WEEK 5: After the NYC Fiscal Crisis: Housing, Homelessness & Making Over NYC

September 28, 2022 | Adjunct Lecturer: Erin Lilli | URBST 222: Introduction to Urban Housing /URBST 723: Dynamics of Housing & Homelessness

Clinton Street and Grand Street, 1980 | Photo (c) Harvey Wang

Moratorium on Housing Subsidy Spells Hardship for Thousands

By AGIS SALPUKAS

ment.

Thousands of poor urban householders like the Nicolsons are the unintended victims of successive Federal attempts to deal with the nation's housing crisis. The Government's first efforts to improve their neighborhoods led to greater desolation: now the Government's efforts to reform its first efforts are again aggravating their problems.

Last January and in the following two months, citing widespread waste and corruption, H.U.D suspended all subsidized housing programs and issued strict new guidelines for urban renewal. The effect was to slow programs in many cities.

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Baltimore and Los Angeles said that there was an immediate ...

... explained. "If the Administration comes through with an alternate housing proposal in a timely manner, then there should be no real setback."

The main concerns of local ...

various factors slowed down the programs.

Congress and the Administration often cut severely into the money requests. High interest rates limited the amount of mortgage money that was available. Court decisions and guidelines by H.U.D. required that new housing not be concentrated in black inner city areas but be dispersed into suburbs as well, delaying many projects.

Stricter H.U.D. Guidelines

Scandals in some of the programs, particularly the Federal Housing Administration program under which the urban poor could purchase houses with low down payments and interest rates, led to stricter guidelines from H.U.D.

The agency issued regulations, for example, stating that it would not insure housing in neighborhoods for any more than the property values prevailing in each neighborhood. This led to a decline in construction in the inner cities because of the bigger risks to developers.

"Actually, the moratorium on housing has been going on for over a year," a local housing official said in Philadelphia.

So when the programs were suspended last January, there had already been a general slowing down of construction nationally.

In Chicago, Judge Richard B. Austin of the Federal District ...

The New York Times/Gary Settle

James Nicolson and his wife, Katie, on the porch of their home in Detroit. Across the street are homes wrecked by vandals and damaged by fires.

He lives at 114 East 112th Street, where the hall is strewn with plaster and a burner from the stove provides heat for a ...

Neighborhood Development Program have been affected by the guidelines set down Jan. 11 by H.U.D. The guidelines held that cities must now put up the ...

in relocating people and challenges in the courts by absentee landlords.

Sam Smith, administrator of the Citizens District Council ...

has 4,500 dwelling units, 296 F.H.A.-subsidized homes have reverted back to H.U.D. Many of these were vandalized so quickly that H.U.D. had to bull...

The freeze, for example, has cut off a program under which home owners could apply for grants and loans to repair their homes, a key program for a ...

President Nixon's January 1973 Moratorium on Housing

Hedging His Bets

Why Nixon Killed HUD's Desegregation Efforts

Drawing on primary sources from the Nixon Presidential Materials and the Department of Housing and Urban Development (HUD), this article examines HUD's attempts during the Nixon era to implement "pro-integrative" policies and the White House response to these efforts. Specifically, this article provides an explanation for why President Richard Nixon elected to dismantle residential integration initiatives while allowing similar policies in employment and education to proceed with some force. In contrast to existing work arguing that Nixon's civil rights positions were designed to maximize political payoffs, I contend that Nixon's strategies are more accurately characterized as blame avoidance. Whenever possible, Nixon attempted to shift the onus of political responsibility for controversial civil rights decisions onto other political actors. This argument is clarified by a second primary theoretical point, which argues that institutional vulnerability increases the likelihood of presidential attacks. In the case examined here, HUD's distinctive institutional weakness—shaped by its conflicting missions and unwieldy structure, and laid bare by scandals in the Federal Housing

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Social Science History 28:1 (spring 2004), 19–52

Post Nixon Moratorium

- In 1974, Nixon introduced Section 8 housing vouchers as the last major form of federal subsidy
  - Section 8 tenant-based certificates increase low-income tenants' choice of housing, but in decades since those using Section 8 often face discrimination and limited choices
- The Housing and Community Development Act of 1974 consolidated categorical grant programs into Community Development Block Grants (CDBGs).
  - The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. (more here)

1975 Home Loan Disclosure Act (HLDA)

- In addition to the Community Reinvestment Act (CRA) that come two years later, the HLDA was implemented to help address the decades-long problems of home loan racial discrimination
- The Home Mortgage Disclosure Act (HMDA) was enacted by Congress in 1975 and was implemented by the Federal Reserve Board's Regulation C. This regulation provides the public loan data that can be used to assist:
  - in determining whether financial institutions are serving the housing needs of their communities;
  - public officials in distributing public-sector investments so as to attract private investment to areas where it is needed;
  - and in identifying possible discriminatory lending patterns.
- This regulation applies to certain financial institutions, including banks, savings associations, credit unions, and other mortgage lending institutions. (https://www.ffiec.gov/hmda/history.htm)

1977 Community Reinvestment Act (CRA)

- Under the CRA, federally insured depository institutions (bank branches) must respond affirmatively to the credit needs of service areas to which they draw deposits, including minority and low-income communities.
- In NYS, in the post-federal era, public-private partnerships have been able to leverage private dollars to develop in low-income areas—the same areas in which private property owners and financial institutions disinvested in and neglected during the 1960s and 70s.
  - Three factors contributed to the proactive role that banks and private investors were starting to take:
    1. Enactment of federal CRA and mortgage disclosure act
    2. Incentives to reduce risk and provide market rate returns for investors
    3. Resurgence of homeownership activity in urban centers

End of the Federal Era in Housing

- The Federal Era came to a close largely amidst the following:
  1. Dramatic budget cuts to federal programs
  2. Economic restructuring of urban areas and ensuing economic polarization
  3. Mobilization of community-based housing to try and fill the void left by federal dollars
- Under the Reagan Administration of the 1980s, the federal government rescinded its role as the primary lead in housing policy
  - Between 1979 and 1988 Federal budget authorization for low-income housing fell by 80%
  - There was an overall reduction in commitment to low-income housing, shallow subsidies, and limited support for affordable housing
  - Housing programs were cut more than any other domestic program as the peace-time defense budget grew.

Reagan's federalism had three main objectives on the domestic front that reshaped and continue to shape social welfare

1. Retrenchment of social programs and public spending
2. Devolution of responsibility to local (mainly state) governments
3. Restriction of eligibility for social programs to the "truly needy"

NYT February 20, 1981 ⇨

The Truly Needy

Repeal the New Deal: that used to be an article of conservative faith, a familiar starting point for Republican programs. Not any more. Ronald Reagan, apple of the conservative eye, now says the social welfare programs erected in the 1930's are matters of national conscience, part of the permanent social safety net to protect the truly needy. No, his Administration does not seek to repeal the New Deal. Its aim is to repeal much of the Great Society. Mr. Reagan's budget-cutting proposals threaten to tear holes in the social safety net, jeopardizing hundreds of thousands of people who are, by any reasonable definition, truly needy.

Students of the food stamp program estimate that the proposed Reagan changes could force a million people off the rolls. Are they truly needy?

Imagine a hypothetical elderly couple whose only income is an average Social Security payment of about $570 a month. If this couple live in Arkansas, say, in their own house, $570 might bring them comfort, but what if that couple lives in Brooklyn, in an apartment? Anyone who knows New York City rents knows that such a couple truly need the extra pittance they now receive in food stamp benefits. But under the Reagan plan, they would no longer be eligible. Some safety net.

Students of welfare estimate that the Reagan proposals would affect half a million poor families with children. New eligibility rules would reduce their benefits or cut them off altogether. Are these families the poorest of the poor? No, but consider who they are.

Typically they consist of a mother, about 30, and one or two young children whom she is trying to raise by herself. She has found some work, but her wages, though very low, push her over the proposed new eligibility threshold. Nonetheless she remains truly needy. And if the Reagan proposal discourages her from trying to work at all, she will become more so — forced, perversely, to seek even more welfare.

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Hypothetical cases like these do not show the Reagan proposals to be callous; only glib.

There is powerful reason for Mr. Reagan boldly to seek dramatic cuts in total Federal spending. They are essential if he is to have any chance of jolting the nation out of its present psychology of inflation, inflation, inflation.

The Administration is also wholly justified in seeking to reform various social welfare programs. In the food stamp program, for instance, new recipients now receive a full first month's allotment of stamps no matter how late in the month they sign up. It would be only sensible to issue them a prorated amount instead. In addition, projected improvements in the program could reasonably be dropped. Taken together, such changes could easily yield savings of $600 million or more.

But now the Administration would cut *three times* that much. It is hard to see how cuts of that magnitude in the food stamp and other anti-poverty programs can be squared with the idea of a safety net. It is hard to see how the suffering such cuts would cause can be squared with protecting the truly needy. With his budget proposals, Mr. Reagan warmly deserves to be called bold. He does not yet deserve to be called humane.

End of the Federal Era in Housing

- Economic Constraint Model characterizes urban policy in the 1980s. It consists of:
  - An increasingly globalized economy
  - Greater mobility of capital via business and investments
  - A perceived dependence of local economies on decisions made by economic and political actors who are not local and beyond the control and influence of local authorities
- The logics of this model promote unbridled growth and the political hegemony of land-owners, property interests, and business and public officials.
  - Encourages privatistic policies that grant incentives and subsidies to private actors

End of the Federal Era in Housing

- Counter to the aims of housing advocates, the logic of the economic-constraints model finds redistributive policies <u>not</u> to be in the city's best interest suggesting such policies place burdens on "productive" members of society for the benefit of the "unproductive".
- The argument against redistributive policies:
    1. Local resources spent on redistributive purposes means less for maintaining the economic vitality of the city
    2. Potentially makes the city a "welfare magnet" for the poor
    3. Discourages private capital investment

End of the Federal Era in Housing

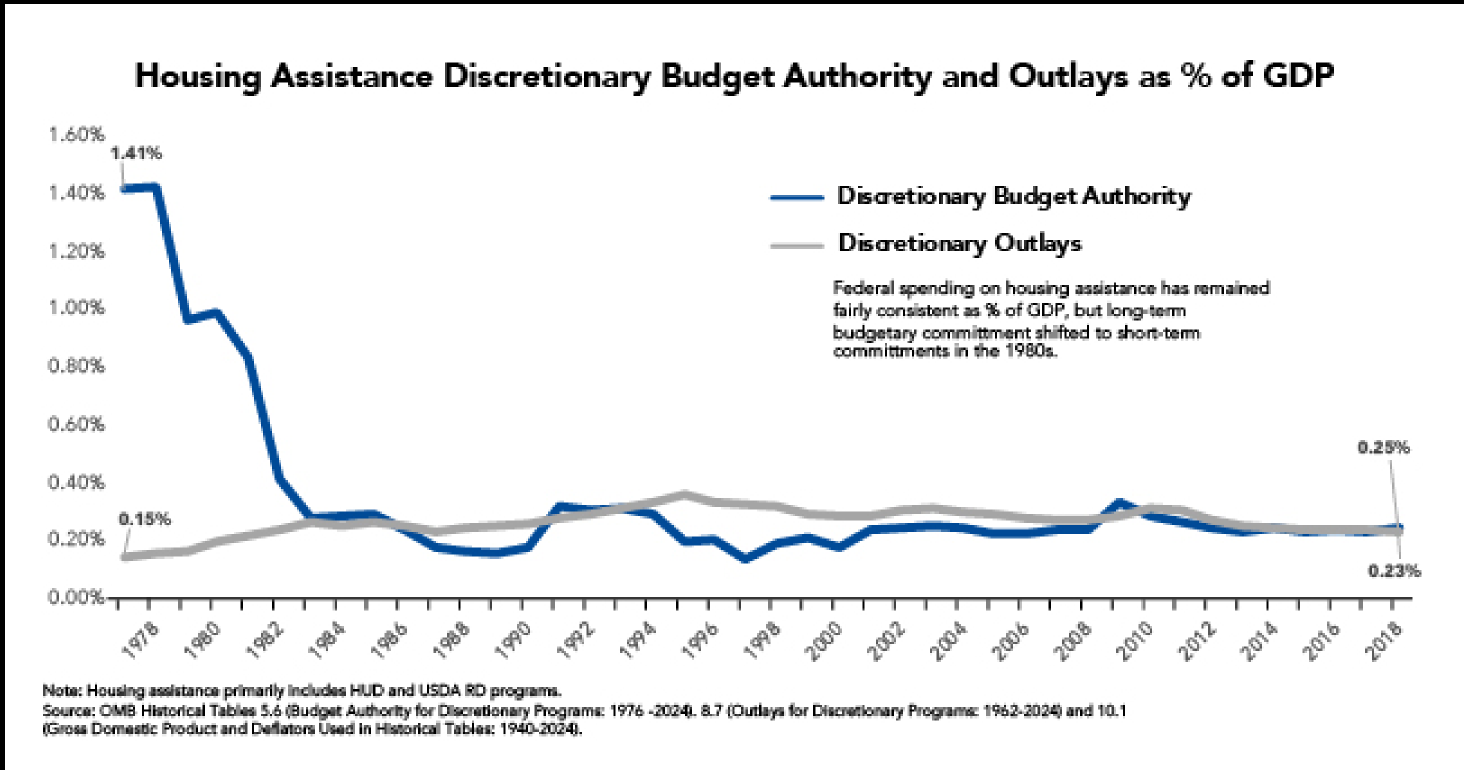
- Devolution of housing policy
  - Community-based housing exploded in the 1980 and 1990s as states, cities, and local communities were now responsible for finding ways to fund low- and moderate-income housing with exceedingly limited budgets.
    - Non-profits housing groups emerged and became critical in delivering services
    - Housing advocates at state and local levels struggle for redistributive policies and form broad coalitions with other community-based groups
  - Cities and local governments are spending own money to make themselves more attractive to investors in efforts to boost their economies by attracting capital
  - State and local budget responses can't cover what was lost due to federal cutbacks
    - Between 1980 and 1987 funding for HUD (Dept. of Housing and Urban Development) fell by $19.2B.
    - Increases is state expenditures between 1980 and 1990 was $2.2B—a 350% increase but not near the amount that was provided by the federal gov't.

End of the Federal Era in Housing

- This also marks the neoliberal turn and the [deregulation of finance]
  - For example: 1996 – Federal Reserve reinterprets the Glass-Steagall Act several times, eventually allowing bank holding companies to earn up to 25 percent of their revenues in investment banking.
    - This means banks are allowed to speculate and invest when they were restricted from doing so before...[more on this after mid-term when we talk financialization and subprime crisis]
- Alternative policy paradigm for housing: a refiguring of public and private responsibilities and obligations for low-income housing
  - The Federal Era focused on public subsidies for the private production of housing
  - Post-federal Era carefully regulates private development while promoting the non-profit sector through community development corporations (CDCs) now increasingly responsible for developing ownership and low-cost housing.

- This alternative policy paradigm for housing includes the following objective/techniques:
    1. Reliance on non-market relationships for the production, management and ownership of land and housing—shift to non-profit sector
    2. Greater regulation of the private sector in ways that promote the production and preservation of low-income housing—shift to local land-use regulatory powers (e.g., moratoria on demolition or market-conversion of affordable housing, 1:1 replacement programs, rent control)
    3. Taxing the private development process to provide financial resources for low-income housing (e.g., real estate transfer fees, escrow fees)
    4. A reversal or mitigation of the impacts of downtown development and the subsequent reuse of inner-city land for low-income housing—means to preserve low-cost housing like single-room occupancy (SRO) hotels.
    5. Community-based planning and housing issues

- City efforts to provide low-income housing assistance are characterized by:
  1. Increased use of local (non-federal) dollars
  2. Increased use of CDBG dollars
  3. Greater leveraging of private capital
  4. Increased reliance on non-profits developers like CDCs
  5. Use of off-budget items and regulatory strategies (e.g., land-use regulation)
  6. A shift from new construction to rehabilitation



NYC: Urban Crisis of the 1970s

- 1975 Fiscal Crisis was the result of many things including fiscal mismanagement. NYC was a robust welfare city with strong unions and social programs...but it was also going into debt. Some contributing factors were:
  - Plummeting property values
  - Loss of tens of thousands of apartments due to abandonment, arson, and demolition
  - Generous tax abatements for below- market and, as a construction stimulus, market- rate housing
  - Loss of manufacturing and employment as new immigrants moved in looking for work that had either gone to the suburbs or abroad

NYC Decentralized Housing

- Decentralized (below market-rate) Housing evolved in the context of weakening commitments to subsidized housing, increasing stigmatization of public housing during the 1970-80s in NYC, and the rise of deindustrialization and population loss in urban centers.
- By 1971, NYC suburbs had half of the metro's population and half of its manufacturing, retail and restaurants.
  - Between 1969 and 1976 NYC lost 600,000 jobs, primarily in manufacturing
  - Between 1970 and 1980 NYC lost a 1,000,000 residents
  - Remaining in the city were a small elite in gold coast sections of Manhattan and Brownstone Brooklyn, a dwindling number of white middle- class enclaves elsewhere, and a growing working class, mainly of color, with declining occupational prospects.

At the turn of the 20th century in New York,

“Even with a burgeoning tenants’ movement, laissez- faire ideology dominated, and most leaders believed the housing question would be solved privately, through the process of decentralization that was already gradually unfolding, or in model tenements built by philanthropists”. (Bloom & Lasner eds., 2016, p. 3)

0.2: Rev. Bertram G. Bennett, Jr., left, and Tony Aguilar with model of Nehemiah Houses, Bronx, by Edward Keating, 1991

“The idea that below-market subsidized housing could stabilize neighborhoods, however, gained a new cogency amid widespread urban disinvestment. Many in New York and other cities worked creatively to cultivate new tools, programs, and agents to fill the voids left by abandonment, arson, and the disappearance of federal, city, and state programs and long- trusted partners like the United Housing Foundation. The result was that from the ashes of the welfare state arose what one expert has characterized as a new “decentralized housing network.” At its core were community development corporations, city and state agencies responsible for housing and housing finance, foundations offering technical assistance, and an evolving range of small- scale grants, tax credits, and other inducements offered by the city, state, and federal governments that could be harnessed toward housing. New York, as in earlier eras of housing reform, was a leader” (p. 245).

- The number of abandoned and dilapidated building increased dramatically in NYC in the 1970s, coupled with dwindling federal spending spurred a rise in tenant activism.
- Tenants organized themselves to save their buildings thus giving shape to NYC's decentralized housing network.
  - Homesteaders were among the first tenant-activist to undertake this kind of work and were aided by the Urban Homesteading Assistance Board (U- HAB), established in 1973 by former city employees.
  - Tenants converting owner-abandoned buildings into tenant-led limited-equity co-ops.
  - U- HAB trained groups to do cost estimates, hired professionals, wrote grant applications, and worked with the city to obtain permissions and loans. Additionally, they trained groups to do much of the renovation work themselves.

6.4: Tenant at Community Management Program building (for *in rem* properties), operated by Adopt-a-Building, 73–75 Ave. C, Manhattan, by Chester Higgins, Jr., 1978

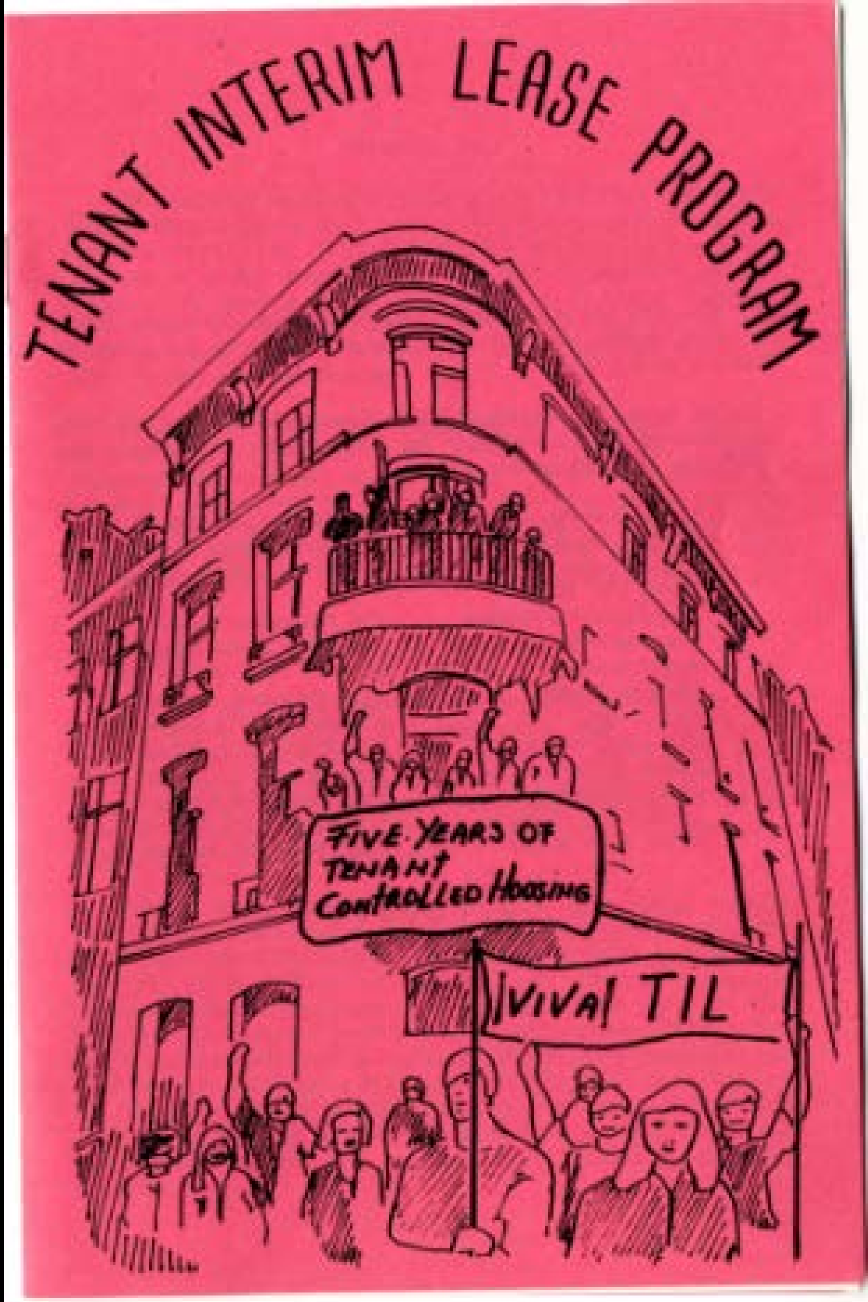
Homesteaders in a squat on the Lower East Side

NYC Decentralized Housing

- Self-Help Housing: As tenant-activist were working to fix their homes aided by U-HAB, the city started foreclosing on buildings that were in deep tax arrears with extensive housing code violations and/or had already been forced to make emergency repairs.
  - These *in-rem* (latin for “against a thing”) buildings were then sold to the tenants or to other nonprofit operators.
  - This activity made NYC stand out compared to other cities that often let tax- delinquent properties fall apart beyond repair.

Homesteaders at work, late 1970s

According to the NYU Furman Center: "The TIL program funded the renovation of buildings while they were still in city ownership. Tenants were required to participate in building management education programs, and after several years, the properties were transferred to tenants as cooperatives for a modest price."



Pamphlet, 5 Years of TIL, 1980

NYC Decentralized Housing

- NYC-based CDCs complemented the efforts of tenant-activists and U-HAB by putting city funds and the *in rem* program to work on a larger scale.
- One of the first NYC CDCs to focus on housing after the moratorium were the Mid-Bronx Desperadoes, established in 1974 by Genevieve S. Brooks and other “desperate” citizens, and the South East Bronx Community Organization .
- Early Bronx-based CDCs active in housing included:
  - Banana Kelly
  - BUILD (Bronx United in Leveraging Dollars)
  - Fordham Bedford Housing Corporation
  - South Bronx Churches (affiliated with Nehemiah Houses)
  - Nos Quedamos

A growing number of CDCs in NYC began undertaking larger scale rehabilitation of tax-delinquent properties in the 1970s

- Other early CDC’s were:
  - Fifth Avenue Committee in Brooklyn
  - Harlem Congregations for Community Improvement in Manhattan.

6.5: Mid- Bronx Desperadoes at site of new row houses,
Longfellow Ave., Bronx, by Ted Thai, 1996

NYC Decentralized Housing

Provided:

- A range of rental tiers
  - Income ranges could accommodate residents earning between 30% to 175% of average city income (what HUD refers to as area mean income, or AMI).
- Broadened political support for below-market subsidized housing through a mix of incomes
- Diverse neighborhoods.

https://www.youtube.com/watch?v=9vD1RU0Lt5g&ab_channel=lagarchivist

NYC Rent Stabilization

- The 1969 NYS Legislature enacts the Rent Stabilization Law
  - All units in buildings with 6+ apartment built between 1947 and 1969 would be subject to stabilization (less strict than rent control)...later this was extended to thise built through 1974
  - Landlords are entitled to periodic rent increase as determined by the NY Rent Guidelines Board. Recently these have been between 1.5% and 2% increase upon lease renewal.
  - In 1996, rent stabilized units constituted over half of all rentals in NYC at 1,052,300
  - Rent regulation also covers Section 8 subsidized rentals

NYC Renters in the 1990s

- Rent Regulation "Reform" Act of 1993 (link) ⇨⇨⇨
  - Luxury decontrol creates more market rate units
- In 1996 (after changes to rent regulation) an estimated 147,507 households (5.3% of total households in NYS) had one or more severe housing quality problems (e.g., insufficient heat, infestation, cracks, holes, plumbing problems)

Section 1. This act shall be known and may be cited as the "rent regulation reform act of 1993".

Sec. 2. Subdivision 2 of section 2 of chapter 274 of the laws of 1946, constituting the emergency housing rent control law, is amended by adding two new paragraphs (m) and (n) to read as follows:

(M) UPON THE ISSUANCE OF AN ORDER OF DECONTROL BY THE DIVISION, HOUSING ACCOMMODATIONS WHICH: (1) ARE OCCUPIED BY PERSONS WHO HAVE A TOTAL ANNUAL INCOME IN EXCESS OF TWO HUNDRED FIFTY THOUSAND DOLLARS IN EACH OF THE TWO PRECEDING CALENDAR YEARS, AS DEFINED IN AND SUBJECT TO THE LIMITATIONS AND PROCESS SET FORTH IN SECTION TWO-A OF THIS LAW; AND (2) HAVE A MAXIMUM RENT OF TWO THOUSAND DOLLARS OR MORE PER MONTH AS OF OCTOBER FIRST, NINETEEN HUNDRED NINETY-THREE.

(N) ANY HOUSING ACCOMMODATION WITH A MAXIMUM RENT OF TWO THOUSAND DOLLARS OR MORE PER MONTH AT ANY TIME BETWEEN THE EFFECTIVE DATE OF THIS PARAGRAPH AND OCTOBER FIRST, NINETEEN HUNDRED NINETY-THREE WHICH IS OR BECOMES VACANT ON OR AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH. THIS EXCLUSION SHALL NOT APPLY HOWEVER, TO OR BECOME EFFECTIVE WITH RESPECT TO HOUSING ACCOMMODATIONS WHICH THE COMMISSIONER DETERMINES OR FINDS THAT THE LANDLORD OR ANY PERSON ACTING ON HIS OR HER BEHALF, WITH INTENT TO CAUSE THE TENANT TO VACATE, HAS ENGAGED IN ANY COURSE OF CONDUCT (INCLUDING, BUT NOT LIMITED TO, INTERRUPTION OR DISCONTINUANCE OF REQUIRED SERVICES) WHICH INTERFERED WITH OR DISTURBED OR WAS INTENDED TO INTERFERE WITH OR DISTURB THE COMFORT, REPOSE, PEACE OR QUIET OF THE TENANT IN HIS OR HER USE OR OCCUPANCY OF THE HOUSING ACCOMMODATIONS AND IN CONNECTION WITH SUCH COURSE OF CONDUCT, ANY OTHER GENERAL ENFORCEMENT PROVISION OF THIS LAW SHALL ALSO APPLY.

NYC Renters in the 1990s

AFFORDABLE HOUSING, REAL ESTATE TRENDS

Since 1993, NYC has lost 152,000 regulated units after landlords increased rent, report says

POSTED ON MON, MAY 21, 2018 BY DEVIN GANNON

"And another 130,000 more apartments have been lost due to expiring tax breaks and co-op and condo conversions".

TABLE 1.11
Severe Housing Problems in New York City: Boroughs and Subtenures

	Unit Has Five or More Maintenance Deficiencies	Unit Is in Dilapidated Building	Renter Pays More Than 50% of Income for Rent	Owner Pays More Than 60% of Income for Housing	Occupant Has Affordability or Housing Quality Problem
Number of Households	123,773 4.5%	30,164 1.1%	525,736 18.9%	67,916 2.4%	735,819 26.5%
Borough					
Bronx	32,633 7.9%	6,148 1.5%	109,281 26.5%	5,179 1.3%	141,531 34.4%
Brooklyn	35,895 4.4%	7,937 1.0%	180,403 22.2%	25,644 3.2%	245,975 30.2%
Manhattan	43,506 6.2%	11,191 1.6%	136,818 19.4%	7,675 1.1%	186,939 26.6%
Queens	11,826 1.7%	3,341 0.5%	88,955 12.5%	26,002 3.6%	137,976 19.3%
Staten Island	1,131 0.8%	1,538 1.1%	10,287 7.5%	3,958 2.9%	18,898 13.8%
Tenure/Subtenure					
Rent Controlled	4,264 6.0%	747 1.1%	17,527 24.8%	NA	20,582 29.2%
Rent Stabilized	76,714 7.5%	14,338 1.4%	290,026 28.6%	NA	346,132 34.1%
Other Rent Regulation	5,048 4.0%	563 0.4%	47,188 37.2%	NA	49,281 38.8%
Unregulated Rental	16,721 3.1%	6,172 1.1%	134,200 24.6%	NA	140,874 25.8%
Public Housing	11,496 6.9%	187 0.1%	28,685 17.3%	NA	38,410 23.2%
In Rem Housing	6,048 26.3%	3,786 16.5%	8,113 35.3%	NA	13,527 58.6%
Conventional Owner	1,836 0.3%	3,407 0.6%	NA	64,963 12.0%	70,787 13.0%
Co-ops/Condos	1,266 0.5%	829 0.3%	NA	21,199 8.8%	22,189 9.2%
Mitchell-Lama Housing	379 0.7%	141 0.3%	NA	6,351 12.5%	6,504 12.8%
Rental Buildings with More Than 100 Units	3.8%	0.2%	24.7%	NA	26.1%
Frequency in Units Where Rent < $500	8.5%	2.1%	25.5%	NA	33.0%

Source: 1996 Housing and Vacancy Survey Data Files.

Sources

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