CUOMO’S HOUSING CRISIS

Homelessness & Unaffordability in New York State
**WHO ARE WE?**

*Housing Justice for All* is a campaign led by the Upstate Downstate Housing Alliance. We are a diverse coalition of tenants, homeless people, manufactured housing residents, and advocates from across New York. We represent New Yorkers from every part of the state, including Long Island, New York City, Westchester, the mid-Hudson Valley, the Capital Region, the Southern Tier, the Mohawk Valley and Western New York. We are united in our fight for stronger tenant protections, an end to evictions, and an end to homelessness in New York.

**Our members include:**

- Citizen Action of New York
- Crown Heights Tenant Union
- Community Service Society of NY
- Community Voices Heard
- Flatbush Tenants Coalition
- Make the Road New York
- Manufactured Housing Action
- Metropolitan Council on Housing
- New York Communities for Change
- New York State Tenants & Neighbors
- Take Back the Land Rochester
- Urban Homesteading Assistance Board
- VOCAL-NY
KEY FINDINGS

- Nearly half of the state’s tenants are rent-burdened, paying 30% of their income toward rent. A substantial share of tenants, about a quarter, are severely rent-burdened, paying nearly 50% of their income in rent.\(^1\)

- The vast majority of low-income tenants are rent-burdened: from 78% in Syracuse to 90% in Kingston. Nearly 1 million tenant households in New York live in counties that have no meaningful renter protections.

- More than 89,000 people are currently experiencing homelessness in New York State — including more than 13,000 people outside of New York City.\(^2\) Since 2010, under Governor Cuomo’s administration, this number has increased by 36%.

- The number of people living in shelters is projected to reach over 100,000 by 2020.

- Most low-income tenants rent in the unsubsidized, unregulated market and are subject to high rent increases and unsafe living conditions.

- Tackling the housing affordability crisis across New York requires more aggressive actions from Cuomo and the state legislature that will strengthen and expand protections for tenants.
INTRODUCTION

Across New York, More Tenants are Vulnerable to Becoming Homeless

FOR years, New York State has been struggling with a growing affordability crisis.

Low-income New Yorkers’ wages continue to stagnate as rents continue to rise, making it difficult for families to afford housing costs. This is a statewide problem, encompassing smaller towns like Binghamton and Utica, as well as larger cities like New York City and Buffalo. As more of New York’s tenants earning modest incomes struggle to survive, they face eviction and are vulnerable to homelessness.

This report examines how and why the lack of stronger protections for tenants has worsened the affordability crisis in recent years and increased the risk of eviction and homelessness for many New Yorkers living upstate, downstate, and on Long Island.

This is Cuomo’s housing crisis, and he has both an urgent moral obligation and a tremendous political opportunity to start to fix it this year. It is imperative that Cuomo and state legislature take action now, because the crisis will only get worse with time.

New York’s homeless population can rise dramatically in the years ahead if Cuomo and the state legislature fail to do more to protect tenants who are most vulnerable to eviction and homelessness.

While Cuomo has repeatedly touted his “historic” approach to solving the housing and homelessness crisis, his policy solutions have been insufficient to meet the needs of tenants and homeless New Yorkers.

For example, in 2015, Cuomo referred to his rent regulation framework as “the best rent reform package in history,” despite the legislation’s failure to significantly slow down the loss of rent regulated units or to improve a luxury tax break that cost New York City $1.3 billion in 2017. Cuomo even rebranded this widely criticized tax abatement program, 421-a, as “Affordable New York,” while ensuring that developers could continue to take advantage of lucrative tax breaks in exchange for building housing that is unaffordable to the vast majority of New Yorkers.

The Governor has called his administration’s approach “the largest commitment to addressing
homelessness in New York history,” despite the continuing rapid expansion of homelessness in the state. For eight consecutive years, Cuomo committed to a self-imposed 2% cap on spending growth in the New York State budget — a public relations gimmick that shores up his image as a fiscal moderate and stands in the way of real investments in policy solutions to end homelessness.

As he runs for reelection this year, Cuomo is touting his housing record. He recently toured Jackson Houses in the Bronx, and decried living conditions in buildings owned by the City’s public housing authority. His chief counsel, Alphonso David, has claimed that the State’s $300 million investment in NYCHA has been “unprecedented and historic.”

On February 22, 2018, speaking at an endorsement rally with SEIU 1199, Cuomo said:

“We have to bring our philosophy and our vision back to America,” Cuomo said. “A philosophy that says we don’t divide, we unite. ... It is not OK to have more millionaires and billionaires when you have more homeless people in the streets than ever before. It’s not OK to have the greatest wealth, and there are people in public housing with no heat and living with lead paint. That’s not our America.”

But the Governor’s press releases and public statements have amounted to little more than media stunts designed to give the illusion of action. In his Fiscal Year 2019 Budget, Cuomo actually reduced state spending on permanent solutions to homelessness by $9 million. And Cuomo’s “unprecedented and historic” $300 million investment in NYCHA (a figure that pales in comparison to the agency’s $25 billion capital backlog) is actually federal disaster relief financial support. Under Andrew Cuomo, state aid to NYCHA has actually declined.

For too long, affordability and homelessness have been treated as separate issues. In fact, they are deeply connected and two sides of the same crisis — Cuomo’s housing crisis and his failure to protect tenants. For the first time, tenants and homeless New Yorkers from across the state have come together to form the Upstate Downstate Housing Alliance and launch the Housing Justice for All campaign.

We call on Governor Cuomo to take immediate action to address the current housing crisis by:

**Strengthening and expanding tenant protections:**

- Closing the loopholes in the rent stabilization laws, which means repealing the vacancy bonus, and reforming the preferential rent provision in 2018.

- Expanding just cause eviction protections to all localities across the state.

- Expanding housing court outside of New York City.

- Improving housing conditions by investing in code enforcement.

**Investing in real solutions to the homelessness crisis:**

- Passing the Home Stability Support (HSS) bill to launch a new statewide rental assistance program.

- Funding and creating 20,000 units of supportive housing.

- Eliminating the artificial 2% cap on spending growth.
HELEN’S STORY

Kingston, New York

“My landlord refuses to fix the building and moving is something I just can’t afford.”

Helen Hillje, a home health aide, lives with her five children in downtown Kingston in the mid-Hudson. For years, Helen has struggled as Cuomo’s Housing Crisis upended her life — first driving her out of her home city and, now that she’s back, forcing her to live in terrible conditions.

In 2015, she was evicted and had to move temporarily to live with family in Syracuse. But her children are happy and go to school in Kingston, so she took the time to find an apartment to move back.

After searching and searching for an affordable, habitable apartment, she almost gave up. She finally landed in her current apartment — three bedrooms in a three-family house. The apartment is in bad shape; this winter it got so cold that the pipes froze. When she called her landlord to fix the pipes, he refused and their home was temporarily condemned.

She had no choice but to move yet again — this time to a motel in Highland, 30 minutes outside of Kingston.

Because her car is old, it became difficult to get around. Soon Helen had to start making choices about whether her kids would get to school or she would get to work; about whether they would get an education or a roof over their head. When she finally was able to move back into her apartment, her electric bill doubled; she was paying to keep the pipes warm!

The apartment continues to have a significant mold problem in almost every room and the landlord refuses to make repairs. But because housing costs are so high in Kingston, this is the only housing she can afford. During a housing crisis, it’s better to live in deplorable conditions than out on the street.
New York has one of the highest rental rates in the United States — nearly half of the state’s residents are renters. Of these 3.3 million renter households, 47% are rent-burdened, meaning they pay over 30% of their income in rent. Further, 25% of New York’s tenants are severely rent-burdened, paying more than 50% of their income in rent.

This disturbing trend shows a massive affordability crisis that reaches all corners of the state — far beyond high-cost areas like New York City. Over 1.5 million New York families struggle to pay their housing costs every month, putting them at a higher risk for eviction and homelessness.

As illustrated in the map to the right, Rockland County (Mid-Hudson) has the highest share of renters that are rent burdened, followed closely by Bronx County (New York City), Greene County (Capital Region), and Suffolk County (Long Island).
As low-income households’ wages continue to stagnate while rents rise, they face significantly higher rent burdens than other tenant households overall (see chart above). Most low-income renters do not receive any housing assistance. Of the 8.23 million housing units in New York only about 7% are public housing, affordable housing, or housing where the apartment holder pays rent with housing assistance. Moreover, almost a million rental housing units are located in counties that do not offer the right to a renewal lease, regulated rent increases, or any meaningful protections against retaliation or harassment.

The rental affordability crisis hits families of color the hardest, especially in New York’s smaller cities. A legacy of government-sponsored policies, including exclusionary zoning, redlining, restrictive covenants, federal mortgage underwriting guidelines, and urban renewal, steered white families toward suburban homeownership while confining people of color to rentals in urban neighborhoods. More recently, subprime lending practices further decimated some of the same neighborhoods, pushing some families back into the rental market. The legacy of housing discrimination and racially discriminatory lending practices have created a multigenerational racial wealth gap. This dynamic puts both homeownership and, increasingly, rental costs out of reach for many New Yorkers. In Rochester, 62% of households headed by people of color are rent burdened compared to 45% of white-headed households. In Syracuse and Yonkers 55% and 52% of families of color are rent burdened respectively.

As More Tenants Face Rent Burdens, New York’s Homeless Population Grows:

New York’s rental affordability crisis, combined with a lack of state action over the past seven years to protect rent-burdened tenants, has resulted in a rapid expansion of homelessness. There are over 89,000 homeless people living across New York—a number that has increased 36% since 2010, when Cuomo was first elected Governor. Nationwide, homelessness has actually declined 14% over the past 10 years. New York currently has the highest rate of homelessness in the country.

As illustrated in the chart on page 11, homelessness is not confined to high-cost cities like New York City.

Cuomo’s policies have increasingly shifted the re-
GLORIA’S STORY

Bushwick, Brooklyn, NY

“I don’t know who you’re supposed to be caring about, Governor Cuomo, but you’re definitely not caring about those who need it the most.”

Gloria Tellez-Tovar lives in a rent stabilized building in the rapidly gentrifying neighborhood of Bushwick, Brooklyn, where she has lived since she was in kindergarten more than 20 years ago. A daughter of Mexican immigrants, she lives with her daughter in the neighborhood she loves deeply but is quickly changing.

A lot of her neighbors that used to live in Bushwick are being forced out because they can no longer afford to pay rent, as buildings are being renovated and prices are beyond what they can afford. Even though her building is rent stabilized, she lives in fear that one day soon it will be sold to speculators, looking to cash in on the trendy neighborhood.

Already she’s been fighting nonstop with the landlord in housing court. Her building, which is full of immigrants, is being intentionally neglected and repairs are totally ignored — a classic tactic landlords use to get tenants out so they can raise the rent to take advantage of loopholes in the rent laws. If Gloria is forced out because of harassment and lack of repairs, she could not afford to stay in the neighborhood, just like all of her neighbors who have left.

She sees herself with one foot out the door because for seven years the governor has failed to address the housing crisis and strengthen the rent laws.
sponsibility for addressing homelessness to the local level. However, most local governments lack the resources necessary to fund the robust social services and housing programs that homeless families require.\textsuperscript{23}

Rather than provide the resources necessary to end homelessness in New York, Cuomo has advanced a more punitive approach: he has vowed to revoke state shelter funding from municipalities that he feels are inadequately addressing homelessness.\textsuperscript{24} While shelter counts and proper planning are surely important, this approach serves to withhold funding from needy families and individuals to make a political point.

During Cuomo’s eight years in office, he has not invested in real solutions to homelessness. In a recent report on the State of Homelessness in New York, the Coalition for the Homeless graded Governor Cuomo’s administration an “F” on both preventing homelessness and on meeting the unprecedented need for shelter.\textsuperscript{25}

Cuomo’s self-imposed 2\% cap on spending growth continues unnecessary austerity in one of the richest states in the nation.\textsuperscript{26} The 2\% spending cap allows Cuomo to maintain his reputation as a fiscal moderate in an election year but it limits funding for real solutions to the rental affordability and homelessness crises. As observers have pointed out, Cuomo’s 2\% cap does not amount to a real reduction in spending but is rather a press gimmick that enables him to ignore needy families.\textsuperscript{27}

The 2\% cap prevents the state from implementing progressive policies like the Home Stability Support Act. Current assistance levels for the state-administered shelter allowances program for families are shockingly low — even in low-cost cities. For example, in Rochester, “fair market rent” for a two-bedroom apartment is currently $867/month, but the state has set the shelter allowance for a family of three at only $343/month.\textsuperscript{28} Without major policy and legislative interventions at the state level and an elimination of the 2\% spending cap, these trends are set to continue. As illustrated in the chart on page 12, if nothing changes, the number of people living in shelters could reach over 100,000 by 2020.\textsuperscript{29}

\section*{Demands: Expanding Protections for Tenants Most Vulnerable to Homelessness}

New York’s cities face an eviction crisis that con-
tributes to instability in low-income families and an expanding homelessness crisis. An investment in solving homelessness is unsustainable without an expansion in eviction prevention and tenants’ rights.

<table>
<thead>
<tr>
<th>Metro Area</th>
<th>Eviction Rate, Overall</th>
<th>Eviction Rate, Low Income Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albany, NY</td>
<td>2.4%</td>
<td>4.3%</td>
</tr>
<tr>
<td>Buffalo, NY</td>
<td>2.8%</td>
<td>3.9%</td>
</tr>
<tr>
<td>New York, NY</td>
<td>2.2%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Rochester, NY</td>
<td>5.0%</td>
<td>7.2%</td>
</tr>
<tr>
<td>Syracuse, NY</td>
<td>3.3%</td>
<td>4.8%</td>
</tr>
</tbody>
</table>

For nearly 100 years, New York has had some form of rent regulation, guaranteeing some tenants basic protections against drastic rent increases. But today, rent stabilization only applies to tenants in New York City, Nassau, Westchester, and Rockland County. Generally, it applies to buildings with 6 or more units built before 1974 and it gives renters the right to a renewal lease at regulated, affordable increases set by a local rent guidelines board. The security provided by rent stabilization is vital for educational outcomes, health care, and job security.

And New York’s rent stabilization laws have been weakened over time. In 1997 and in 2003, Republican state legislators added pro-landlord amendments to the rent laws, which will eventually phase out the tenant protections entirely. The vacancy bonus and preferential rents are examples of pro-landlord loopholes that undermine rent stabilization. The vacancy bonus allows landlords to raise rents at vacancy by approximately 20%, which encourages tenant harassment and drives rent increases across New York City.

Nearly 30% of rent stabilized tenants have a “preferential rent,” which encourages landlords to fraudulently register rents above the neighborhood’s market rate while offering a temporary, lower rate — effectively removing the benefits of rent stabilization for nearly 250,000 households. Both loopholes allow landlords to raise rents faster than what is allowable under the Rent Guidelines Board regulations. Once rent reaches $2,733 a month, the apartment be-
“Governor Cuomo, you need to sit back and see what we are going through. You need to see how the majority of the people who voted for you are living.”

DAVID’S STORY

Village of Hempstead, Long Island, NY

Even though David Lofton’s apartment is rent-stabilized and he’s not supposed to see an increase in his rent this year, his landlord is increasing his rent anyway.

David moved into his apartment five years ago and he has faced problem after problem since moving in. His landlord has been trying to push him out of his apartment even though he’s paid his rent a week in advance since he moved in. It doesn’t matter to his landlord though — he still gets a late notice every month.

His landlord also harasses him constantly while trying to raise his rent. He pays exactly $1,200 a month but his landlord wants to raise the rent to over $2,000.

According to David, his neighbors are afraid to step up. He says that no one wants to speak up and fight for themselves against his abusive landlord. Across New York State, loopholes in the rent laws encourage landlords like Mr. Lofton’s to harass and displace tenants. Because landlords are able to raise rents 20% on vacancy — sometimes even higher — tenants are being forced out of their homes. Fear of retaliation is stopping tenants from standing up for their rights. David and his wife are both retired, and they’re not sure they would be able to afford to move anywhere else.
comes eligible for deregulation.

Loopholes in New York’s rent regulation framework were put in place in 1997 and 2003, at a time when conservative state houses across the country were acting to ban rent regulations at the behest of Koch-backed think tank American Legislative Exchange Council (ALEC). New York State’s legislature has taken up the issue of rent stabilization twice on Andrew Cuomo’s watch, in 2011 and 2015. Neither time has Cuomo closed loopholes.

Since 1997, New York City has lost over 280,000 rent stabilized apartments. Cuomo’s failure to act means that this number will continue to grow.

Under our current framework, tenants in Rochester, Kingston, and other cities across New York are offered no protections against drastic rent increases and have no mechanisms to hold their landlords accountable. As Governor Cuomo readily invests in “economic development” in these regions, he must expand just cause eviction protections across the state.

**CONCLUSION**

Without stronger protections for tenants, rising rents will continue to make tenants, especially those who earn lower incomes, more vulnerable to eviction and becoming homeless. Cuomo and the state legislature must address the growing number of New Yorkers struggling to afford to live here by doing the following:

**Strengthen and expand tenant protections by:**

- Closing the loopholes in the rent stabilization laws, which means repealing the vacancy bonus, and reforming the preferential rent provision in 2018, before the rent laws come up for renewal next year.

- Expanding just cause eviction protections to all localities across the state.

- Expanding housing court outside of New York City.

- Improving housing conditions by investing in code enforcement.

**Invest in real solutions to the homelessness crisis by:**

- Passing the Home Stability Support (HSS) bill to launch a new statewide rental assistance program.

- Funding and creating 20,000 units of supportive housing.

- Eliminating the artificial 2% cap on spending growth.
Maribeth Sheedy, her husband Shawn, and her 18-year-old son Jacob have lived for 12 years in the Akron Mobile Home Park in the suburbs of Buffalo. For years she lived in peace in the Village of Akron, but in November that all changed.

Sunrise Capital Investors (SCI) purchased her community and quickly rebranded the park, which is now known as Akron Estates. As soon as this happened, they received a new lease stating that the lot rent (monthly rent owed for the land their manufactured home sits on) will go up from $290 to $425 per month starting April 1st. If they don’t sign the lease and agree to the rent increase, they have been threatened with eviction.

Not only is rent increasing, but services are rapidly diminishing. Akron, like many upstate New York towns, receives a lot of snow during the winter months, and SCI has done a terrible job keeping pathways clear, which has made many of the residents’ slip and fall.

Like many manufactured homeowners, Maribeth and her family mostly live on a fixed income; the rent increase means they won’t be able to eat or pay any bills. This increase will mean that 118 tenants in the park will pay $5,100 a year for nothing other than the land their homes sit on. Homeowners will be forced out of their own homes sooner rather than later.

The housing crisis means it would be impossible for these homeowners to find an affordable place to live when faced with eviction. The tight timeline also means that they will not have time to sell their homes before the eviction takes place.

The state needs real tenant and manufactured homeowner rights. Without investing in housing quality and expanding rent control protections to upstate and manufactured housing communities, the residents of Akron Estates may soon be added to the already outrageously long list of homeless people in New York.

Maribeth Sheedy

Maribeth’s Story
Buffalo, New York

“Governor Cuomo, you need to stand up for tenants. We can’t afford unfair rent hikes from immoral real estate investors.”

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Endnotes


12. Ibid.

13. Ibid.


15. Defined as at or below 200% of the federal poverty line.


20. Housing Justice for All analysis of HUD 2017 Point-In-Time Estimates.


22. Ibid.


24. Ibid.


29. Housing Justice for All analysis of HUD 2017 Point-In-Time Estimates.


31. Ibid.

32. WNYC. "The Rise and Fall of Rent Control." Available at https://www.wnyc.org/story/history-rent-law/


APPENDIX

City Data Sources:
- American Community Surveys 5 Year Estimates, 2016.
- Department of Housing and Urban Development NYS Continuums of Care Point in Time Estimates, 2017.
More than 89,000 people are currently homeless in New York -- a 36% rise since Governor Cuomo was first elected in 2010. According to Cuomo's Housing Crisis, a new report from the Housing Justice for All campaign, the number of people living in shelters could reach over 100,000 by 2020 if nothing changes.

In NYC, more than half of all tenants are rent burdened (paying more than 30% of their income in rent), including more than three-quarters of low-income tenants. Homelessness has risen 50% since 2010.

The entire state is facing an unrelenting housing crisis. Rents are much higher than tenants can afford, and outside of New York City most renters don’t have the protections necessary to fight for repairs and decent housing. A substantial share of tenants statewide are severely rent-burdened, paying more than half of their income in rent. Everyday, New Yorkers are having to choose between paying for housing or paying for other necessities like food, or medical expenses. When they can no longer make it, they become homeless.

$43,165
Median Rental Household Income

$16,200
Median Gross Rent (Annual)

76,000
Total Homeless People

50%
Increase from 2010

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In Rochester, over 60% of all tenants are rent burdened (paying more than 30% of their income in rent), including 82% of low-income tenants. Homelessness has risen 18% since 2010.

The entire state is facing an unrelenting housing crisis. Rents are much higher than tenants can afford, and outside of New York City most renters don’t have the protections necessary to fight for repairs and decent housing. A substantial share of tenants statewide, about a quarter, are severely rent-burdened, paying more than half of their income in rent. Everyday, New Yorkers are having to choose between paying for housing or paying for other necessities like food, or medical expenses. When they can no longer make it, they become homeless.

$28,475
Median Rental Household Income

$9,360
Median Gross Rent (Annual)

817
Total Homeless People

18%
Increase from 2010

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In Buffalo, more than half of all tenants are rent burdened (paying more than 30% of their income in rent), including more than three-quarters of low-income tenants.

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$27,644
Median Rental Household Income

$8,520
Median Gross Rent (Annual)

925
Total Homeless People

0%
Change from 2010

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In Binghamton, more than half of all tenants are rent burdened (paying more than 30% of their income in rent), including 78% of low-income tenants.

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$25,383
Median Rental Household Income

$7,920
Median Gross Rent (Annual)

308
Total Homeless People

31%
Increase from 2010

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In Syracuse, more than half of all tenants are rent burdened (paying more than 30% of their income in rent), including more than three-quarters of low-income tenants.

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$28,850
Median Rental Household Income

$8,880
Median Gross Rent (Annual)

798
Total Homeless People

.5%
Increase from 2010

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In Utica, 50% of all tenants are rent burdened (paying more than 30% of their income in rent), including nearly 70% of low-income tenants.

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$27,423
Median Rental Household Income

$7,920
Median Gross Rent (Annual)

160
Total Homeless People

50%
Increase from 2010

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In Albany, more than half of all tenants are rent burdened (paying more than 30% of their income in rent), including 80% of low-income tenants.

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$27,423
Median Rental Household Income

$10,560
Median Gross Rent (Annual)

Rent Burdened by Income

802
Total Homeless People

23%
Increase from 2010

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More than 89,000 people are currently homeless in New York -- a 36% rise since Governor Cuomo was first elected in 2010. According to Cuomo’s Housing Crisis, a new report from the Housing Justice for All campaign, the number of people living in shelters could reach over 100,000 by 2020 if nothing changes.

In Kingston, more than half of all tenants are rent burdened (paying more than 30% of their income in rent), including 90% of low-income tenants.

The entire state is facing an unrelenting housing crisis. Rents are much higher than tenants can afford, and outside of New York City most renters don’t have the protections necessary to fight for repairs and decent housing. A substantial share of tenants statewide are severely rent-burdened, paying more than half of their income in rent. Everyday, New Yorkers are having to choose between paying for housing or paying for other necessities like food, or medical expenses. When they can no longer make it, they become homeless.

$31,597
Median Rental Household Income

$12,240
Median Gross Rent (Annual)

411
Total Homeless People

6%
Decrease from 2010

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In Hempstead, more than half of all tenants are rent burdened (paying more than 30% of their income in rent), including 83% of low-income tenants.

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$35,537
Median Rental Household Income

$15,720
Median Gross Rent (Annual)

3,937*
Total Homeless People
*Long Island Total

20%
Increase from 2010

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In Plattsburgh, nearly half of tenants are rent burdened (paying more than 30% of their income in rent), including 75% of low-income tenants.

The entire state is facing an unrelenting housing crisis. Rents are much higher than tenants can afford, and outside of New York City most renters don’t have the protections necessary to fight for repairs and decent housing. A substantial share of tenants statewide are severely rent-burdened, paying more than half of their income in rent. Everyday, New Yorkers are having to choose between paying for housing or paying for other necessities like food, or medical expenses. When they can no longer make it, they become homeless.

$27,934
Median Rental Household Income

$9,120
Median Gross Rent (Annual)

126
Total Homeless People

5%
Increase from 2010

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