

**Testimony to the New York State Legislature  
Joint Hearing of the Senate Finance and Assembly  
Ways and Means Committees**

**THE 2026-2027 EXECUTIVE BUDGET**

**TOPIC: HOUSING**

Submitted by  
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Thank you for the opportunity to submit this testimony on behalf of **New York Legal Assistance Group (NYLAG)** on issues in the Executive Budget that pertain to Housing and Tenants' Rights. NYLAG is a not-for-profit legal services organization serving low-income New Yorkers. NYLAG uses the power of the law to help New Yorkers experiencing poverty or in crisis combat economic, racial, and social injustice. We address emerging and urgent needs with comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. We aim to disrupt systemic racism by serving clients, whose legal and financial crises are often rooted in racial inequality.

NYLAG works closely with community organizations, agencies, and elected officials, and operates numerous legal clinics in locations such as community centers, courthouses, and hospitals. NYLAG's Tenants' Rights Unit (TRU) is the third largest Right to Counsel provider in New York City, serving low-income tenants in the boroughs of Manhattan, Brooklyn and Queens.

### **KEY ISSUES**

We submit this testimony to urge you to fund and pass legislation to create a more equitable and accessible housing landscape for New Yorkers by reforming programs to reflect the real cost of living in 2026, leveling the playing field so that tenants can seek repairs in their unit without bearing a disproportionate risk, and ensuring that our tenant and fair housing protections keep pace with the changing environmental and technological landscapes.

### **RECOMMENDATIONS**

#### **1. Increase Access to the Disability Rental Increase Exemption (DRIE) and Senior Citizen Rental Increase Exemption (SCRIE)**

NYLAG urges the legislature to pass the following bills that will help senior citizens and New Yorkers with disabilities achieve greater housing stability. We strongly support Governor Hochul's proposed legislation that will increase the income eligibility from \$50,000 to \$75,000 for applicants in New York City, A792A which removes Medicare premiums from income calculations for these programs, and S2534/A7851 which provides retroactivity to the original date of eligibility for SCRIE and DRIE in certain cases. These three proposals complement each other to ensure that eligibility assessments for DRIE and SCRIE accurately reflect the increasing cost of living in New York City and the actual disposable income of applicants.

New York's DRIE and SCRIE programs are crucial to the ability for low-income seniors and New Yorkers with disabilities to be stably housed. However, income calculations that include Medicare premiums and cap eligibility at \$50,000 end up excluding people who are struggling to make ends meet and are at significant risk of displacement when their rent increases next year. By passing these bills, the Legislature will prevent avoidable financial crises and evictions for vulnerable New Yorkers and enable more seniors to age in place.

## **2. Protect Tenants from Bad Actor Landlords**

### Enforce Penalties against Unscrupulous Landlords

NYLAG applauds Governor Hochul's proposal for stiffer penalties against landlords that engage in systematic harassment of rent-regulated tenants. Too often, tenants have little recourse against landlords that harass them. Whatever tools they do have come with limited teeth for enforcement and limited hope for any meaningful change. Real opportunities for enforcement will deter landlords from engaging in this behavior and will lead to greater household stability for low-income New Yorkers.

### Address the Inequities in Housing Conditions and Repairs

NYLAG urges this Legislature to pass legislation that will address inequities in housing conditions and repairs by ensuring that tenants do not bear a disproportionate burden when their landlords fail to complete necessary repairs or provide requisite services.

Currently, tenants are at the risk and whim of their landlords when it comes to the conditions in their apartment. The Legislature should pass Governor Hochul's proposal to place liens on buildings where landlords fail to pay utilities instead of shutting off the utilities. The current practice of shutting off utilities harms the tenants, not the landlords, and puts them at risk of displacement. It is not the inhabitants of the building's fault that the utilities were not paid, but they are the ones who carry the risk of going without heat, hot water, or electricity, or ultimately facing displacement and constructive eviction. By utilizing liens instead, New York State shifts the pressure to the party actually at fault while protecting the health and safety of the tenants.

When landlords let units fall into neglect, it is the tenants who suffer. In addition to Governor Hochul's lien proposal, we urge this Legislature to pass S7633C/A8271B. This important piece of legislation creates a cause of action for rent abatements during HP Actions, which are proceedings seeking to correct violations of the Housing Maintenance Code (HMC). Currently, tenants can seek rent abatements based on HMC violations, but only if they first are sued by their landlords for nonpayment of rent. Put simply, while well-settled law recognizes that tenants may receive rent abatements based on apartment conditions, tenants can only seek those abatements if they first put themselves at risk of eviction. This piece of legislation puts the parties on equal footing, stabilizes households, and incentivizes landlords to complete repairs in a timely manner.

## **3. Address the Eviction Crisis and Increase Access to Stable Housing**

### Expand Funding and Access for Housing Vouchers

It is imperative that this Legislature act to increase the stock of available housing vouchers and remove barriers to eligibility for those vouchers, by funding the Housing Access Voucher Program (HAVP) (S72/A1704) and expanding access to affordable housing by

removing immigration related-barriers to CityFHEPS(S958/A1503) and FHEPS(S168/A503) eligibility.

We continue to experience an unprecedented housing crisis for low-income New Yorkers, fueled in part by sky-rocketing rents. Vouchers that cap tenant portions of rent at 30% of their income are often the only way for low-income New Yorkers to avoid being significantly rent-burdened and remain successfully housed. However, the current availability of housing vouchers in New York is not sufficient. While the City has tried to close this gap through an expansion of the CityFHEPS voucher program, budgetary constraints have impeded those efforts. And even then, FHEPS and CityFHEPS programs include confusing eligibility rules tied to receipt of public assistance or threat of eviction. People are put in positions where they must first experience the trauma of a potential eviction before they can hope to attain housing stability through one of the existing voucher programs.

What New York State needs is a voucher program that is not tied to receipt of public assistance. Indeed, one does not need to be on public assistance in order to not be able to afford the rent in New York. Instead, New York should follow the lead of the Section 8 Program and fund HAVP, a voucher program that adjusts to both market rates and the individual's income, and which is available to people who do not receive public assistance, or who hope to transition off public assistance. This program will increase household stability and promote economic self-sufficiency.

Similarly, the Legislature should remove barriers to accessing CityFHEPS and FHEPS based on immigration status by passing S958/A1503 and S168/A503. New Yorkers are impacted by rising rents regardless of their immigration status, and the strain that it puts on the community socially and economically is the same, regardless of where the individual was born. New York's interest in creating these voucher programs and ensuring that people are stably housed does not change based on an individual's status.

Expanding access to housing vouchers will provide greater stability and help families avoid the cascading consequences of eviction and homelessness. Stable housing leads to better health outcomes, access to education, and increases consistent employment. Indeed, eviction has a greater impact on employment than losing employment has on housing. Expanding access to housing assistance aids families in achieving the stability and consistency needed to move into the middle class. NYLAG urges the Legislature to pass these bills and ensure that all New Yorkers, regardless of immigration status, have access to safe and affordable housing.

#### **4. Address Environmental Risks of Eviction**

We urge the Legislature to address the intersection of the climate and housing crises by passing legislation that will ensure that tenants are protected during episodes of extreme weather. The heat of recent summers and the snow and bitter cold of this winter serve as severe reminders that the environment into which you are evicted can have profound consequences on your health and pose grave risks to your safety.

While there is warranted attention paid to evictions during periods of extreme cold or snow, evictions during periods of extreme heat also have serious consequences. Extreme heat contributes to premature deaths. Evictions during extreme heat increase risk of dehydration, heat illness, and death. While the developing climate crisis will one day demand that landlords provide air conditioning in the summer similar to heat in the winter, more immediately we urge this Legislature to act and pass A9033/S8960 which will create an Extreme Weather Eviction Moratorium.

An eviction moratorium during extreme weather is necessary because tenants deserve to have a clear understanding of their rights during the eviction process. Currently, courts may suspend evictions during periods of extreme weather, but it is on an ad hoc basis, and is often informal and unannounced. Sometimes it is a purely informal process based on the individual marshal assigned to your eviction and not announced at all. This Legislature should pass A9033/S8960 and guarantee that tenants are not evicted during any extreme weather.

## **5. Educate Tenants About Their Rights**

This Legislature should pass laws that will increase tenants' access to information about their rights, such as S8857/A8454A, which requires a notice of tenants' rights to be posted in certain buildings and provided at the time they execute a lease. Similarly, A868A requires the Office of Temporary and Disability Assistance to create a "Bill of Rights" for tenants living in supportive housing. For these tenants, there can be confusion and ambiguity around their rights. These individuals are particularly vulnerable to misinformation given the mental health or cognitive disabilities that have resulted in their need for supportive housing in the first place. These notices will need to be supplied by the housing provider at the time of lease signing, but also if any eviction cases are filed against the tenant, ensuring that they are aware of their rights at the time when they need them the most.

## **6. Adopt Stronger Fair Housing Protections**

NYLAG urges this Legislature to pass laws that will update and strengthen fair housing protections for New Yorkers. The housing and eviction crisis are exacerbated by discriminatory housing practices by brokers and landlords. This Legislature should update protections to reflect

the technological landscape and ensure that New Yorkers continue to be protected from discrimination.

It is well known that AI tools may engage in discriminatory practices and make prejudiced judgments. However, AI is now ubiquitous. For instance, real estate brokers and popular online housing platforms use virtual agents and AI tools to screen applicants to determine which listings they should be shown. In other contexts, similar tools have been proven to adjust rates or costs based on personal information and demographic information of applicants. This Legislature should act to protect tenants from discriminatory virtual agents and AI tools by passing A9028. This bill codifies anti-discriminatory measures and also gives applicants the option to opt-out of this system altogether by requiring an option to speak with a real human representative. This bill goes hand-in-hand with a suite of bills to protect housing applicants from discriminatory practices, including prohibiting discriminatory advertising practices (A4002A), and creating a vicarious liability for housing discrimination for practices taken by that person's agent, such as virtual agents and AI tools (A01738/S02635).

I am grateful for this opportunity to submit this testimony on the Executive Budget based on my experience as a tenants' attorney in a Right to Counsel office. Thank you again for your invitation on behalf of New York State tenants. I welcome further conversations about any of these recommendations.

For more information:

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