



119 Washington Ave. • Albany, NY 12210  
Phone 518.462.6831  
[www.empirejustice.org](http://www.empirejustice.org)

**Joint Legislative Public Hearings on  
2026-2027 Executive Budget Proposal**

**Housing**

February 25, 2026

**Prepared by:**

**A.J Durwin, Managing Attorney**

**Alex Dery Snider, Policy and Communications Director**

**Amanda Gallipeau, Policy and Communications Manager**

**Jim Dukette, HOPP Anchor Program Director**

**Kristin Brown, President and CEO**

**Susan Antos, Managing Attorney**

## INTRODUCTION

Empire Justice Center is a statewide, multi-issue, multi-strategy not-for-profit civil legal aid provider focused on changing the complex systems impacting low income and marginalized New Yorkers. With a focus on poverty law, Empire Justice takes a 360-degree approach to the areas of law we practice in, providing individual legal representation, policy research and analysis, training and technical assistance as well as impact litigation.

Our work cuts across all significant areas of poverty law and involves three inter-related services:

**We practice the law:** Empire Justice Center provides a range of legal assistance from our Telesca Center and Library offices in Rochester, Albany, Yonkers, White Plains, Central Islip, and Hempstead. We provide one on one representation and undertake impact litigation to address systemic issues impacting low income and marginalized communities.

**We teach the law:** Our history as a backup center for civil legal services providers began in the 1970's and while federal funding for these services was eliminated during the mid 1990's, we have sustained that work in specific service areas where we continue to provide training, technical assistance and other legal support services to civil legal aid providers as well as a variety of other community-based organizations, keeping them apprised of changes in the law and regulations.

**We change the law:** In order to ensure that the needs of low-income families are heard within the state's policy making processes, we engage in both legislative and administrative advocacy on a range of issues impacting our clients and we do the same as needed at the local and federal levels.

In today's testimony, we respectfully ask you for the following:

1. **Include \$40 million in funding for the Homeowner Protection Program (HOPP) and codification (S.2627A Kavanagh/A.1625A Solages) in one-house and final budgets**
2. **Increase funding of OTDA's Eviction Prevention Representation**
3. **Increase benefits for housing expenses to 100% of the United States Department of Housing and Urban Development's Fair Market Rent for households eligible for public assistance**
  - a. **Increase the shelter allowances to 100% of HUD fair market rent, adjusted annually if the FMR is increased. (S.1454 Kavanagh / A.1507 Rosenthal)**
  - b. **Until the shelter allowance is increased, all public assistance households experiencing housing instability should be entitled to rent supplements at HUD fair market rent**
  - c. **People experiencing housing instability who are not eligible for public assistance should receive a supplement and/or voucher at HUD fair market rent, such as the Housing Access Voucher Program (HAVP) (S.72 Kavanagh /A.1704 Rosenthal).**

**I. INCLUDE FULL FUNDING OF \$40 MILLION AND CODIFICATION LANGUAGE (S.2627A KAVANAGH / A.1625 SOLAGES) FOR NEW YORK STATE'S HOMEOWNER PROTECTION PROGRAM (HOPP)**

We are grateful that the Executive budget included full funding of \$40 million for the New York State Office of the Attorney General's Homeowner Protection Program (HOPP). HOPP is the only source of dedicated funding for foreclosure prevention and supports a statewide network of nonprofit housing counseling agencies and legal services providers that deliver free, high-quality assistance to homeowners in default or foreclosure. Through this program, annual grants are provided to approximately 90 non-profit housing counseling and legal services organizations. These organizations, offering services in every county in NY, provide counseling and/or legal representation in foreclosure and tax foreclosure proceedings, assistance with mortgage modification and loss-mitigation options, help resolving heirs' property and title issues, and protection from deed theft and other housing-related scams. HOPP is unique in this way, addressing both legal issues as well as the financial well-being of the clients. These services intervene early, stabilize households, and prevent temporary financial hardship from becoming permanent housing loss.

In the context of the current political landscape at the federal level and amidst the current affordable housing crisis in New York State, the need for HOPP is as critical as ever. Many homeowners continue to face lingering financial hardship from the Covid-19 pandemic and many more are dealing with emerging economic challenges. Mortgage interest rates are double what they were 4 years ago, home prices and rents have dramatically spiked, insurance premiums are sharply higher, federal consumer safeguards are erased or weakened, and New York's housing stock is aging. These factors especially impact seniors on fixed incomes, homeowners in rural areas, and homeowners of color. All this is happening at a time when almost 2.9 million New York households (renters and owners) spend more than 30% of their income on housing.<sup>1</sup> As a result, HOPP advocates are needed to help more homeowners with increasingly complicated, time-consuming issues.

HOPP is an essential component of any solution to New York's housing crisis, providing housing stability while increasing housing availability, affordability as well as ensuring state level consumer protections for homeowners. HOPP is a cost-effective investment that protects both vulnerable New Yorkers as well as the State's fiscal soundness.

---

<sup>1</sup> Office of the New York State Comptroller, [DiNapoli: Housing Cost Burdens for New Yorkers Among Nation's Highest | Office of the New York State Comptroller](#)

The Homeowner Protection Program directly advances the goal of housing stability by preventing avoidable foreclosures and keeping homeowners safely housed. HOPP focuses on prevention, enabling families in temporary financial distress to stabilize household finances, negotiate sustainable mortgage solutions and avoid displacement. Stable homeownership also stabilizes communities. When a home is lost to foreclosure, the results ripple beyond the affected family. Foreclosed properties often sit vacant, depressing surrounding property values and contributing to neighborhood blight. HOPP keeps homes owner-occupied, maintains property values and tax bases and stabilizes neighborhoods. Stable housing is particularly important for senior homeowners, allowing them to age in place, avoid unnecessary institutionalization and avoid the need for multiple social services.

HOPP helps to maintain the availability of affordable housing stock statewide. While creating new housing is necessary, it is more time consuming and costly than preserving existing homeownership. The cost of preserving a home through HOPP intervention is a fraction of the cost to the State of building new housing. HOPP also plays a pivotal role in preventing the loss of affordable housing stock to investors. Foreclosures disproportionately affect communities with large numbers of low- and moderate-income homeowners. When a home is lost to foreclosure, it is often purchased with investors only concerned with making profit. These homes are often converted to higher-cost rental housing or removed from the housing market entirely. HOPP services keep homes in the hands of residents rather than investors, preserving long-term availability for homeowners and renters alike. The impact of HOPP-assisted housing availability is often most keenly felt in regions of the state where new homes are not being built. In rural areas, small cities and economically distressed areas, preventing foreclosures can be the primary tool for preserving housing stock.

Housing affordability is one of the biggest challenges facing New York. Housing costs have risen faster than incomes, leaving millions of families with financial instability and at risk of losing their homes due to one unexpected expense. HOPP services stabilize household finances and help homeowners weather temporary financial stresses. The cost of HOPP services is minimal compared to the cost of building new affordable housing or paying for long-term rent subsidies. HOPP protects affordability across the housing market, not just for homeowners but also for renters. When homeowners lose their homes to foreclosure, they often re-enter the housing market as renters further increasing demand on a rental market already untenable and unaffordable for low- and middle-income New Yorkers. HOPP reduces this displacement-created demand and helps keep rental prices lower. For New York to solve the crisis of housing affordability, it must not only invest in new affordable housing but in protecting the affordable homes that already exist. HOPP preserves one of the most affordable housing options – homes that are already owner-occupied.

Housing affordability is also an economic justice issue. Longstanding racial and economic disparities in homeownership persist across New York, driven by disinvestment, discriminatory lending practices, and unequal access to credit. HOPP advances housing equity by targeting assistance to homeowners who are most vulnerable to displacement, including seniors, low- and moderate-income households, homeowners of color, and those living on fixed incomes. HOPP data shows that statewide, over 40% of homeowners receiving HOPP services are people of color and in NYC the percentage exceeds 75%. By providing free legal and housing counseling services, HOPP ensures that access to free foreclosure prevention services and housing stability is equitable.

Predatory scams and deed theft threaten housing stability and equity and victimize the most vulnerable New Yorkers. Funding HOPP, the only proactive intervention against deed theft is essential to safeguard these New Yorkers from catastrophic loss of home ownership and generational wealth. Fraudulent actors prey on financially distressed homeowners with false promises of rescue from foreclosure, often tricking them into signing documents that result in permanent loss of their homes and equity and leaving them with no recourse outside of legal representation. Deed theft has been identified by the New York State Attorney General as a growing threat, particular for seniors, Black and Brown homeowners, immigrants, and homeowners in financial distress.<sup>2</sup> New York State efforts to combat fraud and deed theft, including the NYS Attorney General’s “Protect our Homes” initiative and deed theft legislation passed by the legislature and enacted by Governor Hochul, rely on housing counselors and legal advocates with highly specialized training to identify and combat fraudulent schemes. The State consumer protection tools are only effective when vulnerable homeowners have access to advocates who can help them navigate related complex systems. Fully funding HOPP ensures that New Yorkers can use state protections to avoid being victims, which is especially important as American consumers have fewer protections at the federal level.

HOPP advocates use consumer protections at the state level to fill a void that exists because federal protections have been erased, weakened, or unevenly enforced. New York has a strong tradition of stepping in when the federal consumer safeguards fall short. Federal consumer protections, particularly those administered by the CFPB and FHA, have historically played a pivotal role in preventing consumer abuse. The CFPB acts, or was designed to act, as the central enforcer of mortgage servicing rules, recording and investigating servicing abuses and holding services accountable. Similarly, FHA insured mortgages, disproportionately used by first-time homebuyers, low-income homebuyers and Black and Brown homebuyers, are at particular risk with federal safeguards erased or weakened. FHA loss mitigation programs are complex and change frequently. Homeowners in loss mitigation can lose their homes due to mortgage

---

<sup>2</sup> New York State Office of the Attorney General, Protecting Homeowners from Deed Theft. Available at [Deed theft | New York State Attorney General](#)

servicing errors and improper denials. While the standards are set by FHA, they have no enforcement mechanism. With protections erased or weakened, the risk to homeowners has skyrocketed. HOPP mitigates this risk with direct legal representation and housing counseling, ensuring that New York homeowners are protected by fraudulent actors. HOPP funded advocates serve as the frontline protectors of consumer rights, challenging illegal foreclosure actions, identifying and challenging servicer violations, and preventing fraud before irreversible harm occurs. By protecting homeowners from predatory, fraudulent and illegal practices, HOPP also saves the State costs related to housing instability. Already a national leader in consumer protections, HOPP helps ensure New York continues to set a standard for other states to follow.

From a fiscal perspective, HOPP is one of the most high-impact and cost-effective investment of state resources. The cost of foreclosure prevention legal services and housing counseling is minimal compared to the public costs associated with homelessness, neighborhood destabilization, and new housing development. By preserving existing homeownership, HOPP reduces the need for significantly more costly intervention for both State and local governments down the road. HOPP protects investments that New York has already made in our housing systems. Home ownership for many New Yorkers was made possible through decades of state investments in neighborhood revitalization, infrastructure and community development. The loss of homeownership and resulting neighborhood destabilization negates these investments.

With the current competing budget demands, New York State must prioritize proven investments with proven results. HOPP has proven to deliver greater economic benefits relative to cost. HOPP saves New York State over \$1.2 billion each year.<sup>3</sup> These savings come from preserved property values, tax bases, reducing court costs and reduced costs tied to vacant properties and increased need for social services. Prior to HOPP services being available, 90% of foreclosure cases ended in default judgements and foreclosures. With HOPP, that number fell to 15%. HOPP providers report that conservatively, 25% - 30% of homeowners receiving HOPP services avoid foreclosure through loan modifications. This is just one way that HOPP protects homeownership. HOPP providers serve over 18,000 families a year and the HOPP network of housing counselors and legal services staff have helped over 176,000 New York families avoid foreclosure. The past decade-plus has shown that HOPP works and works for all New Yorkers.

Because the need for funding the HOPP Program is permanent, we ask for the inclusion of the codification language (S.2627A Kavanagh/A.1625 Solages) in the one-house and final budgets. This is especially critical at a time when the federal administration has taken action to weaken federal regulations, including the Consumer Financial Protection Bureau, HUD, and the Federal

---

<sup>3</sup> Hamra Ahmad & Dara L. Sheinfeld, NYC Bar Association, *Support For Proposed Funding For Civil Legal Services in FY26 Budget*, March 3 2025, Available at [Support For Proposed Funding For Civil Legal Services in FY26 Budget | New York City Bar Association](#)

Trade Commission. HOPP remains a tool to prevent predatory scams, as other tools merely provide relief after the damage from scams has been done.

Stable and sufficient funding of HOPP is necessary to protect homeowners, strengthen communities, and help New York reach housing stability and affordability and maintain fiscal responsibility.

**ASK:**

**Fund New York State’s Homeownership Protection Program at \$40 million and include codification language (S.2627A Kavanagh / A.1625A Solages) in the one house and final budgets**

## **II. INCREASE FUNDING FOR OTDA’S EVICTION PREVENTION REPRESENTATION**

Among other substantive areas of law, Empire Justice Center advocates for tenants in housing court and we provide services such as eviction defense and enforcement of housing rights. We are part of the Tenant Defense Project in Monroe County, with funding from the Senate’s Upstate Legal Services funding, and we represent immigrant tenants on Long Island with funding from the Emergency Rental Assistance Program (ERAP), through a subcontract with Legal Services of Long Island.

The Office of Temporary and Disability Assistance’s Emergency Rental Assistance Program (ERAP) provides essential funding to support legal services and representation for eviction cases primarily outside of New York City to ensure housing for our clients. Our Long Island Office has focused on the need of poor immigrants for representation and legal assistance since its inception in 2007. Thanks to a subcontract with Legal Services of Long Island— funded through the ERAP program — we expanded our housing work and started a new Tenant Advocacy Practice Group, bringing our Rochester and Long Island practitioners together. With the new contract we began providing direct representation and legal advice to tenants facing eviction in the many Landlord/Tenant courts throughout Long Island. Our clients are primarily immigrants who cannot be represented by Long Island Legal Services. Most do not speak English and have very little understanding of the court system and processes in the US. Given the current political climate at the Federal level, these immigrant tenants need our help now more than ever.

Prior to Empire Justice’s involvement, these tenants had no access to legal services when facing eviction. The ERAP funding has provided enormous relief for a large number of our clients. Many tenants were eligible for rent arrears payments that prevented eviction. Even in cases where the ERAP Program could not prevent termination of the rental agreement, the Program gave our clients added time to find alternative housing and money to move. Our Tenant Advocacy staff also offer guidance and representation to tenants who are being illegally evicted

from their homes, and we have helped to avert some catastrophic situations. One such case was reported in *Newsday*.<sup>4</sup> As a result of our advocacy, heat to the tenant's apartment was restored, rental arrears were waived, and the landlord was prosecuted for unlawfully trying to evict our client.

In 2025 we provided legal advice, referrals, and representation to over 172 households, a 10% increase over the prior year. With the increase in funding provided by the legislature, Legal Services of Long Island was able to increase Empire Justice Center's funding. With these funds we hired a second Housing Attorney and Bilingual Paralegal and opened a second Long Island office in Hempstead that will offer more accessible services to our Nassau County clients. We anticipate hiring a third attorney this year as well. The additional staff will enable us to take on more cases and provide more extensive legal advice and referrals for other types of assistance. In addition, we now have some resources to do outreach to immigrant communities to offer information on the rights and protections of tenants and the legal services that we can provide. Restoration of the legislative add-in this year's budget is essential to our ability to continue these services. The most urgent need of our clients is for safe, affordable, and stable housing. They must often live in overcrowded and unsanitary conditions because the rent prices have skyrocketed in recent years. Lower cost rental units are mostly found in the poorer areas with the greatest concentration of people of color, exacerbating the huge problem of segregation on Long Island in communities and schools. Although direct service representation in housing courts cannot solve these systemic problems, with support, we could provide greater assistance to immigrant tenants on Long Island to allow them to remain secure in their homes.

**ASK:**

**Support the Executive's \$35 million baseline allocation for Eviction Defense Funding and increase investment by an additional \$40 million for a total of \$75 million to ensure services to those at risk of eviction across the state (\$45 million rest of state providers and \$30 million for NYC providers)**

**III. INCREASE BENEFITS FOR HOUSING EXPENSES TO 100% OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FAIR MARKET RENT FOR HOUSEHOLDS ELIGIBLE FOR PUBLIC ASSISTANCE**

The New York State Office of Temporary and Disability Assistance (OTDA) is charged with formulating a shelter allowance schedule setting forth maximum allowances for rent for each social services district.<sup>5</sup> For families with children, by statute, that allowance must be adequate

---

<sup>4</sup> McDermot, Maura, "A Wyandanch family lived without heat for months. Their landlord now faces a criminal charge," *Newsday*, 1/29/25. <https://www.newsday.com/long-island/investigations/wyandanch-heat-/landlord-vvpa5ouh>

<sup>5</sup> See SSL 131-a; 18 NYCRR § 352.3 (setting rent allowances).

to provide for the child in the home.<sup>21</sup><sup>6</sup> Unfortunately, OTDA has failed to amend its regulations to keep up with the cost of housing, and at this point, there are no rental units in the private market that meet basic health and safety standards that are priced at or below the shelter allowance. For households with children, OTDA has not updated the shelter allowance schedule since 2003 even though rents have more than doubled since then. For households without children, OTDA has not increased the shelter allowance since 1988, but rents have almost *quadrupled* in the last 38 years.<sup>22</sup><sup>7</sup>

To determine the cost of housing in New York State and nationwide, the Department of Housing and Urban Development (HUD) engages in a detailed analysis of rents in the private housing market. Using that data, HUD determines the “fair market rent” (FMR) for housing that meets basic quality standards for each jurisdiction. An area’s FMR is the amount that a tenant would need to pay for privately owned, decent, and safe rental housing of a modest (non-luxury) nature with appropriate amenities (i.e., including cooking and bathing facilities).<sup>8</sup> The FMR is not the average rent paid in a community – it is an estimate of the 40<sup>th</sup> percentile gross rent paid by recent movers into standard quality private market units in an area.<sup>9</sup>

The shelter allowances are dramatically lower than the actual cost of decent housing – the FMR -- in all counties across New York State. Shelter allowances for a family of three range from a low of \$259 per month in Franklin County to a *high* of \$447 per month in Suffolk County. Comparing the shelter allowance to the FMR, as seen in the chart below, the shelter allowance leaves tenants hundreds, if not thousands, of dollars short of being able to afford a habitable apartment. For a chart containing all counties, see Table 1.

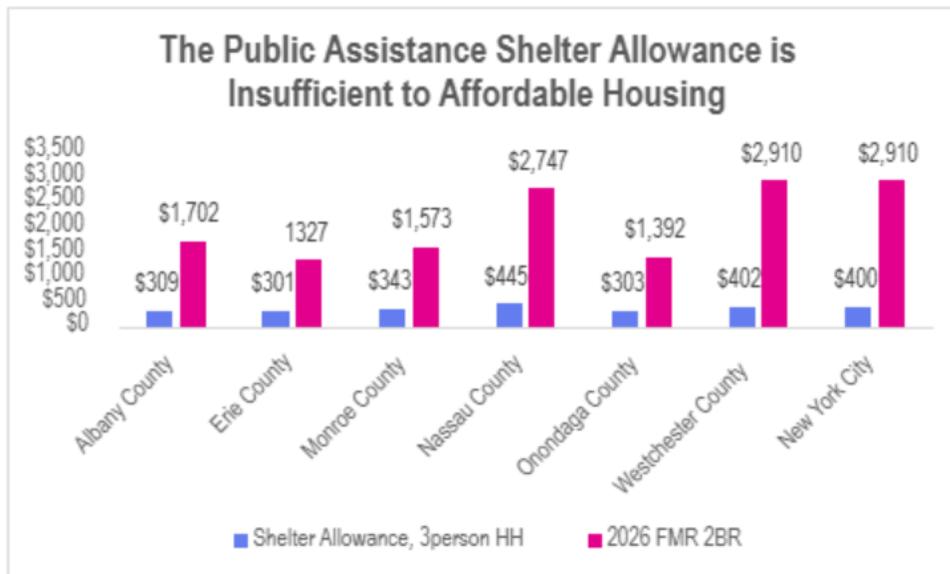
---

<sup>6</sup> SSL 350(1)(a).

<sup>7</sup> In Albany County, for instance, the 2026 HUD FMR for a two bedroom is \$1702 while in 2003, it was \$633, and in 1988 it was \$438. *HUD FMR History 1983-Present*, US Dept. of Hous. & Urban Dev., <https://www.huduser.gov/portal/datasets/fmr.html#history> (last accessed Jan. 26, 2024).

<sup>8</sup> 24 CFR 888.113.

<sup>9</sup> *Id.*



OTDA offers local districts the opportunity to request approval to provide supplements for households receiving public assistance who are experiencing or at risk of eviction if the district can describe a justification for the need.<sup>10</sup> Unfortunately, as of January 2025, only 25 districts had approved Shelter Supplement programs for households receiving public assistance.<sup>11</sup> Furthermore, there isn't sufficient funding allocated to supplements to meet the level of need in most counties: outside of New York City, in December 2024 only 12 counties distributed any Shelter Supplements, that is less counties than last year where 16 counties distributed Shelter Supplements.<sup>12</sup> In total for ROS, only 1,632 households in December 2024 were receiving rental assistance from a Shelter Supplement – a small fraction of the number of public assistance recipients experiencing homelessness.<sup>13</sup> For those who did receive a supplement, benefits are set at a fraction of the HUD FMR levels. For a single adult in Nassau County, for example, the State-set public assistance shelter allowance is \$288 and the supplement is \$275 for a total of \$563, but the HUD FMR level for a one-bedroom apartment in that county is \$2,379. In Monroe County, the public assistance shelter allowance for a family of three is \$343 and the supplement is \$182 for a total of \$525, but the HUD FMR level for that county is \$1,573 for a two-bedroom apartment.

These low supplements make it incredibly challenging for recipients to put Shelter Supplements to use. Some programs have additional restrictive eligibility criteria. The Shelter Supplement program fails to fill the gap left by the meager shelter allowance.

<sup>10</sup> 18 NYCRR 352.3(a)(3). See also NY Off. Of Temp. and Disability Assistance, Shelter Supplements Plans and Revisions, GIS 20 TA/DC012 (Feb. 21, 2020), available at <https://otda.ny.gov/policy/gis/2020/20DC012.pdf>.

<sup>11</sup> Empire Justice Ctr., *Standard of Need by County*, [https://empirejustice.org/resources\\_post/standard-needcharts/](https://empirejustice.org/resources_post/standard-needcharts/) (last updated July 2025).

<sup>12</sup> See Appendix A.

<sup>13</sup> *Id.*

We thank the Governor for allocating \$100,000,000 annually, including in this year's budget to fund a New York State Rental Supplement Program.<sup>14</sup> But a more robust investment is needed. The Rental Supplement Program provides supplements, at local option, to low-income New Yorkers who are experiencing homelessness or facing imminent loss of housing.<sup>15</sup> But like the Shelter Supplement program, the Rental Supplement Program as currently formulated does not do enough to remedy the inadequacy of the shelter allowance. Local districts must opt into the program, and some have declined to do so. Participating counties are typically setting the supplement at only 85% of FMR when data clearly shows that 100% FMR is the most reasonable standard to get New Yorkers into safe and decent housing. Many public assistance recipients are ineligible because they are not imminently at risk of homelessness even if they are living in substandard and unsafe housing, reside in overcrowded conditions, or have yet to receive a notice of eviction from their landlord.

Safe and habitable rental housing is unaffordable for public assistance households due to the inadequacy of the shelter allowance and the supplement programs currently available fail to fill the gap in need. As a result, households on public assistance who have not been lucky enough to get federal subsidies for housing are likely to be cost-burdened (putting them at risk of eviction and frequent moves), be doubled up in overcrowded housing (leading to negative health and educational outcomes), live in substandard conditions that are making them sick, or experience homelessness. New Yorkers deserve better.

According to the most recent data available, there are over 800,000 severely rent burdened New Yorkers. A family is severely rent burdened if they spend more than half of their monthly income on rent expenses. Rent burden is the primary cause of housing insecurity. Moreover, housing insecurity has caused rates of homelessness in New York to double in recent years. By any measure, New York now faces a housing affordability crisis not seen since the Great Recession. Thankfully, there are reliable policies available to combat the affordability crisis, among them are housing vouchers. As recommended in our Human Services testimony, until the shelter allowance is increased, all public assistance households experiencing housing instability should be entitled to rent supplements at the HUD fair market rent. People experiencing housing instability who are not eligible for public assistance should receive a supplement and/or voucher at HUD fair market rent, such as the Housing Access Voucher Program (HAVP). Unfortunately, the federal government has slashed HUD budgets and staffing. These budget cuts will further undermine the goal of helping New Yorkers attain and maintain stable housing.

---

<sup>14</sup> NY Off. of Temp. and Disability Assistance, New York State Rental Supplement Program, 25 LCM-04 (April 25, 2025), available at <https://otda.ny.gov/policy/directives/2025/LCM/25-LCM-04.pdf>. Fiscal Year 2027 Aid to Localities, at p. 543-545, available at [Aid to Localities Appropriations Bill | NYS Fy 2027 Executive Budget](#)

<sup>15</sup> *Id.*

Therefore, the urgency of the housing affordability crisis is high and requires state-level intervention. That is why we highly recommend fully funding the Housing Access Voucher Program (HAVP). HAVP divvies up voucher funding based on the proportion of severely rent-burdened households in each county across the state. Specifically, approximately 65% of severely rent-burdened New York households reside in counties within New York City, whereas approximately 35% reside in counties outside of New York City. Therefore, of the \$50 million allocated for the Housing Access Voucher Pilot Program for 2025/2026, approximately \$32.5 million will go to New York City, and the remaining \$17.5 million will be apportioned among the counties outside of New York City. However, this funding allocation is unlikely to significantly reduce the number of severely rent burdened households in New York. The current funding allocation amounts to less than \$60 per severely rent-burdened household in the state.

To assess the impact of HAVP in one county as an example, in Monroe County, there are approximately 30,000 severely rent-burdened households. However, Monroe County is likely to receive no more than \$1.7 million in HAVP funds in 2026. Up to 10% of those funds may be set aside for administrative costs. Thus, only \$1.53 million will be available for vouchers in Monroe County. HUD data indicates that fair market rent for a two-bedroom apartment in Monroe County is \$1,573. Further, voucher payments may begin as early as March 2026, meaning that vouchers may cover up to 10 months of rent in 2026. Therefore, generously assuming that all vouchers go to small families in need of no more than a two-bedroom apartment and who have income to pay 30% of their rent obligation, vouchers are likely to assist no more than 140 families in 2026. Compared to the total number of severely rent-burdened households in the county, it feels like a drop in the bucket. Less than half of 1% of all severely rent burdened households will receive a voucher.

Therefore, while HAVP will be a lifeline to struggling families who receive a voucher, promoting housing stability, preventing homelessness, and reducing the deleterious effects of poverty in the midst of a housing affordability crisis, HAVP must be fully funded to achieve these goals for a greater number of New York households.

**ASK:**

- 1. Increase the shelter allowances to 100% of HUD fair market rent, adjusted annually if the FMR is increased. (S.1454 Kavanagh / A.1507 Rosenthal)**
- 2. Until the shelter allowance is increased, all public assistance households experiencing housing instability should be entitled to rent supplements at HUD fair market rent**
- 3. People experiencing housing instability who are not eligible for public assistance should receive a supplement and/or voucher at HUD fair market rent, such as the Housing Access Voucher Program (HAVP) (S.72 Kavanagh /A.1704 Rosenthal)**

Thank you for the opportunity to submit testimony.

**Table 1**

	Shelter Allowance for a 3 Person Household, with Children, Compared to HUD 2026 Fair Market Rent for a 2-Bedroom Rental Unit	Shelter Allowance for a 3 Person Household, with Children, Compared to HUD 2026 Fair Market Rent for a 2-Bedroom Rental Unit					
County	Allowance	2-BR FMR	Shortfall		Allowance	1-BR FMR	Shortfall
Albany	\$309	\$1,702	\$1,393		\$184	\$1,417	\$1,233
Allegany	\$273	\$974	\$701		\$190	\$750	\$560
Bronx	\$400	\$2,910	\$2,510		\$215	\$2,655	\$2,440
Broome	\$290	\$1,103	\$813		\$218	\$868	\$650
Cattaraugus	\$269	\$1,007	\$738		\$179	\$783	\$604
Cayuga	\$290	\$1,124	\$834		\$179	\$889	\$710
Chautauqua	\$285	\$975	\$690		\$167	\$754	\$587
Chemung	\$283	\$1,283	\$1,000		\$197	\$978	\$781
Chenango	\$264	\$973	\$709		\$189	\$955	\$766
Clinton	\$275	\$1,246	\$971		\$156	\$980	\$824
Columbia	\$290	\$1,434	\$1,144		\$191	\$1,263	\$1,072
Cortland	\$281	\$1,118	\$837		\$199	\$901	\$702
Delaware	\$274	\$1,033	\$759		\$200	\$884	\$684
Dutchess	\$412	\$1,979	\$1,567		\$216	\$1,549	\$1,333
Erie	\$301	\$1,327	\$1,026		\$169	\$1,121	\$952
Essex	\$268	\$1,185	\$917		\$199	\$903	\$704
Franklin	\$259	\$1,044	\$785		\$161	\$824	\$663
Fulton	\$272	\$1,087	\$815		\$159	\$828	\$669
Genesee	\$294	\$1,168	\$874		\$202	\$953	\$751
Greene	\$281	\$1,373	\$1,092		\$197	\$1,118	\$921
Hamilton	\$267	\$1,429	\$1,162		\$159	\$1,089	\$930
Herkimer	\$275	\$1,172	\$897		\$173	\$926	\$753

Jefferson	\$276	\$1,405	\$1,129	\$200	\$1,071	\$871
Kings	\$400	\$2,910	\$2,510	\$215	\$2,655	\$2,440
Lewis	\$279	\$1,008	\$729	\$152	\$839	\$687
Livingston	\$307	\$1,573	\$1,266	\$187	\$1,256	\$1,069
Madison	\$304	\$1,392	\$1,088	\$199	\$1,123	\$924
Monroe	\$343	\$1,573	\$1,230	\$257	\$1,256	\$999
Montgomery	\$283	\$1,102	\$819	\$158	\$899	\$741
Nassau	\$445	\$2,747	\$2,302	\$288	\$2,379	\$2,091
New York	\$400	\$2,910	\$2,510	\$215	\$2,655	\$2,440
Niagara	\$294	\$1,327	\$1,033	\$174	\$1,121	\$947
Oneida	\$287	\$1,172	\$885	\$179	\$926	\$747
Onondaga	\$303	\$1,392	\$1,089	\$203	\$1,123	\$920
Ontario	\$308	\$1,573	\$1,265	\$207	\$1,256	\$1,049
Orange	\$421	\$1,979	\$1,558	\$229	\$1,549	\$1,320
Orleans	\$302	\$1,573	\$1,271	\$202	\$1,256	\$1,054
Oswego	\$300	\$1,392	\$1,092	\$183	\$1,123	\$940
Otsego	\$280	\$1,228	\$948	\$200	\$965	\$765
Putnam	\$441	\$2,910	\$2,469	\$237	\$2,655	\$2,418
Queens	\$400	\$2,910	\$2,510	\$215	\$2,655	\$2,440
Rensselaer	\$296	\$1,702	\$1,406	\$153	\$1,417	\$1,264
Richmond	\$400	\$2,910	\$2,510	\$215	\$2,655	\$2,440
Rockland	\$434	\$2,910	\$2,476	\$302	\$2,655	\$2,353
Saratoga	\$316	\$1,702	\$1,386	\$185	\$1,417	\$1,232
Schenectady	\$311	\$1,702	\$1,391	\$195	\$1,417	\$1,222
Schoharie	\$286	\$1,702	\$1,416	\$199	\$1,417	\$1,218
Schuyler	\$275	\$1,148	\$873	\$194	\$875	\$681
Seneca	\$288	\$1,169	\$881	\$204	\$921	\$717
St. Lawrence	\$281	\$1,071	\$790	\$182	\$816	\$634
Steuben	\$271	\$1,081	\$810	\$159	\$871	\$712
Suffolk	\$447	\$2,747	\$2,300	\$309	\$2,379	\$2,070
Sullivan	\$297	\$1,302	\$1,005	\$211	\$1,070	\$859
Tioga	\$285	\$1,103	\$818	\$201	\$868	\$667
Tompkins	\$317	\$1,753	\$1,436	\$217	\$1,466	\$1,249
Ulster	\$350	\$1,818	\$1,468	\$263	\$1,386	\$1,123
Warren	\$299	\$1,348	\$1,049	\$215	\$1,066	\$851

<b>Washington</b>	\$295	\$1,348	<b>\$1,053</b>		\$199	\$1,066	<b>\$867</b>
<b>Wayne</b>	\$302	\$1,573	<b>\$1,271</b>		\$207	\$1,256	<b>\$1,049</b>
<b>Westchester</b>	\$426	\$2,910	<b>\$2,484</b>		\$271	\$2,655	<b>\$2,384</b>
<b>Wyoming</b>	\$279	\$973	<b>\$694</b>		\$199	\$844	<b>\$645</b>
<b>Yates</b>	\$286	\$1,097	<b>\$811</b>		\$181	\$836	<b>\$655</b>

The United States Department of Housing and Urban Development (HUD) sets Fair Market Rents (FMR) yearly. The FMR is the 40th percentile of gross rents for typical, non-substandard rental units occupied by recent movers in a local housing market.

## Appendix A

### NYS ACTIVE PA HOUSEHOLDS WITH A SHELTER SUPPLEMENT, 2024

December 2024

	Child Indicator		
	No Child	Has Child	Total
DISTRICT	Count	Count	Count
Albany	0	0	0
Allegany	0	0	0
Broome	0	0	0
Cattaraugus	0	0	0
Cayuga	0	0	0
Chautauqua	0	0	0
Chemung	0	0	0
Chenango	0	0	0
Clinton	31	0	31
Columbia	4	0	4
Cortland	0	0	0
Delaware	0	0	0
Dutchess	24	0	24
Erie	0	0	0
Essex	0	0	0
Franklin	0	0	0
Fulton	0	0	0
Genesee	0	0	0
Greene	0	0	0
Hamilton	0	0	0
Herkimer	0	0	0
Jefferson	88	0	88
Lewis	0	0	0

Livingston	0	0	0
Madison	8	0	8
Monroe	0	0	0
Montgomery	0	0	0
Nassau	92	89	181

Niagara	0	0	0
Oneida	0	0	0
Onondaga	6	192	198
Ontario	35	0	35
Orange	8	29	37
Orleans	0	0	0
Oswego	0	0	0
Otsego	11	0	11
Putnam	0	0	0
Rensselaer	0	0	0
Rockland	17	0	17
St. Lawrence	0	0	0
Saratoga	0	0	0
Schenectady	0	0	0
Schoharie	1	0	1
Schuyler	0	0	0
Seneca	0	0	0
Steuben	0	0	0
Suffolk	482	105	587
Sullivan	8	1	9
Tioga	0	0	0
Tompkins	0	0	0
Ulster	0	0	0
Warren	0	0	0
Washington	2	0	2
Wayne	0	0	0
Westchester	241	157	398
Wyoming	0	0	0
Yates	1	0	1
New York City	0	13,066	13,066
Total	1,926	12,772	14,698

\*Note that NYC Child Indicator defines child to include 18 year olds, per FHEPS policy. ROS Child Indicator does not include 18 year olds. Source: End of month extract of the Welfare Management System (WMS)