

My name is Canyon Ryan and I am the Executive Director of United Tenants of Albany, a 52-year old community-based organization located in the City of Albany that provides emergency rental assistance, court advocacy, fair housing, and tenant union organizing services across Albany County.

In the last Fiscal Year, UTA distributed \$677,699 to support 408 low-income tenants at risk of, or actively overcoming, homelessness. In the last calendar year, our court advocates assisted 508 tenant households across the Capital Region navigate eviction proceedings and mediate agreements, raise defenses and get cases dismissed, and sue their landlords to make repairs, abate rent, and secure money judgments. Meanwhile, our housing hotline received 7,700 calls from across New York State (but primarily in the Capital Region), our office received 1,240 walk-ins, and our team conducted 3,400 intakes with tenants seeking assistance. In addition to the policy interests detailed below, **UTA is a Neighborhood Preservation Company and supports the request for \$20.68M in this year's budget.** NPC funding is essential for ensuring UTA is able to operate, covering costs that few grants support.

In addition to providing community defense services, UTA empowers the community, and advocates for tools that empower the community, as well. While our City hosts about 100,000 residents, we have helped build ten tenant unions in the last 4 years, five of which are actively engaged in struggles for safe and decent housing, representing over 565 households. Meanwhile, we have been engaged in the fights for Good Cause Eviction, the Tenant Dignity & Safe Housing Act, budget fights for public housing funding, and most recently, the campaigns for the **Housing Access Voucher Program (HAVP)** and the **Rent Emergency Stabilization for Tenants (REST) Act**.

Last year, the state set aside \$50,000,000 for the **HAVP** pilot program. While we consider this a significant commitment of funds to support homeless and at-risk New Yorkers, we maintain our commitment to demand for full funding of HAVP at \$250,000,000. While we understand that there are budget constraints this year that are especially concerning, our communities are struggling and the federal government, historically the entity that created support-lines for housing vouchers in times of crisis, is nowhere to be found. We need New York State to step up and meet the moment.

As we know, the \$50M allocation provides for 1,891 vouchers: 1,200 in NYC and 691 for the rest of the state. This translates to approximately 29 vouchers for Albany County, composed of about 315,000 residents. As noted above, UTA organizes tenant unions, and our local chapter of the National Union of the Homeless (concentrated in the City of Albany) has more active members than there are HAVP-vouchers for the entire County.

What's worse, while HAVP was designed to reach community members that have been historically neglected via federal housing assistance programs, such as households where a family member is undocumented, the pilot has set a precedent that excludes these households from assistance, likely due to the limited nature of the program-design and the tendency to take the path of least resistance. We learned from the Commissioner of the Albany County

Department of Social Services that they were told to identify 50 households in the shelter system that could benefit from the program and forward those names to Housing & Community Renewal, the body that would make the final decision. But as we know, households that are undocumented are not engaged in the shelter system nor receiving public benefits, effectively excluding an especially vulnerable community for which this program was designed to support.

We believe that with sufficient funding, HAVP could be a major success and meet essential needs at a critical moment.

Vouchers are a primary tool in addressing the fact that Fair Market Rents are outpacing incomes by a margin of two-to-one in the Albany-Schenectady-Troy Region according to HUD data. Another vital tool for addressing runaway rents is the **REST Act**, a bill designed with upstate New York and Long Island in mind.

In 2019, the Housing Stability & Tenant Protection Act granted outer-NYC municipalities the ability to adopt the Emergency Tenant Protection Act (ETPA), otherwise known as rent stabilization. In order to opt-in to ETPA, a municipality must first declare interest in exploring rent stabilization, then conduct a costly and confusing study which must identify a vacancy rate of below 5% in eligible units, before declaring a 'housing emergency' and finally adopting ETPA.

While more than 10 cities have made moves to opt-in to rent stabilization, only the City of Kingston has been successful (and by successful I mean conducted a second study after the first failed to yield a sub-5% vacancy rate and then withstood 3-years of lawsuits). Meanwhile, cities like Rochester, Newburgh, Poughkeepsie, and Albany have attempted to opt in but been stymied by the cost, the unclear process to conduct the study, and persistent lawsuits which have hamstrung municipalities and set a cooling effect across the state. As a result, several cities (Hudson, Ithaca, New Paltz, and others) have also expressed the interest and intent to conduct a vacancy study, but have failed to begin the process, largely due to legal capacity concerns in the event that they are sued.

What's more, these studies are expensive and the impact is minimal. In Albany, the vacancy study cost more than \$75,000 and would have only impacted 14% of tenants. Because the study failed to identify a vacancy rate of below 5% (UTA questioned the methodology of the study, but as noted above, since the process lacks clarity, there was no recourse for renters), the \$75,000 was essentially wasted. That said, the vacancy study also acknowledged a housing emergency existed, just not one that qualified for rent stabilization under NYS law.

REST would alter this landscape.

First, the Act would eliminate *the requirement* of the vacancy study. Municipalities could still pursue the vacancy study, but would also be able to consider publicly available data such as Point-in-Time and homelessness rates, the number of accessible affordable housing options and the Housing Inventory Chart, the conditions of the local housing stock, the rent burden experienced by tenants, development trends in a municipality, the rate of income increases

compared to the Fair Market Rent, eviction data, and more. No longer would municipalities be impaired by the high cost of a study or the limited definition of a qualifying 'housing emergency'.

Secondly, REST would expand the accessibility of rent stabilization by granting localities the ability to bring buildings with less than 6-units into the fold. As noted above, under ETPA, only 14% of Albany renters would be impacted. In Poughkeepsie, it was a whopping 16%, while in Kingston, just 12% of tenant households. The reason for this limited coverage is that when ETPA was written and adopted, it was intended only to cover tenants in New York City. At 6-or-more units, nearly half of the housing stock was covered. While HSTPA did grant all NYS localities the ability to opt-in, all conditions remained the same. There was no consideration for local housing stock, which is corrected by REST. As it stands, municipalities can increase the unit-count per building; REST grants localities the ability to do more, and make rent stabilization a comparably impactful option.

Lastly, REST modifies the year-built requirement from 1974 (when ETPA was written and passed) to 15-years prior to the current date on a rolling deadline (much like Good Cause Eviction). This is meant to modernize the eligibility threshold and not create a scenario in which the oldest units (with the worst conditions) are the only affordable rentals in a given community.

We see HAVP and REST as two essential tools to tackle the housing crisis. They will not solve everything, but they will make a meaningful impact on the cost and accessibility of quality housing in our community. These are two immediate steps the state can take, one of which is filling a monetary and voucher -void left by the federal government, the latter a cost-effective, local empowerment bill designed to halt excessive rents in an increasingly unequal housing market.

Thank you for your time and consideration,
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