

## Asian Americans For Equality's (AAFE) Testimony on ADU Legalization

New York City  
NYS Assembly  
250 Broadway, Manhattan  
Monday January 31, 2022

My name is Thomas Yu, and I am the Co-Executive Director of Asian Americans for Equality (AAFE), a community development non-profit organization founded nearly 50 years ago in 1974, serving New York City's 1.2 million residents of Asian descent as well as anyone who requires our assistance regardless of background. Our mission is to advance low-income, immigrant communities and others, through our diverse array of social services, affordable housing, advocacy, urban planning and economic development programs.

While we are often known for our work in developing and maintaining over 1,200 units of affordable housing over the past decades, AAFE also creates homeownership opportunities through our Community Development Financial Institution (CDFI) for thousands of New Yorkers, many of whom are first time, low to moderate income homebuyers pursuing the great American Dream. To date, we have counseled over 5,000 prospective homebuyers, made down payment assistance loans to income-qualified borrowers, and helped thousands obtain over \$416 million in conventional fixed-rate mortgages.

We wholeheartedly support the current efforts to advance Accessory Dwelling Units (ADU) legalization in the State, and was hearten to hear this issue included in Governor Hochul's State of the State address. Thousands of New Yorkers, particularly in our low-income immigrant communities, have de facto homes in unregulated ADUs, simply because they are unable to afford rent in one of the highest cost-of-living metropolitan areas of the nation. As we continue to potentially be in a prolonged period of economic uncertainty, it is crucial that we find ways to standardize, protect, and regulate an existing affordable housing type for New Yorkers. The benefits to property owners participating in a formal ADU program would also have obvious benefits to their economic stability as well, since many are also low to moderate income immigrants themselves.

We also urge the incorporation of the bill advanced by Assemblymember Harvey Epstein and State Senator Pete Harckham, which deals with the exemptions needed by ADUs in Multiple Dwelling Law (MDL). Allowing localities to create the necessary safety standards, improvements and regulations around legalizing ADUs is common sense and practical. This would enable thousands of under-the-radar ADU apartments come into the light, so we can make sure conditions are safe, tenants are protected physically and under rent-stabilization, and homeowners are provided a legal path towards extra income and space for family or others. Even lending institutions with existing mortgages to such properties are also better off knowing the premises are safe and that the revenue for repayment is more secure.

We have all seen the tragic drowning deaths in Queens from rapidly flooded basement ADUs, which may have been preventable if we develop standardized ADU regulations for safety, egress, and protocol for evacuation. Firefighters would also benefit from obtaining formal ADU layouts in fire safety plans much like they do for multiple dwelling unit buildings, so that in the event of a fire, the rescuers and the tenants know the exact rooms to check and have means of escape.

AAFE is but one of many, on-the-ground locally serving organizations that can assist municipalities and localities research existing conditions and development a framework for legalization. When the times comes to implement agreed upon improvements and safety requirements, funding would also be crucial in outreach, technical assistance and repair grants and loans. Non-profit CDFIs are a natural partner and resource to deploy capital into the community and walk homeowners through the construction rehab process, that would benefit thousands of their tenants.

We urge the NYS Legislature to speedily chart out and implement a path towards ADU legalization for the benefit of so many of our fellow New Yorkers. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Yu". The signature is fluid and cursive, with the first name "Thomas" and the last name "Yu" clearly distinguishable.

Thomas Yu, Co-Executive Director  
AAFE