HUD-supported housing in that region located in R/ECAPs being many times larger than the overall proportion of households in that region located in R/ECAPs. Over half of HUD-supported housing in the HUD-EJs upstate and 68 percent of HUD-supported housing downstate are located in R/ECAPs, despite only 20 percent and 23 percent of the population of those regions living in R/ECAPs, respectively. A much smaller proportion of HUD-supported housing in the upstate NYSEJ (7 percent) is located in R/ECAPs, but this actually represents a much larger imbalance than the other two regions, as R/ECAPs only hold 1 percent of NYSEJ households upstate.

*Fig. 96: Distribution of Total HUD Supported Portfolio by Region*

Region	Entitlement Jurisdiction	Proportion of HUD Assets in Region	Proportion of Households in Region
<b>RECAP</b>			
Upstate	HUD-EJ	56%	20%
	NYS-EJ	7%	1%
	Both	39%	11%
Downstate	Both	68%	23%
Statewide	Both	61%	18%
<b>Non-RECAP</b>			
Upstate	HUD-EJ	44%	80%
	NYS-EJ	93%	99%
	Both	61%	89%
Downstate	Both	32%	77%
Statewide	Both	39%	82%

Variation in the Demographics of HUD-Supported Housing between R/ECAPs and non-R/ECAP Census Tracts

***By Race/Ethnicity***

For all categories of HUD-supported housing, the concentration of white households receiving assistance is lower in R/ECAPs than outside.

- **EXAMPLE:** In R/ECAPs across the entire state, HCVs are 12 percent white, Public Housing is 21 percent white, Project-based Vouchers are 19 percent white, and “Other Multifamily” units are 19 percent white. Outside, R/ECAPs, however, they are 43 percent, 40 percent, 52 percent, and 55 percent white, respectively.

Similarly, for all categories of HUD-supported housing, the concentration of Black/African American and Hispanic/Latinx households receiving assistance are higher in R/ECAPs than outside them. This trend is most significant for Black/African American households in HUD-EJs upstate and for Hispanic/Latinx households downstate.

- **EXAMPLE:** HCV recipients in R/ECAPs in HUD-EJs are 59 percent Black/African American, but in non-R/ECAPs in that region they are 32 percent Black/African American, a 27 percent spread. HCV households in R/ECAPs downstate are 52 percent Hispanic/Latinx compared to 29 percent in non-R/ECAPs, a 23 percent spread.

There are no “Other Multifamily” developments in R/ECAPs in the NYSEJ.

Asian/Pacific Islander households have very little difference between their concentrations in R/ECAP vs. non-R/ECAP census tracts, with the notable exception being Project-based Voucher recipients downstate; PBV households downstate are on average 7 percent Asian/Pacific Islander in R/ECAPs, but 21 percent Asian/Pacific Islander outside R/ECAPs.

**By Other Protected Characteristics**

Figure 97 shows the difference in the demographics of HUD-supported housing within R/ECAPs compared to the same category of housing outside R/ECAPs. HUD-subsidized housing in R/ECAPs serve a larger proportion of families with children than HUD-subsidized housing outside R/ECAPs in all categories except for “Other Multifamily” projects downstate.

- **EXAMPLE:** In R/ECAPs statewide, Public Housing tenants are 33 percent families with children, compared to 24 percent outside RECAPs.

Consequently, HUD-supported housing in R/ECAPs serves a smaller proportion of households with members aged 62 and older than HUD-supported housing outside R/ECAPs, with the largest difference being in “Other Multifamily” developments downstate.

- **EXAMPLE:** In R/ECAPs statewide, Project-based Voucher recipients are 48 percent older adults, compared to 66 percent outside R/ECAPs.

*Fig. 97: Demographics of HUD-Assisted Housing in R/ECAPs vs. Other Census Tracts*

RECAP										
Region	Entitlement Jurisdiction	HUD Program	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Avg. % Native American / Indigenous	Avg. % Households w. Children	Avg. % w. Disability	Avg. % Age 62 or Older
Upstate	HUD-EJ	Housing Choice Vouchers	22%	59%	1%	17%	0%	43%	31%	23%
		Public Housing	17%	58%	1%	22%	0%	33%	32%	31%
		Project Based Section 8	36%	38%	2%	24%	1%	24%	31%	41%
		Other Multifamily	35%	39%	1%	16%	0%	0%	20%	81%
Upstate	NYS-EJ	Housing Choice Vouchers	43%	23%	0%	31%	1%	50%	23%	21%
		Public Housing	40%	27%	2%	31%	1%	32%	34%	40%
		Project Based Section 8	54%	17%	3%	23%	1%	22%	34%	46%
		Other Multifamily	0%	0%	0%	0%	0%	0%	0%	0%
Upstate	Both	Housing Choice Vouchers	23%	57%	1%	18%	0%	43%	31%	23%
		Public Housing	18%	57%	1%	23%	0%	33%	32%	31%
		Project Based Section 8	38%	36%	2%	24%	1%	24%	31%	42%
		Other Multifamily	34%	38%	1%	16%	0%	0%	19%	79%
Downstate	Both	Housing Choice Vouchers	8%	37%	2%	52%	0%	35%	29%	34%
		Public Housing	22%	39%	4%	36%	0%	34%	37%	41%
		Project Based Section 8	9%	29%	6%	57%	0%	26%	16%	50%
		Other Multifamily	17%	21%	18%	45%	0%	0%	9%	97%
Statewide	Both	Housing Choice Vouchers	12%	42%	2%	45%	0%	37%	29%	32%
		Public Housing	21%	42%	3%	33%	0%	33%	36%	39%
		Project Based Section 8	15%	30%	5%	50%	0%	25%	19%	48%
		Other Multifamily	19%	23%	16%	41%	0%	0%	10%	95%

Non-RECAP										
Region	Entitlement Jurisdiction	HUD Program	Avg. % White	Avg. % Black	Avg. % Asian / Pacific Islander	Avg. % Hispanic	Avg. % Native American / Indigenous	Avg. % Households w. Children	Avg. % w. Disability	Avg. % Age 62 or Older
Upstate	HUD-EJ	Housing Choice Vouchers	47%	32%	1%	13%	0%	35%	33%	29%
		Public Housing	57%	26%	1%	14%	0%	21%	43%	44%
		Project Based Section 8	72%	16%	2%	9%	1%	19%	26%	56%
		Other Multifamily	82%	7%	2%	4%	1%	0%	16%	88%
Upstate	NYS-EJ	Housing Choice Vouchers	78%	8%	1%	6%	1%	33%	34%	28%
		Public Housing	88%	6%	1%	4%	0%	26%	36%	46%
		Project Based Section 8	87%	6%	1%	5%	1%	12%	31%	64%
		Other Multifamily	87%	3%	1%	2%	1%	0%	14%	87%
Upstate	Both	Housing Choice Vouchers	64%	19%	1%	9%	1%	34%	33%	29%
		Public Housing	73%	15%	1%	9%	0%	24%	39%	45%
		Project Based Section 8	79%	11%	2%	7%	1%	15%	29%	60%
		Other Multifamily	84%	6%	2%	4%	1%	0%	15%	87%
Downstate	Both	Housing Choice Vouchers	30%	33%	2%	29%	0%	30%	32%	40%
		Public Housing	27%	33%	7%	32%	0%	24%	38%	52%
		Other Multifamily	32%	19%	21%	24%	0%	0%	19%	86%
		Project Based Section 8	33%	28%	11%	27%	0%	13%	14%	71%
Statewide	Both	Housing Choice Vouchers	43%	28%	2%	21%	0%	32%	33%	35%
		Public Housing	40%	28%	5%	25%	0%	24%	38%	50%
		Project Based Section 8	52%	21%	7%	19%	0%	14%	20%	66%
		Other Multifamily	55%	13%	12%	15%	1%	0%	17%	86%

### [Access to Opportunity for HUD-Supported Housing](#)

Examining the relative concentrations of HUD-supported housing between census tracts based on their Economic and Social Mobility scores using the Child Opportunity Index (discussed above in Subsection VI.C) gives an indication of the degree to which federal housing funds are affirmatively furthering fair housing by increasing access to high-opportunity neighborhoods. For these purposes, “lowest-scoring” and “highest-scoring” tracts refer to those with scores of 0-20 and 81-100, respectively.

#### Key Observations

In all regions of the state, every category of HUD-supported housing is disproportionately concentrated in the worst-performing tracts.

- EXAMPLE:** Statewide, the vast majority (82 percent) of Public Housing and a slight majority (52 percent) of Project-based Vouchers are located in the worst performing Census Tracts for Social and Economic Mobility, along with just under a majority (49 percent) of HCV households and 44 percent of “Other Multifamily” households. Only 17 percent of the state’s total households are located in these tracts.

The most extreme disparity is in Public Housing located in the NYSEJ. Only 3 percent of households in the NYSEJ are in the lowest-scoring tracts, while 32 percent of Public Housing units are.

“Other Multifamily” units in the NYSEJ represent the only instance in which assisted housing is over-represented in the highest performing tracts: 24 percent of “Other Multifamily” units are in the highest performing tracts, though only 18 percent of overall households in that region live in those tracts.

*Fig. 98: HUD-Assisted Housing, by Economic and Social Mobility Score*

Region	Entitlement Jurisdiction	Social / Economic Mobility Index	Public Housing	% of Public Housing	HCV	% of HCV	Project-based Sec. 8	% of Project-based Sec. 8	Other	% of Other	HUD Total	% of HUD Total	Total Households	% of Households	# of Tracts
Upstate	HUD-EJ	High	224	1%	2,494	5%	1,546	8%	766	24%	5,030	6%	419,604	30%	232
		Medium	3,744	23%	25,421	52%	8,909	44%	1,659	52%	39,736	45%	757,435	55%	495
		Low	12,650	76%	20,815	43%	9,598	48%	790	25%	43,847	49%	212,055	15%	197
Upstate	NYS-EJ	High	67	1%	1,540	6%	674	6%	358	31%	2,640	6%	253,685	19%	142
		Medium	3,550	67%	23,341	84%	9,027	86%	741	64%	36,657	82%	1,065,380	79%	706
		Low	1,665	32%	2,838	10%	807	8%	54	5%	5,364	12%	36,510	3%	27
Upstate	Both	High	291	1%	4,034	5%	2,220	7%	1,124	26%	7,670	6%	673,289	25%	374
		Medium	7,294	33%	48,762	64%	17,936	59%	2,400	55%	76,393	57%	1,822,815	66%	1,201
		Low	14,315	65%	23,653	31%	10,405	34%	844	19%	49,211	37%	248,565	9%	224
Downstate	Both	High	1,831	1%	5,262	3%	3,390	4%	564	5%	11,050	3%	997,714	22%	535
		Medium	24,818	14%	72,838	41%	27,575	37%	4,062	39%	129,298	30%	2,592,456	58%	1,867
		Low	145,934	85%	101,304	56%	44,531	59%	5,668	55%	297,434	68%	908,248	20%	578
Statewide	Both	High	2,122	1%	9,296	4%	5,610	5%	1,688	12%	18,720	3%	1,671,003	23%	909
		Medium	32,112	17%	121,600	48%	45,511	43%	6,462	44%	205,691	36%	4,415,271	61%	3,068
		Low	160,249	82%	124,957	49%	54,936	52%	6,512	44%	346,645	61%	1,156,813	16%	802
		Total	194,483	100%	255,853	100%	106,057	100%	14,662	100%	571,056	100%	7,243,087	100%	4,779

**b. NYSHCR’s Low Income Housing Tax Credits (LIHTC)**

The Low-Income Housing Tax Credit is one of the most powerful tools NYSHCR has to directly remedy disparities in access to opportunity by creating and preserving affordable housing in communities with access to good jobs, good schools, and a healthy environment. To get a sense of the degree to which the state has been using its LIHTC allocations to further these ends and increase access to opportunity in its projects, NYSHCR examined the geographic distribution of its portfolio across the state and examined the proportion of projects located in census tracts that score highly on the COI and AFFH-T fair housing indices discussed in the Mobility and Access to Opportunity section (VI.C). The analysis below looks at social and economic mobility, access to quality education, environmentally healthy areas, and transportation. As described in Subsection VII.B.1, NYSHCR has increased incentives for developers of new affordable housing to create multifamily projects in well-resourced areas, including \$6 million set-asides of LIHTCs.

As with the mobility analysis, NYSHCR supplemented or substituted the AFFH-T fair housing indices with the COI indices in order to take advantage of the broader range of measures used by the Child Opportunity Institute that directly relate not just to the current conditions in neighborhoods but to the potential for future growth for the children who live there. The weighting done by the Child Opportunity Institute when creating their composite scores for Education, Social and Economic Mobility, and Health and Environmental Quality are all based on empirical measures of the impact these different factors have on childhood development, and therefore create a more holistic picture of opportunity and mobility.

NYSHCR paid particular attention to the proportion of new construction projects that closed in the last 6 years relative to the overall portfolio of projects under supervision as a measure of the agency’s success in promoting mobility relative to past siting decisions. Though preservation of the existing affordable housing stock is a major priority of the agency’s, it is naturally limited in its impact on mobility due to the limited geographic scope of existing affordable housing. Each section separately looks at the subset of recent unit production that is set aside for older adults.

This subsection only accounts for where the housing is located but does not factor in whether the housing is part of a community revitalization plan that seeks to bring resources to underserved areas (such as the Downtown Revitalization Initiative described further in Subsection VII.B.2 and certain projects like Vital Brooklyn described in Subsection VII.A.1).

### [Siting with Respect to Social and Economic Mobility](#)

#### **Key Observations**

Rehabilitation projects conducted since 2015 are disproportionately concentrated in the middle-performing tracts for Social and Economic mobility in the NYSEJ and in the lowest-performing tracts in the HUD EJs, both upstate and downstate.

- **EXAMPLE:** Fifty-seven percent of preserved units statewide are in the lowest performing tracts, though these tracts contain only 30 percent of the state’s renters and only 25 percent of the state’s cost burdened households.

This is likely due to the composition of the agency’s existing portfolio of assets under management, of which 44 percent of units are located in the lowest-scoring tracts.

New construction projects, for which the agency has greater influence over siting, remain disproportionately concentrated in low-scoring tracts, but with a proportion in the highest-scoring tracts slightly higher than the overall portfolio of assets under management, indicating incremental progress in the agency’s efforts to incentivize affordable development there.

- **EXAMPLE:** Ten percent of new construction units statewide are in the highest-scoring tracts, compared to 8 percent of assets under management. This is driven entirely by new construction projects in the HUD-EJs upstate, where 15 percent of new units were in high-scoring tracts. Only 8 percent of assets under management in the HUD-EJs upstate are located in high-scoring tracts.

At the same time, new construction was also concentrated in the *lowest*-scoring tracts relative to the makeup of the portfolio of assets under management. Fifty percent of new units were in the lowest-scoring tracts statewide, compared to 44 percent of assets under management.

A higher proportion of new senior units were located in the highest-scoring tracts (12 percent, compared to the 10 percent mentioned above), representing just under 25 percent of the new construction in the highest-performing tracts.

*Fig. 99: Recent NYS HCR LIHTC Production for Multifamily Units Compared to Housing Tenure, by Economic and Social Mobility Score*

Region	Entitlement Jurisdiction	Social / Economic Mobility Index	Multifamily Units (2015-2020)	% Multifamily Units (2015-2020)	Multifamily Units - New Construction (2015-2020)	% Multifamily Units - New Construction (2015-2020)	Multifamily Units - Rehabilitation (2015-2020)	% Multifamily Units - Rehabilitation (2015-2020)	% Multifamily Units Under HCR Supervision	% Renter Households	% Cost Burdened Households	# of Tracts
Upstate	HUD-EJ	High	1,331	9%	1,099	15%	232	3%	8%	15%	17%	200
		Medium	5,282	37%	2,498	34%	2,784	40%	49%	57%	55%	483
		Low	7,630	54%	3,658	50%	3,972	57%	43%	28%	28%	195
Upstate	NYS-EJ	High	284	4%	284	9%	0	0%	12%	13%	14%	128
		Medium	6,397	89%	2,743	84%	3,654	92%	76%	81%	82%	665
		Low	546	8%	223	7%	323	8%	12%	6%	5%	26
Upstate	Both	High	1,615	8%	1,383	13%	232	2%	9%	14%	15%	328
		Medium	11,679	54%	5,241	50%	6,438	59%	58%	67%	67%	1,148
		Low	8,176	38%	3,881	37%	4,295	39%	33%	19%	18%	221
Downstate	Both	High	1,633	5%	1,457	8%	176	1%	8%	13%	12%	354
		Medium	9,999	31%	5,946	34%	4,053	28%	40%	53%	60%	1,682
		Low	20,329	64%	9,952	57%	10,377	71%	53%	34%	28%	576
Statewide	Both	High	3,248	6%	2,840	10%	408	2%	8%	13%	13%	682
		Medium	21,678	41%	11,187	40%	10,491	41%	48%	57%	61%	2,830
		Low	28,505	53%	13,833	50%	14,672	57%	44%	30%	25%	797

*Fig. 100: Recent NYS HCR LIHTC Production for Senior Units, by Economic and Social Mobility Score*

Region	Entitlement Jurisdiction	Social / Economic Mobility Index	Senior Units (2015-2020)	% Senior Units (2015-2020)	Senior Units - New Construction (2015-2020)	% Senior Units - New Construction (2015-2020)	Senior Units - Rehabilitation (2015-2020)	% Senior Units - Rehabilitation (2015-2020)
Upstate	HUD-EJ	High	476	17%	267	28%	209	11%
		Medium	1,270	46%	490	52%	780	43%
		Low	1,016	37%	187	20%	829	46%
Upstate	NYS-EJ	High	0	0%	0	0%	0	0%
		Medium	2,260	95%	694	91%	1,566	98%
		Low	110	5%	70	9%	40	2%
Upstate	Both	High	476	9%	267	16%	209	6%
		Medium	3,530	69%	1,184	69%	2,346	69%
		Low	1,126	22%	257	15%	869	25%
Downstate	Both	High	229	10%	134	9%	95	11%
		Medium	991	42%	440	29%	551	65%
		Low	1,158	49%	962	63%	196	23%
Statewide	Both	High	705	9%	401	12%	304	7%
		Medium	4,521	60%	1,624	50%	2,897	68%
		Low	2,284	30%	1,219	38%	1,065	25%



Maps of Recent LIHTC Projects with Respect to Social and Economic Mobility

Below are maps of the locations of new construction and rehabilitation projects financed since 2015, with the highest and lowest scoring census tracts for social and economic mobility highlighted, covering both the whole state and major metropolitan areas.

*Fig. 101: Map of Recent HCR LIHTC Production and Census Tracts by Social and Economic Mobility Score – Statewide*

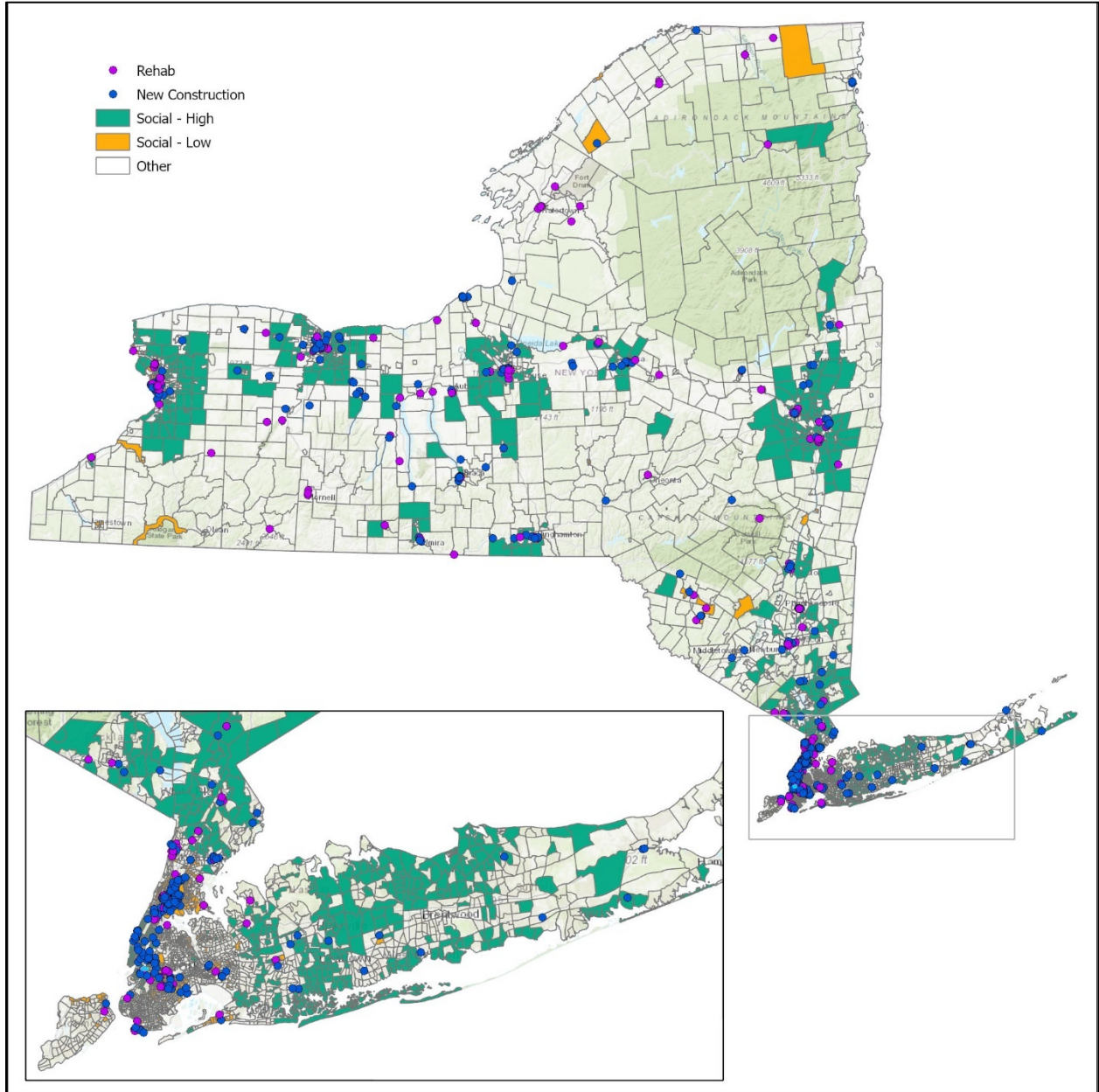


Fig. 102: Map of Recent HCR LIHTC Production and Census Tracts by Social and Economic Mobility Score – NYC

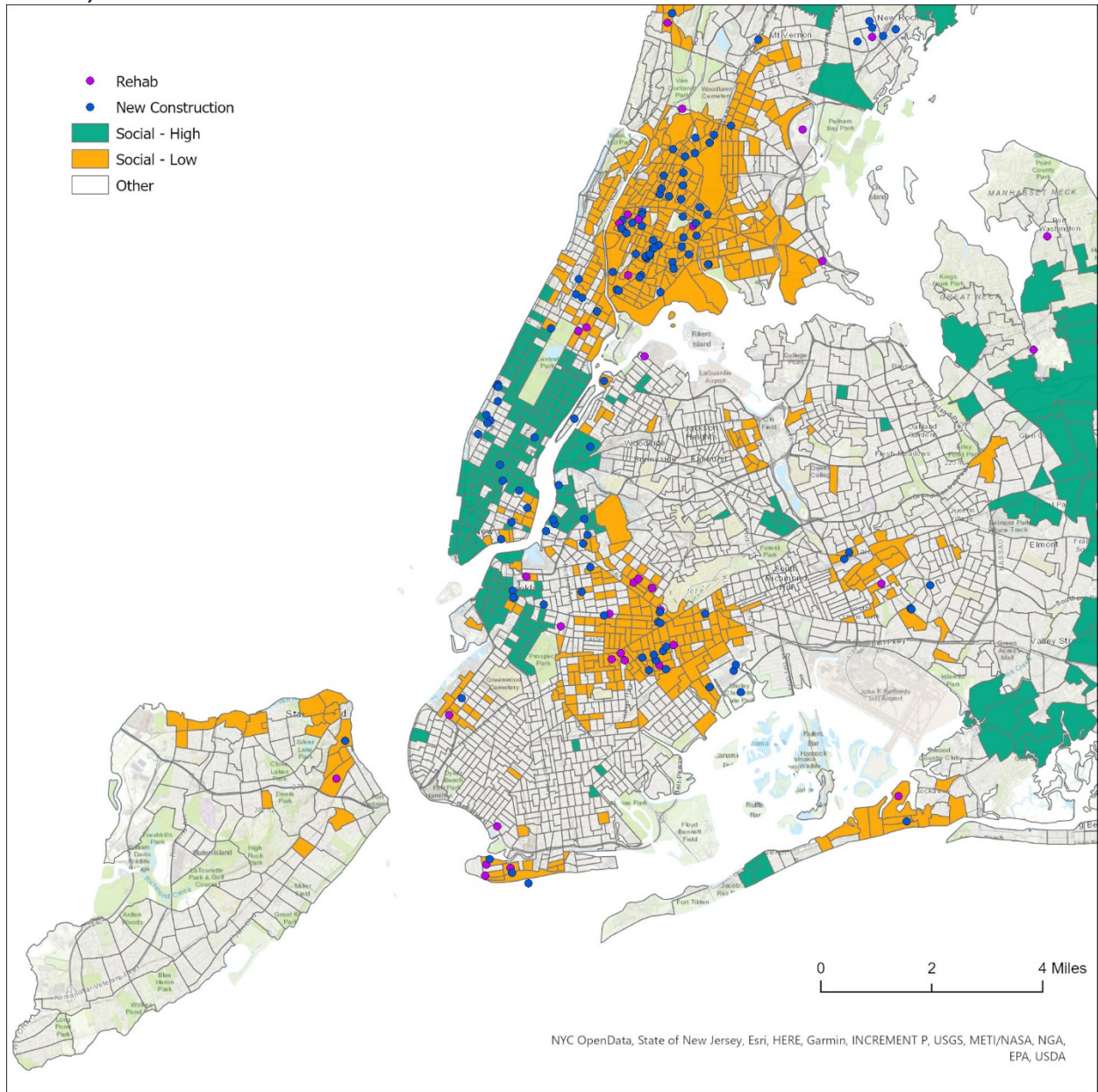


Fig. 103: Map of Recent HCR LIHTC Production and Census Tracts by Social and Economic Mobility Score – Buffalo/Erie County

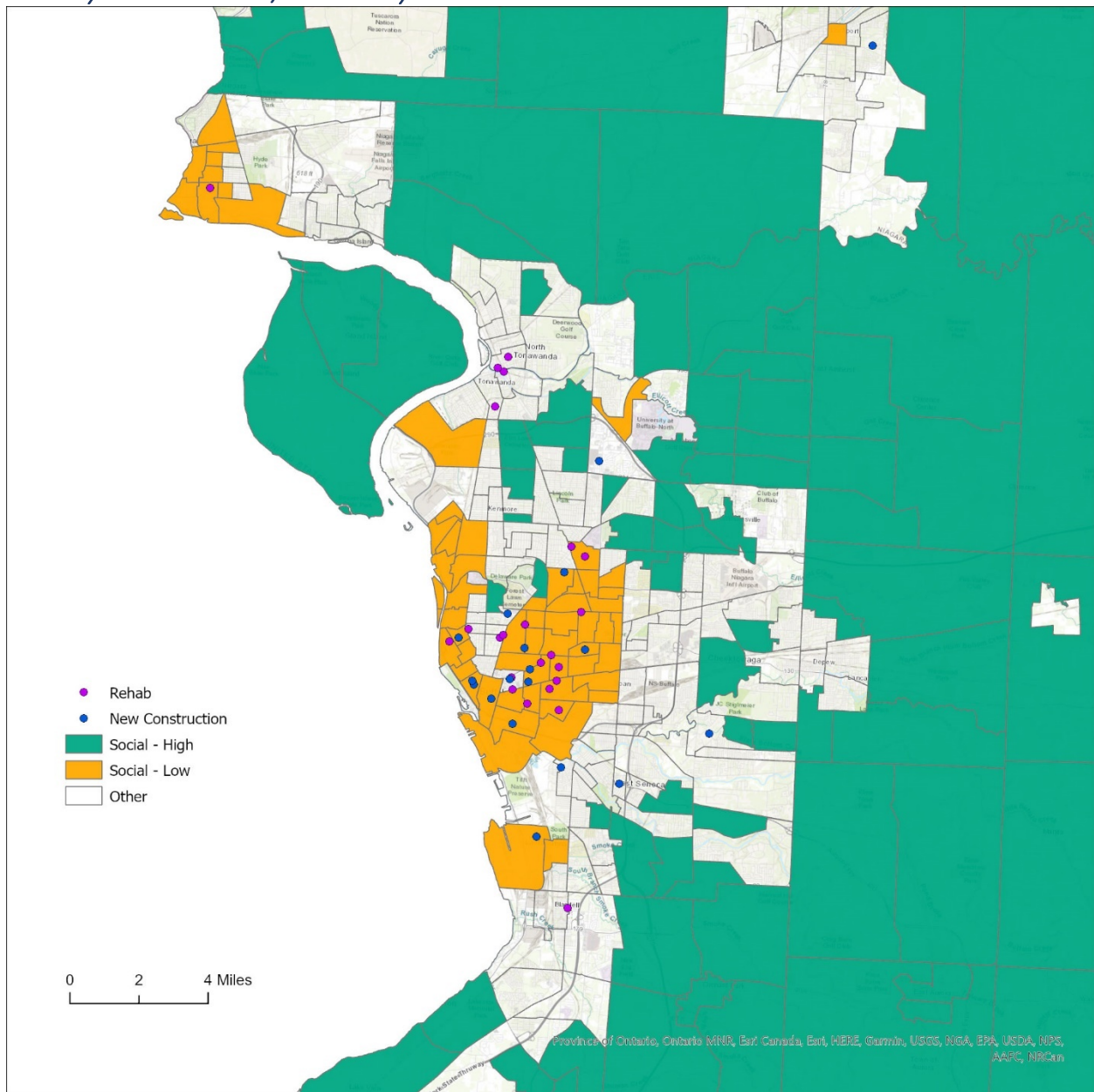




Fig. 104: Map of Recent HCR LIHTC Production and Census Tracts by Social and Economic Mobility Score – Rochester/Monroe County

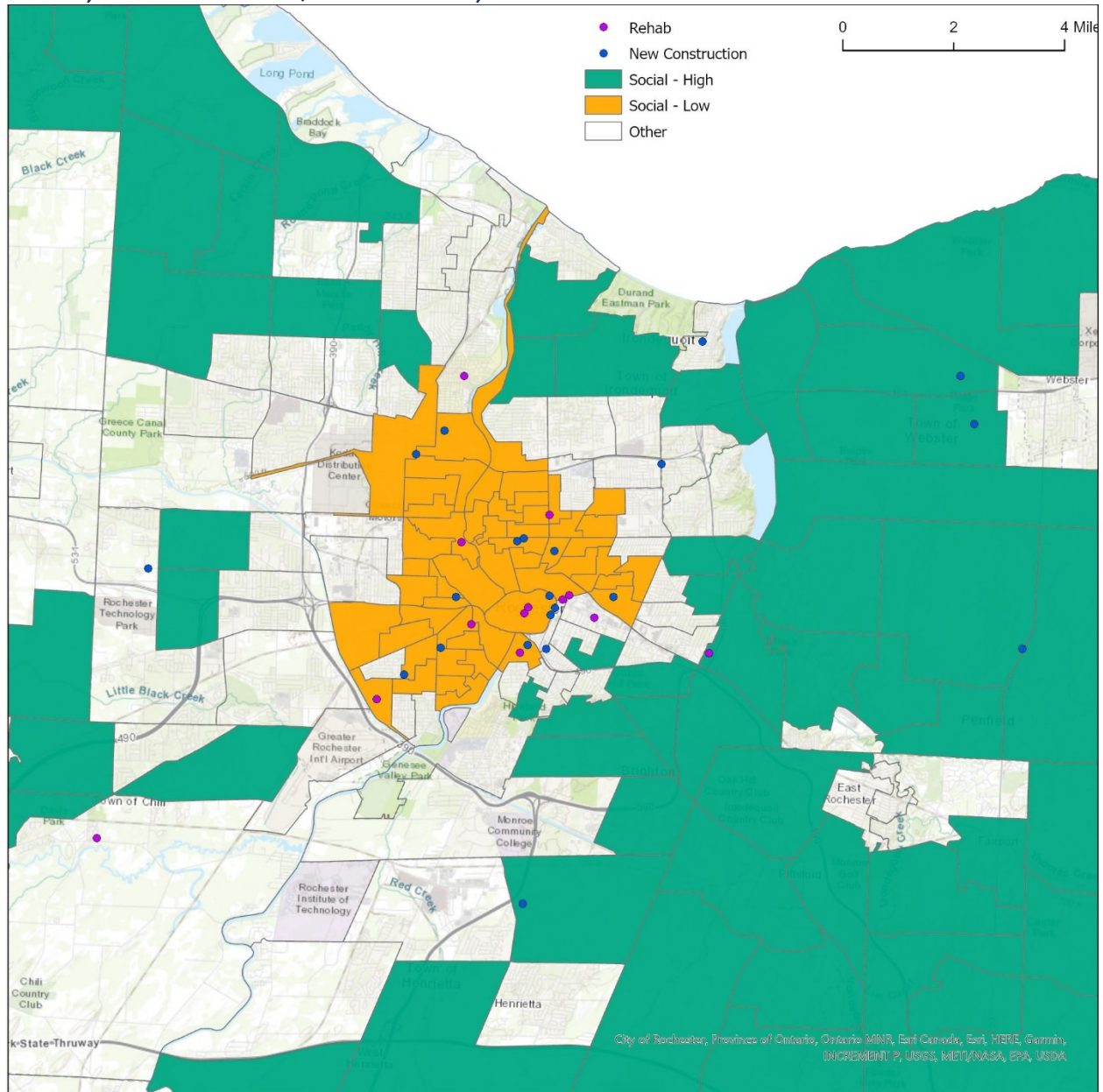


Fig. 105: Map of Recent HCR LIHTC Production and Census Tracts by Social and Economic Mobility Score – Syracuse/Onondaga County

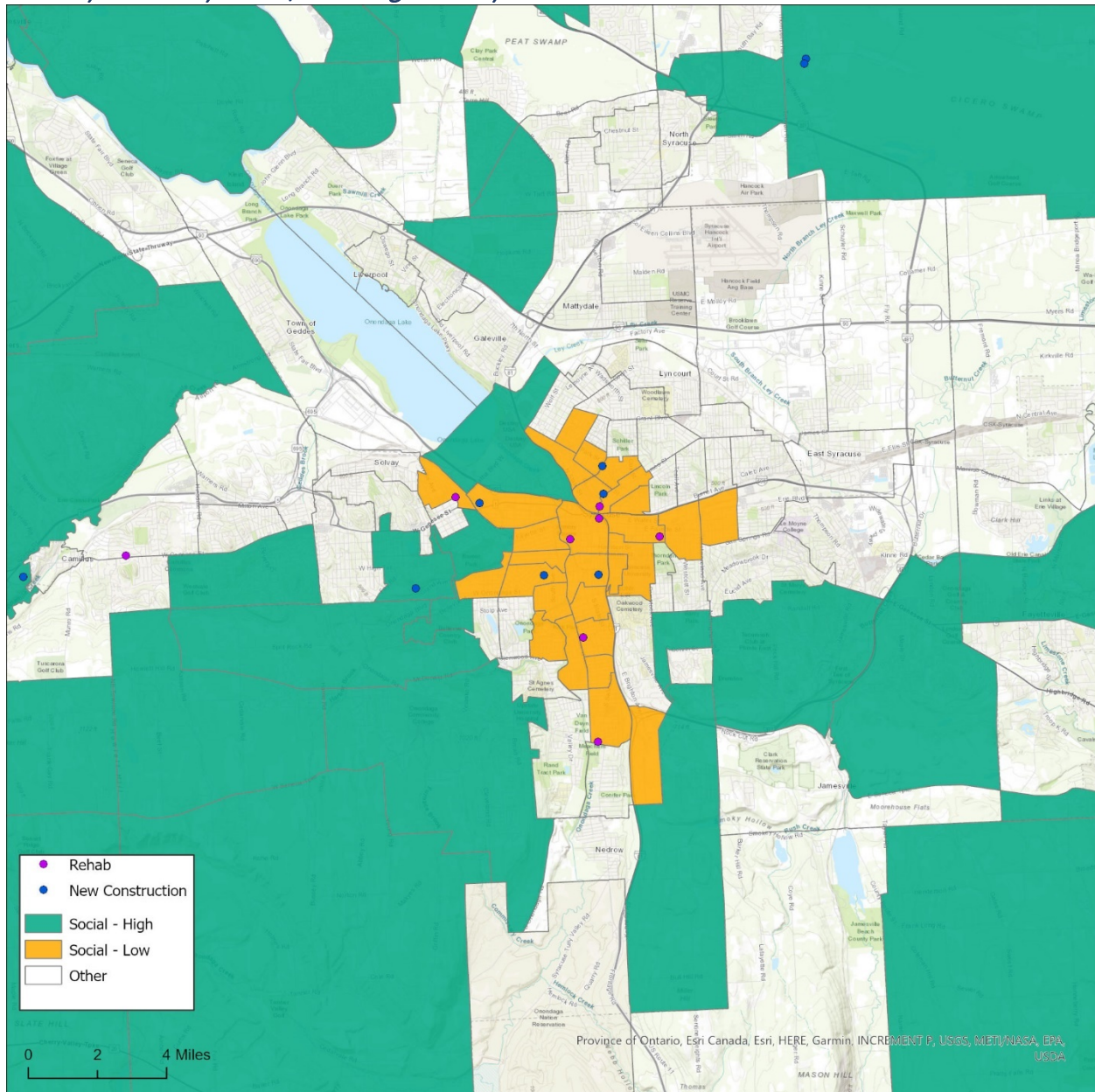
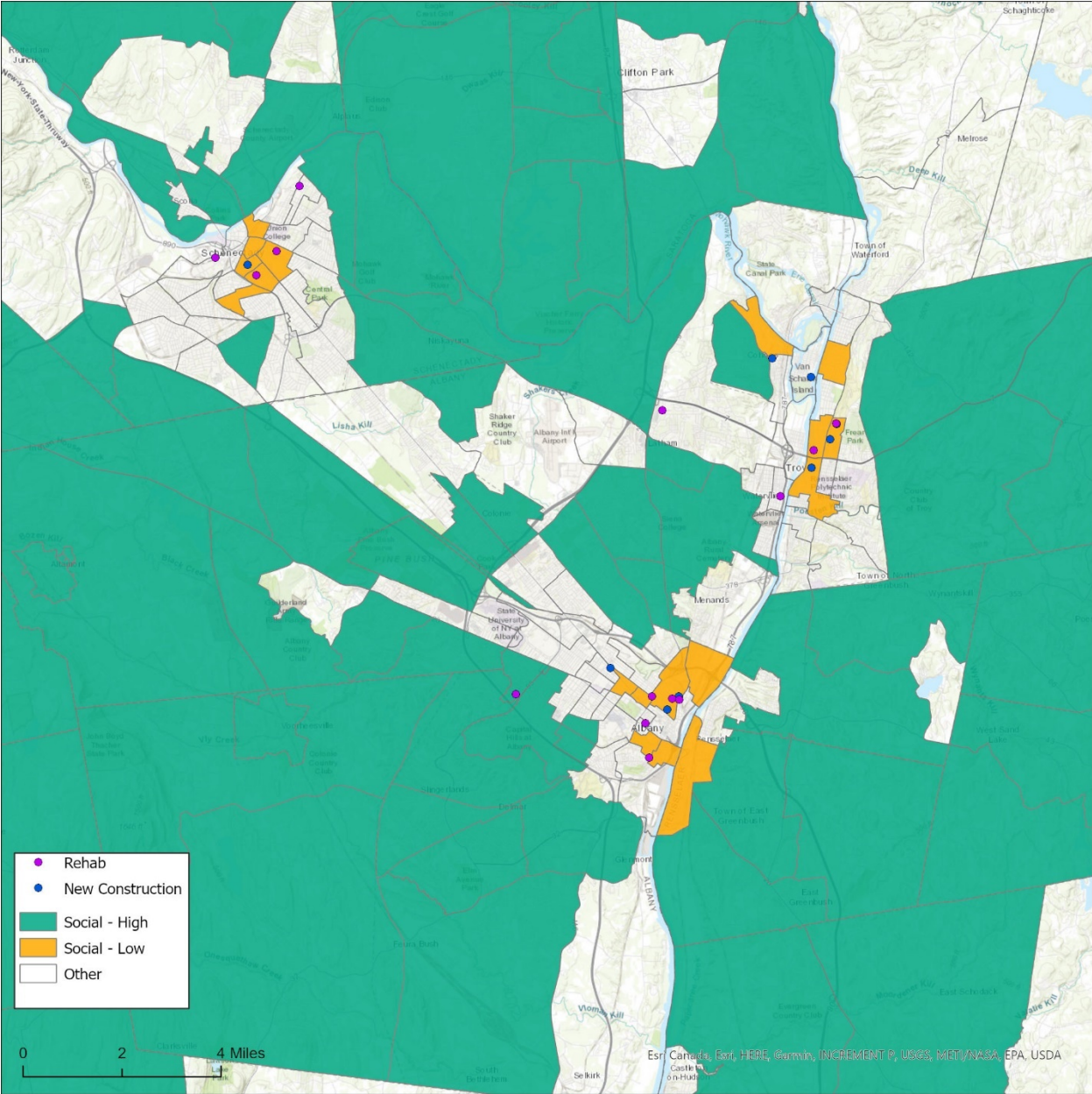




Fig. 106: Map of Recent HCR LIHTC Production and Census Tracts by Social and Economic Mobility Score – Albany/Capital Region



Siting with Respect to Education Quality

When evaluating tracts based on school quality rather than socioeconomic mobility, the overall proportion of new construction in high-scoring tracts is higher (11 percent compared to 10 percent noted above), and the proportion of senior units is lower (10 percent of new construction in these tracts was housing for older adults, compared to the 25 percent noted above). As with socioeconomic mobility, the overall distribution of the portfolio of assets under management and the projects that began construction in the last 6 years skew much more heavily towards the lower-scoring tracts compared to those tracts’ proportions of the total rental housing stock, though the number of new construction projects in the highest scoring

tracts financed in the last 6 years is higher than those tracts' share of the overall portfolio of assets under management.

*Fig. 107: Recent HCR LIHTC Production for Multifamily Units Compared to Housing Tenure, by Educational Opportunity Score*

Region	Entitlement Jurisdiction	Education Index	Multifamily Units (2015-2020)	% Multifamily Units (2015-2020)	Multifamily Units - New Construction (2015-2020)	% Multifamily Units - New Construction (2015-2020)	Multifamily Units - Rehabilitation (2015-2020)	% Multifamily Units - Rehabilitation (2015-2020)	% Multifamily Units Under HCR Supervision	% Renter Households	% Cost Burdened Households	# of Tracts
Upstate	HUD-EJ	High	1,036	7%	803	11%	233	3%	10%	14%	15%	132
		Medium	4,584	32%	2,781	38%	1,803	26%	39%	48%	48%	455
		Low	8,623	61%	3,671	51%	4,952	71%	51%	38%	37%	291
Upstate	NYS-EJ	High	835	12%	238	7%	597	15%	13%	15%	14%	103
		Medium	5,382	74%	2,604	80%	2,778	70%	78%	79%	80%	669
		Low	1,010	14%	408	13%	602	15%	9%	6%	6%	47
Upstate	Both	High	1,871	9%	1,041	10%	830	8%	11%	14%	15%	235
		Medium	9,966	46%	5,385	51%	4,581	42%	51%	60%	61%	1,124
		Low	9,633	45%	4,079	39%	5,554	51%	38%	25%	24%	338
Downstate	Both	High	2,884	9%	2,101	12%	783	5%	14%	21%	18%	487
		Medium	13,863	43%	6,485	37%	7,378	51%	46%	56%	59%	1,591
		Low	15,214	48%	8,769	51%	6,445	44%	40%	24%	23%	534
Statewide	Both	High	4,755	9%	3,142	11%	1,613	6%	12%	19%	17%	722
		Medium	23,829	45%	11,870	43%	11,959	47%	48%	57%	60%	2,715
		Low	24,847	47%	12,848	46%	11,999	47%	39%	24%	23%	872

*Fig. 108: Recent HCR LIHTC Production for Senior Units, by Educational Opportunity Score*

Region	Entitlement Jurisdiction	Education Index	Senior Units (2015-2020)	% Senior Units (2015-2020)	Senior Units - New Construction (2015-2020)	% Senior Units - New Construction (2015-2020)	Senior Units - Rehabilitation (2015-2020)	% Senior Units - Rehabilitation (2015-2020)
Upstate	HUD-EJ	High	337	12%	219	23%	118	6%
		Medium	1,057	38%	498	53%	559	31%
		Low	1,368	50%	227	24%	1,141	63%
Upstate	NYS-EJ	High	670	28%	73	10%	597	37%
		Medium	1,603	68%	600	79%	1,003	62%
		Low	97	4%	91	12%	6	0%
Upstate	Both	High	1,007	20%	292	17%	715	21%
		Medium	2,660	52%	1,098	64%	1,562	46%
		Low	1,465	29%	318	19%	1,147	33%
Downstate	Both	High	185	8%	40	7%	145	7%
		Medium	1,058	44%	795	32%	263	32%
		Low	1,135	48%	701	61%	434	61%
Statewide	Both	High	1,192	16%	332	7%	860	20%
		Medium	3,718	50%	1,893	32%	1,825	43%
		Low	2,600	35%	1,019	61%	1,581	37%

[Maps of Recent LIHTC Projects with Respect to Educational Opportunity](#)

Below are maps of the same rehabilitation and new construction projects financed since 2015 outlined above, with high and low scoring tracts for educational opportunity highlighted.



Fig. 109: Map of Recent HCR LIHTC Production and Census Tracts by Educational Opportunity Score – Statewide

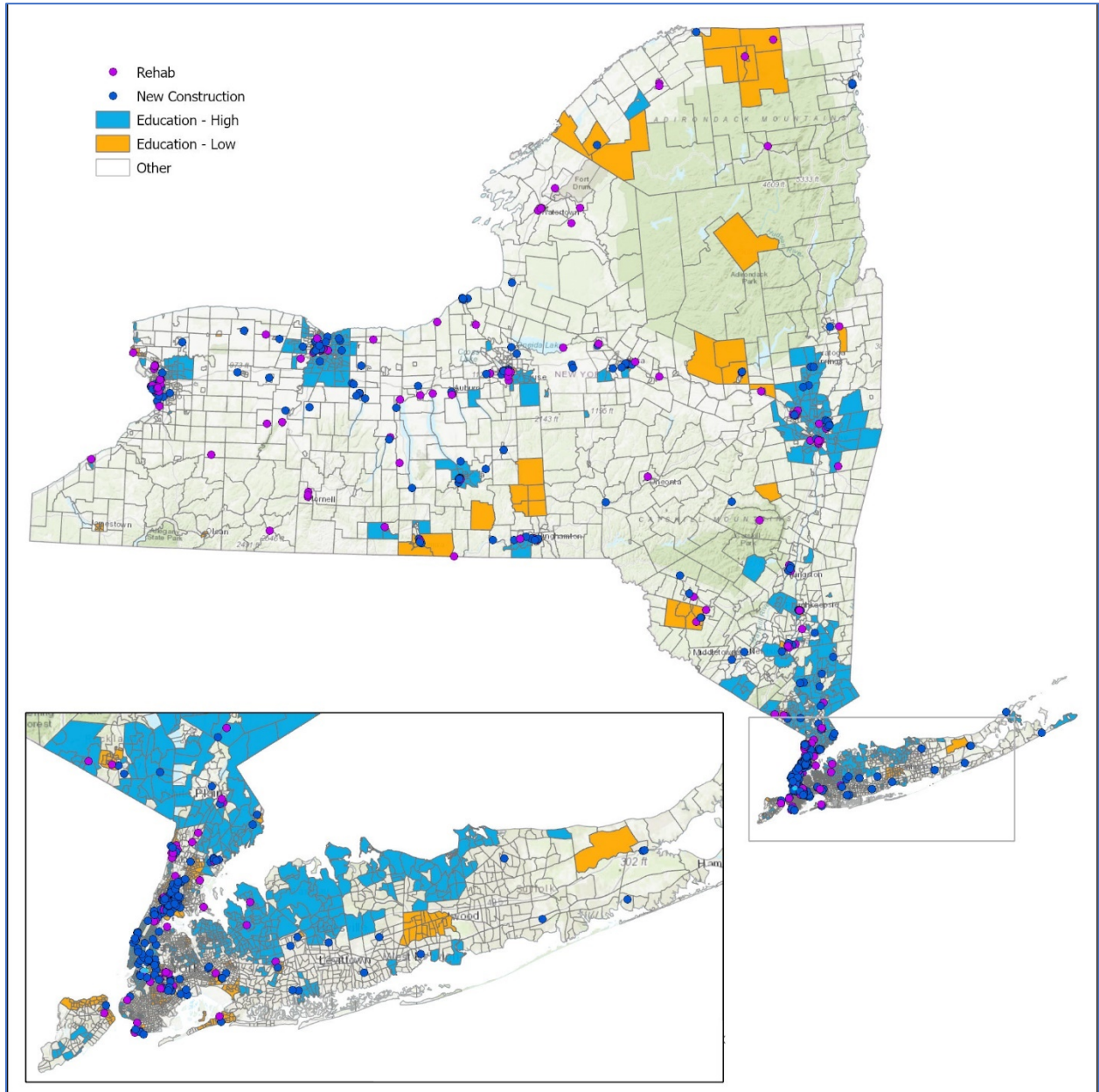


Fig. 110: Map of Recent HCR LIHTC Production and Census Tracts by Educational Opportunity Score – NYC

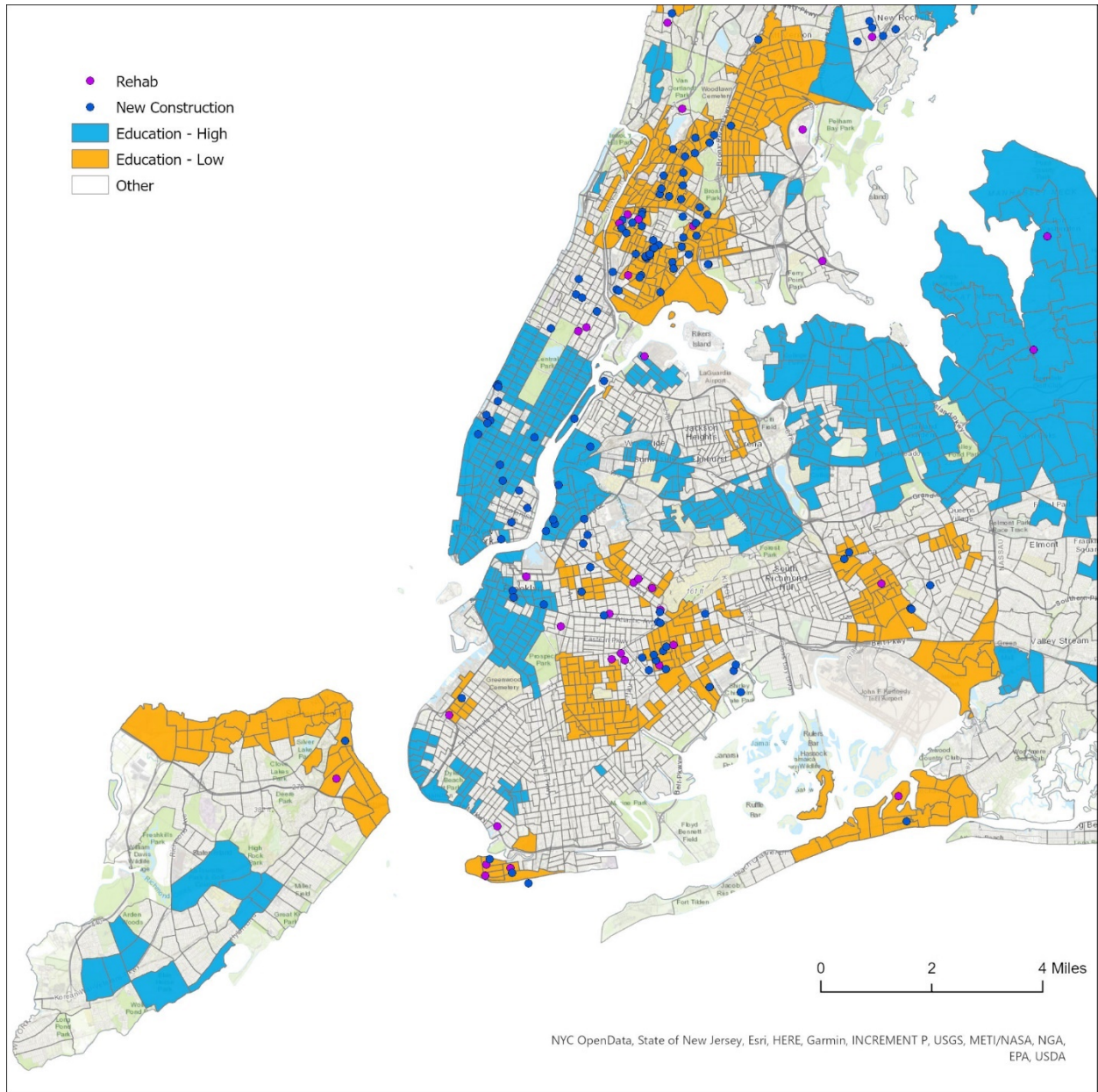




Fig. 111: Map of Recent HCR LIHTC Production and Census Tracts by Educational Opportunity Score – Buffalo/Erie County

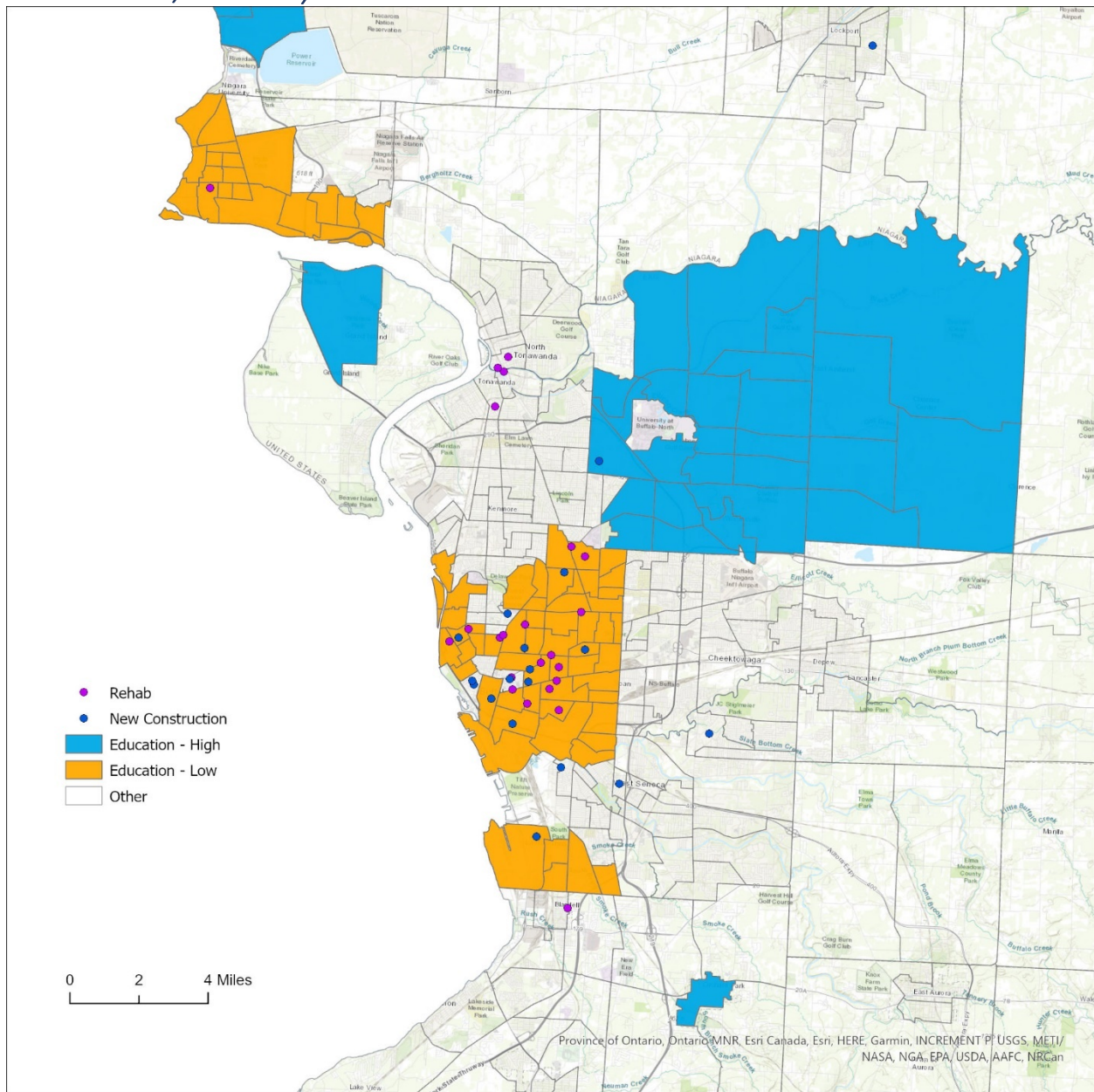
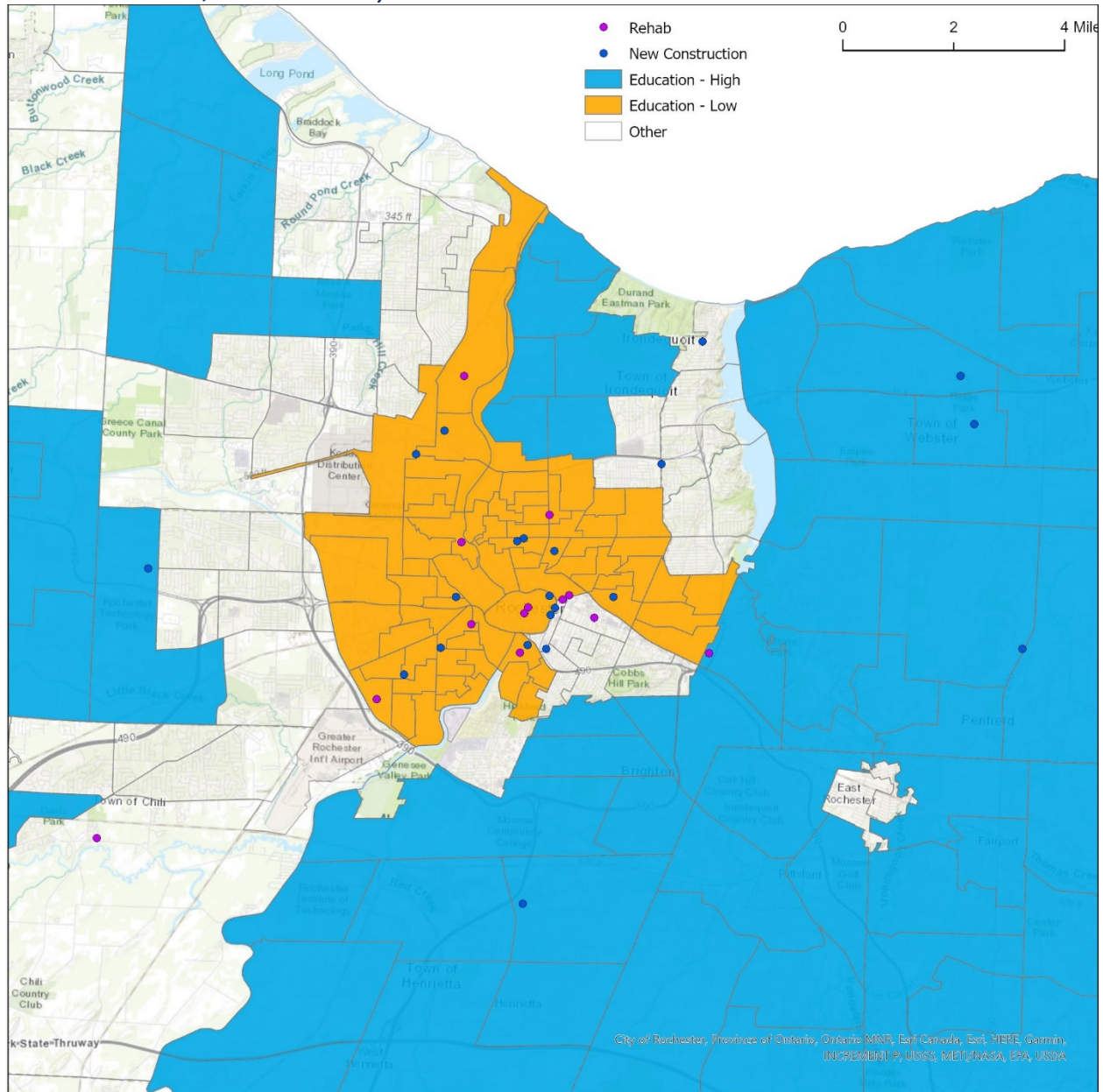
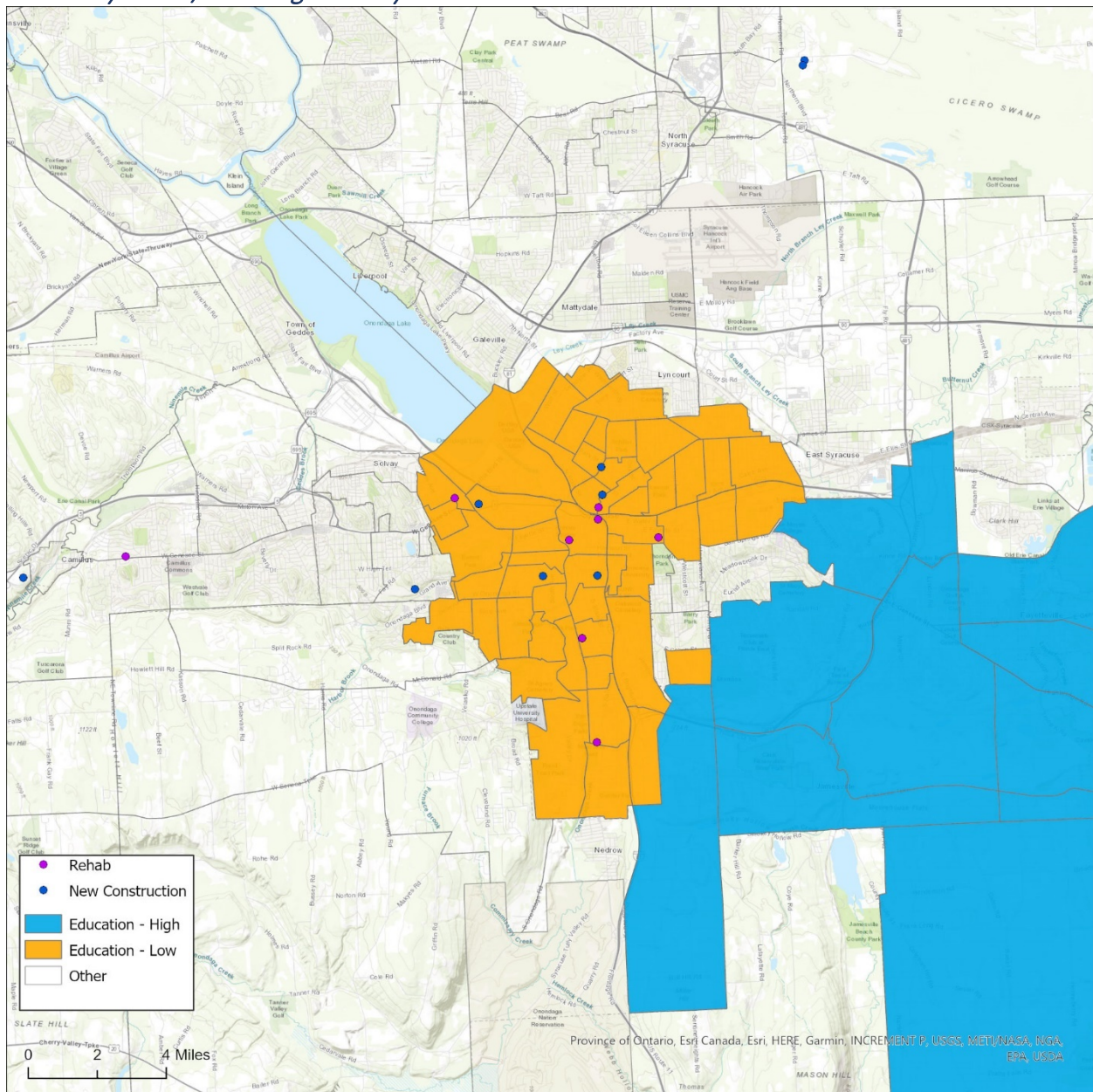


Fig. 112: Map of Recent HCR LIHTC Production and Census Tracts by Educational Opportunity Score – Rochester/Monroe County

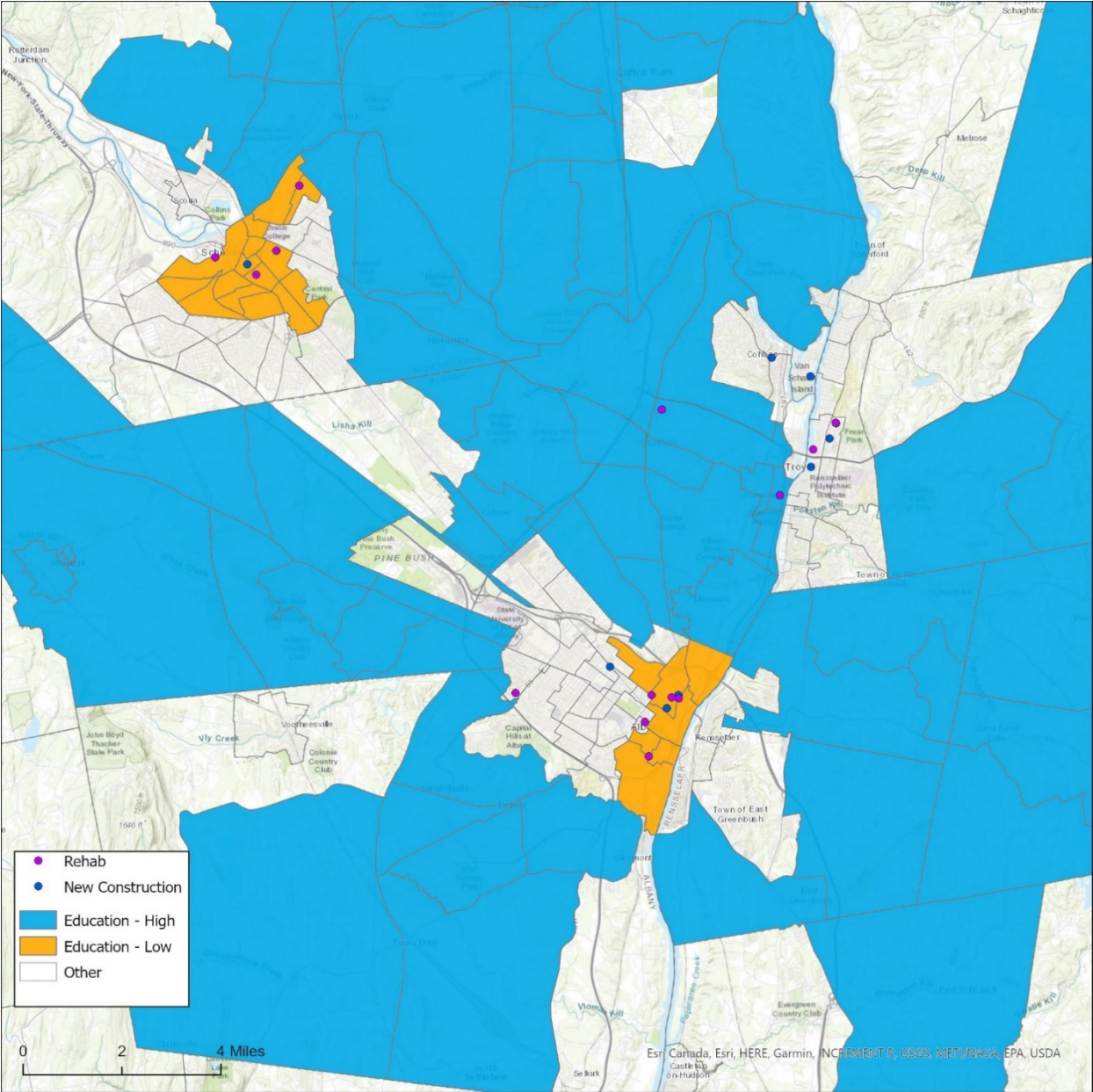




*Fig. 113: Map of Recent HCR LIHTC Production and Census Tracts by Educational Opportunity Score – Syracuse/Onondaga County*



*Fig. 114: Map of Recent HCR LIHTC Production and Census Tracts by Educational Opportunity Score – Albany/Capital District*



Siting with Respect to Segregation, R/ECAP, Poverty

Multifamily projects that closed in the last 6 years were disproportionately located in R/ECAP tracts. Fifty-one percent of project units funded since 2015 – including both new construction and preservation, where the agency has little control over the location of the project and is bound by historic siting decision – were located in R/ECAPs, despite only 19 percent of households living in R/ECAPs (see Fair Housing Issue 2: Racial/Ethnic Concentrations of Poverty).



Fig. 115: Recent HCR LIHTC Production in R/ECAPs vs. Other Census Tracts

Region	Entitlement Jurisdiction	Multifamily Units (2015-2020)	Multifamily Units - New Construction (2015-2020)	Multifamily Units - Rehabilitation (2015-2020)	Senior Units (2015-2020)	Senior Units - New Construction (2015-2020)	Senior Units - Rehabilitation (2015-2020)	% Multifamily Units (2015-2020)	% Multifamily Units (Overall)
<b>RECAP</b>									
Upstate	HUD-EJ	8,614	4,171	4,443	918	187	731	16%	15%
	NYS-EJ	652	18	634	12	12	0	1%	1%
	Both	9,266	4,189	5,077	930	199	731	17%	16%
Downstate	Both	17,811	9,649	8,162	1,257	1,061	196	33%	29%
Statewide	Both	27,077	13,838	13,239	2,187	1,260	927	51%	45%
<b>Non-RECAP</b>									
Upstate	HUD-EJ	5,629	3,084	2,545	1,844	757	1,087	11%	15%
	NYS-EJ	6,697	3,304	3,393	2,415	774	1,641	13%	13%
	Both	12,326	6,388	5,938	4,259	1,531	2,728	23%	28%
Downstate	Both	14,150	7,706	6,444	1,121	475	646	26%	27%
Statewide	Both	26,476	14,094	12,382	5,380	2,006	3,374	49%	55%
<b>Total</b>									
Upstate	HUD-EJ	14,243	7,255	6,988	2,762	944	1,818	27%	30%
	NYS-EJ	7,349	3,322	4,027	2,427	786	1,641	14%	14%
	Both	21,592	10,577	11,015	5,189	1,730	3,459	40%	44%
Downstate	Both	31,961	17,355	14,606	2,378	1,536	842	60%	56%
Statewide	Both	53,553	27,932	25,621	7,567	3,266	4,301	100%	100%

Siting with Respect to Well-Resourced Area Tracts

As described above, NYSHCR has set forth a series of census tracts based on school performance and percentage of poverty called “Well-Resourced Areas.” Affordable housing development is incentivized in these areas through additional points in the Qualified Allocation Plan for the distribution of these credits.

The agency has had success in directing funding for projects in these high priority tracts, with 3,943 units financed in the last six years, almost all of it new construction, a majority of which is directed towards non-senior populations. However, these projects still represent only a small portion of the agency’s portfolio of recent projects, and the agency funds more new construction projects per 1,000 households outside these tracts than within them (1.23, compared to 5.32). This is due in large part to the fact that such additional incentivization for these areas is relatively recent, first implemented in 2017, and development, particularly in these tracts can be expensive and take years to clear local zoning and development requirements. It is anticipated that the number of units developed in high priority tracts will increase in coming years.

This data informs the action items set forth in Section VIII.



*Fig. 116: Recent LIHTC Projects in Well-Resourced Area Tracts and Outside*

Region	Entitlement Jurisdiction	HCR Identified Well-Resourced Area	Multifamily Units (2015-2020)	Multifamily Units - New Construction (2015-2020)	Multifamily Units - Rehabilitation (2015-2020)	Senior Units (2015-2020)	Senior Units - New Construction (2015-2020)	Senior Units - Rehabilitation (2015-2020)	Total Households
Upstate	HUD-EJ	Well-Resourced Area	1,302	1,097	205	373	231	142	545,894
		Not a Well-Resourced Area	12,941	6,158	6,783	2,389	713	1,676	843,200
Upstate	NYSEJ	Well-Resourced Area	760	672	88	329	313	16	415,930
		Not a Well-Resourced Area	6,467	2,578	3,889	2,041	451	1,590	939,645
Upstate	Both	Well-Resourced Area	2,062	1,769	293	702	544	158	961,824
		Not a Well-Resourced Area	19,408	8,736	10,672	4,430	1,164	3,266	1,782,845
Downstate	Both	Well-Resourced Area	1,881	1,429	452	517	208	309	1,646,943
		Not a Well-Resourced Area	30,080	15,926	14,154	1,861	1,328	533	2,851,475
Statewide	Both	Well-Resourced Area	3,943	3,198	745	1,219	752	467	2,608,767
		Not a Well-Resourced Area	49,488	24,662	24,826	6,291	2,492	3,799	4,634,320
			53,431	27,860	25,571	7,510	3,244	4,266	7,243,087

*Fig. 117: Recent LIHTC Projects per 1,000 Households in Well-Resourced Area Tracts and Outside*

Region	Entitlement Jurisdiction	HCR Identified Well-Resourced Area	Multifamily Units (2015-2020) per 1,000 Households	Multifamily Units - New Construction (2015-2020) per 1,000 Households	Multifamily Units - Rehabilitation (2015-2020) per 1,000 Households	Senior Units (2015-2020) per 1,000 Households	Senior Units - New Construction (2015-2020) per 1,000 Households	Senior Units - Rehabilitation (2015-2020) per 1,000 Households	Total Households
Upstate	HUD-EJ	Well-Resourced Area	2.39	2.01	0.38	0.68	0.42	0.26	545,894
		Not a Well-Resourced Area	15.35	7.30	8.04	2.83	0.85	1.99	843,200
Upstate	NYS-EJ	Well-Resourced Area	1.83	1.62	0.21	0.79	0.75	0.04	415,930
		Not a Well-Resourced Area	6.88	2.74	4.14	2.17	0.48	1.69	939,645
Upstate	Both	Well-Resourced Area	2.14	1.84	0.30	0.73	0.57	0.16	961,824
		Not a Well-Resourced Area	10.89	4.90	5.99	2.48	0.65	1.83	1,782,845
Downstate	Both	Well-Resourced Area	1.14	0.87	0.27	0.31	0.13	0.19	1,646,943
		Not a Well-Resourced Area	10.55	5.59	4.96	0.65	0.47	0.19	2,851,475
Statewide	Both	Well-Resourced Area	1.51	1.23	0.29	0.47	0.29	0.18	2,608,767
		Not a Well-Resourced Area	10.68	5.32	5.36	1.36	0.54	0.82	4,634,320
									7,243,087

## 2. Public Engagement

Over three quarters of the individuals responding to the Housing Stakeholder Survey (81 percent) indicated that there are barriers to the creation or development of affordable housing in their regions. Of these respondents, 19 percent articulated a mismatch between development costs and affordable rents as a contributing factor. Nineteen percent (19 percent) indicated that property prices and acquisition costs are a barrier. Other barriers endorsed most commonly included community oppositions (NIMBYism) (18 percent), and racism and discrimination (14 percent).

Further conversations with public engagement participants outlined the following factors leading to barriers to development and access to publicly subsidized housing in New York.

### Affordability of Publicly Supported Housing

When discussing the issue of affordability, many underscored that what is deemed “affordable housing” is not actually affordable to residents, and to people of color specifically. In particular,

residents argued that average medium income calculations, on which affordability levels are based, should be based on what people, particularly communities of color, earn in that area.

#### Land Use and Zoning Laws

Exclusionary zoning was widely described as the factor that precludes the development of affordable housing in areas of opportunity, limiting opportunities for protected classes, particularly people of color and families with children, to move to these areas. Well-resourced areas, including suburban areas, often have zoning regulations in place that limit possibilities to build affordable multifamily housing. Allocating affordable housing in a more equitable way through zoning would increase opportunities for low-income families and families of color.

#### Community Opposition

Community opposition was widely described by housing stakeholders as a significant contributing factor, as it often precludes the development of new affordable housing units. Participants noted that community opposition is often strongest in suburban areas when affordable housing is proposed for extremely low-income individuals whose households earn 30 percent of the average median income. Some participants indicated opposition to affordable housing in rural areas, where there is a widespread perception that affordable housing is designed exclusively to bring in residents from other areas, not recognizing that residents from the community often qualify due to their income or other housing challenges.

#### Lack of Public Investment in Specific Neighborhoods, Including Services and Amenities

Participants also described a need for affordable housing in all areas, and not just in high opportunity communities. They indicated that bringing mixed income housing into lower opportunity communities can play an important role in revitalizing communities through introducing economic diversity.

#### Acquisition Costs and Other Financial Factors

Several housing developers also described how pricing of projects in high opportunity areas quickly becomes expensive and less feasible. Factors like the acquisition price and property taxes can contribute to these high prices. Other stakeholders discussed how projects with fewer units, such as those that are needed in rural areas, are difficult to finance in a feasible way.

#### Financing for Publicly Supported Homeownership Opportunities

Many participants, including housing developers, expressed great interest in creating affordable homeownership opportunities for people of color and other protected groups. Acknowledging the legacy of wealth disparities between white residents and communities of color, they described how homeownership opportunities are critical to addressing inequality and systemic injustice. While there was widespread agreement regarding the importance of publicly funded homeownership opportunities, developers noted an absence of funding vehicle to make such projects happen.

#### Support Services

Several stakeholders described how when developing affordable housing, it is essential to plan for the support services that can enable vulnerable communities to be successful. Several

housing developers noted that they would like to see this aspect allowed in operational budgets, particularly when building affordable housing for the lowest income levels and for other vulnerable communities.

#### F. Fair Housing Issue 6: Access for those with Disabilities

Defined by the Census Bureau, a disability is a long-lasting physical, mental, or emotional condition that can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from going outside the home alone or having a job. The Fair Housing Act's protection against disability discrimination also prohibits the refusal to make a "reasonable accommodation" when such accommodation may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. Reasonable accommodation may include adaptive structural changes (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting a service animal).

#### Key Takeaways from the Analysis of the Data

- Households containing members with a disability are in all categories disproportionately low-income.
- Households containing people with ambulatory and cognitive disabilities are disproportionately concentrated in R/ECAPs and census tracts with low scores for Health and Environmental Quality, while households containing people with hearing disabilities are disproportionately concentrated outside these areas.
- Households containing people with disabilities in all categories are disproportionately located in census tracts with poor access to jobs and economic mobility.
- Very little of the state's housing stock is covered by the 1988 Amendments to the Fair Housing Act mandating accommodations for people with disabilities.

#### Key Takeaways from Public Engagement

- Individuals with disabilities are identified by public engagement participants as one of the most common groups of people who experience housing discrimination.
- Disability can take many forms and may be obvious or hidden. There is a lack of awareness among housing providers and state agents that contribute to the growing number of barriers that individuals with disabilities have to face in order to procure affordable housing opportunities.

#### 1. Analysis

NYSHCR's analysis examined both the disproportionate housing needs of people with disabilities and the disparities in the characteristics of the neighborhoods in which they live. These include an examination of the incidence of housing problems in households containing a member with a disability relative to the overall population, the disparities in income and the homeownership rate between households with a member with a disability compared to those without, and the relative lack of access to high-performing schools, good jobs, and health

environments by households containing a member with a disability as measured by the Child Opportunity Index.

### a. Incidence of Households with Disabilities

Households containing a member with a disability are common in New York State. As noted, about a quarter of households report having at least one member with a limiting condition as defined by the Census Bureau. Ambulatory disabilities are the most common with 14 percent of households, followed by 10 percent of households reporting a member having a vision or hearing disability, and 9 percent of households reporting a member having a cognitive disability. One in 10 households report a member with a self-care or independent living disability. It should be noted that – as individuals may have more than one disability and households may contain more than one member with a disability – household counts presented in Figure 118 below are not cumulative and a single household may be included in more than one category.

*Fig. 118: Households Containing Persons with Disabilities by Tenure*

Disability Status - All Households			
	Disability Status	#	%
Statewide	Household member has a cognitive limitation	628,355	9%
	Household member has a hearing or vision impairment	720,175	10%
	Household member has a self-care or independent living limitation	788,020	11%
	Household member has an ambulatory limitation	1,033,350	14%
	Household member has none of the above limitations	5,582,765	76%
	<b>TOTAL</b>		<b>7,302,715</b>
Disability Status - RENTER OCCUPIED			
Statewide	Household member has a cognitive limitation	334,605	10%
	Household member has a hearing or vision impairment	311,185	9%
	Household member has a self-care or independent living limitation	381,635	11%
	Household member has an ambulatory limitation	509,200	15%
	Household member has none of the above limitations	2,550,835	76%
	<b>TOTAL</b>		<b>3,360,230</b>

*Data Source: CHAS 2013-2017. Data on household tenure was not available at the census tract level and therefore only statewide figures are given.*

### b. Geographic Distribution of People with Disabilities

#### Key Observations

Between 50 and 60 percent of the population in each disability category lives downstate, skewing slightly compared to the overall 60/40 percent split between downstate and upstate for households overall. The relative proportions vary from 52 percent of people with a hearing disability to 64 percent of people with a self-care disability.

Within the upstate region, the population with disabilities is close to evenly split between the HUD-EJs and the NYSEJ.

- **EXAMPLE:** Out of the 170,885 New Yorkers upstate with a self-care disability, 83,871 live in a HUD-EJ, while a slightly larger 87,014 live in the NYSEJ. These represent 18

percent and 19 percent of the almost 470,000 New Yorkers with a self-care disability statewide, respectively.

As discussed in Section IV: New York by the Numbers, ambulatory disabilities are the most common form of disability in the state, followed by cognitive disabilities, hearing disabilities, and vision disabilities. People with these conditions represent consistent proportions of the overall population in all regions of the state: 6 to 7 percent with ambulatory disabilities, 3 to 5 percent with cognitive disabilities, 2 to 4 percent with hearing disabilities, and 2 percent with vision disabilities. Almost 470,000 New Yorkers with disabilities (2 percent of the state’s total population) have a self-care disability, and more than 810,000 have an independent living disability (4 percent of the state’s population).

*Fig. 119: Geographic Distribution of People with Disabilities*

		People w. Hearing Disability		People w. Vision Disability		People w. Cognitive Disability		People w. Ambulatory Disability		People w. Self-Care Disability		People w. Independent Living Disability	
Upstate	HUD-EJ	117,877	22%	73,082	19%	175,583	22%	235,286	20%	83,871	18%	163,673	20%
Upstate	NYS-EJ	137,630	26%	67,777	18%	169,876	22%	238,348	20%	87,014	19%	160,834	20%
Upstate	Both	255,507	48%	140,859	37%	345,459	44%	473,634	40%	170,885	36%	324,507	40%
Downstate	Both	280,900	52%	240,034	63%	436,618	56%	724,331	60%	297,398	64%	488,708	60%
Statewide	Both	<b>536,407</b>	<b>100%</b>	<b>380,893</b>	<b>100%</b>	<b>782,077</b>	<b>100%</b>	<b>1,197,965</b>	<b>100%</b>	<b>468,283</b>	<b>100%</b>	<b>813,215</b>	<b>100%</b>

*Fig. 120: Proportion of the Population Living with Disabilities by Region*

Disability Condition	Upstate		Upstate		Upstate		Downstate		Statewide	
	HUD-EJ		NYS-EJ		Both		Both		Both	
People w. Hearing Disability	117,877	3%	137,630	4%	255,507	4%	280,900	2%	536,407	3%
People w. Vision Disability	73,082	2%	67,777	2%	140,859	2%	240,034	2%	380,893	2%
People w. Cognitive Disability	175,583	5%	169,876	5%	345,459	5%	436,618	3%	782,077	4%
People w. Ambulatory Disability	235,286	7%	238,348	7%	473,634	7%	724,331	6%	1,197,965	6%
People w. Self-Care Disability	83,871	2%	87,014	3%	170,885	2%	297,398	2%	468,283	2%
People w. Independent Living Disability	163,673	5%	160,834	5%	324,507	5%	488,708	4%	813,215	4%
<b>Total</b>	<b>3,460,679</b>	<b>100%</b>	<b>3,443,827</b>	<b>100%</b>	<b>6,904,507</b>	<b>100%</b>	<b>12,520,828</b>	<b>100%</b>	<b>19,425,335</b>	<b>100%</b>

### c. Concentrated Poverty

As described in the Subsection VI.B.1 regarding the analysis of Racially and Ethnically Concentrated Areas of Poverty” (R/ECAPs), nearly all categories of people with disabilities are over-represented in R/ECAPs compared to non-R/ECAP census tracts, offering strong evidence that the fair housing problems associated with disability intersect with those of poverty and race in a significant way.

#### Key Observations

In all regions of the state, people with cognitive and ambulatory disabilities are over-represented in R/ECAPs, while people with a self-care disability are under-represented. People with hearing disabilities are slightly under-represented in R/ECAPs, though by a much smaller margin than people with a self-care disability.

- **EXAMPLE:** Almost 23 percent of households living in R/ECAPs statewide contain at least one member with an ambulatory disability, compared to only 15.2 percent of households in tracts that are not R/ECAPs, a 7.6 percent spread.

Fig. 121: Distribution of Households Containing a Person with a Disability between R/ECAPs and Other Census Tracts

	Upstate		Upstate		Upstate		Downstate		Statewide	
	HUD-EJ		NYS-EJ		Both		Both		Both	
<b>RECAP</b>										
Households w. Hearing Disability	21,198	7.9%	2,052	10.7%	23,250	8.1%	63,756	6.7%	87,006	7.0%
Households w. Vision Disability	21,442	8.0%	1,602	8.4%	23,044	8.0%	78,882	8.3%	101,926	8.3%
Households w. Cognitive Disability	54,407	20.3%	4,368	22.9%	58,775	20.4%	141,239	14.9%	200,014	16.2%
Households w. Ambulatory Disability	64,222	23.9%	4,513	23.6%	68,735	23.9%	212,980	22.5%	281,715	22.8%
People w. Self-Care Disability	21,114	7.9%	1,507	7.9%	22,621	7.9%	83,805	8.9%	106,426	8.6%
People w. Independent Living Disability	41,669	15.5%	3,169	16.6%	44,838	15.6%	132,262	14.0%	177,100	14.3%
<b>Total Households</b>	<b>268,555</b>	<b>100%</b>	<b>19,100</b>	<b>100%</b>	<b>287,655</b>	<b>100%</b>	<b>946,897</b>	<b>100%</b>	<b>1,234,552</b>	<b>100%</b>
<b>Non-RECAP</b>										
Households w. Hearing Disability	96,679	8.6%	135,578	10.0%	232,257	9.4%	217,144	6.1%	449,401	7.5%
Households w. Vision Disability	51,640	4.6%	66,175	4.9%	117,815	4.8%	161,152	4.5%	278,967	4.6%
Households w. Cognitive Disability	121,176	10.8%	165,508	12.2%	286,684	11.6%	295,379	8.3%	582,063	9.7%
Households w. Ambulatory Disability	171,064	15.3%	233,835	17.2%	404,899	16.3%	511,351	14.4%	916,250	15.2%
People w. Self-Care Disability	62,757	5.6%	85,507	6.3%	148,264	6.0%	213,593	6.0%	361,857	6.0%
People w. Independent Living Disability	122,004	10.9%	157,665	11.6%	279,669	11.3%	356,446	10.0%	636,115	10.5%
<b>Total Households</b>	<b>1,120,539</b>	<b>100%</b>	<b>1,358,790</b>	<b>100%</b>	<b>2,479,329</b>	<b>100%</b>	<b>3,551,645</b>	<b>100%</b>	<b>6,030,974</b>	<b>100%</b>
<b>RECAP + Non-RECAP</b>	<b>1,389,094</b>		<b>1,377,890</b>		<b>2,766,984</b>		<b>4,498,542</b>		<b>7,265,526</b>	

#### d. Access to Opportunity/Well-Resourced Areas

NYSHCR also conducted an analysis of where people with disabilities live based on their access to community resources such as a healthy environment, economic mobility, and transportation costs.

#### Social and Economic Mobility and Employment

##### Key Observations

Households containing at least one person with a disability are found in higher concentrations in low-scoring census tracts for both Economic and Social Mobility and for Labor Market Access than high-scoring tracts in every region of the state and for all categories of disabled household.

- **EXAMPLE:** Almost 10 percent of households in the lowest-scoring tracts statewide contained at least one person with an ambulatory disability, while only 4.7 percent of households in the highest-scoring tracts did.

The largest difference between high- and low-scoring tracts is among concentrations of households containing a person with an ambulatory disability in HUD-EJs. In the lowest-scoring tracts for Economic and Social Mobility in these jurisdictions, 11.8 percent of households contain a person with an ambulatory disability, compared to 5.4 percent (nearly 1/3 as many) in the highest-scoring tracts.



*Fig. 122: Distribution of People with Disabilities by Social and Economic Mobility Index Score*

Region	Entitlement Jurisdiction	Social / Economic Mobility Index	Avg. % w. Hearing Disability	Avg. % w. Vision Disability	Avg. % w. Ambulatory Disability	Avg. % w. Cognitive Disability	Avg. % w. Self-Care Disability	Avg. % w. Ind. Living Disability	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	3.9%	3.7%	11.8%	9.7%	3.7%	7.6%	212,055	197
		21 - 40	3.6%	3.0%	8.8%	7.3%	3.1%	6.0%	181,215	134
		41 - 60	3.9%	2.3%	7.4%	5.5%	2.7%	5.3%	247,110	158
		61 - 80	3.8%	2.0%	6.6%	4.4%	2.4%	4.7%	329,110	203
		81 - 100	3.4%	1.5%	5.4%	3.5%	2.1%	4.0%	419,604	232
								<b>1,389,094</b>	<b>924</b>	
Upstate	NYS-EJ	0 - 20	5.2%	3.4%	10.6%	8.6%	3.6%	7.2%	36,510	27
		21 - 40	4.7%	2.8%	9.1%	7.0%	3.2%	5.9%	161,725	112
		41 - 60	4.6%	2.3%	8.1%	5.7%	2.9%	5.3%	454,510	308
		61 - 80	4.1%	1.9%	6.9%	4.7%	2.6%	4.7%	449,145	286
		81 - 100	3.5%	1.5%	5.3%	3.6%	2.0%	3.8%	253,685	142
								<b>1,355,575</b>	<b>875</b>	
Upstate	Both	0 - 20	4.1%	3.7%	11.6%	9.5%	3.7%	7.6%	248,565	224
		21 - 40	4.1%	2.9%	8.9%	7.1%	3.1%	6.0%	342,940	246
		41 - 60	4.4%	2.3%	7.9%	5.6%	2.8%	5.3%	701,620	466
		61 - 80	4.0%	1.9%	6.8%	4.6%	2.5%	4.7%	778,255	489
		81 - 100	3.4%	1.5%	5.4%	3.6%	2.0%	3.9%	673,289	374
								<b>2,744,669</b>	<b>1,799</b>	
Downstate	Both	0 - 20	2.7%	3.4%	9.1%	5.9%	3.5%	5.6%	908,248	578
		21 - 40	2.2%	2.4%	6.8%	3.9%	2.9%	4.6%	930,719	729
		41 - 60	2.5%	1.9%	6.1%	3.4%	2.5%	4.3%	823,554	596
		61 - 80	2.6%	1.5%	5.5%	3.1%	2.2%	3.9%	838,183	542
		81 - 100	2.3%	1.2%	4.3%	2.5%	1.8%	3.0%	997,714	535
								<b>4,498,418</b>	<b>2,980</b>	
Statewide	Both	0 - 20	3.0%	3.5%	9.6%	6.7%	3.6%	6.0%	1,156,813	802
		21 - 40	2.7%	2.5%	7.3%	4.8%	2.9%	4.9%	1,273,659	975
		41 - 60	3.4%	2.1%	6.9%	4.4%	2.6%	4.7%	1,525,174	1,062
		61 - 80	3.3%	1.7%	6.1%	3.8%	2.4%	4.3%	1,616,438	1,031
		81 - 100	2.8%	1.3%	4.7%	2.9%	1.9%	3.4%	1,671,003	909
								<b>7,243,087</b>	<b>4,779</b>	

Fig. 123: Distribution of People with Disabilities by Labor Market Access Index Score

Region	Entitlement Jurisdiction	Labor Market Index	Avg. % w. Hearing Disability	Avg. % w. Vision Disability	Avg. % w. Ambulatory Disability	Avg. % w. Cognitive Disability	Avg. % w. Self-Care Disability	Avg. % w. Ind. Living Disability	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	3.9%	3.8%	11.9%	9.7%	3.8%	7.7%	218,745	202
		21 - 40	3.9%	3.0%	8.9%	6.9%	3.2%	6.2%	156,315	117
		41 - 60	4.2%	2.4%	7.8%	5.6%	2.7%	5.4%	243,010	163
		61 - 80	3.7%	1.9%	6.5%	4.5%	2.3%	4.6%	391,855	239
		81 - 100	3.2%	1.5%	5.2%	3.5%	2.1%	3.9%	379,169	203
								<b>1,389,094</b>	<b>924</b>	
Upstate	NYS-EJ	0 - 20	4.6%	2.8%	9.7%	7.0%	3.5%	6.3%	121,275	89
		21 - 40	4.9%	2.5%	8.7%	6.3%	3.0%	5.7%	325,245	219
		41 - 60	4.3%	2.0%	7.6%	5.4%	2.7%	5.1%	406,170	262
		61 - 80	3.9%	1.8%	6.3%	4.3%	2.4%	4.4%	345,780	218
		81 - 100	3.3%	1.5%	4.8%	3.4%	1.9%	3.7%	179,420	99
								<b>1,377,890</b>	<b>887</b>	
Upstate	Both	0 - 20	4.1%	3.4%	11.1%	8.8%	3.7%	7.2%	340,020	291
		21 - 40	4.6%	2.7%	8.8%	6.5%	3.0%	5.8%	481,560	336
		41 - 60	4.3%	2.2%	7.6%	5.5%	2.7%	5.2%	649,180	425
		61 - 80	3.7%	1.9%	6.4%	4.4%	2.4%	4.5%	737,635	457
		81 - 100	3.3%	1.5%	5.0%	3.5%	2.0%	3.8%	558,589	302
								<b>2,766,984</b>	<b>1,811</b>	
Downstate	Both	0 - 20	2.8%	3.6%	9.6%	6.6%	3.7%	6.0%	565,890	390
		21 - 40	2.2%	2.5%	7.0%	4.2%	2.8%	4.5%	786,587	593
		41 - 60	2.4%	2.1%	6.5%	3.7%	2.7%	4.4%	909,212	658
		61 - 80	2.7%	1.8%	6.1%	3.4%	2.6%	4.3%	930,575	639
		81 - 100	2.3%	1.4%	4.5%	2.6%	1.9%	3.1%	1,306,278	702
								<b>4,498,542</b>	<b>2,982</b>	
Statewide	Both	0 - 20	3.3%	3.5%	10.1%	7.4%	3.7%	6.4%	905,910	681
		21 - 40	3.1%	2.6%	7.7%	5.1%	2.9%	5.0%	1,268,147	929
		41 - 60	3.2%	2.1%	7.0%	4.5%	2.7%	4.7%	1,558,392	1,083
		61 - 80	3.2%	1.8%	6.2%	3.8%	2.5%	4.4%	1,668,210	1,096
		81 - 100	2.6%	1.4%	4.7%	2.8%	1.9%	3.3%	1,864,867	1,004
								<b>7,265,526</b>	<b>4,793</b>	

## Education

### Key Observations

Households with a member with a disability are found in higher concentrations in census tracts with lower scores for education quality than higher. This is true for all categories of disability except for hearing disabilities, where the rates of disability are similar in both the highest and lowest scoring tracts.

- EXAMPLE:** Households containing a member with a cognitive or an ambulatory disability make up 6.3 percent and 8.8 percent, respectively, of households in tracts scoring 0-20 for education quality, compared to 3 percent and 5 percent of tracts scoring 81-100.

Fig. 124: Distribution of People with Disabilities by Education Index Score

Region	Entitlement Jurisdiction	Education Index	Avg. % w. Hearing Disability	Avg. % w. Vision Disability	Avg. % w. Ambulatory Disability	Avg. % w. Cognitive Disability	Avg. % w. Self-Care Disability	Avg. % w. Ind. Living Disability	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	3.9%	3.4%	10.5%	8.4%	3.5%	7.0%	331,905	291
		21 - 40	3.5%	2.4%	7.6%	6.0%	2.5%	5.3%	185,140	121
		41 - 60	4.0%	2.1%	7.2%	5.1%	2.6%	4.9%	284,915	181
		61 - 80	3.6%	1.9%	6.1%	4.2%	2.4%	4.5%	298,750	181
		81 - 100	3.5%	1.7%	5.6%	3.7%	2.1%	4.1%	288,384	150
									<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	4.7%	2.8%	9.3%	6.4%	3.4%	5.8%	71,940	51
		21 - 40	4.8%	2.5%	8.6%	6.0%	3.0%	5.7%	402,255	273
		41 - 60	4.3%	2.1%	7.5%	5.3%	2.8%	5.0%	440,240	287
		61 - 80	4.0%	1.8%	6.5%	4.6%	2.3%	4.4%	232,615	144
		81 - 100	3.2%	1.5%	5.1%	3.7%	2.0%	3.9%	208,525	120
									<b>1,355,575</b>	<b>875</b>
Upstate	Both	0 - 20	3.9%	3.2%	9.9%	7.8%	3.3%	6.6%	501,650	413
		21 - 40	4.0%	2.3%	8.2%	6.2%	2.9%	5.6%	326,885	219
		41 - 60	4.2%	2.1%	7.6%	5.2%	2.8%	5.2%	444,485	276
		61 - 80	4.0%	2.0%	6.9%	4.7%	2.6%	4.8%	679,630	424
		81 - 100	3.8%	1.7%	5.9%	4.1%	2.1%	4.1%	792,019	467
									<b>2,744,669</b>	<b>1,799</b>
Downstate	Both	0 - 20	2.4%	3.2%	7.9%	5.3%	3.1%	5.0%	732,811	535
		21 - 40	2.2%	2.5%	7.2%	4.3%	2.8%	4.6%	753,699	537
		41 - 60	2.6%	2.2%	7.0%	4.0%	2.8%	4.7%	754,011	524
		61 - 80	2.6%	1.7%	5.9%	3.3%	2.5%	4.2%	1,000,108	678
		81 - 100	2.4%	1.4%	4.8%	2.7%	2.0%	3.4%	1,257,789	706
									<b>4,498,418</b>	<b>2,980</b>
Statewide	Both	0 - 20	3.0%	3.2%	8.8%	6.3%	3.2%	5.6%	1,136,656	877
		21 - 40	3.2%	2.5%	7.7%	5.0%	2.8%	5.0%	1,341,094	931
		41 - 60	3.4%	2.1%	7.2%	4.6%	2.8%	4.8%	1,479,166	992
		61 - 80	3.0%	1.8%	6.0%	3.7%	2.4%	4.3%	1,531,473	1,003
		81 - 100	2.7%	1.4%	5.0%	3.0%	2.0%	3.6%	1,754,698	976
									<b>7,243,087</b>	<b>4,779</b>

Health and Environment

Key Observations

Households containing at least one member with a hearing disability live in higher concentrations in census tracts with higher Health and Environmental Quality Index scores compared to lower-scoring tracts.

- **EXAMPLE:** Over 3 percent of households containing at least one person with a hearing disability live in tracts scoring 81-100 on the Health and Environmental Quality Index, compared to 2.7 percent of households in tracts scoring 0-20.

All other categories of household containing a person with a disability exist in higher concentrations in tracts with lower scores for Health and Environmental Quality.

- **EXAMPLE:** Almost 2 percent of households containing a person with a vision disability and 5.6 percent of households with an ambulatory disability live in tracts scoring between 81 and 100 on the Health and Environmental Quality Index, compared to 2.5 percent and 7.4 percent living in tracts scoring between 0 and 20.

Fig. 125: Distribution of People with Disabilities by Health and Environmental Index Score

Region	Entitlement Jurisdiction	Health / Env. Index	Avg. % w. Hearing Disability	Avg. % w. Vision Disability	Avg. % w. Ambulatory Disability	Avg. % w. Cognitive Disability	Avg. % w. Self-Care Disability	Avg. % w. Ind. Living Disability	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	3.7%	3.4%	10.2%	8.1%	3.4%	6.8%	382,195	320
		21 - 40	3.8%	2.3%	8.1%	6.4%	2.8%	5.8%	170,460	114
		41 - 60	4.1%	2.1%	7.6%	5.0%	2.8%	5.2%	206,685	120
		61 - 80	3.8%	2.0%	6.4%	4.2%	2.4%	4.6%	290,615	174
		81 - 100	3.3%	1.5%	5.0%	3.5%	1.8%	3.6%	339,139	196
									<b>1,389,094</b>	<b>924</b>
Upstate	NYS-EJ	0 - 20	4.5%	2.9%	8.9%	6.9%	3.2%	6.0%	119,455	93
		21 - 40	4.3%	2.2%	8.3%	5.9%	2.9%	5.5%	156,425	105
		41 - 60	4.3%	2.1%	7.7%	5.5%	2.9%	5.2%	237,800	156
		61 - 80	4.2%	2.1%	7.4%	5.1%	2.7%	5.0%	389,015	250
		81 - 100	4.1%	1.8%	6.5%	4.5%	2.4%	4.4%	452,880	271
									<b>1,355,575</b>	<b>875</b>
Upstate	Both	0 - 20	3.9%	3.2%	9.9%	7.8%	3.3%	6.6%	501,650	413
		21 - 40	4.0%	2.3%	8.2%	6.2%	2.9%	5.6%	326,885	219
		41 - 60	4.2%	2.1%	7.6%	5.2%	2.8%	5.2%	444,485	276
		61 - 80	4.0%	2.0%	6.9%	4.7%	2.6%	4.8%	679,630	424
		81 - 100	3.8%	1.7%	5.9%	4.1%	2.1%	4.1%	792,019	467
									<b>2,744,669</b>	<b>1,799</b>
Downstate	Both	0 - 20	2.0%	2.0%	6.0%	3.4%	2.3%	3.8%	876,701	660
		21 - 40	2.4%	2.4%	6.7%	4.1%	2.7%	4.4%	1,102,257	743
		41 - 60	2.7%	2.3%	6.8%	4.1%	2.8%	4.6%	1,038,026	670
		61 - 80	2.7%	2.0%	6.4%	3.8%	2.7%	4.4%	856,226	513
		81 - 100	2.6%	1.4%	5.1%	3.0%	2.1%	3.7%	625,208	394
									<b>4,498,418</b>	<b>2,980</b>
Statewide	Both	0 - 20	2.7%	2.5%	7.4%	5.0%	2.7%	4.8%	1,378,351	1,073
		21 - 40	2.8%	2.4%	7.0%	4.6%	2.8%	4.7%	1,429,142	962
		41 - 60	3.2%	2.2%	7.1%	4.5%	2.8%	4.8%	1,482,511	946
		61 - 80	3.3%	2.0%	6.7%	4.2%	2.6%	4.6%	1,535,856	937
		81 - 100	3.3%	1.6%	5.6%	3.6%	2.1%	3.9%	1,417,227	861
									<b>7,243,087</b>	<b>4,779</b>

Transportation Costs & Access to Transit

**Key Observations**

Both upstate and downstate, people with disabilities tend to live in areas with lower transportation costs, likely reflecting their higher concentration in more densely populated urban areas with better public transportation.

In the HUD Entitlement Jurisdictions (both upstate and downstate) people with ambulatory disabilities tend to live in higher-scoring (and therefore lower-cost) census tracts, while in the NYSEJ, people with ambulatory disabilities tend to live in the lowest-scoring (and therefore highest-cost) census tracts.

- EXAMPLE:** About 4 percent of households in tracts scoring 0-20 in HUD-EJs upstate contain a person with an ambulatory disability, compared to 8.7 percent of households in tracts scoring 81-100 in those jurisdictions and 6.7 percent of tracts with similar scores downstate. In the NYSEJ 7.8 percent of households in the lowest-scoring tracts have a person with an ambulatory disability compared to 6.2 percent of tracts scoring 61-80. Tracts in the NYSEJ scoring 81-100 had a higher rate of people with ambulatory disabilities (6.8 percent) but represent a much smaller proportion of the area’s

population (just under 20,000 households), compared to almost 107,000 households in the tracts scoring 61-80.

*Fig. 126: Distribution of People with Disabilities by Low Transportation Cost Index Score*

Region	Entitlement Jurisdiction	Transport Cost Index	Avg. % w. Hearing Disability	Avg. % w. Vision Disability	Avg. % w. Ambulatory Disability	Avg. % w. Cognitive Disability	Avg. % w. Self-Care Disability	Avg. % w. Ind. Living Disability	Total Households	Census Tracts
Upstate	HUD-EJ	0 - 20	3.1%	1.5%	4.2%	3.4%	1.8%	3.1%	41,349	25
		21 - 40	3.4%	1.6%	5.7%	3.9%	2.0%	4.0%	294,975	172
		41 - 60	4.0%	2.2%	7.4%	5.3%	2.7%	5.3%	481,635	307
		61 - 80	3.7%	2.7%	8.7%	6.5%	3.0%	5.9%	449,755	332
		81 - 100	3.4%	3.0%	8.7%	7.5%	2.9%	5.9%	121,380	88
								<b>1,389,094</b>	<b>924</b>	
Upstate	NYS-EJ	0 - 20	4.7%	2.1%	7.8%	5.2%	2.7%	5.0%	363,100	244
		21 - 40	4.2%	2.1%	7.4%	5.3%	2.7%	5.0%	583,785	369
		41 - 60	4.1%	2.1%	7.1%	5.2%	2.6%	5.0%	304,220	201
		61 - 80	3.5%	1.9%	6.2%	4.7%	2.4%	4.6%	106,865	59
		81 - 100	3.6%	1.8%	8.3%	6.8%	2.1%	5.1%	19,920	14
								<b>1,377,890</b>	<b>887</b>	
Upstate	Both	0 - 20	4.5%	2.0%	7.5%	5.0%	2.6%	4.8%	402,114	268
		21 - 40	4.0%	2.0%	6.8%	4.8%	2.5%	4.7%	861,815	532
		41 - 60	4.0%	2.2%	7.3%	5.2%	2.6%	5.1%	782,820	506
		61 - 80	3.7%	2.6%	8.2%	6.1%	2.9%	5.6%	556,620	391
		81 - 100	3.4%	2.9%	8.6%	7.4%	2.8%	5.8%	141,300	102
								<b>2,744,669</b>	<b>1,799</b>	
Downstate	Both	0 - 20	N/A						0	0
		21 - 40	1.9%	1.8%	3.5%	0.7%	0.6%	2.6%	1,165	1
		41 - 60	2.3%	0.9%	3.8%	2.6%	1.7%	2.8%	133,620	88
		61 - 80	2.6%	1.4%	5.1%	3.0%	2.2%	3.7%	785,442	527
		81 - 100	2.4%	2.3%	6.7%	4.0%	2.7%	4.4%	3,578,315	2,366
								<b>4,498,542</b>	<b>2,982</b>	
Statewide	Both	0 - 20	4.5%	2.0%	7.5%	5.0%	2.6%	4.8%	404,449	269
		21 - 40	4.0%	2.0%	6.8%	4.8%	2.5%	4.7%	879,925	542
		41 - 60	3.8%	2.0%	6.8%	4.9%	2.5%	4.8%	919,475	596
		61 - 80	3.1%	1.9%	6.4%	4.3%	2.5%	4.5%	1,342,062	918
		81 - 100	2.5%	2.3%	6.7%	4.1%	2.7%	4.5%	3,719,615	2,468
								<b>7,265,526</b>	<b>4,793</b>	

**e. Housing Tenure and Income**

**Key Observations**

In all categories of households with disabilities measured by the CHAS there is little or no disproportionality in the number of rental households and households overall.

All categories of households with disabilities skew lower income than the overall population for both renter households and all households.

- EXAMPLE:** Over 1.3 million households (18 percent) in NYS earn less than 30 percent of their household area median family income (AMI), but 33 percent of all households with a person with a cognitive disability, 26 percent of households with a person with a hearing or vision impairment, and 32 percent of all households with a person with an ambulatory disability fall into that income category.

Renters with disabilities are much more likely to be extremely low-income. Almost a third of renters overall earn 30 percent of AMI or less, but more than half of renters with a cognitive or ambulatory disability do, as do more than half of people with a self-care or independent living disability.

Fig. 127: Households Containing Persons with Disabilities by Tenure and Income

Household Income by Family Type - All Households										
Disability Status	≤ 30% HAMFI		30% - 50% HAMFI		50% - 80% HAMFI		> 80% HAMFI		Total Households	
	#	%	#	%	#	%	#	%		
Statewide	Household member has a cognitive limitation	207,555	33%	104,255	17%	99,580	16%	216,970	35%	628,360
	Household member has a hearing or vision impairment	185,365	26%	116,430	16%	119,975	17%	298,405	41%	720,175
	Household member has a self-care or independent living limitation	251,935	32%	135,960	17%	127,235	16%	272,890	35%	788,020
	Household member has an ambulatory limitation	331,835	32%	177,340	17%	170,345	16%	353,830	34%	1,033,350
	Household member has none of the above limitations	845,235	15%	640,620	11%	848,670	15%	3,248,240	58%	5,582,765
<b>TOTAL</b>		<b>1,341,845</b>	<b>18%</b>	<b>920,035</b>	<b>13%</b>	<b>1,129,895</b>	<b>15%</b>	<b>3,910,940</b>	<b>54%</b>	<b>7,302,715</b>
Household Income by Family Type - RENTER OCCUPIED										
Statewide	Household member has a cognitive limitation	170,740	51%	64,255	19%	46,980	14%	52,625	16%	334,600
	Household member has a hearing or vision impairment	140,380	45%	61,400	20%	47,690	15%	61,715	20%	311,185
	Household member has a self-care or independent living limitation	196,905	52%	74,325	19%	52,680	14%	57,725	15%	381,635
	Household member has an ambulatory limitation	258,415	51%	99,230	19%	71,175	14%	80,375	16%	509,195
	Household member has none of the above limitations	646,030	25%	407,805	16%	466,260	18%	1,030,740	40%	2,550,835
<b>TOTAL</b>		<b>1,031,385</b>	<b>31%</b>	<b>564,730</b>	<b>17%</b>	<b>586,190</b>	<b>17%</b>	<b>1,177,925</b>	<b>35%</b>	<b>3,360,230</b>

Data Source: CHAS 2013-2017. Data on household tenure was not available at the census tract level and therefore only statewide figures are given.

f. Applicability of the Fair Housing Act to Private Residential Property

The Fair Housing Amendments of 1988 mandated that all residential properties built for occupancy after March 13, 1990, with 4 or more dwelling units must follow HUD-mandated accessibility guidelines. Since the primary motivation behind these amendments was the severe lack of accessible housing in the private residential real estate market, examining the proportion of 5+ unit homes built in the decades since the amendments took effect offers a good proxy for how much of the privately-owned housing stock is available for sale or rent to people with disabilities.

ACS data on building occupancy groups buildings by construction year in 10-year increments going back to 2000, then 20-year increments back to 1940. For this reason, we can only look reliably estimate the number of homes covered by the 1988 Amendments for the last 20 years, even though they have been in effect for 30.

Key Observations

Very little owner-occupied housing is covered by the 1988 Amendments, since most 5+ unit buildings are rentals. The proportion is greater downstate, but not by much.

- **EXAMPLE:** Only 0.2 percent of the owner-occupied housing stock in HUD-EJs upstate is covered by the FHA, and only 0.1 percent of the owner-occupied stock in the NYSEJ. 1.9 percent of the owner-occupied stock downstate is covered.

A larger, though still small, proportion of the rented housing stock is covered by the 1988 Amendments, as multifamily buildings are more commonly used as rentals.

- **EXAMPLE:** Downstate, 6.8 percent of rentals are in multifamily buildings with 5 or more apartments built since 2000. Upstate, 5.2 percent of rentals in HUD-EJs and 5.9 percent of rentals in the NYSEJ are covered, for an overall upstate proportion of 5.5 percent.

The higher proportion of rentals downstate compared to upstate is likely due to the fact that the downstate region has seen a greater volume of multifamily rental housing development since 2000.



- EXAMPLE:** Between 2000 and 2009, 99,255 units of rental housing were built downstate, nearly four times the 26,090 units built upstate. Between 2010 and 2019, another 69,691 units were built, nearly three and a half times the 23,298 units built upstate.

The slowed pace of buildings with four or more units since 1980 relative to previous decades has likely contributed to the paucity of accessible homes. Statewide, only 19 percent of owner-occupied multifamily units and 21 percent of renter-occupied multifamily units were built in the 39 years between 1980 and 2019, compared to the 54 percent of owner-occupied units and 44 percent of renter-occupied multifamily units that were built between 1940 and 1979.

A greater proportion of homes covered by the 1988 Amendments to the FHA are in low-scoring Health and Environment tracts downstate, and a very small proportion (3 percent for rentals, 6 percent for owner-occupied) of homes are located in the highest-scoring tracts.

*Fig. 128: Proportion of Housing Stock Covered by Fair Housing Act Accessibility Requirements*

Region	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
Covered Rental Units	27,883	5.2%	21,505	5.9%	49,388	5.5%	168,946	6.8%	218,334	6.5%
Not Covered Rental Units	508,517	94.8%	341,612	94.1%	850,129	94.5%	2,310,875	93.2%	3,161,004	93.5%
<b>Total Rental Units</b>	<b>536,400</b>	<b>100.0%</b>	<b>363,117</b>	<b>100.0%</b>	<b>899,517</b>	<b>100.0%</b>	<b>2,479,821</b>	<b>100.0%</b>	<b>3,379,338</b>	<b>100.0%</b>
Covered Owner-Occupied Units	1,649	0.2%	1,385	0.1%	3,034	0.2%	38,478	1.9%	41,512	1.1%
Not Covered Owner-Occupied Units	863,864	99.8%	1,001,643	99.9%	1,865,507	99.8%	2,033,786	98.1%	3,899,293	98.9%
<b>Total Owner-Occupied Units</b>	<b>865,513</b>	<b>100.0%</b>	<b>1,003,028</b>	<b>100.0%</b>	<b>1,868,541</b>	<b>100.0%</b>	<b>2,072,264</b>	<b>100.0%</b>	<b>3,940,805</b>	<b>100.0%</b>
Total Covered Units	29,532	2.1%	22,890	1.7%	52,422	1.9%	207,424	4.6%	259,846	3.6%
Total Not Covered Units	1,372,381	98.8%	1,343,255	99.1%	2,715,636	98.9%	4,344,661	96.6%	7,060,297	97.5%
<b>Total Households</b>	<b>1,389,094</b>	<b>100.0%</b>	<b>1,355,575</b>	<b>100.0%</b>	<b>2,744,669</b>	<b>100.0%</b>	<b>4,498,418</b>	<b>100.0%</b>	<b>7,243,087</b>	<b>100.0%</b>

Data Source: ACS 5-Year 2019. "Covered" units refer to units in buildings with >4 units in the structure built between 2000 and the present.

*Fig. 129: Proportion of >4 Unit Multifamily Buildings by Decade Built*

	Upstate		Upstate		Upstate		Downstate		Statewide	
	HUD-EJ		NYS-EJ		Both		Both		Both	
Owner-Occupied Multifamily, 2010-2019	480	4%	468	8%	948	5%	8,971	2%	9,919	2%
Owner-Occupied Multifamily, 2000-2009	1,169	9%	917	16%	2,086	11%	29,507	7%	31,593	7%
Owner-Occupied Multifamily, 1980-1999	3,635	29%	1,660	29%	5,295	29%	35,928	9%	41,223	10%
Owner-Occupied Multifamily, 1960-1979	4,516	36%	1,273	22%	5,789	31%	122,439	29%	128,228	30%
Owner-Occupied Multifamily, 1940-1959	1,114	9%	657	11%	1,771	10%	102,478	25%	104,249	24%
Owner-Occupied Multifamily, Pre-1940	1,677	13%	844	15%	2,521	14%	116,088	28%	118,609	27%
<b>Owner-Occupied Multifamily Total</b>	<b>12,591</b>	<b>100%</b>	<b>5,819</b>	<b>100%</b>	<b>18,410</b>	<b>100%</b>	<b>415,411</b>	<b>100%</b>	<b>433,821</b>	<b>100%</b>
Renter-Occupied Multifamily, 2010-2019	13,926	7%	9,372	8%	23,298	7%	69,691	4%	92,989	4%
Renter-Occupied Multifamily, 2000-2009	13,957	7%	12,133	11%	26,090	8%	99,255	6%	125,345	6%
Renter-Occupied Multifamily, 1980-1999	40,166	19%	30,987	28%	71,153	22%	153,778	9%	224,931	11%
Renter-Occupied Multifamily, 1960-1979	72,374	34%	30,341	27%	102,715	32%	379,902	22%	482,617	23%
Renter-Occupied Multifamily, 1940-1959	28,675	14%	9,855	9%	38,530	12%	394,203	22%	432,733	21%
Renter-Occupied Multifamily, Pre-1940	41,998	20%	18,756	17%	60,754	19%	657,384	37%	718,138	35%
<b>Renter-Occupied Multifamily Total</b>	<b>211,096</b>	<b>100%</b>	<b>111,444</b>	<b>100%</b>	<b>322,540</b>	<b>100%</b>	<b>1,754,213</b>	<b>100%</b>	<b>2,076,753</b>	<b>100%</b>

## g. Location of FHA-Covered Housing with Respect to R/ECAPs

### Key Observations

Owner-occupied multifamily housing covered by the 1988 Amendments to the FHA is located in R/ECAPs at a higher rate than outside R/ECAPs, while rental housing covered by the 1988 Amendments is located in R/ECAPs at a lower rate. In both cases it is a very small proportion of the housing stock.

- EXAMPLE:** Almost 3 percent of owner-occupied units and 5.9 percent of renter-occupied units in R/ECAPs statewide are covered by the 1988 Amendments, compared to 1 percent of owner-occupied units and 6.7 percent of renter-occupied units.

*Fig. 130: Housing Stock Covered by Fair Housing Act Accessibility Requirements between R/ECAPs and Other Census Tracts*

	Upstate		Upstate		Upstate		Downstate		Statewide	
Entitlement Jurisdiction	HUD-EJ		NYS-EJ		Both		Both		Both	
<b>RECAP</b>										
Covered Rental Units	5,866	3.1%	504	5.0%	6,370	3.2%	54,956	6.5%	61,326	5.9%
Not Covered Rental Units	181,446	96.9%	9,621	95.0%	191,067	96.8%	786,977	93.5%	978,044	94.1%
<b>Total Rental Units</b>	<b>187,312</b>	<b>100.0%</b>	<b>10,125</b>	<b>100.0%</b>	<b>197,437</b>	<b>100.0%</b>	<b>841,933</b>	<b>100.0%</b>	<b>1,039,370</b>	<b>100.0%</b>
Covered Owner-Occupied Units	131	0.2%	0	0.0%	131	0.1%	5,763	4.3%	5,894	2.6%
Not Covered Owner-Occupied Units	83,361	99.8%	8,826	100.0%	92,187	99.9%	127,960	95.7%	220,147	97.4%
<b>Total Owner-Occupied Units</b>	<b>83,492</b>	<b>100.0%</b>	<b>8,826</b>	<b>100.0%</b>	<b>92,318</b>	<b>100.0%</b>	<b>133,723</b>	<b>100.0%</b>	<b>226,041</b>	<b>100.0%</b>
<b>Total Covered Units</b>	<b>5,997</b>	<b>2.2%</b>	<b>504</b>	<b>2.6%</b>	<b>6,501</b>	<b>2.3%</b>	<b>60,719</b>	<b>6.4%</b>	<b>67,220</b>	<b>5.4%</b>
<b>Total Not Covered Units</b>	<b>264,807</b>	<b>98.6%</b>	<b>18,447</b>	<b>96.6%</b>	<b>283,254</b>	<b>98.5%</b>	<b>914,937</b>	<b>96.6%</b>	<b>1,198,191</b>	<b>97.1%</b>
<b>Total Households</b>	<b>268,555</b>	<b>100.0%</b>	<b>19,100</b>	<b>100.0%</b>	<b>287,655</b>	<b>100.0%</b>	<b>946,897</b>	<b>100.0%</b>	<b>1,234,552</b>	<b>100.0%</b>
<b>Non-RECAP</b>										
Covered Rental Units	22,017	6.3%	21,001	5.9%	43,018	6.1%	113,990	7.0%	157,008	6.7%
Not Covered Rental Units	327,071	93.7%	331,991	94.1%	659,062	93.9%	1,523,898	93.0%	2,182,960	93.3%
<b>Total Rental Units</b>	<b>349,088</b>	<b>100.0%</b>	<b>352,992</b>	<b>100.0%</b>	<b>702,080</b>	<b>100.0%</b>	<b>1,637,888</b>	<b>100.0%</b>	<b>2,339,968</b>	<b>100.0%</b>
Covered Owner-Occupied Units	1,518	0.2%	1,385	0.1%	2,903	0.2%	32,715	1.7%	35,618	1.0%
Not Covered Owner-Occupied Units	780,503	99.8%	992,817	99.9%	1,773,320	99.8%	1,905,826	98.3%	3,679,146	99.0%
<b>Total Owner-Occupied Units</b>	<b>782,021</b>	<b>100.0%</b>	<b>994,202</b>	<b>100.0%</b>	<b>1,776,223</b>	<b>100.0%</b>	<b>1,938,541</b>	<b>100.0%</b>	<b>3,714,764</b>	<b>100.0%</b>
<b>Total Covered Units</b>	<b>23,535</b>	<b>2.1%</b>	<b>22,386</b>	<b>1.7%</b>	<b>45,921</b>	<b>1.9%</b>	<b>146,705</b>	<b>4.1%</b>	<b>192,626</b>	<b>3.2%</b>
<b>Total Not Covered Units</b>	<b>1,107,574</b>	<b>98.8%</b>	<b>1,324,808</b>	<b>99.1%</b>	<b>2,432,382</b>	<b>99.0%</b>	<b>3,429,724</b>	<b>96.6%</b>	<b>5,862,106</b>	<b>97.6%</b>
<b>Total Households</b>	<b>1,120,539</b>	<b>100.0%</b>	<b>1,336,475</b>	<b>100.0%</b>	<b>2,457,014</b>	<b>100.0%</b>	<b>3,551,521</b>	<b>100.0%</b>	<b>6,008,535</b>	<b>100.0%</b>
<b>Total Households</b>	<b>1,389,094</b>	<b>100.0%</b>	<b>1,355,575</b>	<b>100.0%</b>	<b>2,744,669</b>	<b>100.0%</b>	<b>4,498,418</b>	<b>100.0%</b>	<b>7,243,087</b>	<b>100.0%</b>

## 2. Public Engagement

During the public engagement process, participants clarified that the discussion surrounding disabilities must include an examination not only of those with physical disabilities, but also developmental disabilities and behavioral health issues such as mental health and substance use problems. Those with cumulative protected characteristics (e.g., people with disabilities who are also people of color or LGBTQ+) are particularly impacted by the fair housing issues discussed in this Assessment.

The factors contributing to unequal access to housing by those with disabilities in New York include the following:

### [Access to Publicly Supported Housing for Persons with Disabilities](#)

Participants reported widespread issues affecting people with disabilities as it pertains to the ability to access publicly supported affordable housing. Issues cited were that: (i) the number of disability set-asides were inadequate to meet the needs; and (ii) units for those with disabilities were perceived as often either in housing for older adults or in high-poverty areas and were more 1-bedrooms or studios. This type of stock limits housing choice particularly for young people and those with families who are also disabled.

### [Lack of Affordable, Integrated Housing for Individuals with Disabilities](#)

In addition to lack of accessible publicly supported housing, participants also described the unaffordability and substandard conditions of accessible housing in the private market. Participants from rural areas described that much of the affordable housing available to low-income residents, including those with disabilities, is old and in disrepair. This old housing stock is also difficult to modify. In addition, participants reported that people with disabilities are disproportionately unemployed or underemployed, and struggle to afford rent with fixed incomes through Social Security Disability or Supplemental Security Income payments. They are often residing in less well-resourced areas due to lack of affordability and access.

Participants also reported on the difficulty of finding integrated housing for those that have physical disabilities with co-occurring behavioral health issues or developmental disabilities that require supportive services. Participants further described accessible units as being segregated within certain areas of the building or housing complex.

### [Inaccessible Sidewalks, Pedestrian Crossings or Other Infrastructure \(including Accessible Transportation\)](#)

Participants identified a lack of affordable housing for persons with disabilities located in proximity of accessible transportation, services and community amenities. They expressed a desire to incorporate more public transportation and accessibility considerations in the siting of affordability housing.

Participants also discussed the need to make more community amenities and homes (including single family homes) “visitable” so that people with disabilities and older adults can equally experience life in the community. They reported that although some communities have adopted fair housing ordinances to create basic visitable home access, the requirement does not exist on a broader level. A recommendation that no-step entrances be incorporated into state building code was made.

### [Lack of Assistance for Housing Accessibility Modifications](#)

The need to expand assistance for accessibility modifications is a critical issue that was raised by service providers who work with individuals with disabilities. Several described the Access to Home program, which funds home modifications for person with disabilities. The participants viewed this program as crucial but noted that it is under-funded and needs to be expanded.

Several stakeholders noted that the Access to Home program is typically for homeowners and should also apply to renters with disabilities.

#### [Lack of Assistance for Transitioning from Institutional Settings to Integrated Housing](#)

Several stakeholders indicated barriers experienced by people with disabilities who are transitioning to the community from institutional settings. For instance, people in nursing homes are often staying in these settings for longer than needed, due to barriers obtaining home modifications, such as ramps.

#### [Code Enforcement and Regulatory Issues](#)

Stakeholders across New York State reported code enforcement and regulatory issues as significant barriers to access for people with disabilities and adults. Regarding code enforcement issues, participants reported that code officials often lack training and awareness regarding accessibility, that the varying and overlapping federal, state and local codes are complex and difficult to implement without more expertise, and that the accessibility requirements are often prioritized below other requirements such as fire codes. Widespread adoption of universal design principles was recommended to incorporate these features in all forms of housing.

#### [Discrimination in the Private Rental Market](#)

The stakeholders described widespread housing discrimination experienced by people with disabilities. Several stakeholders reported that it is common for private landlords to refuse to provide reasonable housing modifications for people with disabilities. They commonly mentioned that people with disabilities are asked intrusive questions by landlords when requesting modifications. In addition, participants also described how landlords often refuse service animals, particularly when these are support animals.

#### [Need for Awareness and Legal Advocacy](#)

Participants asserted that people with disabilities require legal advocacy and representation to ensure that their rights are not violated. Many indicated that people with disabilities are unaware of their rights regarding fair housing.

### **G. Fair Housing Issue 7: Fair Housing Monitoring, Enforcement and Outreach**

A network of state, local, non-profit, and private entities work together to investigate claims of fair housing discrimination, provide education and outreach to communities about fair housing rights and responsibilities, and uphold the state's fair housing laws and obligations, including the duty to affirmatively further fair housing in the administration of its programs.

The key takeaways from the analysis and public participation of fair housing monitoring, enforcement, and outreach are:

- Major amendments were made to the New York State Human Rights Law that extended protections against discrimination in housing based on gender identity and expression, source of income, and certain types of justice involvement.
- Disability discrimination including failure to provide a reasonable accommodation is the primary basis for fair housing complaints and litigation in the state, followed by

race/ethnicity discrimination. Source of income discrimination claims are rising given the change in the law.

- Fair housing education and awareness for both residents and landlords, especially in rural areas, was reported in public engagement as a necessity.

## 1. Analysis

### a. Fair Housing Laws in New York

#### New York State Human Rights Law

In 1945, New York became the first state to implement its own Human Rights Law, which now includes prohibitions on discrimination in employment, housing, public accommodations, educational institutions, and credit. Currently, the New York State Human Rights Law (NYSHRL) prohibits discrimination in housing on the basis of race, creed, color, disability, national origin, sexual orientation, gender identity or expression, military status, age, sex, marital status, familial status, and lawful source of income. Retaliation for opposing discrimination or filing a complaint is also unlawful. In addition, housing providers are barred from considering or even making an inquiry regarding an arrest record or criminal accusation resolved in the person's favor, certain sealed records, youthful offender adjudications, and adjournments in contemplation of dismissal.

Remedies under the law include up to \$100,000 in civil fines, punitive damages and attorney's fees. There are no caps on compensatory damages.

#### Local Human/Civil Rights Laws

In addition, localities throughout the state have adopted their own human and civil rights laws outlawing housing discrimination and, often, adding various protected classes. For example, the New York City Human Rights Law also prohibits discrimination in the context of immigration or citizenship status, lawful occupation, and status as a victim of either domestic violence, stalking and/or sex offenses.

Similarly, the Westchester County Human Rights law also extends the prohibition on discrimination in the context of housing to include alienage or citizenship status and survivors of domestic violence, sexual abuse and/or stalking. Notably, the Onondaga County/Syracuse Commission of Human Rights incorporates "language used for communication" as a protected characteristic.

In May 2018, Erie County, in which the city of Buffalo is located, adopted its own local Fair Housing Law. The law prohibits discrimination in the context of housing on the basis of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, gender identity, military status familial status, or immigration and citizenship status. Other localities with their own fair housing anti-discrimination laws include West Seneca, Hamburg, Nassau and Suffolk counties.

## b. Fair Housing Enforcement Agencies

Fair housing laws and policies are monitored and enforced through various organizations and mechanisms, listed below.

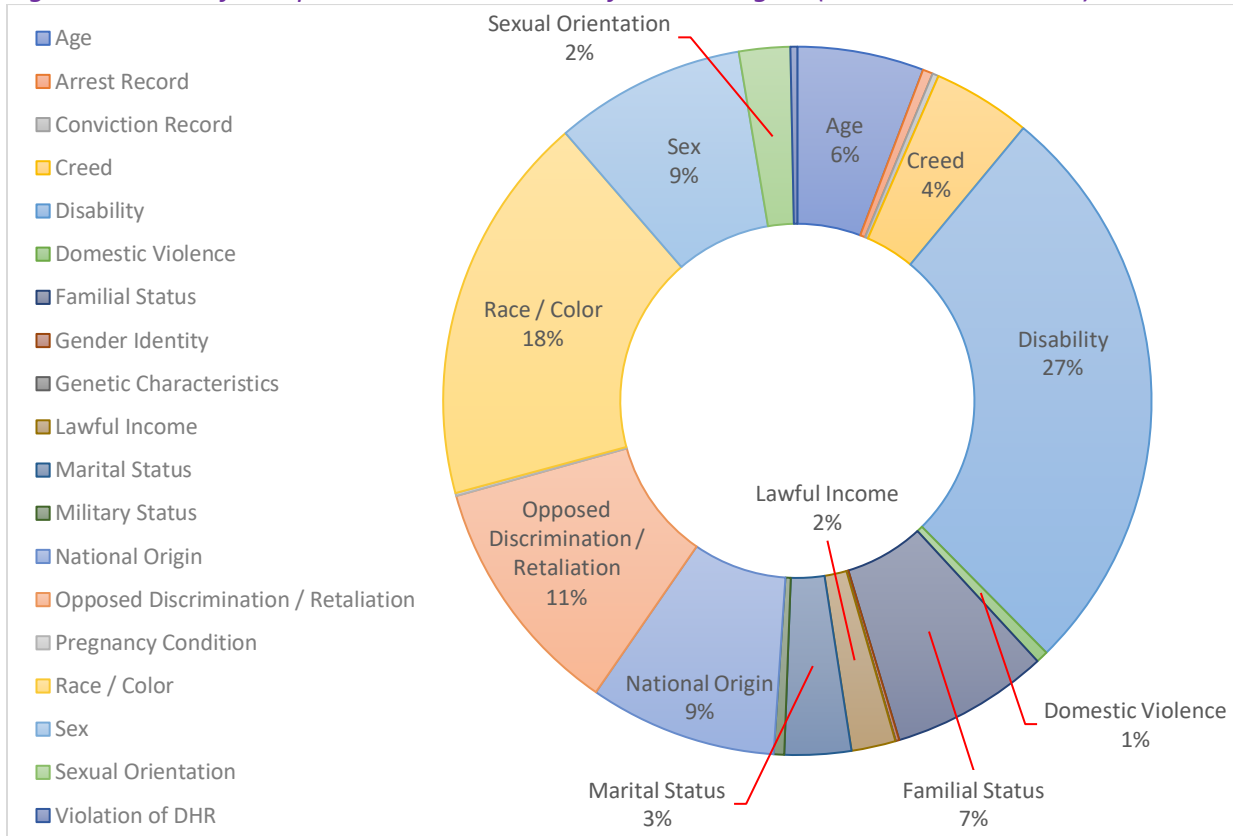
### [New York State Division of Human Rights \(NYSDHR\)](#)

The New York State Division of Human Rights (NYSDHR) is the agency tasked with investigating, prosecuting, and adjudicating complaints filed under the New York State Human Rights Law. NYSDHR has 12 offices located throughout New York State. However, all complaints of housing discrimination are investigated by NYSDHR's centralized Housing Investigations Unit at its Bronx headquarters. In addition, NYSDHR reviews proposed publicly funded multifamily housing projects that have age restrictions to ensure that they comply with public policy needs and fair housing standards. If an allegation also falls within the purview of the Fair Housing Act, the case may be dual-filed with the HUD. NYSDHR investigators will investigate the matter under both New York State and federal law. The full range of services DHR provides are presented on their website, <https://dhr.ny.gov>.

Between January 2015 and October 2020, a total of 3,016 housing discrimination complaints were filed with NYSDHR. The overwhelming majority of complaints continue to be based on disability discrimination, representing 27 percent of the total number of complaints, followed by discrimination based on race/color (18 percent). Retaliatory actions to discrimination complaints by housing providers also represents a large proportion of the complaints received (11 percent). It should be noted that after the implementation of lawful source of income protection in April 2019, NYSDHR reported a total of 135 such complaints between January 2019 and October 2020. This number represents 19 percent of all housing complaints received since April 2019.



Fig. 131: Bases of Complaints to NYS Division of Human Rights (Jan. 2015-Oct. 2020)



**Geographic Distribution of NYSDHR Complaints**

Downstate New York residents, especially those in New York City, filed the highest number of discrimination complaints. New York City accounted for 49 percent of filings between 2015 and 2020, with the remaining downstate counties (Suffolk, Nassau, Rockland and Westchester) accounting for an additional 17 percent of the filings.

NYSDHR reports that close to 60 percent of housing discrimination complaints filed with the agency from March of 2021 through March of 2022 included allegations of discrimination on the basis of disability. Over 70 percent of the disability discrimination complaints in housing include allegations of a refusal to reasonably accommodate.

**Disposition of NYSDHR Complaints**

NYSDHR investigations seek to determine whether there is probable cause to believe a violation of the New York State Human Rights Law has occurred and will also seek to conciliate the matter between the two parties before any determination. These are the “Pre-Determination Resolutions” in the table below. If the complaint receives a determination of probable cause, it moves forward to a public hearing or trial process and NYSDHR will prosecute the complaint on behalf of New York State. In housing cases, parties have the option to elect to take their case to state court after a probable cause determination is made or they can remain with NYSDHR’s administrative public hearing process. The complaint may settle before a public hearing and result in a Commissioner’s Order after settlement, or if a public hearing is held, a Commissioner’s Order After Hearing on the merits of the complaint. Most often, these

resolutions involve monetary benefits to the individual who file the complaint. Other typical remedies include: policy changes, structural modifications to housing, housing improvements, mandatory trainings, and implementation of a reasonable accommodation for a disability. The total amount of damages, per year, for each category of case dispositions are below.

*Table X: Monetary Benefits from Housing Discrimination Complaints Before NYSDHR (2015-2020)*

Year	Monetary Benefits in Pre-Determination Resolutions	Monetary Benefits in Commissioner’s Orders	Total Monetary Benefits
2015	\$190,202.83	\$163,850.00	\$354,052.83
2016	\$122,255.78	\$208,074.72	\$330,330.50
2017	\$88,199.00	\$202,544.00	\$290,743.00
2018	\$204,669.25	\$204,669.25	\$409,338.50
2019	\$137,800.94	\$233,532.76	\$371,333.70
2020 (1/2020-10/2020)	\$101,734.50	\$78,275.00	\$180,009.50
<b>TOTAL</b>	<b>\$844,862.30</b>	<b>\$1,090,945.73</b>	<b>\$1,935,808.03</b>

[New York State Office of the Attorney General](#)

The New York State Office of the Attorney General (NYS AG) is dedicated to preserving the rights of New Yorkers in addition to serving as the chief legal officer of the state. The Civil Rights Bureau of the NYS AG accepts and investigates fair housing complaints. The Bureau also enforces federal, state and local fair housing laws through the commencement of litigation. More information about the NYS AG’s Civil Rights Bureau can be accessed here, <https://ag.ny.gov/bureau/civil-rights>.

[Other Local Human Rights Commissions](#)

In addition, several cities and counties have their own human rights commissions that investigate and adjudicate fair housing complaints.

***New York City Commission on Human Rights***

The New York City Commission on Human Rights oversees the five boroughs, which make up New York City. The agency is comprised of two units, the Law Enforcement Bureau, which investigates and prosecutes discrimination complaints, and the Community Relations Bureau, which provides education and outreach to the community. The New York City Commission on Human Rights is also tasked with enforcing the New York City Human Rights Law.

### ***Westchester County Human Rights Commission***

Along with NYSDHR, the Westchester County Human Rights Commission is a local agency that HUD has determined provides rights and remedies that are “substantially equivalent” to those provided by the federal Fair Housing Act. As such, these agencies are able to receive fair housing complaints from HUD or directly, investigate, adjudicate and resolve them.

### ***Other Localities***

Other localities throughout the state have formed their own human rights commissions. These include Westchester County, Nassau County, Suffolk County, Clinton County, Onondaga County, Tompkins County, Rockland County and the city of Albany.

#### **c. Non-Governmental Fair Housing Organizations and Advocates**

##### Fair Housing Initiatives Program (FHIP) Non-Profit Agencies

In addition to state and local agencies, there are various non-profit agencies throughout the state that educate, investigate, and assist with enforcing fair housing laws in New York. Many are funded, at least in part, by grants from the HUD Fair Housing Initiatives Program in addition to state funds. Several agencies conduct fair housing testing, a critical methodology for assessing discrimination in the housing marketing by sending paired testers with similar characteristics except for the protected one (for example, race) to search for a home. NYSHCR, NYSDHR, and the NYS AG work with these agencies as part of their fair housing enforcement efforts.

Many of these agencies also provide wrap-around legal and other services including eviction prevention, first-time homebuyer counseling, increasing physical accessibility, foreclosure prevention, reverse mortgage counseling, and rental counseling.

1. Fair Housing Justice Center, (FHJC) Long Island City
2. Housing Opportunities Made Equal, Inc., (HOME), Buffalo
3. CNY Fair Housing, Inc., Syracuse
4. Legal Assistance of Western New York, Inc. (LAWNY), Rochester
5. Long Island Housing Services, Inc. (LIHS)
6. Westchester Residential Opportunities, Inc. (WRO), White Plains
7. Brooklyn Legal Services, (BLS) Brooklyn

##### Private Bar

Attorneys in the private bar are also an important component in the fair housing framework in the state, bringing complaints in various forums including the local human rights commissions, state and federal court. State and local bar associations offer subcommittees dedicated to providing education and outreach on fair housing laws. Most importantly, bar associations serve as a referral hub, which connects individuals to private attorneys for assistance on a multitude of legal issues. The New York State Bar Association (NYSBA), for example, offers a robust referral program, which covers majority of the counties within the state.

#### d. Fair Housing Cases in New York

A review of fair housing cases filed or decided in New York federal and state courts between January 2015 and December 2020 was also conducted. Reflecting the same trend as with NYSDHR complaints (discussed above), the vast majority of cases were based on disability discrimination followed closely by race discrimination. Additionally, with New York State's recent passage of lawful source of income protection, state courts began to see more cases alleging discrimination based on lawful source of income. A significant number of fair housing cases ended in settlement, with the discriminating party agreeing to pay a settlement amount and fees in addition to rectifying the past discriminatory behavior (for example: retrofitting buildings and units to comply with federal accessibility requirements).

A review of cases filed in the last five years where NYSHCR was named in fair housing cases was conducted. Only four cases were found. Three have been resolved with either a finding of no probable cause that discrimination occurred or dismissal as to NYSHCR for lack of jurisdiction. One case remains pending. That case involves the request of a reasonable accommodation for a third bedroom to allegedly to accommodate family needs. While NYSHCR defended in part on the ground it was not properly named as a respondent in that matter, it approved the grant of the requested accommodation by the owner.

#### e. Other Fair Housing-Related Events During Assessment Period

##### [Long Island Newsday Article](#)

In November 2019, Newsday, a Long Island and New York City-focused daily newspaper, published an extensive report on the unequal treatment of minority potential homebuyers on Long Island. Through paired testing, the report found that African Americans are shown fewer listings and steered away from white neighborhoods.

As a result of the Newsday article, legislation was enacted to clarify the New York Department of State (DOS) authority to revoke or suspend the license of any real estate professional found to have engaged in discrimination, in violation of the NYSHRL. New regulations now require enhanced disclosures by real estate professionals to help ensure prospective home buyers, renters, sellers and landlords receive ample information about their rights and protections under New York State law.

In January 2021, the New York State Senate released their own investigative report and recommended the following actions: development of a state fair housing strategy, more proactive enforcement of fair housing laws, licensing and renewal training requirements for real estate professionals, increased penalties for violation of fair housing laws, require state and local governments to affirmatively further fair housing, and reform the brokerage industry. The New York State legislature passed various bills in furtherance of these recommendations, as outlined further in Section VII.

##### [Disparate Lending in Buffalo](#)

A New York State Department of Financial Services (DFS) investigation discovered mortgage lenders (particularly non-depository lenders) continue to avoid lending in majority-minority populations and minority homebuyers in Buffalo further entrenching the legacy of redlining and

housing discrimination in the city. In November 2021, Governor Hochul signed legislation expanding the New York Community Reinvestment Act to cover non-depository lenders. The legislation is designed to ensure that New York borrowers have equal access to lending options in order to purchase a home.

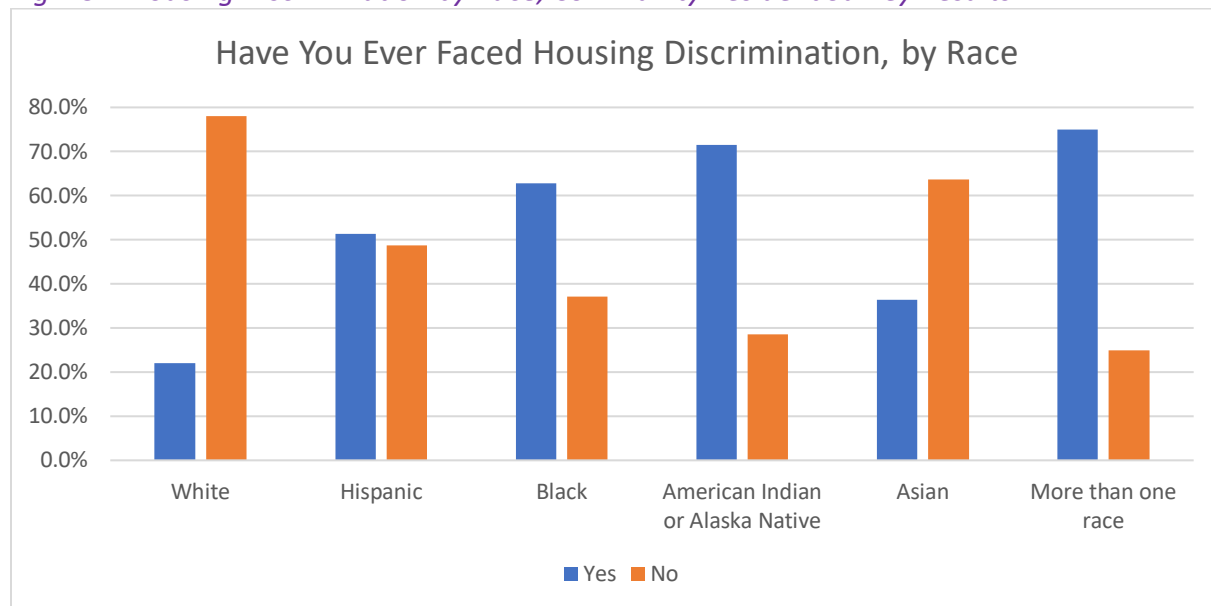
[Source of Income Discrimination Litigation in NYC](#)

In March 2021, Housing Rights Initiative filed a federal lawsuit accusing 88 New York City brokerage firms and landlords of engaging in source of lawful income discrimination. The lawsuit was prompted by undercover investigations, which showed the difficulties Section 8 Housing Choice Voucher holders have in obtaining housing in New York City. The lawsuit seeks monetary damages in addition to a stop of discriminatory practices. As of April 2023, Housing Rights Initiative has reached settlements with several of the defendants. Among other elements, these settlements include commitments to develop new non-discrimination policies that explicitly cover lawful source of income and mandatory attendance at fair housing trainings.

**2. Public Engagement**

Throughout the public engagement process, the issue of widespread illegal discrimination and unawareness of fair housing rights and complaint options was reported by both residents and housing stakeholders. Overall, 42 percent of residents who responded to the Community Resident Survey indicated that they experienced housing discrimination. Majority of those respondents lived in urban areas. The reasons for discrimination reported most frequently were racial discrimination (14 percent) and source of income discrimination (10 percent). Unfortunately, the majority of those who reported experiencing discrimination did nothing in response (53 percent).

*Fig. 132: Housing Discrimination by Race, Community Resident Survey Results*



The Housing Stakeholder respondents similarly encountered widespread discrimination experienced by the populations they serve. Notable findings include:

- Eighty-four percent of respondents encountered residents who experienced different treatment based on a protected characteristic.
- Respondents reported source of income discrimination (18 percent), discrimination based on race/color/ethnicity (15 percent), discrimination based on familial status (presence of children) (11 percent), and discrimination based on disability (10 percent) most frequently.
- Almost half of respondents encountered citizens who were refused house showings in particular neighborhoods or buildings (46 percent), and 64 percent reported seeing ads excluding certain groups from housing opportunities, including statements such as “no vouchers” or “no children”.
- Almost three quarters reported encountering residents who were told that units were unavailable when they were in fact available (71 percent), and more than half (57 percent) encountered residents who had experienced efforts to interfere, coerce, harass, or intimidate them regarding housing situations.
- Over three quarters of respondents (79 percent) reported encountering community members who were denied rental housing due to the source of income they use to pay their rent.

#### [Knowledge of Fair Housing Rights](#)

Responses to the Community Resident Survey indicated that residents lack awareness of fair housing rights. Specifically, 44 percent of respondents believed that residents were not aware of their fair housing rights. The survey presented residents with three fair housing scenarios, and residents were asked if the behavior depicted was in violation of fair housing rights. In these scenarios, between 20-40 percent of respondents answered incorrectly (indicating a belief that the fair housing violations were permissible) or were unsure. When presented with the statement that “residents know about their options if they experience housing discrimination,” 48 percent disagreed.

The key takeaways from the public engagement process are:

- Enforcement of fair housing laws is crucial to the protection of fair housing rights.
- Fair housing education must be provided the community, housing providers and real estate professionals. Additionally, multiple outreach strategies should be utilized to ensure that the most vulnerable populations have access to this information.

#### [Lack of Resources for Fair Housing Agencies and Organizations](#)

- Stakeholders reported a need for expanded funding to support systemic testing. Many stakeholders noted that residents may not know they are being discriminated against or are at a disadvantage when proving discrimination.



- Testing was widely articulated as a mechanism for uncovering discrimination at a larger scale, with many suggesting that the findings of testing and investigations should be made public.
- Stakeholders further voiced the need for more significant penalties for those who violate fair housing law, especially for repeat-offenders.

#### Lack of Local Public Fair Housing Enforcement

Stakeholders in rural areas particularly noted a lack of infrastructure and funding for fair housing enforcement, with several describing fair housing enforcement in some rural areas as nonexistent. As a rural housing advocate from the Capital region described:

*“We have wide areas of the state that don’t have that kind of attention being paid [to enforcement].”*

Rural stakeholders often indicated a lack of testing to identify fair housing violations. Several stakeholders from Rural Preservation Companies (RPCs) noted that they seldom hear formal complaints, but not because they believe that discrimination is not occurring. Rather, they noted that residents fear retaliation. With the lack of affordable housing in rural areas, residents are concerned that they will have nowhere else to go. Additionally, residents complained that there is a lack of enforcement of existing fair housing laws and felt that filed complaints often go unresolved.

At the local level, several stakeholders suggested the need for rental registries as a proactive measure to combat discrimination. They suggested that publicly available registries should list available units and rental prices, thus reducing the opportunity for landlords to perpetuate discrimination through differential treatment for members of protected classes, such as asking for higher rents or larger security deposits.

#### Outreach and Awareness of Fair Housing Rights

- Stakeholders across the state often articulated that residents find out about their right to fair housing “when it’s too late,” meaning when their rights have been violated or when they are on the brink of eviction.
- Stakeholders serving individuals with disabilities frequently noted that people with disabilities are often unaware that they are entitled to reasonable housing accommodations or modifications or believe that if they did not ask for an accommodation or modification right away, they cannot ask for one down the line.
- Stakeholders also indicated that many property owners and landlords are unaware about their responsibilities regarding reasonable accommodations or modifications.
- There is a general lack of awareness of fair housing protections regarding source of income protections.
- Stakeholders suggested the need for basic awareness and education regarding fair housing for residents, as well as landlords, real estate brokers and salespeople, and other groups. Suggestions including interactive websites, in-person workshops provided through grassroots organizations, and low-tech information dissemination (e.g., wallet

cards, and handouts posted widely in the community), with information available in multiple languages.

- Several stakeholders identified people with disabilities and immigrants as two protected classes who are especially in need of fair housing information, as these communities were described as having heightened concerns about retaliation, thus making them less likely to speak up for their right to fair housing.
- The greatest emphasis must be placed on effective enforcement of fair housing laws in order to affirmatively further fair housing.

## VII. Evaluation of Past Goals & Action Items

Following comprehensive public meetings, stakeholder interviews, analysis of data, and policy reviews, the 2016 Analysis of Impediments to Fair Housing identified several impediments to fair housing in New York State, as well as goals and meaningful actions to be taken by New York State to reduce those impediments. NYSHCR is proud to report many of the accomplishments listed below address the barriers and goals listed in the Analysis of Impediments. From the far-reaching protections of the 2019 Housing Stability and Tenant Protection Act to the implementation of progressive and individualized tenant assessment policies for those with a history of justice involvement and low credit, New York State is leading a push to enhance protections, dismantle barriers, and align policies to create equitable housing opportunities for all New Yorkers. This work is very much still one in progress, and NYSHCR is committed to furthering the goals and strategies laid out for the next assessment period, as listed in Section VIII.

### A. Creation of Available, Affordable & Accessible Housing

In the 2016 Analysis of Impediments public engagement process, a lack of affordable housing was the most cited impediment to fair housing. Stakeholders referenced concerns around gentrification; the displacement of low-income families, particularly members of protected classes; and rising land costs resulting in low-income families reliant on ever-decreasing affordable housing stock often in deteriorating conditions. The following actions were taken to increase affordable housing stock in New York State and improve accessibility for individuals with physical disabilities.

#### Creation and Preservation of Affordable and Supportive Housing Units

##### [New York State Housing and Homelessness Plan](#)

In 2017, a landmark \$20 billion, five-year plan to combat homelessness and increase the construction and preservation of affordable housing in New York State was launched. The plan comprised of \$10 billion to create and preserve over 100,000 units of affordable housing, as well as a further \$10 billion to create 6,000 new units of supportive housing under the New York State Empire State Supportive Housing Initiative (ESSHI).

As of January 2022, New York State has financed the construction and preservation of 94,273 affordable housing units and has further created 6,240 supportive units through ESSHI, surpassing the target of 6,000. These supportive units provide housing and stability to some of New York's most vulnerable individuals.

In April of this year, Governor Hochul announced the launch of a \$25 billion five-year Comprehensive Housing Plan. The Plan will create or preserve an additional \$100,000 affordable homes, including 10,000 homes with support services for vulnerable populations. The Plan will also electrify an additional 50,000 homes as part of the State's plan to electrify one million homes and make another one million electrification-ready. This Plan builds on the state's current housing plan by focusing on economic recovery, social justice, climate action and improved digital connectivity.

#### [New York State Empire State Supportive Housing Initiative \(ESSHI\)](#)

As part of the initiative to build more supportive housing, funding for the Empire State Supportive Housing Initiative (ESSHI) was made available for the operation of at least 1200 units annually. Target populations for ESSHI are those identified as homeless with special needs, conditions or other life challenges, including:

- Serious mental illness (SMI);
- Substance use disorder (SUD);
- Persons living with HIV or AIDS;
- Victims/Survivors of domestic violence;
- Military service with disabilities (including veterans with other than honorable discharge);
- Chronic homelessness as defined by HUD (including families, and individuals experiencing street homelessness or long-term shelter stays);
- Youth/Young adults who left foster care within the prior five years and who were in foster care at or over age 16;
- Homeless young adults between 18 and 25 years old;
- Adults, youth or young adults reentering the community from incarceration or juvenile justice placement, particularly those with disabling conditions;
- Frail Elderly/Senior: Any person who is age 55 and older, who is enrolled in Medicaid, and requires assistance with one or more activities of daily living or instrumental activities of daily living. Eligible persons are referred from a Skilled Nursing Facility (SNF), or identified as homeless by a Health Home, hospital, Managed Care Organization (MCO), medical respite, Managed Long-Term Care (MLTC), Performing Provider System (PPS), or shelter; and
- Individuals with intellectual or developmental disabilities (I/DD)

The State awards service and operating funding for units of housing developed with capital funding to support the needs of the individuals residing in the units. Up to \$25,000 per unit annually in services and operating funding is available. The NYS Office of Mental Health (OMH) serves as the lead agency for this initiative, under the guidance of the Interagency workgroup. The Interagency workgroup includes representatives from the following State agencies: Department of Health (DOH), including the AIDS Institute; NYSHCR; Office of Addictions Services and Supports (OASAS); Office of Children and Family Services (OCFS); Office of Mental Health (OMH); Office of Prevention of Domestic Violence (OPDV); Office for People With Developmental Disabilities (OPWDD) and OTDA.

### [Integrated Supportive Housing Program](#)

Additionally, since 2012, NYSHCR and New York State's Office for People with Developmental Disabilities (OPWDD) have partnered together on the Integrated Supportive Housing (ISH) program, designed to encourage and support the development of new housing opportunities for people with intellectual and/or developmental disabilities who can benefit from an independent, non-certified community-integrated residential setting. To date, OPWDD's ISH program has provided over \$75 million in capital funding to affordable housing developments and has provided support to 55 projects featuring nearly 800 units for individuals with intellectual and/or developmental disabilities across New York State, some of which may also receive ESSHI funding.

### [Climate Bonds](#)

Importantly, NYSHCR continues to be a pioneer in the use of climate bonds to finance affordable housing. Climate bonds are certified by the international Climate Bond Initiative to help finance the construction of healthy, energy-efficient homes for New Yorkers, while reducing the state's carbon footprint and the impact of climate change on the environment. In 2021, HCR issued over \$542 million in climate bonds to finance 11 new developments for the creation of 1,864 units. NYSHCR's Housing Finance Agency is the most active issuer of these bonds with more than \$2.9 billion issued.

### [Small Building Participation Loan Program](#)

In 2019, NYSHCR began administering a new Small Building Participation Loan Program. This program, created with small buildings in medium density neighborhoods in mind, provides assistance to buildings between five and 40 units, located outside of New York City. In exchange for keeping units income-restricted at an average of no more than 80 percent AMI (with an income restriction cap of 120 percent AMI), and rents capped at 30 percent of the applicable percentage of AMI adjusted based on family size for 30 years, owners can access gap project financing to acquire, preserve and improve such properties. This is an important initiative, as, statewide, small buildings are a vital source of affordable housing. By blending NYSHCR subsidy with bank financing, building owners can access financing at lower cost, thereby ensuring that rents remain affordable for residents. To date, 10 projects, with a total of 339 units, have received financing through the Small Building Participation Loan Program. Additional commitments and closings are expected over the next few months.

### [New York City Section 8 Housing Choice Voucher Application Opening](#)

In May 2021, NYSHCR reopened the existing Section 8 Housing Choice Voucher waiting list for the approximately 10,500 vouchers it administers in New York City. The agency undertook a broad multi-language marketing and outreach campaign, which included informational sessions with local client-serving stakeholders and elected officials, media, and advertising purchasing including various ethnic and foreign-language news outlets, radio, social media, and direct email notifications. A streamlined online application and a call center with access to a language line were established to facilitate an efficient application process. A randomized lottery was conducted, of which 15,000 households were placed on the waiting list. Once on the waiting list, priority for voucher distribution will be given to homeless households, elderly or disabled households, and families with dependent children. Households with these Section 8 Housing

Choice Vouchers will be able to use them to access safe affordable housing on the private market.

Finally, in order to ensure that low- and moderate-income New Yorkers are aware of, and able to apply for affordable housing opportunities, NYSHCR continues to engage with and advertise NYHousingSearch.gov. This website is a free tool for renters to find housing and for property owners to advertise affordable and accessible housing. Property owners need not be in receipt of NYSHCR financing to utilize this service, however, those owners that have received NYSHCR financing are required, as part of NYSHCR's affirmative fair housing marketing requirements, to register such properties on the site in order to advertise any vacancies. Additionally, open housing lotteries for affordable housing developments financed by NYSHCR are listed on the NYSHCR website, along with additional information on eligibility requirements for each project and directions on how to apply.

Taken together, these initiatives demonstrate New York State's firm commitment to building and preserving safe and stable housing for low-income and vulnerable New Yorkers, as well as ensuring that there is transparency into new affordable housing opportunities for prospective tenants. Important groundwork has been set to increase the construction and preservation of affordable and supportive units in the years to come.

#### [Development Highlights](#)

##### ***Aligning Health + Housing: Vital Brooklyn***

Announced in March 2017, the Vital Brooklyn \$1.4 billion development will provide 4,000 affordable housing units out of repurposed State-owned property, such as hospital parking lots. The development is currently under construction and will open in phases. It creates, in conjunction with local leaders and community members, a comprehensive model for community development that includes health and wellbeing as fundamental pillars of development. Central Brooklyn is marked by many disparities: health outcomes, high rates of violence and crime, high levels of poverty and unemployment and limited access to healthy foods, high quality health care, and mental health services.

Vital Brooklyn will offer numerous community-focused spaces, programs, and projects. These include green building practices and spaces, comprehensive education and youth development, with an increase in supportive services to local schools, healthy food through Farm-to-Table initiatives with upstate New York, expansion of community-based violence protection programs, and notably, economic development and job creation through skilled job training and financial literacy tools. Multiple State agencies and local community partners will work together to implement and operate these community programs. Vital Brooklyn is expected to create a net of 255 new jobs through the ambulatory care network, increase workforce training opportunities, and surpass New York State's 30 percent Minority and Women-owned Business Enterprise (M/WBE) requirement on all capital spending.

### ***Inclusive Communities: Mosaic Village***

Mosaic Village in Cohoes is a model of integrated supportive living for individuals with developmental or intellectual disabilities, serving a rising need for adults leaving school-based services. The 68-unit development, which opened in February 2020, contains 14 set-aside units for individuals and households with intellectual and developmental disabilities. The design of the project, from the types of alarms used to the door mechanisms, is tailored to factor in the specific needs of the residents. Office space and recreational space allow for on-site supportive services provided by The Alternative Living Group, Inc. and provide such services as life skills classes, personal finance, and career planning, as well as access to a daycare.

### ***Senior + LGBTQ+-Friendly: Crotona Senior Development***

In 2020, the Crotona Senior development opened as the first LGBTQ+-friendly, very low-income housing development for older adults in the Bronx. Developed by non-profit developer HELP USA and advocacy group SAGE, the 84-unit senior development sets aside 26 units for seniors who have experienced homelessness. The community features combine low-income and homeless housing for seniors with an LGBTQ+-responsive senior center on the first floor, a rooftop terrace, and a community garden. Crotona Senior is a key example of affordable housing developed in a culturally competent and responsive way to promote access by some of the most vulnerable New Yorkers.

### ***Justice-Involved Older Adults: 1080 Washington Avenue Apartments***

In 2019, NYSHCR closed financing on 1080 Washington Avenue Apartments, a 154-unit housing project for older adults in the Bronx. This project is being developed in partnership with the Fortune Society, a New York City-based non-profit that serves individuals who were formerly incarcerated. Approximately 30 percent of the units in the building will be set-aside for seniors who are formerly incarcerated. Fortune Society will offer on-site supportive services and will operate a social service space in the development.

This building will serve a critical need, due to the rapidly increasing population of incarcerated seniors and seniors leaving incarceration. In the United States in 2010, the total population of incarcerated individuals aged 55 or older was nearly four times larger than the same population in 1995; by 2030, it is expected that incarcerated individuals aged 55 or older will account for one-third of all incarcerated individuals.<sup>30</sup> Further, while returning from incarceration presents challenges to the formerly incarcerated, regardless of age, seniors face unique challenges due to higher rates of housing instability and homelessness, medical conditions, and difficulty finding employment. 1080 Washington will provide both housing and critical supportive services to this vulnerable population.

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<sup>30</sup> Roberts, Samuel K. (ed.) "Aging in Prison: Reducing Elder Incarceration and Promoting Public Safety," (November 2015). Center for Justice at Columbia University. Online: <https://www.issuelab.org/resources/22902/22902.pdf>



## [Accessibility for Individuals with Disabilities in NYSHCR-Financed Housing](#)

Another key area of focus for NYSHCR has been in ensuring that State-financed housing is constructed not only to comply with the letter and spirit of all applicable federal, state, and local accessibility laws, but also to meet industry best practices.

### [Expansion of Accessibility Design Requirements](#)

In Summer of 2020, NYSHCR revised its Design Handbook and expanded its applicability to cover most NYSHCR-financed housing, including now all projects financed with 4 percent tax credits. NYSHCR's Design Guidelines often go further than local and federal fair housing laws in requiring accessibility and visitability in NYSHCR-financed projects. By broadly applying the Guidelines, NYSHCR is responding to the critical need to build housing that can be enjoyed equally by those with disabilities.

### [Accessibility Design Training for Architects and Developers](#)

In the Spring of 2020, along with Accessibility Services/United Spinal, NYSHCR conducted a series of trainings for both internal and external stakeholders, including architects and developers of NYSHCR-financed housing. The trainings guided architects and developers through federal, state and local accessibility requirements and how the often more stringent NYSHCR requirements layer in based on the types of funding and commitments made by the development group. The Spring 2020 remote training sessions provided three hours of AIA Continuing Education credits received over 180 registrants with positive feedback on response surveys. NYSHCR plans to continue and expand training resources for the design and development community with respect to accessibility in our projects.

### [Design and Construction Certification](#)

Since 2018, NYSHCR has required that all parties involved in the design and construction of an NYSHCR-financed development review and execute an accessibility certification. This document sets forth certain requirements under the New York State Human Rights Law, the Fair Housing Act, the New York State Executive Law, Section 504 of the Rehabilitation Act of 1973, and Title III of the Americans with Disabilities Act, which are required to be reviewed and affirmed to by the architect/engineer, general contractor and property owner.

### [Office of the Chief Disability Officer](#)

The Office of the Chief Disability Officer was established in February 2022. The office works with State agencies to ensure that State programs do not discriminate against and are accessible to persons with disabilities and helps develop legislation and regulatory actions to implement changes that will significantly affect the lives of people with disabilities in the state.

## **B. Reducing Disparity in Access to Community Assets**

The 2016 Analysis of Impediments (AI) identified a goal of enhancing access to community assets and opportunities for members of protected classes across New York State. The AI noted that many New Yorkers of color, as well as members of other protected classes, resided within either major urban centers or remote areas with high rates of poverty. Given these segregated living patterns, New York State committed both to expanding affordable housing stock across the state, as well as ensuring that affordable housing options are being built in well-resourced

areas, based on school performance, access to employment opportunities, among other metrics.

## Increasing Access to Well-Resourced Areas

### Tax Credit Set-Asides and Incentives

NYSHCR has implemented incentives and set-asides in the way low-income housing tax credits are allocated. By doing so, NYSHCR is taking concrete steps to reduce residential and school segregation. The policies also further align the siting of housing with social science research that suggests that children from families who move from areas of concentrated poverty to well-resourced areas are more likely to show improved educational, economic, mental and physical health outcomes, such as a greater educational attainment for children, as well as decreased rates of obesity, anxiety and depression.<sup>31</sup> This opportunity can be especially meaningful for New Yorkers with children, as approximately 17 percent of New York children live in concentrated areas of poverty.

#### ***LIHTC Set-Aside and Basis Boost for Well-Resourced Area Multifamily Projects***

In 2017, NYSHCR introduced a new set-aside for a portion of the available 9 Percent Low Income Housing Tax Credits, to be made available to “Housing Opportunity Projects,” now called Well-Resourced Area Projects. Projects are eligible for this set-aside if they are multifamily projects with at least two bedrooms, and are located in a census tract with a poverty rate at or less than 10 percent based on five-year averages from the American Community Survey, and served by a high- or moderate-proficiency school district, based on third through eighth grade English and Math exam state testing scores. Most recently, in 2020, the total amount of set-aside tax credits made available was \$3 million, but is subject to increase based on the number of applications received. In addition, Well-Resourced Area Projects are eligible for a 130 percent LIHTC basis boost, which corresponds to a 30 percent increase in allowable LIHTC subsidy. As a further structural incentive for developers to create affordable housing in well-resourced areas, these projects can qualify for an increased subsidy funding amount from other parts of the agency.

Well-Resourced Area Projects are also prioritized for receipt of tax-exempt bond financing and “as of right” 4% LIHTCs. NYSHCR works closely with developers seeking such financing to encourage the development of multifamily, affordable housing in such areas.

Since 2015, over 3,900 multifamily units in Well-Resourced Areas have been financed in 377 census tracts across New York State, two examples of which are set forth below.

#### ***Revisions to the Qualified Allocation Plan***

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<sup>31</sup> The Annie E. Casey Foundation. “Children Living in High-Poverty, Low Opportunity Neighborhoods,” (September 24, 2019). Online: <https://www.aecf.org/resources/children-living-in-high-poverty-low-opportunity-neighborhoods/>, citing Robinette, J. W., Charles, S. T., Almeida, D. M., & Gruenewald, T. L. “Neighborhood features and physiological risk: An examination of allostatic load,” *Health & Place*, 41 (2016) and Chetty, R., Hendren, N., & Katz, L. F. “The effects of exposure to better neighborhoods on children: New evidence from the Moving to Opportunity experiment,” *American Economic Review*, 106(4) (August 2015).

In addition, in 2019, NYSHCR introduced proposed revisions to the 9% and 4% Qualified Allocation Plans (QAPs), pursuant to which, Low Income Housing Tax Credits are allotted based on number of points received by projects. The 9% QAP was revised to increase the number of points available to multifamily projects based on the ratio of bedrooms to units, and whether the project is a Housing Opportunity Project, also referred to as a Well-Resourced Area Project or advances a neighborhood specific revitalization plan. Additional points have been made available to projects in well-resourced areas based on school performance data and low poverty. In the revised 4% QAP, proposed projects that meet the definition of High Opportunity/Well-Resourced Area Projects are deemed to qualify as State Designated Buildings, and may therefore entitle them to an increase in credits to ensure that such development is financially feasible. The revised QAPs became operational in May of 2021.

Taken together, over time, these actions will result in low- and moderate-income households of color and members of other protected classes gaining access to important community assets such as good schools, employment, transportation, green spaces, and grocery stores.

### ***Development Highlights***

NYSHCR's commitment to developing affordable homes in well-resourced areas is demonstrated by two recent developments that provide low- and moderate-income New Yorkers opportunities to access strong schools for their children and a variety of community and building amenities.

- **Hubbard Springs Apartments (Monroe County):** Located in North Chili outside of Rochester, this project brings 72 units of affordable housing to the Union Square Boulevard corridor which has recently been developed with predominantly market-rate units. It is located in one of the NYSHCR-designated Well-Resourced Area tracts based on low poverty rates and strong school performance. The site is a half mile from the Hamlet of North Chili, complete with pharmacies, a grocery store, post office, gas station, and other necessities. Hubbard Park is located a quarter mile from the project and offers green recreational space, including playground, tennis court, ball fields, and a natural spring. These amenities can be accessed via sidewalks designed for safe pedestrian travel. The development itself also offers a 24/7 fitness center and laundry, a media room with computers, and a community room for tenants.

The community of residents occupying the units include people with disabilities and a mix of incomes. Ten percent of units are set aside for families who are considered extremely low-income (with income that is 30 percent of the Area Median Income). The remaining units are set to be affordable to individuals and families with household incomes of up to 80 percent of Area Median Income. Further, 11 units are set aside for persons with a physical disability and/or a traumatic brain injury, with priority given to veterans, and an additional 11 units have been designed for residents with mobility, vision, and/or hearing impairments.

- **Laurel Homes Apartments (Nassau County, Long Island):** This is a new construction and replacement development of an existing affordable housing project in Roslyn Heights. Roslyn Heights is located in one of the most affluent

areas in the country, Long Island. This project, which replaces in part and expands existing public housing that has deteriorated, brings 74 much needed affordable units to the area. The location benefits from a high-performing school district as well as an array of amenities within the development.

A notable aspect of Laurel Homes is the higher than usual number of three-, four-, and five-bedroom units available on the site. This allows lower-income families with children who reside in the development to enroll in Roslyn Height's award-winning school district. Both the elementary school and high school are less than 1,000 feet away from the development. Additionally, the Roslyn Heights train station is within 1,000 feet of the development, with grocery stores, medical offices and access to two major highways all within a 400-foot distance. In a nod toward intergenerational living, a separate building located on-site provides eight 1-bedroom units for older adults aged 62 and older. Twenty-nine units are set aside as project-based Section 8 units for residents at or below 60 percent AMI. The site offers playgrounds and a separate community building, which includes a covered patio, laundry, and a kitchenette.

### [Expanding Housing Choice Voucher Mobility Programs](#)

NYSHCR has advanced the goal to expand the number of jurisdictions in New York State with Section 8 Housing Choice Voucher mobility counseling programs. Mobility counseling programs provide a variety of counseling, incentives, and assistance to assist families in overcoming barriers they may face in accessing well-resourced neighborhood's that meet their families' needs. Studies have shown that although Housing Choice Vouchers nationally and in New York are concentrated in areas of poverty. Interventions and assistance such as those provided in the mobility programs result in families moving out of areas of concentrated poverty at rates much higher than those without such assistance.

NYSHCR operates a long-standing mobility program in Westchester County and in 2020 created another mobility program in Nassau and Suffolk counties utilizing its Section 8 Housing Choice Vouchers in Long Island in partnership with Enterprise Community Partners with funding provided by the NYS Attorney General. Additional mobility programs were also created in Buffalo and New York City using Section 8 Housing Choice Vouchers administered by local housing authorities.

One Westchester participant recently wrote: *"Because [the mobility program] helped me move into this town and start a new life, my daughter was able to graduate from an excellent high school and is now a successful college student. We are extremely grateful to [the mobility program] for the fresh start they provided us."*

In the coming years, NYSHCR plans to expand the areas of New York State that will be served by mobility counseling services.

### [Increasing Access to Assets within Neighborhoods & Community Revitalization](#)

As was highlighted in the public participation process, access to community assets does not necessarily mean having to move to other neighborhoods. In addition to expanding access to well-resourced neighborhoods, NYSHCR strives to preserve affordable housing and invest in areas of the state undergoing economic revitalization so that New Yorkers can access resources

within their own neighborhoods. In doing so, New York looks beyond housing needs to invest in communities more broadly, aligning housing production with local community needs.

### Incentivizing Housing + Community & Economic Development

For example, the revisions to the Qualified Allocation Plan for the way the State distributes tax credits (see Subsection VII.B.1) includes clarifying guidance on the incentive for projects that create community impact and revitalization within communities. Proposed projects can receive 10 percent of the total available points if the development team can show that the proposed project advances a strategic development plan created specifically to address the needs of the local region or community. To get full points, the project must show that it is part of a community, government or group-led broader plan that “fundamentally improves the quality of life and opportunities for neighborhood residents.” Among other factors, such plans must have benefited from a process of open and public community participation, promote mixed-income development, include transportation considerations, and set forth the specific goals and obstacles that the plan is designed to address.

NYSHCR strives also to develop mixed-use developments. Such projects are important to ensure that residents of affordable housing are served by retail, commercial, and community facilities. Mixed-use developments make up an important part of the community revitalization work that is undertaken by NYSHCR. In 2021, for example, \$4 million was made available in funding for the Rural and Urban Community Investment Fund. This fund supports the creation, preservation and improvement of affordable housing as well as commercial, retail and community space that serves the residents of affordable housing. To qualify, non-residential space must be proximate to affordable housing. Such funding can be accessed by not-for-profits or charities, in addition to traditional developers, and is designed to support a wide variety of community revitalization efforts. The flexibility of the program is critical in ensuring that the needs of local communities and their affordable housing residents are met.

### ***Development Highlights***

NYSHCR’s commitment to developing affordable housing in mixed-use developments is demonstrated by two recent developments, both of which provide low- and moderate-income families with access to critical community resources and services.

- **Sibley Square (Monroe County):** The redevelopment of Sibley Square in Rochester, NY represents a model of mixed-use/mixed-income living, and an important preservation project. Over the past several years, this 1.1 million square foot property, the site of a former department store, has been converted into a community that comprises affordable and market rate units; The Mercantile on Main, Rochester’s first food hall; Rochester Childfirst Network childcare center; Lifespan’s Senior Center; an urban market, as well as other retail businesses, including Citizens Bank.

Liberty Lofts at Sibley Square provides 104 affordable studio, one-, and two-bedroom units for low-income families below 60 percent AMI and for moderate-income families below 110 percent AMI, with rents for both restricted to 30 percent of income. Landmark at Sibley Square offers 72 affordable housing units for older adults 55+ with income at or below 100 percent AMI and at or below 110 percent AMI. Sibley Square

also contains a number of market rate units with no income restrictions. The development benefits from numerous amenities, including free WiFi in all community spaces.

- **Wyandanch Rising (Suffolk County):** The Wyandanch Rising Development in Suffolk County is a development comprised of mixed-use residential and commercial spaces, centered around a public plaza and located adjacent to the Wyandanch Long Island Railroad Station. Comprised of several different buildings set within 500 acres, the development was designed as a “smart growth” transit-oriented community. Over the past several years, two mixed-income, affordable buildings containing 177 units have been constructed, with a third 124-unit building under construction and more to come. One of these buildings is comprised of 94 units for older adults, aged 62+, with the majority of the building affordable for households with income at or below 60 percent AMI, though certain units will be affordable to households with income at or below 20 percent AMI. Selfhelp Realty Group, Inc. one of the project partners, will operate its Selfhelp Active Services for Aging Model onsite, which will offer services ranging from assistance with benefits and entitlements to referrals to community-based resources.

#### Downtown Revitalization Initiative

Further, in 2016, New York State launched the Downtown Revitalization Initiative, a project designed to transform downtown areas of the State into vibrant, walkable communities for individuals and families. Since then, New York State has committed \$400 million to such projects, with a further \$100 million announced in the FY 2021 Executive Budget toward this goal. In the fourth round, Schenectady, Fulton, Seneca Falls, Baldwin, Peekskill, Utica, Staten Island, Potsdam, Hornell, and Niagara Falls Bridge District were each selected to receive \$10 million, as well as assistance from private sector experts and State agency staff, in support of the community’s vision for revitalization. This program is led by the New York State Department of State, in partnership with Empire State Development and NYSHCR.

#### ***Development Highlights***

- **Ida Yarborough (Albany County):** In October 2019, the second phase of the ongoing Ida Yarborough Homes Redevelopment initiative, newly named 280 North, was completed. This phase released 76 units for families of various income levels. Twelve units are set aside for homeless families and another 12 units were adapted for residents with mobility, vision, and hearing disabilities. In total, this four-phase redevelopment initiative will bring 384 modernized and affordable homes to the Arbor Hill community in Albany, NY. These rehabilitated buildings will replace existing public housing property originally operated by Albany Housing Authority. The buildings are designed to incorporate green space and to provide homeownership opportunities, the latter of which was funded by a 2018 DRI award. Amenities also include a community garden, a playground, and an on-site fitness center. Project-Based Section 8 Housing Choice Vouchers will be tied to 358 of the new units.

The redevelopment of Ida Yarborough is part of a joint effort, in partnership with the City of Albany, Empire State Development and a number of nonprofits, among others, to revitalize the Arbor Hill area. This includes construction of market rate and affordable units and establishing new attractions, including a new complex for the Capital Reparatory Theatre. The Ida Yarborough Homes Redevelopment initiative will bring much needed affordable housing to a burgeoning Albany community, while providing easily accessible amenities, in an economically diverse neighborhood.

- **Glen Lake Apartments (Tompkins County):** Glen Lake Apartments is an exemplary housing development that includes supportive housing, market rate units and affordable housing right on the Seneca Lake waterfront. Glen Lake completed construction in early 2021 and contains 34 units. Six units have been set aside for residents with developmental disabilities and four units are market rate. The development also includes a childcare center, community room, a bulk storage space for each unit and has been constructed to extremely high-energy efficiency and green building standards. The Village of Watkins Glen, where Glen Lake Apartments is located, is a recipient of a \$10 million Downtown Revitalization Initiative. These funds will be used to create a sustainable environment and to stimulate the local economy. Glen Lake Apartments will increase affordable housing options in an area that is full of amenities, including the Seneca Lake waterfront, state parks, a bustling arts scene, and an internationally known racetrack.

### Mixed-Income Housing

NYSHCR considers mixed-income housing to be an important tool to deconcentrate poverty, integrate neighborhoods, and encourage economic diversity within communities. Over the last several years, NYSHCR has continued to prioritize and incentivize the development of mixed income, multifamily housing. In furtherance of this goal, the 9% QAP now includes two opportunities for proposed mixed-income projects to earn points, the first in relation to a larger Concerted Community Revitalization Plan, and the second as a stand-alone scoring criteria. The 4% QAP retains scoring criteria that assesses the need and demand for low-income and market rate units, as well as the extent to which a project promotes economic integration. Further, NYSHCR works closely with developers seeking 4% LIHTCs to ensure that projects serve mixed income households.

Taken together, these initiatives are critical in ensuring that communities across the state are supported and revitalized, with assets and opportunities available to all residents.

### Increasing Access to Credit & Homeownership

As described above (Section IV.E and VI.C.1.g), a glaring homeownership and resultant racial wealth gap exists in the state. Homeownership rates are significantly higher among white families than families of color. This is a major factor in the persistence of both housing segregation and the racial wealth gap. Equalizing homeownership rates between families of color and white families would significantly reduce the racial wealth gap; in fact, one study found that if Black/African American and Hispanic/Latinx homeownership rates were the same as white homeownership rates, the wealth gap between white families and Black/African



American families would shrink by 31 percent, and the wealth gap between white and Hispanic/Latinx families would shrink by 28 percent.<sup>32</sup> New York State is committed to increasing homeownership opportunities and making progress toward closing the racial wealth gap.

### [Give Us Credit Mortgage Program](#)

In 2021, NYSHCR and SONYMA launched the Give Us Credit program, which is a pilot mortgage program designed to address disparities in mortgage lending, particularly in underserved markets and in communities of color. This program reworks the traditional metrics and standards used by SONYMA to determine a potential first-time homeowner's creditworthiness and will ensure that more families in New York are able to qualify for mortgages. For example, in evaluating whether applicants are mortgage eligible, lenders will look at the borrower's rent history in lieu of a tradeline on a credit report and will be precluded from considering medical debt when looking at accounts that are past due. The program also aims to help foreign-born New Yorkers achieve homeownership by accepting non-bank savings plans, such as sou-sou and others, and by allowing for "mattress money" to be put towards down payment and closing expenses.

Additionally, SONYMA is expanding its lenders to include smaller community banks, community development financial institutions and local credit unions. Prior to legislation enacted in 2021, SONYMA mortgage lenders were required to be Fannie Mae or Freddie Mac approved, which has limited the number of such institutions that were eligible to be SONYMA lenders. By expanding these criteria, the number of community-based lenders operating in the low-income communities they serve will increase, which will, overtime help to redress disparate mortgage lending rates.

Further, given that the requirement to put forth a down payment is a significant hurdle for many New York families, SONYMA has expanded its Down Payment Assistance Loan Program (DPAL) for borrowers under 80 percent of the area median income. DPAL is a second loan equal to 3 percent of the purchase price of the home, with a minimum loan of \$7,500 (increased from \$3,000), and a maximum of \$15,000. The loan is forgiven in equal monthly installments over the first 10 years of borrower occupancy, and can be used to pay for the down payment and/or closing costs. This expansion is operational for Give Us Credit participants and will soon be available to all SONYMA applicants. As a result, more low- and moderate-income families will have meaningful access to homeownership.

Additionally, SONYMA has launched the DPAL PLUS program, with a limited \$5 million pilot. The program is an enhanced down payment assistance loan, targeted at households with a maximum income of 50 percent of AMI. DPAL PLUS can be used by households to pay down payment and closing costs until the purchase money mortgage amount is 80 percent of the loan to value, with a maximum amount of \$30,000. Similar to DPAL, the loan is forgiven in equal monthly installments over the first 10 years of borrower occupancy.

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<sup>32</sup> Sullivan, Laura, et al. "The Racial Wealth Gap: Why Policy Matters," page 12, (2015). Demos and Institute for Assets & Social Policy, Brandeis University. Online: [https://www.demos.org/sites/default/files/publications/RacialWealthGap\\_2.pdf](https://www.demos.org/sites/default/files/publications/RacialWealthGap_2.pdf)

Finally, SONYMA is undertaking a comprehensive outreach and education campaign. These campaigns will primarily target areas of New York State that have been identified as having serious disparities in mortgage lending by banks. Working with local elected officials, trade associations, nonprofits and faith-based organizations, SONYMA will ensure that New Yorkers, particularly those residing in historically redlined and underserved communities, have meaningful access to SONYMA mortgage products.

#### [Affordable Home Ownership Program](#)

Through the Affordable Housing Corporation, NYSHCR awards grants to eligible municipalities, municipal housing authorities, and other not-for-profit organizations that develop affordable homeownership opportunities or assist homeowners in funding necessary repairs. In 2021, AHC awarded nearly \$39 million to create or preserve 1,650 safe and affordable homeownership units for low- to moderate-income New Yorkers.

#### [Legacy Cities](#)

In May 2021, New York State announced the new Legacy Cities initiative. This plan will provide \$25 million to develop vacant properties and renovate blighted structures into move-in ready homes. The initiative will allocate this money through an application process open to land banks in upstate New York. The program is a partnership between NYSHCR and the Community Preservation Corporation, a non-profit organization that focuses on the creation and preservation of affordable housing. Selected land banks will transfer assemblages of up to 10 single-family properties to local developers. Once completed, these units will be resold to first-time homebuyers, with a preference for families who earn less than 80 percent of AMI. Applicants will be required to connect residents to NYSHCR's "Give Us Credit" program and NYSHCR will offer potential homebuyers down payment assistance.

#### [Community Reinvestment Act](#)

New York State remains committed to protecting low-and moderate-income communities from disinvestment and discrimination in lending opportunities, access to credit and establishing banking relationships. For example, in 2018, the federal administration proposed changes to the Community Reinvestment Act, an important piece of legislation that was designed, in part, to combat a long national history of redlining and historic and ongoing discrimination against communities of color, low- and moderate-income communities, and immigrant communities.

In response to these proposed changes, which were ultimately finalized in 2020, NYSHCR issued a comment letter addressing concerns that such changes would function to preclude a meaningful assessment of local lending activities, erase community input into qualifying activities and widen assessment areas without due consideration of the importance of physical bank branch locations.

Regardless of these changes to the CRA, NYSHCR will continue to work to ensure that all New Yorkers have access to financial tools and success that bolster housing and wealth-building opportunities, and looks forward to working on programing to address these goals.

Additionally, since 1978, a year after the adoption of the federal CRA, New York State has had its own Community Reinvestment Act (NYSCRA) that largely mirrors the CRA. On November 1, 2021, the NYSCRA was expanded to ensure that New Yorkers have equal access to mortgage

financing. Under this legislation, non-depository banks, which are the institutions responsible for a majority of mortgage originations in the state and the nation, are now subject to the NYSCRA. This expansion is critical to ensure that borrowers of color and low- and moderate-income communities are served by mortgage lenders.

### Increasing Access to State-Funded Affordable Housing

Over the past several years, NYSHCR has taken action to reduce barriers to its housing that disproportionately affect communities of color, women and those escaping domestic violence, individuals with disabilities, veterans, and other protected classes. These include implementing progressive screening policies for credit and justice-involvement that require individualized assessments, a broad application of protections and accommodations for victims/survivors of domestic violence and related crimes, and flexibility options when it comes to income requirements, all as discussed more below.

### Credit and Justice-Involvement Anti-Discrimination Policies in State-Funded Housing

To address the disproportionate and racially disparate housing vulnerability that individuals with a history of justice-involvement and those with negative or non-existent credit (see Subsection VI.D.1.b, above) face, in 2017 and 2019 respectively, HCR implemented anti-discrimination policies for these applicants to State-funded housing. HCR does not require that housing providers in receipt of State funds conduct credit or background checks, but if a housing provider opts to do so, they must comply with HCR's policies.

A history of justice involvement or negative/non-existent credit can no longer be an automatic bar to NYSHCR housing. Instead, housing providers must make an individualized assessment of the applicant, taking into account mitigating and explanatory information that applicants must be invited and provided 14 days to supply.

In the years since these policies were implemented, many New Yorkers with a history of justice involvement or negative credit have been successfully housed. NYSHCR's Fair and Equitable Housing Office has updated these policies from time to time, and provides ongoing training on the policies, as well as technical assistance, while the agency's Asset Management Unit conducts compliance monitoring on the policy's implementation on its regular site visits. Worksheets leading a housing provider through the individualized assessments are provided for their assessment and eligibility determination, although justice-involvement background and credit checks are not required. See more here: <https://NYSHCR.ny.gov/marketing-plans-policies#credit-and-justice-involvement--assessment-policies>

### ***Justice Involvement Assessment Policy***

Automatic denials of individuals with a history of criminal justice involvement not only increase the risk of homelessness and recidivism, but they also disproportionately impact communities of color. African Americans, for example, represented nearly 49 percent of the incarcerated population in New York but only 15 percent of the overall population.

Under New York State's Anti-Discrimination Policies When Assessing Justice-Involved Applicants for State-Funded Housing, applicants can no longer be automatically denied because of a history of justice involvement unless one of two circumstances exists: the applicant was convicted for the production of methamphetamine in the home, or they are required to a lifetime registrant on the sex offender registry. In other circumstances, only convictions that fall within a specified lookback period may be considered, and only those that involved a threat of physical violence to persons or property, or a threat to the health, safety and welfare of others. Convictions that occurred before an applicant reached the age of 17 years old may not be considered. In accordance with recent amendments to the New York State Human Rights Law (see Subsection VII.D), housing providers are barred from asking about prior arrests or criminal accusations that have been resolved in the applicant's favor, youthful offender adjudications, pending arrests with adjournments in contemplation of dismissal and a variety of sealed convictions. If permissible instances of justice involvement are discovered, the applicant must be given 14 days to provide contextualizing information which can include: the amount of time that has elapsed since the conviction; the age of the applicant at the time; the seriousness of the arrest or conviction; and any evidence of rehabilitation, such as participation in treatment programs or employment.

### ***Credit Assessment Policy***

Automatic tenancy rejections due to credit impact not only communities of color but also survivors of domestic violence and those with disabilities, among others. African Americans and Latinxs tend to have lower credit scores due to many factors including a persistent racial income gap and resultant wealth disparity. Economic abuse by a perpetrator of domestic violence can destroy the survivor's credit. And catastrophic episodes like illness and loss of employment, especially for those without family wealth and other safety nets, also suffer disproportionate impact to their credit scores. This has been particularly evident following the COVID-19 pandemic. For these reasons, NYSHCR does not believe that credit score is an appropriate predictor of whether one will pay their rent.

Under New York State's Credit Policy for Applicants to State-Funded Housing, a housing provider is prohibited from running a credit check on an applicant who is able to demonstrate that they have paid their rent on time and in full in the 12 months preceding application or in the 12 months preceding the onset of the COVID-19 pandemic. A credit check is also prohibited if an applicant has one or more rental subsidies that pay their entire rent. Applicants may not be rejected on the basis of their credit score or history if they have a FICO credit score of 580 or above (or 500 or above if the applicant is homeless). All other applicants must be individually assessed and cannot be rejected on the basis of outstanding medical or student loan debt, bankruptcies that occurred over one year ago, unpaid debt under \$5,000, a past eviction or housing court history or limited credit or rental history. Further, applicants may not be rejected on the basis of bankruptcies related to, or debt incurred during the COVID-19 State of

Emergency, and due to financial hardship caused by the pandemic. If negative credit information is flagged – such as outstanding debt exceeding \$5,000, applicants must be given at least 14 business days to provide evidence of mitigating circumstances; an applicant whose negative credit history is a direct result of a Violence Against Women Act (VAWA) covered crime such as domestic violence, stalking or harassment may not be rejected, and an applicant who is able to evidence that the negative credit history is the result of an episodic financial crisis that has since been cured, i.e., temporary unemployment or financial hardship due to the COVID-19 pandemic, should be accepted.

#### [Violence Against Women Act Protections](#)

Beginning in 2017, HCR requires all State-funded housing developments, regardless of whether such developments were covered by the federal legislation, to implement Violence Against Women Act (VAWA) protections. The NYSHCR policy includes housing financed with low-income housing tax credits although they were specifically carved out of the HUD policy that implemented VAWA protections in affordable housing in 2016.

The VAWA policy protects victims of VAWA covered crimes, which are gender neutral and include domestic violence, dating violence, sexual assault, and stalking, from discrimination in accessing maintaining State-subsidized housing. An applicant or a tenant of NYSHCR-subsidized housing may not deny assistance, terminate a program participant, or evict a tenant on the basis or as a direct result of the fact that the applicant or tenant has been a victim of a VAWA-covered crime. Adverse factors that may be the result of such crimes include poor credit and rental histories or past involvement with the criminal justice system.

In addition, housing providers must adopt an emergency transfer plan in cases where tenants and program participants are victims of VAWA-covered crimes. Housing providers must assist victims in securing a transfer to a different unit under that housing provider's control when a safe unit is immediately available. If an internal transfer is not available, the housing provider is encouraged to assist the person access resources that can assist them in securing a safe living space. The NYSHCR policy also allows the bifurcation of the lease to remove a household member from the lease to evict or terminate assistance to the perpetrator of the VAWA-covered crime. The housing provider must also provide the victims with reasonable time to establish eligibility for continued assistance or to find alternate housing following the bifurcation of the lease. Tenants and applicants are made aware of these rights in various ways. A Notification of Occupancy Rights are included with each application and rejection, if any. A VAWA lease addendum is also included for tenants in NYSHCR-financed housing.

Working with HCR's Asset Management Unit, FEHO conducted a number of training sessions for State-funding housing providers, management agencies and local administrators of NYSHCR Section 8 Housing Choice Voucher programs on the various protections and requirements of the VAWA policy. FEHO continues to provide periodic training and technical assistance on VAWA matters.

#### [Income Averaging in Tax Credit Properties](#)

One of the meaningful action items identified in the 2016 Analysis was to investigate feasibility of using a project-wide income averaging policy for programs (such as NYSHCR's low-income

housing tax credit properties) with income cutoffs so that households that are over the limit only by a small amount might not have to be turned away.”

In May 2019, NYSHCR established income averaging for its federal tax credit developments as permitted by the federal Consolidated Appropriations Act of 2018. The income averaging election allows developments to have an average imputed income limit of up to 60 percent of Area Median Income (AMI) by targeting a percentage of units at higher (80 percent AMI and/or 70 percent AMI) and lower (50 percent AMI, 40 percent AMI, 30 percent AMI, and/or 20 percent AMI) income levels. This allows projects flexibility in the ability to maintain financial feasibility while providing a deeper level of affordability than may be otherwise possible.

### C. Fair Housing Education & Outreach

The 2016 Analysis of Impediments established the goal to improve the level of fair housing knowledge and understanding among housing providers, real estate professionals, elected officials, program administrators and the general public. The commitment included utilizing webinars, classroom trainings, printed and electronic publication, advertising, and other media and tailoring it to the intended audience to have the largest impact.

NYSHCR’s Fair and Equitable Housing Office and the Division of Human Rights have worked to further this goal by conducting both internal and external trainings on broad-ranging fair housing topics including source of income discrimination, affirmative fair housing marketing for affordable housing, anti-discrimination rights in housing, among others. Since 2016, NYSDHR and NYSHCR have engaged in over 100 fair housing education events and programs across New York State. In conducting this education and outreach, the agencies sought to strengthen existing relationships and seek to build new ones with community-based organizations and service providers to expand the reach of these initiatives. Highlights of the programming are included below.

- **Fair Housing Roundtables:** Held in various areas of New York State, ranging from Buffalo to Syracuse, to Albany and New York City, these roundtables were open to fair housing, legal services and disability stakeholders and advocates, among others, to connect on fair housing issues that affect their clients and constituents and provide feedback to the agency on policy recommendations for the State to be responsive to the concerns.
- **Opening Doors for Everyone Fair Housing Conference at the Bronx Zoo (April 2017):** DHR, in partnership with HUD, hosted a two-day fair housing conference at the Bronx Zoo, NYC with panels that presented an extensive overview of fair housing protections related to disability rights, LGBTQ+ rights, and discrimination based on race and familial status. 200 individuals from community and government organizations attended the program.
- **50<sup>th</sup> Anniversary of the Fair Housing Act (April 26, 2018):** Attended by 275 fair housing advocates, stakeholders and attorneys, this day-long conference organized by FEHO and DHR featured panels on topics ranging from the history, impact, and continued importance of the Fair Housing Act, to housing rights of individuals with disabilities, to providing access to housing for vulnerable and at-risk individuals, and creating inclusive communities in the 21<sup>st</sup> Century.

- **Know Your Rights Fair Housing Webinar (April 2020):** DHR, in partnership with HUD, NYSHCR, and the Department of State, hosted a virtual event on fair housing protections available under state law, with particular focus on disability rights, tenant protections, and the obligations of real estate professionals. Over 600 people attended the webinar.
- **The Journey of Fair Housing: A Statewide Discussion on Breaking Down Barriers (April 2021):** DHR, in partnership with HUD, NYSHCR, the Department of State, and local fair housing organizations hosted a virtual event on recent updates to fair housing laws and protections in New York State. Nearly 300 people attended the webinar.
- **Training for Rural Housing Stakeholders (October 2020):** FEHO presented three trainings for the 2020 Stronger Together Housing Conference organized by the New York State Rural Housing Coalition and Habitat for Humanity of New York State for rural housing providers and other stakeholders. The topics of FEHO's sessions were: "An Update on the AFFH Rule and New York State's Response;" "Creating an Effective Fair Housing Marketing Plan;" and "Fair and Equitable Tenant Screening: A New Take on Credit and Background Checks." In addition, DHR presented on fair housing laws generally.
- **HCR's Progressive Tenant Selection Policies (various and continuous):** FEHO regularly conducts trainings and technical assistance for internal and external stakeholders on progressive assessment policies required for HCR housing stock but generally applicable to any housing. These policies include HCR's VAWA, Justice-Involvement and Credit policies. Included as part of these trainings is an informational video on the justice involvement assessment policy.
- **Continuing Legal Education for Attorneys (various and continuous):** FEHO and NYSDHR continue to train agency attorneys on federal and state fair housing laws and regulations including, for example, the federal regulations in the prior administration affecting immigrants in federally subsidized housing. The agencies have also presented at continuing legal education programs for practicing attorneys sponsored by the New York City Bar Association and the New York State Women's Bar Association.
- **Training for Section 8 Housing Choice Voucher Programs (continuing):** FEHO conducts trainings on fair housing and source of income laws specifically for HCR's local Section 8 Housing Choice Voucher program administrators throughout the state. In addition, source of income resource materials are distributed to Section 8 Housing Choice Voucher-holders to inform them of their rights and resources when looking for housing.
- **Education for Public Housing Authorities (April 2021 and continuing):** DHR held an education session on fair housing laws for directors at public housing authorities in April 2021, and presented at the annual NYS Public Housing Authorities Directors Association conference in June 2021 (perhaps combine with the above).
- **Tenant Protections in the Housing Stability and Tenant Protection Act (HSTPA) (Fall 2019, Winter 2019/20):** NYSHCR has held a series of internal and external trainings to inform relevant stakeholders of the duties and protections promulgated as part of HSTPA applicable generally to housing in New York. The external training was attended



by a wide range of housing providers and management companies from across New York State. Further internal staff trainings were held on February 3, 2020.

- **Affirmative Fair Housing Marketing** (various and ongoing): FEHO regularly conducts training on updates to HCR's affirmative fair housing marketing policies, timelines and expectations including at the New York State affordable housing conference in 2018 and 2020, in training sessions with affordable housing developers and most recently in internal agency trainings in May 2021.
- **Source of Income Training and Outreach** (various and ongoing): NYSHCR has worked closely with DHR and the NYS Department of State to educate relevant stakeholders on the new protections for lawful source of income in the New York State Human Rights Law. DHR conducted a broad campaign to raise awareness of these new protections, including seven regional outreach events throughout the state, and in September 2020, published [guidance](#) outlining the requirements of the law. NYSHCR has trained its Section 8 Housing Choice Voucher administrators on the law as well as DHR investigators on the Section 8 Housing Choice Voucher program since source of income discrimination often impacts Section 8 Housing Choice Voucher-holders.
- **Training & Resources for Immigrant-Serving Organizations and Community Members** (various and ongoing): DHR, FEHO, the HCR Tenant Protection Unit and the NYS Office for New Americans (ONA) conducted a Know Your Rights training for community residents at a mosque in Brooklyn in January 2018 regarding their anti-discrimination and tenant protection rights. FEHO and DHR also conducted a training to immigrant-serving organizations in November of 2020 regarding affordable housing eligibility and updates on federal housing rules and their impact on immigrant eligibility. An FAQ resource guide was created and distributed regarding Immigration Status, Housing Discrimination and Tenant Harassment.
- **Training for the Real Estate Industry** (various and ongoing): NYSDHR has held fair housing education sessions for members of the real estate industry, including presentations to the Long Island realtors in October 2017, the Dutchess County Association of Realtors in April 2019, the New York State Association of Realtors (NYSAR) Fair Housing and Cultural Diversity Committee in February 2020, the Real Estate Board of NY and NYSAR in April 2021, and the Asian Real Estate Association of America Manhattan Chapter in May 2021.
- **Accessibility Design** (various and continuing): HCR with United Spinal Association/Accessibility Services conducted a training for 180 architects, developers and other housing stakeholders regarding accessibility design requirements under federal, state and local laws with HCR requirements layered in. NYSDHR, with local organizations and Fair Housing Accessibility First, a HUD initiative, held trainings for architects on accessibility design requirements in June 2017 and April 2019. Professional education credits were provided to architects who attended the program.
- **2020-21 Fair Housing Public Awareness Campaign:** In September 2020, and again in April 2021, DHR launched fair housing public awareness campaigns with funding from HUD. The campaigns included components such as a series of animated videos and a

series of explainer videos on fair housing concepts, digital advertising on media websites, social media advertising, new publications and materials on fair housing, outreach events in partnership with NYSHCR and NYSDOS, and outreach to local human rights entities statewide. The campaigns' messaging was seen over three million times by New Yorkers.

- **Televised Spanish-language Fair Housing Phone Bank (November 2019):** DHR held a fair housing televised phone bank on Telemundo for two consecutive days during the evening primetime news. Telemundo is ranked among the top five broadcast networks alongside NBC, ABC, CBS and FOX. Through this telethon, DHR answered approximately 2,000 calls from their viewers.
- **Education for First-Time Homebuyers (Spring 2020):** Beginning in January 2020, NYSDHR and NYSHCR presented on steering and fair housing laws at three first-time homebuyer education sessions sponsored by nonprofit organizations on Long Island.
- **Protections Against Discrimination for the LGBTQ+ Community (February 2017 and ongoing):** DHR has hosted three statewide education programs, and regional programs for the Hudson Valley and Long Island, Central and Western Regions, the North Country and Capital Region, and New York City on protections available under state law for LGBTQ+ New Yorkers.

#### [Increased Requirement for Fair Housing Training of Realtors](#)

In the 2016 Analysis of Impediments, New York State committed to work on the fair housing continuing education requirements for realtors in the state. A recent law was passed that increases the curricular requirements for real estate professionals to include instruction relating to fair housing; requires applicants for real estate broker and salesperson licenses to demonstrate proficiency on this subject matter; instructs real estate brokers of their responsibility that they are responsible for ensuring salespeople under their supervision comply with fair housing law; and requires faculty for this instruction to attest under oath to compliance with the requirements of the curriculum. This requirement will raise knowledge of fair housing laws thereby reducing violations.

#### [Dissemination of Source of Income Know Your Rights Information](#)

Although NYSHCR and NYSDHR disseminate information regarding the source of income anti-discrimination protections to Section 8 Housing Choice Voucher holders under the State's administration, a recent law was enacted that would expand this requirement to housing agencies and authorities throughout the state. This bill requires housing agencies and authorities to inform housing applicants of their source of income discrimination protections, and help tenants know their rights in order to increase enforcement of source of income anti-discrimination law.

### **D. Fair Housing Regulation and Enforcement**

The 2016 Analysis of Impediments established the goal of strengthening anti-discrimination and enforcement in New York. New York State has succeeded in continuing to pass legislation and engage in partnerships aimed at strengthening the fair housing law and its enforcement. While

there have been successes, New York State will continue to confront and address the enforcement of the enhanced protections created by these changes.

### Fair Housing Testing

A crucial aspect of enforcing fair housing laws is investigating where instances of discrimination occur. On February 25, 2021, New York State announced the deployment of undercover testers across New York State to investigate discrimination in home rental and sale transactions. These testers will pose as applicants for rental housing or potential homebuyers to determine the presence of discriminatory behavior or treatment from sellers, landlords and brokers.

The program is administered by New York State Homes and Community Renewal in conjunction with six non-profit fair housing organizations who train and oversee the testing programs. The non-profit organizations are the Fair Housing Justice Center, Long Island Housing Services, Housing Opportunities Made Equal, CNY Fair Housing, Legal Assistance of Western New York and Westchester Residential Opportunities. The total amount of the contracts is \$2,200,000 which complements funding provided to these organizations by HUD, and provides continuity funding to the Attorney General's Eliminating Barriers to Housing in New York program piloted in partnership with Enterprise Community Partners.

### Amendments to the NYS Human Rights Law

The New York State Human Rights Law (NYSHRL) was amended in several meaningful ways since 2019.

#### ***Lawful Source of Income***

One of the main accomplishments to come out of the goals set forth in the 2016 Analysis of Impediments was the passage in April 2019 of lawful source of income as an additional protected basis in the NYSHRL. A broad-based collaboration between New York State agencies and a coalition of advocacy, service, and other non-profit organizations provided the impetus for this new protection.

Renters whose income is not traditional employment wages frequently experience discrimination when applying for apartments due to the type of income they receive. As confirmed in various public engagement sessions, source of income is often used by landlords as a pretext to discriminate against applicants who are single mothers, survivors of domestic violence, veterans, minorities, older adults, or individuals with disabilities. The law now prohibits discrimination in housing based on lawful source of income which includes:

[C]hild support, alimony, foster care subsidies, income derived from social security, or any form of federal, state, or local public assistance or housing assistance including, but not limited to, section 8 vouchers, or any other form of housing assistance payment or credit whether or not such income or credit is paid or attributed directly to a landlord, and any other forms of lawful income.

Guidance issued by NYSDHR illustrated the application of the new amendment, including the following:

- Limiting the ability for landlords to use administrative burden of renting to a Section 8 Housing Choice Voucher-holder as a defense to source of income discrimination.

- Participation in housing subsidy programs by housing providers is no longer voluntary.
- Housing providers must accept all lawful sources of income equally and cannot require certain income such as wages, which can be garnished for non-payment.
- Housing providers cannot set income or wealth requirements for tenants that have rent subsidies such as a Section 8 Housing Choice Voucher.

This new protection is a major milestone in ensuring that New York’s most vulnerable citizens are able to access housing, and a direct response to the goals and meaningful actions laid out in the 2016 Analysis of Impediments.

### ***Gender Expression Non-Discrimination Act (GENDA)***

The landmark Gender Expression Non-Discrimination Act (GENDA), passed in January 2019, amended the NYSHRL to prohibit discrimination based on gender identity or expression in all areas covered by the law including housing. The NYSHRL defines gender identity or expression as “a person's actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.” Preferences or prejudices of the housing provider or other tenants are not a defense to discrimination.

### ***Justice-Involvement/Prior Arrest Protections***

The NYSHRL was further amended to prohibit housing providers to act adversely or even inquire about any prior arrests or criminal accusations that have been resolved in the applicant’s favor, youthful offender adjudications, pending arrests with adjournments in contemplation of dismissal and a variety of sealed convictions.

### ***Domestic Violence***

On May 13, 2022, the NYSHRL was amended to protect victims of domestic violence from discrimination. This amendment expanded protections for victims of domestic violence to areas of discrimination where they were not previously guaranteed, such as housing, education, and public accommodations.

### ***Citizenship and Immigration Status***

On December 23, 2022, Governor Kathy Hochul signed an amendment which added citizenship and immigration status as protected classes covered by the NYSHRL. This change to the NYSHRL prohibits discrimination against new Americans or those who were discriminated against based on an assumption that they were not American.

### ***Limitation of Exemption***

Public engagement participants reported that discrimination in housing advertisements still exist. While this is prohibited in both state and federal law, an exemption existed for smaller owner-occupied dwelling units. The exemption for owner-occupied two-unit dwellings was eliminated from the requirement of nondiscrimination in advertisements and inquiries for the rental of an apartment. Further, engaging in discriminatory advertising or inquiries will cause the property to no longer be exempt from full coverage by the nondiscrimination provisions of the human rights law.

### ***Enhanced Liberal Construction Provision***

In addition, the NYSHRL now includes a clause that requires that it be interpreted liberally regardless of more narrow federal interpretations of similar federal laws, and that exceptions and exemptions be interpreted narrowly. Essentially, this provision allows courts to review discrimination cases in the interest of those who belong to a protected class.

### ***Support Animals and Reasonable Accommodations***

In August 2020, the NYSHRL was amended to clarify that reasonable accommodations in housing also include the use of an animal to alleviate symptoms or effects of a disability. NYSDHR data demonstrates that disability discrimination continues to be the top basis of discrimination in New York State, with the denial or lack of reasonable accommodation underlying a majority of the complaints.

### [Mandatory Reasonable Accommodation Disclosure Law](#)

In March 2021, the New York State Executive Law was amended to require all housing providers to “disclose to all tenants and prospective tenants of their right to request reasonable modifications and accommodations if they have a disability.” This notice must be provided to tenants within 30 days of the start of their tenancy or within 30 days of the provision going into effect.

### [Enhanced Fair Housing Disclosures and Discipline for Real Estate Professionals](#)

On June 20, 2020, the New York State Department of State (DOS) implemented new real estate regulations to combat housing discrimination. These regulations require notification of fair housing laws and how to file a complaint to prospective home buyers, renters, sellers, and landlords; posting of fair housing laws in offices of real estate professionals; and video recording and preservation of any instruction pertaining to fair housing and/or housing discrimination.

To bolster these regulations, on August 3, 2020, New York State enacted legislation clarifying DOS authority to discipline real estate professionals found to have engaged in discriminatory behavior by revoking or suspending their license. DOS and NYSDHR have streamlined the investigative process for discrimination claims involving real estate brokers and salespersons by jointly investigating cases when appropriate, dual tracking the discrimination claim as well as the license revocation. The new process has shortened timeframes for investigations and may lead to increased fines and penalties.

## **[E. Reducing Barriers to Affordable Housing in the Private Market](#)**

New York State has continued to examine, identify, and eliminate barriers to affordable housing in the private market, one of the goals set forth in the 2016 Analysis of Impediments.

### [Housing Stability and Tenant Protection Act](#)

The passage of the June 2019 Housing Stability and Tenant Protection Act (HSTPA) is a major milestone in protecting tenants in the private market. It made fundamental changes to the laws that govern rent regulated units, as well as strengthened laws for unregulated tenants. The HSTPA provisions described below address many of the barriers that disproportionately affect

protected groups and poor New Yorkers in the private market. New York will continue to dismantle these barriers in the next assessment period.

### ***Rent Regulated Units***

For rent regulated housing (generally New York City buildings with six or more units built prior to 1974), HSTPA repealed major methods of deregulating rent regulated units such as vacancy decontrol, longevity increases, and high-income/high-rent deregulation, curbing the ability to remove affordable, rent-stabilized units from available housing stock. HSTPA also capped increases for major capital improvements within the building and improvements made within the unit prior to a tenant's occupancy, bars landlords from discontinuing preferential rents given during the life of the tenancy and extended rent stabilization as an option for localities statewide. The passage of HSTPA was critical to combatting tenant harassment and abuse of the rent stabilization laws. HSTPA preserves the number of affordable rent regulated units and decreases any financial incentive to evict tenants for non-lease violations.

### ***Manufactured Homes***

HSTPA also created ground-breaking protections for residents of manufactured homes. These residents are particularly vulnerable because although they may own their homes, it is not always the case that they own the land that the home is situated on. The expense to move the home is often prohibitive, often leaving residents captive to steep rent and fee increases by manufactured home park owners. The effect of these changes creates a rent increase framework in a housing sector that previously had very few protections.

The law created limitations on rent increases for most manufactured home park residents. Under HSTPA, rent increases may not exceed 3 percent of the current rent unless the manufactured home park owner experienced increased operating costs, property taxes, or expenses from capital improvements. Even if the manufactured home park owner has experienced increased costs, rent increases may not exceed 6 percent without the approval of a temporary hardship application by a court. The law also placed limitations on fees in manufactured homes, most notably that late charges may not exceed 3 percent of rent or \$50, whichever is less. In addition, all manufactured home tenants are entitled to renewal leases and all leases must include an NYSHCR-issued rider on tenant rights.

### ***Unregulated Units***

HSTPA also created additional and far-reaching protections for unregulated units in the private market. HSTPA banned landlords from reviewing an applicant's housing court history, imposed a landlord's duty to mitigate damages when a tenant vacates prior to the end date of the rental agreement, capped security deposits to one month's rent, set a shorter timeline for the return of the deposit, capped application and background check/credit check fees to \$20.00 and gave applicants the opportunity to provide their own background and credit report as an alternative, and authorizes judges to exert more discretion in staying execution of a warrant of eviction.

As confirmed by the participants in the public engagement process, security deposits, credit checks, steep upfront payments and tenant blacklists all provide disproportionate barriers to housing-vulnerable and poor New Yorkers. The impact of these barriers limits housing choice, access to well-resources areas and/or safe housing and increases housing instability all too

often among communities of color, people with disabilities and victims of VAWA-covered crimes, among others. With HSTPA capping security deposits to one month's rent and limiting application and background/credit check fees to \$20.00, obtaining affordable safe housing is more in reach for these groups. The prohibition of tenant blacklists, for example, is particularly beneficial for survivors of VAWA-covered crimes who often suffer from financial abuse in addition to physical abuse, resulting in damaged credit and housing court histories.

#### [Policy Partnership on Housing for Justice-Involved Individuals](#)

In addition to the amendments to the New York State Human Rights Law that now prohibit housing providers from denying occupancy or even inquiring into prior arrests that did not result in conviction and other justice-involvement records, NYSHCR has also established partners in dismantling barriers for justice-involved individuals.

Beginning in 2019, NYSHCR joined representatives from several fair housing, legal service, and justice-involvement organizations and New York City agencies to assist Enterprise Community Partners, in conjunction with the Fair Housing Justice Center, the Fortune Society, Local Initiatives Support Corporation, and the Vera Institute in the development of a curriculum to educate housing providers on housing individuals impacted by the criminal justice system. Launching in 2021, this curriculum is designed to educate housing providers on the barriers to housing faced by individuals with a history of justice involvement and advise them on policy and program solutions to support this population.

#### [Helping Those with Disabilities Stay in Their Home](#)

NYSHCR has continued its work on the Access to Home program, which funds accessibility modifications in homes for those with disabilities. Approximately \$16.7 million over the last five fiscal years have been awarded through three programs funded through a combination of State budget funds, Department of Health funding and private funding: (1) Access to Homes for Heroes/Veterans, (2) Access to Home for Medicaid Recipients, and (3) Access to Home for New Yorkers, generally. Administered through a network of non-profit and municipal organization, the programs can fund up to \$25,000 can be used to support accessibility modifications per eligible participant. In addition, environmental modifications such as ramps and widened doorways up to \$15,000 are covered by the Community Choice First Option to eligible Medicaid enrollees. Importantly, in the 2018-19 State budget, NYSHCR advocated for, and successfully achieved, the expansion of eligibility under the Access to Home for Heroes Program. Before the modification, the program was limited to veterans with service-related disabilities. The current program extends eligibility to age and health-related disabilities, regardless of whether the disability is service-related.

Additionally, the New York State Office for People With Developmental Disabilities provides funding for Environmental Modifications (E-Mods), upon application and approval, for individuals enrolled in the OPWDD HCBS Waiver. E-Mods are defined as those physical adaptations to the individual's home that are necessary to ensure the health, welfare, and safety of the individual or that enable the individual to function with greater independence in the home. Further information can be found at: <https://opwdd.ny.gov/adm2021-04-service-documentation-assistive-technology-e-mod-and-v-mod-services-provided-individuals>



### Supporting Older Adults to Age in Place

In addition, the Residential Emergency Services to Offer Home Repairs to the Elderly (RESTORE) helps older adults continue to live independently in their homes by providing older adult homeowners up to \$10,000 to assist with the cost of addressing emergencies and code violations that pose a threat to their health and safety, or affect the livability of their home. Over fiscal years 2016 to 2021, the RESTORE program distributed approximately \$7,170,000 in funds.

### Other Efforts to Dismantle Barriers to Housing on the Private Market

Other efforts more fully described in other sections of this Assessment include the following:

- Amendments to the New York State Human Rights Law adding source of income, domestic violence status, citizenship and immigration status, and gender identity and expression as protected statuses, while clarifying the liberal construction of the law in general (Subsection VII.D)
- Funding fair housing testing programs throughout the state (Subsection VII.D)
- Assisting disabled and veterans and older adult homeowners to make accessibility and other modifications of their homes to increase their ability to stay in them through Access to Home and RESTORE programs (Subsection VII.A.2)
- SONYMA's Give Us Credit Mortgage Program aimed at increasing homeownership rates in underrepresented markets, especially in communities of color, and reimagines credit guidelines used to evaluate who is mortgage-ready (Subsection VII.B.3)
- Educating brokers, landlords and the general public on fair housing rights and duties (Subsection VII.C)

### **F. Examining Ways to Reduce Regulatory Barriers to Development of Affordable Housing (Land Use, Development & Environmental Regulations)**

The 2016 Analysis of Impediments identified regulatory barriers that can be erected as a barrier to developing new affordable housing. New York State is committed to reviewing and streamlining these processes while ensuring that they protect and provide opportunities for vulnerable and protected groups in the state.

#### Expansion of NYSHCR's Environmental Unit

Since the 2016 Analysis of Impediments, NYSHCR has expanded its Environmental Unit which reviews environmental regulatory compliance for all new construction financed by the agency. The staff provides technical assistance and guidance to affordable housing developers in navigating the regulatory landscape as efficiently as possible.

#### Implementation of Site Suitability Standards

Beginning in 2019, NYSHCR implemented site suitability standards to provide clear guidance to affordable housing developers on what sites meet suitability standards. As part of meeting the standards, a developer of a proposed project must provide an environmental justice narrative explaining how the surrounding area is suitable for the development of affordable housing, analyzing the potential for the surrounding uses to adversely affect the health and well-being of

the current or future tenants. This can reference and include municipal comprehensive plan compliance, a hazard mitigation or emergency evacuation plan for the project, and/or mitigation measures incorporated into the project design and site plan.

### **G. Evaluating and Mitigating Local Barriers to Affordable Housing: Local Sentiment, Land Use and Zoning**

As indicated in the 2016 Analysis of Impediments, local opposition, zoning, and land use requirements can create barriers to the creation of affordable housing. Gaining local approval for development and navigating local zoning rules and policies can be a lengthy and cumbersome process fraught with litigation and untenable timelines. NYSHCR continues to identify and, where possible, mitigate such barriers against building thriving inclusive housing projects in a diverse array of neighborhoods throughout the state.

#### Incentivizing Development in Well-Resourced Areas

In the public engagement process, stakeholders pointed to difficulties encountered when trying to develop affordable housing in well-resourced areas. Specifically, developers pointed to communities with exclusionary zoning practices that disallow multifamily housing or restrict density, combined with the expense of acquiring land to develop such housing and addressing infrastructure limitations.

NYSHCR has taken concrete steps to counteract these forces and incentivize development in these areas. For example, the new set-aside for a portion of the available 9% Low Income Housing Tax Credits, available to “Housing Opportunity Projects” located in well-resourced areas (see Subsection VII.B.1) is an important financial incentive to ensure that developers have the means to acquire and build in more expensive areas of the state.

#### Scrutiny of Local Occupancy Preferences

The 2016 Analysis of Impediments identified an additional local barrier to housing – the use of community occupancy preferences in tenant selection. For example, a municipality may approve the development of affordable housing, or grant variances for increased density, in exchange for occupancy preference for individuals and families who reside in that municipality. While such preferences can be an important tool in ensuring that local residents are not displaced as a result of gentrification, in other scenarios these preferences can function to entrench residential segregation by ensuring that families from outside the municipality have limited opportunity to move to the municipality.

As part of a review of each project’s affirmative fair housing marketing and tenant selection plan (discussed in greater detail in Subsection VII.H), attorneys in the Fair and Equitable Housing Office (FEHO) scrutinize any requests for occupancy preferences based on demographics on the preference group compared to the area of the project and any public policy rationales given for such a preference to determine whether the preference creates a disparate impact on protected groups in the area. Often, requests for preferences are modified or rejected. In addition, NYSHCR requires comprehensive affirmative marketing efforts to ensure that least likely to apply demographic groups are made aware of housing opportunities.

### Removing Local Approval Requirements for LIHTC Projects

In the 2016 Analysis of Impediment, one of the action items was ensuring that “evidence of local support for an affordable housing project is not a dispositive factor in funding decisions.” The recent revisions to the 9% Qualified Allocation Plan (see Subsection VII.G), governing the State’s distribution of tax credits, contains amendments designed to accomplish this action item. First, the threshold eligibility criteria that proposed projects must meet has been amended to clarify that projects must “identify all required government approvals” necessary to construct the proposed project rather than “[take] all necessary steps” at the time of application to secure government approval. This change is significant, because it reduces the burden on project sponsors at the time of application, and thereby minimizes the ability of localities to unreasonably withhold approval in order to block the development of affordable housing. It should be noted that this change does not impact Concerted Community Revitalization Plans, which require community engagement to ensure that the neighborhood redevelopment meets the needs of the community.

Additional changes to the QAP include language clarifying that the chief executive officer of the local jurisdiction must be notified of the project and given opportunity to comment, rather than the previous language which required a project sponsor to take reasonable steps to address objections to the project. Additionally, new language removes the requirement that a proposed project be consistent with the consolidated plan for the locality in which the project is located. These changes are critical to reducing potential barriers at the locality level to the development of affordable housing.

### H. Aligning NYSHCR Internal Policies to Affirmatively Further Fair Housing

In the 2016 Analysis of Impediments, NYSHCR committed to focusing internal policies, procedures, and management of NYSHCR in a way that efficiently and consistently affirmatively furthers fair housing. NYSHCR continues working towards imbedding fair housing in all housing and community development work it carries out, including in the following ways.

#### Centralized Review and Approval of Affirmative Fair Housing Marketing & Tenant Selection Plans

In 2017, NYSHCR consolidated the affirmative fair housing marketing and tenant selection plan approval process so that attorneys in the Fair and Equitable Housing Office (FEHO) review the plans for all multifamily housing created or preserved by the agency. FEHO attorneys now review proposed procedures including any occupancy preferences and outreach for the project twice: once before the closing of construction financing and then again closer to the marketing and occupancy of the building. The second review is more detailed and provides a thorough examination of the policies for tenant selection, reasonable accommodation and accessibility, affirmative outreach and marketing and training of staff. The two-step review ensures continuity and adherence to fair housing requirements between development and management teams on any given project. Projects must also resubmit fair housing marketing and tenant selection procedures to reestablish a waiting list.

#### Fair Housing Requirements for CDBG and HOME Programs

The CDBG and HOME programs, administered through the Office of Community Renewal incorporate fair housing requirements at various points in program implementation. Funding

materials and contracts, including NOFAs, Requests for Proposals/Applications and grant agreements include fair housing commitments. Applications are weighted based on such factors as the affordability of the housing, the income levels of the beneficiaries and the alignment with HCR policy goals for the region, among other factors. The programs work with FEHO to provide guidance and technical assistance on fair housing and discrimination issues that might arise at OCR-funded sites or applications.

For HOME, local programs are required to have an affirmative marketing plan/policy posted on their website and detailed in Administrative Plans. Plans, policies, and procedures are reviewed by HOME program staff during annual monitoring at which time any deficiencies are corrected. Multifamily new construction and rehabilitation of housing above five units must obtain FEHO approval of their Affirmative Fair Housing Marketing Plan, which includes reviews of their tenant selection policies and preferences and implements progressive HCR screening policies such as individualized credit and justice involvement assessments.

The Community Development Block Grant (CDBG) program administered by NYSHCR requires from its recipients a demonstration of efforts to further fair housing. Mandatory requirements include designating a fair housing officer, distributing public information on fair housing and non-discrimination rights, and passing a fair housing resolution that demonstrates a good faith effort in complying with the duty to affirmatively further the goal. A “Fair Housing Checklist” is provided with a non-exclusive list of efforts that can be made to meet this requirement which includes public education and input on fair housing issues in the area, including fair housing and disproportionate housing needs of protected groups in community planning and meeting with lending institutions to promote broad access to home financing. Failure to demonstrate good faith efforts to further fair housing can result in a finding that can jeopardize current and future funding.

#### [Enhanced Fair Housing Compliance Monitoring](#)

A Fair Housing Checklist was developed in 2017 to be used when on-site compliance visits are conducted by NYSHCR’s Asset Management Unit. The checklist assists the agency in evaluating the successful implementation of various policies, and identify areas requiring technical assistance. Among other areas, the checklist captures data on the implementation of NYSHCR’s policies for assessing applicants with a history of justice involvement and negative credit history, compliance with VAWA, affirmative fair housing marketing practices and tenant selection, as well as any complaints that have been received by the housing provider. Where deficiencies are noted, FEHO and AMU work closely with the housing provider to ensure that they are addressed and remediated promptly. The agency also provides follow-up training as necessary.

#### [Response to Federal Actions Dismantling Fair Housing Protections & Commitments](#)

New York State has submitted a series of comment letters and participated in litigation in response to proposed federal regulatory actions related to fair housing. These comments have been submitted by NYSHCR alongside a number of other New York State agencies, such as the Division of Human Rights (NYSDHR), the Department of Health (DOH), the Office of Temporary and Disability Assistance (OTDA), the Office of Children and Family Services (OCFS), the Office for New Americans (ONA), and the Office for the Prevention of Domestic Violence (OPDV).

### ***The Affirmatively Furthering Fair Housing Rule***

On May 23, 2018, HUD published a notice in the federal register titled “Affirmatively Furthering Fair Housing: Withdrawal of the Assessment Rule for Local Governments.” This Proposed Rule effectively suspended implementation of key components of the 2015 Affirmatively Furthering Fair Housing Rule, which significantly increased the federal government’s oversight of state and local fair housing programs. At that time, NYSHCR submitted a comment in opposition to these proposed changes to the AFFH regulations. Additionally, the New York State Attorney General filed a lawsuit alongside other states to block implementation of this action. NYSHCR submitted a declaration in support of this litigation. However, the United States District Court for the District of Columbia granted a motion to dismiss this lawsuit in August 2018. Although the 2015 regulations requiring a 5-year assessment of fair housing were suspended, New York proceeded, the result of which is this assessment, Fair Housing Matters NY.

### ***Disparate Impact Final Rule***

In August 2019, the federal government published a Proposed Rule on “HUD’s Implementation of the Fair Housing Act’s Disparate Impact Standard.” NYSHCR and several other New York State agencies submitted comments opposing this action. On September 24, 2020, HUD published the Final rule which did away with the disparate impact standard established by HUD in 2013. Under the new regulation, HUD reinterpreted the disparate impact standard to narrow the scope of what constitutes discriminatory housing actions and raise the burden of proof required to prove housing discrimination.

### ***Public Charge Final Rule***

In 2019, the Department of Homeland Security (DHS) published the Public Charge Rule, which classified non-citizens in receipt of federal housing benefits, among a number of other federal programs, as “public charges.” This new classification could have significant negative consequences for these individuals when they attempt to alter their immigration status or re-enter the country after a significant amount of time abroad. In 2018, NYSHCR and other State agencies submitted comment letters in opposition to the Proposed Rule for this regulation. In 2019, NYSHCR submitted a declaration in support of a lawsuit seeking a preliminary injunction to block implementation of this regulation.

### ***Mixed Immigration Status Proposed Rule:***

In 2019, HUD published a Proposed Rule would prohibit mixed-immigration status families from living in public and other subsidized housing. Under this proposal, mixed status families would either have to forego their federal housing benefits or split up to ensure that no ineligible non-citizens lived in their housing. NYSHCR and a number of other New York State agencies submitted comments opposing this Proposed Rule. The federal government did not publish a final version of this regulation and in April 2021, the proposed rule was withdrawn by HUD.

### **[Climate Leadership and Community Protection Act](#)**

Passed in July of 2019, the New York State’s Climate Leadership and Community Protection Act (CLCPA) is a landmark piece of legislation that commits the State of New York to comprehensive climate adaptation planning and climate justice. In addition to aggressive climate mitigation

goals – including 85 percent greenhouse gas emissions by 2050 and 100 percent zero-emission electricity usage by 2040 – the Act aims to address adaptation and resilience across State programming, land use planning, and local government support. A 22-member Climate Action Council is preparing a Scoping Plan to achieve the State’s bold clean energy and climate agenda. The Council is composed of environmental and energy leaders appointed by the Council and State agencies including NYSHCR, the New York State Energy Research and Development Authority (NYSERDA), New York State Department of Health (NYSDOH), the New York State Department of State (DOS), the New York State Department of Labor (NYSDOL) and the New York State Department of Environmental Conservation (NYSDEC), among others.

The CLCPA requires State agencies, authorities, and entities to direct funding such that “disadvantaged communities” receive 40 percent of overall benefits of spending on clean energy and energy efficiency programs, projects or investments in the areas of housing, workforce development, pollution reduction, low-income energy assistance, energy, transportation and economic development, and at least 35 percent of the overall benefits of spending on clean energy and energy efficiency programs, projects or investment. Who falls in the category of “disadvantaged communities” is not specifically defined in the law. Instead, broad guidelines are placed and a Climate Justice Work Group (CJWG) tasked with defining the groups and putting forth proposals to meet the benefit percentage goals. The broad guidelines include that the disadvantages communities “shall be identified based on geographic, public health, environmental hazard, and socioeconomic criteria, which shall include but are not limited to:

- Areas burdened by cumulative environmental pollution and other hazards that can lead to negative public health effects.
- Areas with concentrations of people that are of low-income, high unemployment, high rent burden, low levels of home ownership, low levels of educational attainment, or members of groups that have historically experienced discrimination on the basis of race or ethnicity.
- Areas vulnerable to the impacts of climate change such as flooding, storm surges, and urban heat island effects.”

On December 20, 2021, the Council released the Draft Scoping Plan for public comment. This document serves as an initial framework for how the State will reduce greenhouse gas emissions and achieve net-zero emissions, increase renewable energy usage, and ensure climate justice. The comment period was open from January 1, 2022 to July 1, 2022. The final Scoping Plan and more information on the process is available here: <https://climate.ny.gov/>

#### [Other NYSHCR Policies that Affirmatively Further Fair Housing](#)

Many of the steps taken by NYSHCR to affirmatively further fair housing in its own policies and procedures have been discussed throughout this Assessment. They include:

- Expanding the types of projects that must follow NYSHCR’s Design Guidelines which surpass federal, state and local accessibility requirements in some areas (Subsection VII.A.2)



- Progressive and individualized credit and justice-involvement applicant screening policies for all NYSHCR-financed housing (Subsection VII.B.4)
- Implementing VAWA protections for all NYSHCR-financed housing regardless of whether federal law requires it (Subsection VII.B.4)
- Revising the low-income housing tax credit allocation plan to include a more equitable distribution of incentives for well-resourced areas and eliminating the requirement of local approval (Subsection VII.B.1)
- Reimagining underwriting criteria to expand who is mortgage ready to advance credit in underserved communities and particularly communities of color with the Give Us Credit program (Subsection VII.B.3)
- Funding fair housing testing throughout the state (Subsection VII.D)

### I. Technical Assistance to HUD Entitlements

Communities throughout New York have continued to conduct assessments of fair housing in their jurisdictions, in some cases despite the fact that HUD, under the previous administration, substantially weakened and essentially disbanded the requirement to do so. New York State looks forward to the re-implementation of the Affirmatively Furthering Fair Housing rule and to working with local jurisdiction on addressing local, regional and state fair housing challenges.

NYSHCR also conducted a review of the fair housing assessments and analyses of impediments in the last five years and found that many of the goals and action items, although particular to the specific locality, align with each other and the those set forth in this Assessment.

Highlighted goals of localities throughout the state include:

- Addressing NIMBY-ism (Town of Amherst, City of Dunkirk, Town of Huntington, Westchester County)
- Sourcing funds for the redevelopment or rehabilitation of residential properties in high opportunity areas (City of Auburn, City of Middletown, Westchester County)
- Looking for opportunities to revise ordinances to allow group homes, shelters, and other facilities where appropriate (Town of Amherst, City of Ithaca, Nassau County)
- Strengthening outreach and education for landlords to learn about fair housing laws and to empower tenants about their rights (Suffolk County, City of Auburn, Brookhaven Town, Dutchess County and Town of Poughkeepsie, City of Elmira, Town of Islip, City of Middletown)
- Prioritizing the construction of more affordable housing (Brookhaven Town, Dutchess County and City of Poughkeepsie, City of Dunkirk, Town of Islip, City of Ithaca, Suffolk County)

New York State believes in the Assessment of Fair Housing process. Local towns, cities and counties setting measurable strategies and policy goals moves the needle on undoing years of systemic discrimination and disinvestment that have resulted in the fair housing issues discussed in this Assessment. The State continues in its commitment to help New York localities



create analysis, goals and action items to break down barriers and otherwise affirmatively further fair housing.

## VIII. Looking Forward: Goals & Action Items

### A. GOAL 1: Build upon opportunities for wealth creation through affordable home ownership

New York State continues to prioritize the creation of meaningful opportunities for home ownership, wealth-building, and stabilization for families of color, low-income families, and other vulnerable New Yorkers. Through the public engagement process, many fair housing advocates across the state underscored disparities in homeownership. Advocates flagged a range of causes for this disparity, from difficulty in saving for a down payment, to discrimination by banks and brokers, to gentrification. Further, homeownership has been identified as a critical pathway to wealth accumulation and an important tool to break the intergenerational cycle of poverty. In addition to providing greater stability for homeowners and their families, homeownership has also historically been understood to create more stable communities.

One tool that already exists is the Section 8 Homeownership program, which allows Section 8 Housing Choice Voucher-holders to use the voucher subsidies towards mortgage payments, interest and taxes on a home. Public Housing Authorities may offer this option, but voucher holders often do not choose it because federal law provides a mandatory term limit of 10 to 15 years depending on the length of the mortgage. In contrast, a rental voucher is perpetual. It should be noted that there are no time limits for elderly or disabled families. This program is one area to examine as part of this goal. In New York, according to data provided by HUD, in 2020 there were 979 homeownership Section 8 Housing Choice Vouchers. NYSHCR's vouchers accounted for 40 percent of this number.

#### Strategies and Responsible Agency/Office

- Monitor and continue to develop programs and opportunities for homeownership, with a particular focus on expanding opportunities for homeownership among minority, low-income and vulnerable households. [New York State Homes and Community Renewal (NYSHCR), Office of Temporary and Disability Assistance (OTDA)]
- Increase equity in homeownership by expanding two State of New York Mortgage Agency (SONYMA) programs: Give Us Credit and Down Payment Assistance Loan (DPAL). [New York State Homes and Community Renewal (NYSHCR)]
- Conduct targeted outreach and education on SONYMA programs, including Give Us Credit and DPAL. [NYSHCR]
- Incorporate more Community Development Financial Institutions as SONYMA lenders, which was made possible due to the passage of recent legislation drafted by HCR. [NYSHCR]
- Coordinate with New York State Department of Financial Services to periodically review Home Mortgage Disclosure Act (HMDA) data to further target lending programs and to identify discriminatory lending patterns. [NYSHCR, New York State Department of

#### Financial Services (NYSDFS)]

- Examine avenues for expansion of the utilization of the Section 8 homeownership vouchers by Public Housing Authorities in the state, including the drafting of underwriting standards or guidance. [NYSHCR]
- Investigate possibility of removing ceilings to mortgage down payment assistance and providing DPAL program options that vary by household income. [NYSHCR]

#### Key Metrics

- Number of new SONYMA mortgages originated to families of color and other protected classes.
- Number of Community Development Financial Institutions (CDFIs) that originate SONYMA mortgages.
- Number of education and outreach activities conducted by SONYMA regarding Give Us Credit and DPAL program (see Subsection VII.B).
- Number of education and outreach activities conducted by HCR Section 8 Housing Choice Voucher Program regarding Section 8 homeownership option.
- Implementation efforts toward the above action items.

#### B. GOAL 2: Increase access to suitable affordable housing for those with disabilities

Improving accessibility in available, affordable housing remains a major priority for NYSHCR. All New Yorkers should have access to housing that they can occupy, and NYSHCR is committed to reducing barriers in housing and communities to ensure that they can be used and enjoyed by individuals with physical or developmental disabilities. In the public stakeholder process, advocates flagged areas of particular focus to this population, including inaccessible infrastructure, a lack of supply of available accessible units, and a need for additional supportive units, as well as the importance of education and outreach to individuals and their advocates. Additionally, through other collaborative efforts, such as the ONA Ramirez June Initiative, which was created to support new Americans with intellectual and developmental disabilities (I/DD) and their families, New York strives to connect individuals with vital resources, information, and services and conducts community outreach and engagement. Specific to housing efforts, the ONA Ramirez June Initiative hosted a webinar in Mandarin for the Chinese American community on housing resources for individuals with I/DD and their families in June 2021, in partnership with the Chinese American Planning Council and Care Design NY.

New York State agencies are committed to working together to increase both the accessibility of affordable housing as well as the accessibility of neighborhoods. To that end, the state will continue to work to increase the supply of accessible units as well as the supply of supportive units. Additionally, New York will prioritize exploring policy fixes in support of this work, as well as education and outreach to ensure that New Yorkers with disabilities are aware of their rights under the law. Finally, NYSHCR will continue to work to ensure both that affordable units funded by it meet industry best practices with regard to accessibility, and that available units are advertised broadly to ensure that New Yorkers are aware of vacancies and able to access

them.

### Strategies and Responsible Agency/Office

- Work closely with the Office of the Chief Disability Officer to identify additional solutions to increase accessibility for individuals with disabilities. [NYSHCR, NYSDOS]
- Explore avenues for increasing flexibility and usage of NYS Access to Home program. [NYSHCR]
- Explore modifications to Qualified Allocation Plan (QAP) for low-income housing tax credits (LIHTC) to enhance and expand accessibility requirements. [NYSHCR]
- Advance innovative building and dwelling design to be responsive to needs of those with disabilities. [NYSHCR]
- Conduct periodic roundtables with organizations, independent living centers, and relevant state agencies that serve individuals with disabilities to ensure that agency is responsive to needs. [NYSHCR, Office of Temporary and Disability Assistance (OTDA), Office for People With Developmental Disabilities (OPWDD), Office for New Americans (ONA), NYS Division of Human Rights (DHR), New York State Office for the Aging (NYSOFA)]
- Conduct training and outreach for individuals with disabilities, organizations that serve them and housing providers, with a particular focus on reasonable accommodations and reasonable modifications. [NYSHCR, NYSDHR, ONA].
- Continue to conduct training and outreach to building code inspectors, particularly in smaller and rural communities, on relevant accessibility design requirements. [NYSHCR, NYSDHR, NYSDOS]
- Increase searchability functions on NYHousingSearch, an NYSHCR website to provide information in real time on available affordable and accessible units, with a focus on specific accessibility features. [NYSHCR]
- Explore and implement partnerships with health policy and advocacy organizations to educate and assist housing providers on existing programs, identification of gaps, expanding senior housing options and incorporating healthy aging principles into developments. [New York State Department of Health (DOH)]
- Continue to implement industry best practices in design guidelines for State-funded housing. [NYSHCR]

### Key Metrics

- Number of NYSHCR-funded units that are fully accessible and/or have additional accessibility features.
- Number of households that receive benefits pursuant to NYS Access to HOME program.
- Number of education and outreach sessions held to advise New Yorkers with disabilities of their housing rights.
- Number of education and outreach activities to train affordable housing developers,

architects, building code inspectors and housing providers on accessibility requirements and the rights of people with disabilities.

- Number of State-funded fair housing tests conducted to identify discrimination on the basis of disability.
- Number of education and outreach sessions promoting incorporating healthy aging principles into housing developments.
- Implementation efforts toward the above action items.

### C. GOAL 3: Create more affordable housing with avenues for community supports

Stable, affordable and safe permanent housing is a critical social determinant of a family's health, access to wealth-building opportunities, and positive educational outcomes. This has been evidenced by any number of social science studies and continues to make clear the necessity of ensuring that all New York families have access to such housing in the neighborhoods of their choosing. At present, limited stock of affordable housing in well-resourced areas paired with historic and ongoing patterns of segregation and disinvestment in other areas poses a major threat to New Yorkers, particularly individuals of color, families with children, particularly those headed by women, individuals with disabilities, and other protected classes.

In New York State, families of color live disproportionately in major urban areas that have been shaped by a long history of redlining and other patterns of chronic disinvestment. As described in Subsection VI.C.1, across nearly all measures of social, economic, educational, health, and transportation access, white households are found in higher concentrations in higher-scoring census tracts (that is, better access to resources), while Black/African American and Hispanic/Latinx households are found in higher concentrations in lower-scoring tracts. Rural and remote areas of New York State tend also to be plagued by high levels of poverty and a lack of access to opportunities for employment, particularly for communities of color. This can be contrasted with the areas of New York that have been characterized in this assessment as "well-resourced." Such areas are disproportionately white and suburban, and tend to provide residents with better access to employment and educational opportunities, lower levels of poverty and better access to critical community resources such as grocery stores.

New York State must continue its work in all of the above-mentioned types of communities. It must invest in concerted community revitalization for areas that are historically disinvested, and must continue to increase the supply and availability of affordable housing in well-resourced areas. By working on all of these fronts, New York State can ensure that all residents, regardless of protected characteristic, can access stable, safe and affordable permanent housing with meaningful access to community assets and supports.

#### Strategies and Responsible Agency/Office

- Continue to incentivize development of affordable housing in well-resourced areas, such as additional funding for LIHTC set-aside or modifications in the QAP in the allotment of competitive points for these projects. [NYSHCR]
- Develop housing with child-centered services to assist families with preparing children

for academic success, such as providing after school programs in community rooms. [NYSED, NYSHCR]

- Continue to incentivize the development of projects that advance the objectives of concerted community revitalization plans as put forth by local governments, locally based community organizations and/or individuals. [NYSHCR]
- Continue to expand the provision of no or low-cost broadband for low-income families in state-funded housing. [NYSHCR]
- Explore initiatives designed to maximize health outcomes for low- and moderate-income households, such as ensuring that developments have access to recreation green space, healthy food, community-based healthcare, and avenues for social connection. [NYSHCR and local municipalities]
- Explore initiatives designed to support aging in place for individuals of all ages. [DOH, NYSOFA]
- Explore initiatives designed to increase access to affordable housing for foreign-born New Yorkers. [NYSHCR, ONA]
- Explore the facilitation and incentivization of transit-oriented development. [NYSHCR, Empire State Development (ESD)]
- Examine bundling incentives offered by State agencies to encourage development in well-resourced areas that are historically difficult to develop multifamily affordable housing. [NYSHCR, ESD, NYSED, NYSDOS]
- Continue to identify vulnerable populations and prioritize the development of housing and supportive services to meet their needs (i.e., housing for individuals coming out of incarceration, persons with mental illness, persons with substance abuse disorders, persons with HIV/AIDS, frail elderly, veterans, runaway and homeless youth, youth aging out of foster care, and victims of domestic violence and/or human trafficking, and LGBTQ+ individuals). See, e.g., developments described in Subsection IV.A. [NYSHCR]

### Key Metrics

- Number of new affordable family housing units financed in areas defined as “well-resourced” compared to areas with lower resources.
- Number of affordable housing units that benefit from free broadband.
- Number of affordable developments that have community facilities (e.g., programming, community space, service provider offices, grocery store, school/daycare, healthcare, etc.) as part of the development plan.
- Number of developments financed as part of a concerted community revitalization plan.
- Number of supportive housing units developed.
- Implementation efforts toward the above action items.

#### D. GOAL 4: Remove barriers to housing by addressing redlining and disinvestment in neighborhoods

New York State and many of the cities within it remain some of the most segregated in the country. Further, New York State has the unfortunate distinction of having the highest income disparity of any state in the nation. These two separate but related facts are a direct result of a legacy of discriminatory policies and practices such as redlining, blockbusting, racial steering and exclusionary zoning, among other pernicious laws and practices. As a result, New York families of color are less able to withstand episodic financial crises, build wealth, and break intergenerational cycles of poverty.

It is only through purposeful and directed policies and actions that such discrimination will end and remediation begin. New York State must continue to take action to reverse the effects of these laws and practices and support wealth creation and redress income inequality between communities of color and white communities. Only through such intentional acts will New York finally be able to address its segregated living patterns and enduring inequities.

#### Strategies and Responsible Agency/Office

- Track, monitor and analyze impact of the changes to the QAP around community revitalization plans, as those plans are defined in the QAP and designed to support efforts to strengthen local communities. Strengthen changes to the QAP and provide technical assistance and training as necessary. [NYSHCR]
- Expand support to Land Bank and Community Land Trust models across New York State to assist local community organizations in purchasing property and creating permanent affordable housing. [NYSHCR, NYSDOS]
- Monitor and continue to develop programs and opportunities for homeownership, with a particular focus on expanding opportunities for homeownership among protected classes. [NYSHCR, OTDA]
- Continue education and fair housing testing of real estate and lending professionals regarding prohibited practices such as steering. [NYSHCR, NYSDHR]
- Monitor Home Mortgage Disclosure Act (HMDA) data to identify and address discriminatory lending patterns. [NYSHCR]
- Strengthen enforcement to address discrimination related to home purchasing. [NYSDFS, NYSDOS, NYSDHR]
- Develop and implement programming, including education and outreach, to address racial discrimination in home appraisals on the basis of race, national origin, and other protected characteristics. [NYSHCR]

#### Key Metrics

- Number of units transferred to homeownership through New York State Land Banks.
- Number of new SONYMA mortgages originated to families of color and other protected classes.
- Number of education and outreach sessions conducted for real estate and lending

professionals on racial discrimination.

- Implementation efforts toward the above action items.

#### E. GOAL 5: Increase access to affordable housing by addressing barriers to housing choice

Across the state, many individuals, including individuals of color, families with children, individuals with disabilities, and members of other protected classes struggle to access affordable housing. Advocates cite various barriers to housing choice: landlord policies that preclude individuals with low credit or negative credit history or individuals with a history of justice involvement; difficulty meeting security deposit requirements; lack of availability of accessible housing for individuals and families that require such units; persistent discrimination against individuals who pay the rent using non-wage income; and difficulty in finding affordable housing in the neighborhood of one's choosing.

New York State is committed to removing barriers to housing both within housing it funds, as well as in the private market. In addition to increasing the supply of affordable housing, the State's goal is to ensure that all New Yorkers can live in safe, stable, and affordable housing in the neighborhood of their choosing.

#### Strategies and Responsible Agency/Office

- Continue to incentivize development of affordable housing in well-resourced areas, such as additional funding for LIHTC set-aside or modifications in the QAP in the allotment of competitive points for these projects. [NYSHCR]
- Expand materials, training, and outreach on development incentives in well-resourced areas. [NYSHCR]
- Continue careful scrutinization of requests for local community occupancy preferences and age-restrictions in projects funded by New York State. [NYSHCR, NYSDHR]
- Examine bundling incentives offered by State agencies to encourage development in well-resourced areas that are historically difficult to develop multifamily affordable housing. [NYSHCR, ESD, NYSED, NYSDOS]
- Explore additional actions to help repair the credit scores of individuals of color and other protected classes, including a pilot program for tenants in certain NYSHCR-financed housing to use rent payments to improve their credit. [NYSHCR]
- Consider prohibiting housing providers in the private sector from rejecting applicants based solely on their credit score if applicants can demonstrate a history of on-time rental payment, in line with NYSHCR's policy for its housing stock. [NYSHCR]
- Consider expanding the protections for those with a history of justice-involvement. [NYSHCR, NYSDHR]
- Explore the use of rental security insurance and security deposit installment plans as alternatives to up-front security deposit for residents of State-funded affordable housing. [NYSHCR]
- Expand marketing requirements and improve central repository of existing vacancies for



State-funded housing to ensure that available affordable housing opportunities are known to families. [NYSHCR]

- Expand Section 8 mobility counseling program and improve coordination, including technical assistance, between providers. [NYSHCR]

### Key Metrics

- Number of Section 8 mobility programs in New York State.
- Enforcement, monitoring and investigation actions based on new protections preventing rejections in housing based on source of income, certain credit information and justice involvement histories without an individualized assessment.
- Implementation efforts toward the above action items.

### F. GOAL 6: Increase access to affordable housing through fair housing education and enforcement

Enforcement of fair housing laws continues to be a priority in the State of New York. A recent Newsday investigation drew attention to discriminatory conduct by landlords and real estate professionals, and despite the prohibition of source of income discrimination New York State Division of Human Rights continues to receive complaints based on such. Further, advocates have flagged incidents of familial status discrimination in areas of New York that are deemed “college towns,” as certain housing providers have a covert preference for students instead of families. Finally, New Yorkers who reside in rural areas may be particularly susceptible to discrimination due in part to lack of awareness of housing rights under the law by smaller and independent housing providers.

New York remains committed to enforcing the full breadth of fair housing laws and holding real estate professionals and landlords accountable for discriminatory conduct. Over the coming years, the State will take action to ensure that housing providers and real estate professionals are acting ethically and within the bounds of the law, while also conducting its own testing and outreach to affirmatively root out violations of the law.

### Strategies and Responsible Agency/Office

- Continue to collaborate with the New York State Division of Human Rights (NYSDHR) and the New York State Office for New Americans (ONA) to address issues of housing discrimination, including offering public education and outreach events in multiple languages. [NYSHCR, NYSDHR, ONA]
- Partner with NYSDHR to help implement and increase compliance with law banning source of income discrimination. [NYSHCR, NYSDHR]
- Continue to expand educational initiatives, including trainings and printed and electronic publications, to increase fair housing knowledge among NYSHCR-financed housing providers and the general public. [NYSHCR]
- Continue to produce Know Your Rights initiatives in several commonly spoken non-English languages to help ensure that tenants, applicants and developers of affordable housing are aware of their fair housing rights and obligations. [NYSHCR]

- Conduct periodic roundtables with advocates and stakeholders to ensure fair housing problems are identified and needs are being met. [NYSHCR]
- Provide training and materials to assist affordable and supportive housing providers in affirmatively gaining support for proposed housing developments (i.e. YIMBY). [NYSHCR, OTDA]
- Conduct training and outreach for residents of rural communities and the advocates and stakeholders that serve them to ensure they are aware of their rights under fair housing laws and resources for enforcing them. [NYSHCR, NYSDHR]
- Continue funding of fair housing testing, with a particular focus on issues/areas highlighted by public engagement participants (e.g., rural communities, source of income discrimination and familial status discrimination), as well as issues/areas identified by NYSHCR-funded testing providers. [NYSHCR]
- Continue work with the New York State Department of State to increase and enforce penalties on real estate professionals who engage in discriminatory conduct. [NYSHCR, NYSDOS]

#### Key Metrics

- Number of education, outreach and training activities regarding fair housing rights.
- Number of fair housing enforcement actions taken by NYSDOS and NYSDHR.
- Number of fair housing tests conducted utilizing State funding.
- Number of periodic roundtables to be responsive to fair housing issues in the state.
- Implementation efforts toward the above action items.

#### G. GOAL 7: Promote development of affordable housing in areas where land use and development regulations provide barriers

New York State remains committed to promoting inclusive housing policies in all communities across the state and addressing impediments to housing choice where they exist. During the public engagement process, many advocates and stakeholders pointed to exclusionary zoning and NIMBYism as critical impediments to the development of affordable housing, and major contributors to continued inequity in housing and segregation. Municipalities may disallow multifamily housing or restrict density; others may grant zoning variances or approve affordable housing developments in exchange for a local community occupancy preference that grants preference in tenant selection to existing residents of the community. Still other municipalities may oversee permitting or approval processes for new affordable housing that are overly lengthy or burdensome, which can serve to impede the development and construction of affordable housing.

New York continues to work toward identifying and addressing impediments to housing at the local level. Over the next years, the State will continue its work towards ensuring that New Yorkers across the state have meaningful access to affordable housing in all communities. Additionally, the State will examine ways to promote the development of affordable housing in areas of New York with exclusionary zoning policies and practices.

### Strategies and Responsible Agency/Office

- Examine bundling incentives offered by State agencies to encourage development in well-resourced areas that are historically difficult to develop multifamily affordable housing. [NYSHCR, ESD, NYSED, NYSDOS]
- Continue careful scrutinization of requests for local community occupancy preferences in projects funded by New York State. [NYSHCR]
- Explore strategies for creating more multi-family housing and countering restrictive zoning, such as transit-oriented development and establishing housing growth targets. [NYSHCR, DOS]
- Explore mechanisms to incentivize localities to legalize and expand the usage of accessory dwelling units.
- Increase incentives and awareness of incentives for housing providers to develop affordable, multifamily housing in well-resourced areas. [NYSHCR]
- Create a tool that will visually overlay existing NYSHCR-funded affordable multifamily housing investments with local zoning and land use policies to illustrate the impact of such policies on the agency's ability to make investments in certain regions and to assist local governments in planning for their communities. [NYSHCR]

### Key Metrics

- The distribution of multifamily and/or affordable housing across localities in the state.
- Implementation efforts toward the above action items.

### H. GOAL 8: Implement environmental justice principles in State-funded housing in response to climate change

The Climate Leadership and Community Protection Act (CLCPA) put in place nation-leading climate targets including an 85 percent reduction in greenhouse gas emissions by 2050 and 100 percent zero-emission electricity by 2040. In addition, a minimum of 35 percent of benefits of clean energy investments and goal of 40 percent of benefits of broader set of investments go to “Disadvantaged Communities,” (DACs) which include racial and ethnic minorities, areas with disproportionate housing needs, areas burdened by cumulative environmental pollution, and areas vulnerable to the impacts of climate change. In short, fair housing concepts are baked into the achievement of climate goals for New York State.

Achievement of these climate goals involves all major activities in the state, including the construction and preservation of both market rate and affordable housing. NYSHCR, in collaboration with other State agencies, will lead the State’s efforts for its affordable housing stock, examining siting and environmental requirements, utilizing innovative new technologies, and connecting its residents to the benefits designed for them under the CLCPA.

### Strategies and Responsible Agency/Office

- Incorporate recommendations from the Climate Action Council into development and property management practices at NYSHCR, with a particular focus on equity in

disadvantaged communities. [NYSHCR]

- Explore expanding mechanisms to encourage sustainability and climate resiliency for affordable housing projects, including retrofitting existing developments. [NYSHCR]

#### Key Metrics

- Number of State-financed affordable housing projects developed with green environmental features.
- Implementation efforts toward the above action items.

NYSHCR is pleased to submit this assessment of fair housing to the public and looks forward to continuing the work of making New York a more equitable place to live for New Yorkers.

## Appendix A: Acronyms

ACS	American Community Survey
ADU	Accessory Dwelling Units
AFFH	Affirmatively Furthering Fair Housing
AFFH-T	Affirmatively Furthering Fair Housing Data & Mapping Tool
AHC	Affordable Housing Corporation (In NYSHCR)
AI	Analysis of Impediments
AMI	Area Median Income
AP	Advanced Placement
BLS	Brooklyn Legal Services
CDBG	Community Development Block Program
CDFI	Community Development Financial Institutions
CHAS	Comprehensive Housing Affordability Strategy
CIF	Rural and Urban Community Investment Fund
CJWG	Climate Justice Work Group
CLCPA	Climate Leadership and Community Protection Act
COI	Child Opportunity Index
DAC	Disadvantaged Communities
DFS	New York State Department of Financial Services
DHR	New York State Division of Human Rights
DHS	Department of Homeland Security
DOH	New York State Department of Health
DI	Dissimilarity Index
DOS	New York Department of State
DPAL	Down Payment Assistance Loan Program
ECE	Early Childhood Education
EDNY	Eastern District of New York

ERAP	Emergency Rental Assistance Program
ESG	HUD Emergency Solution Grant
ESSHI	Empire State Supportive Housing Initiative
FEHO	Fair & Equitable Housing Office (in NYSHCR)
FHIP	Fair Housing Initiative Program
FHTF	Federal Housing Trust Program
GENDA	Gender Expression Non-Discrimination Act
HDF	Housing Development Fund
HEARTH	Homeless Emergency and Rapid Transition to Housing
HMDA	Home Mortgage Disclosure Act
HOME	Housing Opportunities Made Equal
HOPWA	Housing Opportunities for Persons with Aids
HSTPA	Housing Stability and Tenant Protection Act
HUD	United States Department of Housing & Urban Development
HUD-EJ	HUD Entitlement Jurisdictions
I/DD	Individuals with Intellectual or Developmental Disabilities
IPV	Inmate Partner Violence
LAWNY	Legal Assistance of Western New York
LIHS	Long Island Housing Services
LIHTC	Low Income Housing Tax Credits
MCO	Managed Care Organization
MIHP	Middle Income Housing Program
MLTC	Managed Long-Term Care
MWBE	Minority and Women-Owned Business Enterprises
NIMBY	Not In My Backyard
NYS	New York State
NYS AG	New York State Office of the Attorney General
NYS EJ	New York State Entitlement Jurisdiction

NYSAR	New York State Association of Realtors
NYSBA	New York State Bar Association
NYSDEC	New York State Department of Environmental Conservation
NYSDHR	New York State Division of Human Rights
NYSERDA	New York State Energy Research and Development Authority
NYSHCR	New York State Homes & Community Renewal
NYSOFA	New York State Office for the Aging
OCR	Office of Community Renewal
OASAS	Office of Addiction Services & Supports
OCFS	Office of Children & Family Services
OCR	Office of Community Renewal
OEOPD	Office of Economic Opportunity & Partnership Development
OFD	Office of Finance and Development (in NYSHCR)
OMH	Office of Mental Health
ONA	Office for New Americans
OPDV	Office for the Prevention of Domestic Violence
OPWDD	Office for People With Developmental Disabilities
ORSA	Office of Research & Statistical Analysis
OTDA	Office of Temporary & Disability Assistance
PHP	Public Housing Preservation System
PPS	Performing Provider System
QAP	Qualified Allocation Plan
R/ECAP	Racially and Ethnically Concentrated Areas of Poverty
RESTORE	Residential Emergency Services to Offer Home Repairs to the Elderly
RFP	Request for Proposals
RHS	Rural Housing Services
RPC	Rural Preservation Corporation
RRAP	Rural Rental Assistance Program



SAMIS	State Asset Management Information System
SDNY	Southern District of New York
SENR	Senior Housing Program
SHEARS	Statewide Housing Accounting System
SHOP	Supportive Housing Opportunity Program
SLIHC	State Low-Income Housing Tax Credit Program
SMI	Serious Mental Illness
SNF	Skilled Nursing Facility
SONYMA	State of New York Mortgage Agency (In NYSHCR)
STEHP	Solutions to End Homelessness Program
SUD	Substance Use Disorder
TPU	Tenant Protection Unit
USDA	United States Department of Agriculture
VAWA	Violence Against Women Act
WRO	Westchester Residential Opportunities
YIMBY	Yes In My Backyard

## Appendix B: List of Localities in the NYSEJ

Localities In the NYSEJ		Localities Geographically Within NYSEJ That Are Their Own or Part of Another Entitlement Jurisdiction	
Albany County	Atlantic Beach Village	Albany	Airmont Village
Allegany County	Baxter Estates Village	Colonie	Chestnut Ridge Village
Broome County	Brookville Village	Binghamton	Hillburn Village
Cattaraugus County	Centre Island Village	Union	Kaser Village
Cayuga County	Cove Neck Village	Auburn	Montebello Village
Chautauqua County	East Hills Village	Dunkirk	New Hempstead Village
Chemung County	East Williston Village	Jamestown	Pelham Village
Chenango County	Flower Hill Village	Elmira	Pomona Village
Clinton County	Great Neck Estates Village	Watertown	Sloatsburg Village
Columbia County	Great Neck Village	Niagara Falls	Spring Valley Village
Cortland County	Hewlett Neck Village	Rome	Suffern Village
Delaware County	Hewlett Bay Park Village	Utica	
Essex County	Hewlett Harbor Village	Troy	
Franklin County	Kings Point Village	Saratoga Springs	
Fulton County	Lake Success Village	Schenectady	
Genesee County	Lattingtown Village	Ithaca	
Greene County	Laurel Hollow Village	Kingston	
Hamilton County	Lawrence Village	Glens Falls	
Herkimer County	Matinecock Village		
Jefferson County	Mill Neck Village		
Lewis County	Muttontown Village		
Livingston County	North Hills Village		

Madison County	Old Brookville Village
Montgomery County	Old Westbury Village
Niagara County	Oyster Bay Cove Village
Oneida County	Plandome Heights Village
Ontario County	Plandome Manor Village
Orleans County	Plandome Village
Oswego County	Port Washington North Village
Otsego County	Roslyn Estates Village
Putnam County	Roslyn Harbor Village
Rensselaer County	Russell Gardens Village
St. Lawrence County	Saddle Rock Village
Saratoga County	Sands Point Village
Schenectady County	Thomaston Village
Schoharie County	Upper Brookville Village
Schuyler County	Woodsburgh Village
Seneca County	Port Jervis City
Steuben County	Kiryas Joel Village
Sullivan County	Highland Falls Village
Tioga County	Ramapo Town
Tompkins County	New Square Village
Ulster County	Belle Terre Village
Warren County	Bellport Village
Washington County	Dering Harbor Village
Wayne County	East Hampton Village
Wyoming County	Head of the Harbor Village
Yates County	Lake Grove Village

	Nissequogue Village
	North Haven Village
	Old Field Village
	Patchogue Village
	Poquott Village
	Port Jefferson Village
	Quogue Village
	Sagaponack Village
	Shoreham Village
	Peekskill City
	Rye City
	Eastchester Town
	Harrison Town
	Mount Pleasant Town
	New Castle Town
	North Castle Town
	North Salem Town
	Pelham Town
	Pound Ridge Town
	Somers Town
	Croton-on-Hudson Village
	Hastings-on-Hudson Village
	Larchmont Village
	Briarcliff Manor Village

## Appendix C: Key Informant Interviews: Participant List

<b>Name</b>	<b>Organization</b>	<b>Region</b>
Mark Streb	Neighborhood Preservation Coalition of NYS	Capital
Colin McKnight	NYS Rural Housing Coalition	Capital
Bruce Misarksi	Franklin Essex Housing Coalition/Housing Assistance	North Country
James Button	Citizen Advocates, Franklin County	North Country
James Britz, Jill Rosen-Nikoloff, Peter Elkowicz, Sharon Mullon	Long Island Housing Partnership, Inc.	Long Island
Cooper Sirwatka, Sally Santangelo	CNY Fair Housing	Central
Mary Morgante-Rice & Colleague	Pathstone	Western
Laurie Lambrix & Lorna Saltibus	Legal Assistance of Western New York	Western
DeAnna Eason	Housing Opportunities Made Equal (HOME)	Western
Marlene Zarfes, Andrew Smith	Westchester Residential Opportunities	Mid-Hudson
Quantel Bazemore	Community Voices Heard	Mid-Hudson
David Gallo	Georgica Green	Long Island
Elaine Gross	Erase Racism (formerly)	Long Island
Todd Vaarwerk	Western New York Independent Living Center	Western
Fred Freiberg, Marie Winfield, Britny McKenzie	Fair Housing Justice Center	NYC
Kelly Robertson	Opportunities for Chenango	Southern Tier
Danielle Harrington & Colleague	Tompkins Community Action	Finger Lakes
Danchell Hicks	Catholic Charities of Syracuse	Central Region
Selina Stansmore	Family Services	Mid-Hudson

Julian Gomez, Genesis Miranda	Make the Road NY	NYC/Mid-Hudson
Matthew Dunbar	Habitat for Humanity	NYC
Robert DiGangi-Roush	GLYS Western New York	Western

## Appendix D: Focus Groups: List of Participants, by Stakeholder Type

### 1. Agencies Serving Immigrants

Name	Organization
Dzavad Racic	Mohawk Valley Resource Center for Refugees
Luisa Grande-Rodriquez	Neighbors Link
Aida Diallo-Diagne	African Services Committee
Janet Rolon	Community Resource Center Westchester

### 2. Agencies Serving LGBTQ Individuals

Name	Organization
Sydney Kopp-Richardson	SAGE
Lauren Fiering	SAGE
Mateo Guerrero	Make the Road
Rachel Parrino	Pride Center of Western NY
Judy Troilo	Loft Community Center White Plains
David Kilmnick	LGBT Network Long Island
Dahana Louis	Ali Forney

### 3. Homeownership Stakeholders

Name	Organization
Eric Van Dusen	ESL Credit Union
Adam Zaranko	NY Land Bank Association
Beverly Moore	Buffalo Urban League Homeownership Counseling
Crystal Cosentino	Home Headquarters Syracuse
Delia Yarrow	Ithaca Neighborhood Housing Services
Yangchen Chadotsang	Chhaya



#### 4. Housing Developers

<b>Name</b>	<b>Organization</b>
Lisa Kaseman	Conifer
Kevin O'Connor	RUPCO
Kirk Goodrich	Monadnock
Ben Lockwood	Housing Visions
Amy Cascani	PathStone
Kris Rogers	KLR Consulting
Rachel Fee	NY Housing Conference
Gillian Conde	DePaul

#### 5. Local Government

<b>Name</b>	<b>County</b>
Erik Scrivener	Otsego
John Tenbusch	St. Lawrence
Nina Dawson	Ulster
Robert Rhea	Cortland
Jamie Konkoski	Franklin
Christina Cramer	Broome
Matt Bourke	Chautauqua

#### 6. Racial Justice

<b>Name</b>	<b>Organization</b>
JoAnne Page	Fortune Society
Rebecca Engel	Fortune Society
Ayanna Fortson	National Urban League
Arlene Way	NAACP Albany
Georgette Grier-Key	NAACP Brookhaven
Dr. Seanelle Hawkins	Urban League Rochester

## 7. Rural Preservation Corporations (RPCs)

<b>Name</b>	<b>Organization</b>
Tracy Gibeau	Albany County Rural Housing Alliance
Allynn M. Smith, PhD	Bishop Sheen Ecumenical Housing Foundation
Julie Chevalier	Community Progress, Inc.
Melissa Furnia	Friends of the North Country, Inc
Becky Heath	HomeFront Development Corporation
Caitlin Burns	Rensselaer County Housing Resources
John Wiltse	Rural Housing Opportunities Corporation
Jeffrey E. Eaton	Steuben Church People Against Poverty, Inc.
April Ramadhan	Rural Revitalization Corporation
Janice Gillette	Tioga Opportunities
Mary Leo	PathStone
Christine Shaver	Tioga Opportunities
Heather Doolittle	Arbor Housing and Development
Susan Bull	Arbor Housing and Development

## 8. Agencies Serving People with Disabilities

<b>Name</b>	<b>Organization</b>
Melissa Wilcox	Adapt Community Network
Maureen Bulluscio	NY Lawyers for the Public Interest
Jeff Reifensnyder	Massena Independent Living Center
Doug Hovey	Westchester Independent Living Center
Gene Hughes	Resource Center for Independent Living
Edward Steinfeld	Idea Center, University at Buffalo
Jonathan White	Idea Center, University at Buffalo
Jessica Barlow	Disability Rights New York
Shameka Andrews	Self-Advocacy Association of NYS
Leigh Charette	Maximizing Independent Living Choices

Beata Karpinski-Prehn	Arise, Inc.
Reggie DeJesus	Resource Center for Independent Living in Utica

### 9. Faith Leaders

Name	Organization
Marc Greenberg	Representing NYC
Bishop George M. Jones	Apostolic Church of Christ, Syracuse
Rev. Peter Cook	NYS Council of Churches
Bishop Mitchell Taylor	Urban Bound, Brooklyn
Dr. Chloe Breyer	NY Interfaith Center
Bishop Lionel Harvey	Long Island, Nassau
Reverend James Giles	Back to Basics Ministry
Susan Cortner	AHP Homeownership Center, Affordable Housing Partnership, Albany Community Land Trust
Craig Waletzko	Fair Housing Justice Center
Mark Kehrer	Pine Grove Community Church
Bishop Max Jones	Apostolic Church of Jesus Christ

### 10. Agencies Serving Survivors of Domestic Violence

Name	Organization
Jennifer Morgan-Burt	Accord Corporation
Belinda Knight	Accord Corporation
Carrie House	Arbor Development
Terray Gregoretti	The Safe Center Long Island
Nicole Maggiotta	The Safe Center Long Island
Kelly Callahan	The Safe Center Long Island
Sara Eldridge	Barrier Free Living
Kelly Gilligan	Montgomery County DV and Crime Victim Services

**11/12. Residents (Two Groups) – Names Withheld for Privacy**

<b>Name</b>	<b>Region</b>
Resident 1	Long Island
Resident 2	New York City
Resident 3	New York City
Resident 4	Western Region
Resident 5	Mid-Hudson Region
Resident 6	Finger Lakes Region