# PEOPLE WITHOUT HOMES & HOMES WITHOUT PEOPLE: A COUNT O VAGANTCOND **NSELECTNYC** NEIGHBORHOOD

A REPORT BY THE NEW YORK CITY CHAPTER OF THE RIGHT TO THE CITY ALLIANCE

212 531 2227





### ABOUT THE AUTHORS: RTTC-NYC MEMBER ORGANIZATIONS



### CAAAV ORGANIZING ASIAN

**COMMUNITIES** works to build grassroots community power across diverse poor and working-class Asian immigrant and refugee communities in NYC. CAAAV led canvassing efforts in the Lower East Side.



### COMMUNITY VOICES HEARD (CVH)

organizes low-income people of color in New York City, Yonkers and the Mid-Hudson Valley, focusing on welfare reform, job creation, and public housing. CVH led canvassing efforts in Harlem.



### FABULOUS INDEPENDENT EDUCATED RADICALS FOR COMMUNITY EMPOWERMENT

(FIERCE) is a membership-based organization building the leadership of lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth of color in NYC. FIERCE led canvassing efforts in the West Village and Chelsea.



### FAMILIES UNITED FOR RACIAL AND

**ECONOMIC EQUALITY (FUREE)** is a Brooklyn-based, member-led organization made up almost exclusively of women of color that organizes low-income families to build power to change the system to promote racial, economic, and gender equality. FUREE led canvassing efforts in Downtown Brooklyn.



**GOLES** is a neighborhood housing and preservation organization that serves the Lower East Side (LES) of Manhattan and is dedicated to tenants' rights, homelessness prevention, economic development and community revitalization. GOLES supported canvassing efforts in the Lower East Side.



### JEWS FOR RACIAL AND ECONOMIC

**JUSTICE (JFREJ)** is a membership-based organization that engages Jews to pursue and win racial and economic justice in partnership with Jewish and allied people of color, low-income, and immigrant communities in New York City. JFREJ supported canvassing efforts in the Lower East Side.



#### MAKE THE ROAD NEW YORK (MTRNY)

is a membership-led organization fighting for economic justice, and is based in lowincome communities in Bushwick, Brooklyn; Elmhurst, Queens; and Port Richmond, Staten Island. Make the Road New York led canvassing efforts in Bushwick.



### **MOTHERS ON THE MOVE (MOM)**

is based in the South Bronx, and organizes low-income people, working on issues of economic justice, education, environmental justice, and immigration issues. MOM led canvassing efforts in the South Bronx.



### NEW YORK CITY AIDS HOUSING NETWORK (NYCAHN)/VOCAL is a

membership organization comprised of and led by low-income people living with HIV/AIDS. NYCAHN led canvassing efforts in the South Bronx.



#### **PICTURE THE HOMELESS (PTH)**

is an organization founded on the principle that people who are homeless must become an organized, effective voice for systemic change. PTH led canvassing efforts in the South Bronx.



**TEACHERS UNITE** is the only membership organization of public school educators building power to demand that our union stand for educational justice, and to win social justice demands for the low-income and working communities of New York City.

RESEARCH PARTNER



### THE URBAN JUSTICE CENTER, COMMUNITY DEVELOPMENT

**PROJECT (UJC/CDP)** provides legal, technical, research and policy assistance to grassroots community groups working for social change in low-income communities. The Research and Policy Initiative of CDP utilizes a participatory-action research approach, providing methodological and technical assistance to community organizing groups.

### ACKNOWLEDGEMENTS

This report was made possible thanks to the hundreds of RTTC-NYC members, organizers and allies who spent months canvassing the streets of low-income communities and researching the state of vacant and residential properties in our City.

We'd like to thank our canvassing captains who oversaw the extensive field operation for this research project. Field captains included: Wanda Imasuen; (FUREE); Jose Lopez (MTRNY); Desiree Marshall (FIERCE); Sam Miller (PTH); Diego Quiñones (CVH); Unique Robinson (NYCAHN); Avi Rosenthalis (JFREJ), Nova Strachan (MOM), and Helena Wong (CAAAV).

Research, writing, and editing support was provided by David Dodge, Alexa Kasdan and Lindsay Cattell from the Urban Justice Center's Community Development Project. GIS mapping support was provided by Anthony D Giancatarino II and Courtney Wolf from New York University's Furman Center for Real Estate and Urban Policy. Additional research, writing, and editing support was provided by Tom Angotti, Shannon Barber, Oona Chatterjee, Mandy DeRoche, Harvey Epstein, Jacob Faber, Peter Marcuse, Sam Miller, Darren Patrick, Jeremy Saunders, Henry Serrano, Molly Slavin, David Sweeny, Lynda Turet, and Fred Wright.

We would also like to thank the Surdna Foundation, the Hill-Snowdon Foundation, the Mertz-Gilmore Foundation and the Solidago Foundation for their support of RTTC-NYC. We would like to especially thank the Sociological Initiatives Foundation for their support of this participatory research.

Design and layout by Lisa Maione: lisa@forinstance.org

### FOREWORD

### It is a scandal that there is housing that could easily be available for occupancy and it is held empty only for speculative purposes, while whole families are in desperate need of housing that they can afford.

In New York City today, there are almost 40,000 individuals in homeless shelters, including up to 10,000 whole families and children; over 500,000 households are paying more than 50% of their incomes just for housing, far more than they can afford. This report shows us that there are thousands of units of housing which have been kept off the market in excess of six months. There are stalled developments in various stages of completion. In both cases, owners and developers are speculating on the eventual profitability of these empty units. Such practices are unjust and are not good public policy. Public figures have long proclaimed their commitment to guarantee every household a decent home in a suitable living environment in our nation. The units we describe in this report must be made available as affordable housing. Such action requires significant government involvement.

A series of measures is imperative to remedying this situation. Some require action by the New York City Council, others by the State of New York; still others can be administratively implemented. Some involve incentives to private owners to have them recognize their social responsibilities; others involve imposing penalties on those that do not. Some require substantial public subsidies; we do not expect the private housing market to solve all of the problems of inadequate incomes, unemployment, ill health, and other non-housing contributors to housing problems. To the extent that the private market allocates housing based on its profitability, public subsidies will be required. Some of our proposals require nuanced modification of tax policies; others can be implemented in broad strokes. Despite the breadth of the policy suggestions made here, all envisage a housing system that provides the following: permanently affordable housing along the full range of low and moderate incomes for all residents of our city, housing that takes into account the needs and desires of such residents and is responsible to them and the communities in which they live.

Just what policies can best achieve these goals, and in what combination, needs to be the result of extensive discussion with all interested parties. We believe that participation of those most affected by the shortage of affordable housing can be a vital contribution to developing and implementing the necessary measures, and is essential to arriving at a successful conclusion. It is clear that some measures will be breaking new ground in the pursuit of a fair and equitable use of the housing resources of our city. But the need is urgent and the possibilities are great. Some pending measures have already begun to chart the path that is needed, but we must make the road by walking further, and we need to do it soon.

Peter Marcuse, Columbia University

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### **INTRODUCTION**

### This report documents what we see every day as we walk the streets of New York City—that our city is filled with people without homes and homes without people.

Over the last eight years, New York City has lost over 200,000 units of housing that were affordable to low and moderate-income families.<sup>1</sup> Over this same period, the city has seen a large increase in the number of luxury condominiums being developed in low-income communities. This construction has often occurred despite the strong objection of local residents who fear luxury housing will gentrify working class neighborhoods and displace the lowincome families who live there. Due to the current recession, moreover, many of these residential units remain unsold and vacant, while others are stalled in construction or have entered foreclosure. Accordingly, New York City is left with thousands of units of vacant housing at a time when low-income New Yorkers are facing a serious housing shortage.

In August of 2009, Right to the City-NYC (RTTC-NYC) Alliance released the Right to the City-NYC Policy Platform, which outlines the principles and policy recommendations most important to our low-income membership. From a list of 33 demands included in the platform, RTTC-NYC prioritized a campaign to convert vacant residential buildings into low-income housing. In doing so, RTTC-NYC members hope to simultaneously increase the amount of affordable housing available to low-income families as well as combat the negative impacts of Mayor Bloomberg's economic development policies, such as the proliferation of luxury development in our neighborhoods.

After prioritizing the Condo Conversion Campaign, RTTC-NYC discovered that while the topic was frequently covered in the media, no comprehensive research had been undertaken to document the extent to which vacant residential buildings exist in low-income areas in New York City, or the impact these buildings were having on our neighborhoods. In order to compensate for the lack of information available, RTTC-NYC launched a citywide, participatory research project to locate and record information about vacant residential buildings in the communities where our members live. By walking the streets in targeted low-income neighborhoods, RTTC-NYC has been able to identify thousands of units of vacant housing that have not been accounted for by the city, the media, or any other means.

### THE CONDO COUNT: A BRIEF METHODOLOGY

Over a 6-month period, members of RTTC-NYC conducted this research project using a participatory research model. With research support from the Community Development Project of the Urban Justice Center and mapping support from the Furman Center for Real Estate and Urban Policy at New York University, members of RTTC-NYC took part in each aspect of the research process, including the design of research questions and field surveys, canvassing efforts and the review and editing of the report.

Members of RTTC-NYC developed the following questions to guide the Alliance's research: What is the state of vacant and stalled residential buildings in low-income communities; How are vacant condominiums and stalled construction projects affecting low-income communities; What policies helped contribute to this problem; What opportunities exist to convert vacant condos into low-income housing; And what are the most effective policy and financing options to covert them? In order to answer these questions, RTTC developed the following research design, consisting of three phases:

### **FIELD SURVEY**

Over a three-month period, 150 RTTC-NYC members canvassed 245 census tracts in 9 community districts to identify vacant condominiums that were completely constructed and completely vacant, completely constructed and partially vacant, or under construction and completely vacant.

### SECONDARY RESEARCH

The field research was followed by extensive secondary research to gather additional information about the condominiums found during the canvass.

### POLICY RESEARCH

Researchers conducted policy research to identify new and existing mechanisms to convert the condos into low-income housing.

This report documents our research findings and proposes community-based policy recommendations to convert vacant residential buildings into affordable housing for low-income families.

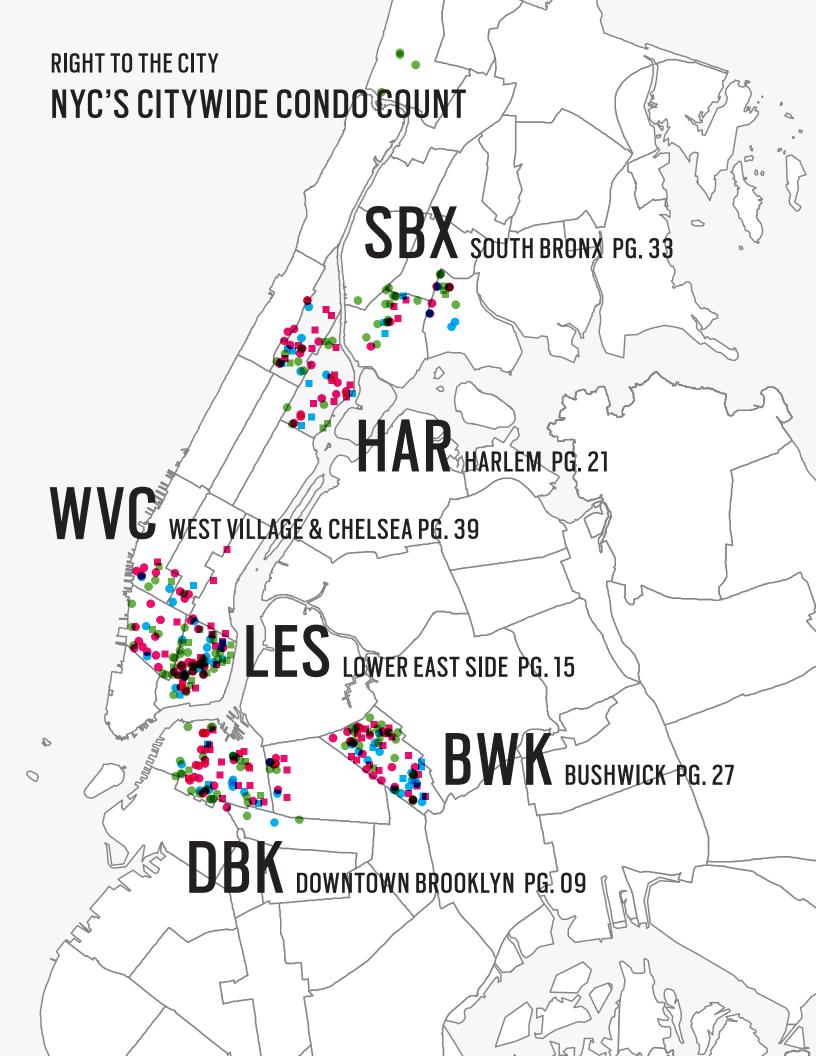
### **ROADMAP TO THE REPORT**

This report is broken into 2 sections: Findings from the Right to the City condo count and the Right to the City plan for converting condos into low income housing. The condo count findings are split into 7 subsections. The first reports our cumulative findings from the six neighborhoods included in the street canvass. The following six subsections report the findings from each individual neighborhood canvassed by RTTC-NYC, ordered from most to least condos found: Downtown Brooklyn, Lower East Side (LES), Harlem, Bushwick, South Bronx, and West Village/Chelsea. Each Neighborhood Section includes

the following information: background on the neighborhood; the condo count results; a neighborhood map with the condos identified; and a close up on development in the neighborhood.

The next section, RTTC's plan for condo conversion, includes Right to the City's criteria for converting condominiums into low-income housing; an analysis of existing city and state programs related to condo conversion; Right to the City's options for converting condos and additional policy recommendations to implement RTTC's plan for conversion.

# PART 1: **RIGHT TO** THE CITY NYC'S CITYWIDF CONDO COUNT



### RIGHT TO THE CITY NYC'S CITYWIDE CONDO COUNT

**264** NUMBER OF COMPLETELY CONSTRUCTED RESIDENTIAL BUILDINGS IDENTIFIED BY RTTC CANVASSERS THAT ARE EITHER COMPLETELY OR PARTIALLY VACANT.

**4,092** ESTIMATED NUMBER OF UNITS OF VACANT HOUSING IDENTIFIED BY RTTC CANVASSERS. Over a three-month period, RTTC-NYC members canvassed 245 census tracts in 9 community districts and identified a total of 450 residential buildings that are completely vacant, partially vacant, or are in various stages of construction. Within the 9 community districts included in the canvass, census tract 298 in Downtown Brooklyn was the census tract with the greatest number of condos identified, with 9 buildings. Zip code 10002 in the Lower East Side was the zip code with the most condos identified, with 50 buildings.

### THOUSANDS OF UNITS IN LOW-INCOME NEIGHBORHOODS ARE COMPLETELY CONSTRUCTED, VACANT AND READY TO HOUSE THOSE IN NEED.

- 264: Number of completely constructed residential buildings identified by RTTC canvassers that are completely or partially vacant.
- 4,092: Estimated number of units of vacant housing identified by RTTC canvassers.<sup>ii</sup>

RTTC-NYC canvassers identified 264 residential buildings that are either completely or partially vacant. Canvassers identified these buildings as completed structures that are not currently undergoing construction. These buildings contain a total of 4,092 units of housing that would be ready to house low-income families immediately.

Specifically, RTTC-NYC identified:

- 74 Completely Vacant Buildings with 1,159 vacant units
- > 190 Partially Vacant Buildings with 2,933 vacant units

<sup>i</sup> A Census tract is a smaller geographical area than a zip code.

<sup>ii</sup> Researchers relied on information provided by the Real Property Assessment Database (RPAD) to access total number of units within canvassed buildings. However, RPAD data was not available for 70 of the buildings RTTC-NYC identified as "Completely Constructed" and "Completely or Partially Vacant." As a result, the total amount of vacant units within these buildings is likely much higher than the number reported here and in each of the subsequent neighborhood chapters.

#### TABLE 1.1 TOTAL VACANT BUILDINGS FOUND

Total Buildings Found	450
Completely Constructed & Completely Vacant	74
Completely Constructed & Partially Vacant	190
Total Completely Constructed Buildings	264
Under Construction & Completely Vacant	186
Average Stories/Building	6
Average Units/Building	27

### TABLE 1.2: COMPLETELY CONSTRUCTED VACANT BUILDINGS AND UNITS FOUND

	Number of Buildings	Number of Vacant Units
Completely Constructed	264	4,092
Completely Vacant	74	1,159
Partially Vacant	190	2,933

### **\$** RTTC IDENTIFIED LUXURY CONDOS THAT ARE PRICED FAR OUT OF REACH FOR CURRENT NEIGHBORHOOD RESIDENTS.

- \$1,894,201: The average price for condo units on the market.
- \$3,798: The average price for rental units on the market.
- \$35,744: The average income for a household in targeted low-income neighborhoods.

Of the units identified that are on the market, the average price was far above the amount that residents of the neighborhoods which were canvassed can afford. The median income for canvassed neighborhoods included in this study is \$35,744.<sup>2</sup> Housing is not being built with current community residents in mind. Without the creation of additional affordable housing, the result will be that residents are displaced from the communities where they have lived for decades.

### NEIGHBORHOOD VOICES

\$1,894,201

THE AVERAGE PRICE

FOR CONDO UNITS

**ON THE MARKET.** 



"I was amazed at how many vacant condos we found in our survey. No one is living in these buildings. A lot of people need housing, especially low-income people, and there is all this housing out there just sitting vacant. The city needs to give these condos to people who really need them."

Cynthia Hairston, age 59 / Member of NYCAHN/VOCAL / Lifelong NYC resident

### e lived for decades.

### **418** AVERAGE NUMBER OF DAYS THAT CONDO UNITS HAVE BEEN ON THE MARKET.

**3,267** ESTIMATED NUMBER OF UNITS OF HOUSING THAT ARE UNDER CONSTRUCTION.

<sup>III</sup> Many real estate companies list only a small portion of the total number of available units within a building on real estate websites such as streeteasy.com. As a result, the total number of condominiums and rental apartments currently available on the market is likely much higher than the number reported here and in each of the subsequent neighborhood chapters.

\* RPAD Data was not available for 68 of the buildings RTTC-NYC identified as "Under Construction and Completely Vacant". As a result, the total number of units currently under construction within canvassed buildings is likely far higher than the number reported here and in each of the subsequent neighborhood chapters.



# OWNERS ARE UNABLE TO SELL THESE LUXURY UNITS ON THE MARKET.

- 535: Number of units identified by RTTC-NYC that are for sale and have online real estate listings.
- 418: Average number of days that condo units have been on the market.
- 135: Average number of days that rentals units have been on the market.

Given the current economic climate, hundreds of luxury residential units remain unsold on the market for up to several years. 94 of the buildings identified by RTTC-NYC canvassers are currently maintaining listings on various online real estate websites. These condominiums have been on the market for an average of 418 days.

TABLE 1.3: CONDOS FOUND ON THE MARKET

	Total Buildings with Online Listings	Total Condo Units	Total Rental Units
Lower East Side	20	47	25
Harlem	18	50	43
Downtown Brooklyn	23	262	39
Bushwick	6	30	4
South Bronx	5	64	29
West Village	22	82	19
Totals	94	535	159

### YET, MORE UNITS STILL REMAIN UNDER CONSTRUCTION IN LOW-INCOME NEIGHBORHOODS.

- 186: Number of residential buildings identified by RTTC canvassers as currently under construction.
- 3,267: Estimated number of units of housing that are under construction.

RTTC-NYC canvassers identified 186 luxury residential buildings that are currently in various stages of construction. These buildings will contain a minimum of 3,267 units of housing that will eventually come to market. Moreover, the Department of Buildings (DOB) currently lists 573 buildings on their list of stalled construction projects. While this number has increased drastically over the last year, the true number of stalled construction is likely much higher due to the DOB's inaccurate tracking methods.<sup>3</sup>

### SOME OWNERS OF THESE BUILDINGS ARE Not Paying Taxes, creating a financial Burden for New York City.

- 138: Number of residential buildings that are in tax arrears.
- \$3,797,690: total amount owed in taxes to NYC by building owners.
- 845: Number of families that NYCHA could subsidize in public housing with \$3.79 million.
- ▶ 450: Number of families that NYCHA could subsidize with vouchers with \$3.79 million

In total, RTTC-NYC canvassers identified 138 luxury residential buildings that are currently more than a year delinquent on paying their property, water, or sewer taxes. Consequently, New York City is losing a total of \$3,797,690 in taxes from these developments. Of these 138 buildings, New York City only listed 21 of these properties as potential candidates for tax liens in 2010, which would recover \$1,098,453.

TABLE 1.4 TAXES OWED AND LIENS SOLD ON BUILDINGS FOUND

	Total Buildings 1 yr+ tax delinquent	Total Taxes Owed as of 2/5/10	Additional Amount owed as of 4/1/10	Candidates for tax lien sell in 2010
Lower East Side	29	\$1,078,304	\$29,490	3
Downtown Brooklyn	26	\$1,015,677	\$54,918	3
Bushwick	26	\$92,433	\$32,864	4
South Bronx	12	\$422,383	\$16,735	7
Harlem	33	\$838,080	\$37,694	4
West Village	12	\$350,813	\$66,259	0
Totals	138	\$3,797,690	\$237,961	21

\$3,797,690 TOTAL AMOUNT OWED IN TAXES TO NYC BY BUILDING OWNERS. Þ

**845** NUMBER OF FAMILIES THAT NYCHA COULD SUBSIDIZE IN PUBLIC HOUSING WITH \$3.79 MILLION.

# **DBK DOWNTOWN BROOKLYN** COMMUNITY DISTRICTS 202, 203



Right to the City NYC Group that led canvassing: Families United for Racial and Economic Equality (FUREE)

### Neighborhood Background

Comprised of Brooklyn's 202 and 203 Community Districts, this area includes parts of Downtown Brooklyn, Fort Greene and Bedford Stuyvesant and represents the third largest commercial district in New York City. The neighborhood has a diverse population with varying socio-economic backgrounds and includes a significant number of public housing developments. In 2004, Downtown Brooklyn was rezoned partially to allow for increased development of residential buildings. Since then, the neighborhood has experienced a construction boom of residential buildings, many of which are stalled or foreclosed due to the economic recession. NYC's Department of Buildings stalled construction list includes 32 buildings in Downtown Brooklyn. 4

### TABLE 2.1: NEIGHBORHOOD INFORMATION

	<b>CD 202</b> <sup>5</sup>		CI	) 203 <sup>6</sup>
	2000	2008	2000	2008
Population	115,106	116,528	121,054	141,064
Median Household Income	\$44,180	\$61,960	\$23,495	\$38,462
% Foreign Born	16.9%	17.7%	18.4%	19.2%
% Earning Le than \$37,865		35.2%	N/A	49%
Median Monthly Rent	\$675	\$992	\$525	\$795
Poverty Rate	24.5%	20.6%	35.9%	28.2%
Unemployme Rate	nt 10.7%	7.6%	17.9%	8.2%

### Gentrification

In recent years, Downtown Brooklyn has been singled out for many large-scale, luxury development projects. The most controversial of these has been the proposed development for the Atlantic Yards. Bruce Ratner, the developer for the project, plans to build 16 high-rise towers, most of which will be market rate and luxury housing. The project will also include a stadium that will house the New Jersey Nets basketball team. Despite widespread community opposition and numerous lawsuits attempting to block the project, construction began in March 2010. Community members were particularly opposed to the State's use of eminent domain to seize 22 acres of private property on behalf of the project. Though eminent domain was originally intended for the government to seize private property for the public good, New York State has increasingly used this power to benefit developers and pave the way for luxury development at the expense of low and moderate income residents and small business owners.

### Rezoning

In 2004, Downtown Brooklyn was rezoned as part of the Downtown Brooklyn Development Plan, an integral part of Mayor Bloomberg's citywide economic development agenda. The city's justification for this rezoning was that it would help foster growth of new commercial office space and encourage New York businesses to stay in the city, rather than move to locations such as Jersey City. However, a highly-visible impact of this rezoning has been a large concentration of high-rise, luxury condominiums in Downtown Brooklyn, many of which are mostly vacant or stalled in construction. Additionally, residents are being displaced by substantially increasing housing and living expenses. Additionally, fewer and fewer jobs are available as small businesses are being displaced from the neighborhood.

<sup>v</sup> Since "the percent earning less than \$37,865" is based on income quintiles specific to 2008 data, this information was not available for 2000 for any of our targeted community districts, when there were different income quintiles.



### Unoccupied at the Oro The Oro

TOTAL UNITS: 303 VACANCY RATE: 30% OWNERSHIP: CONDOMINIUM BUILDING TYPE: HIGH RISE AVERAGE PRICE: \$632,393 PRICE /SQ FT: \$720 AMENITIES: BIKE ROOM, FITNESS ROOM, BAS-KETBALL COURT, POOL, SAUNA, CINEMA ROOM AVERAGE MONTHLY FEE: \$613 DAYS ON THE MARKET: 672

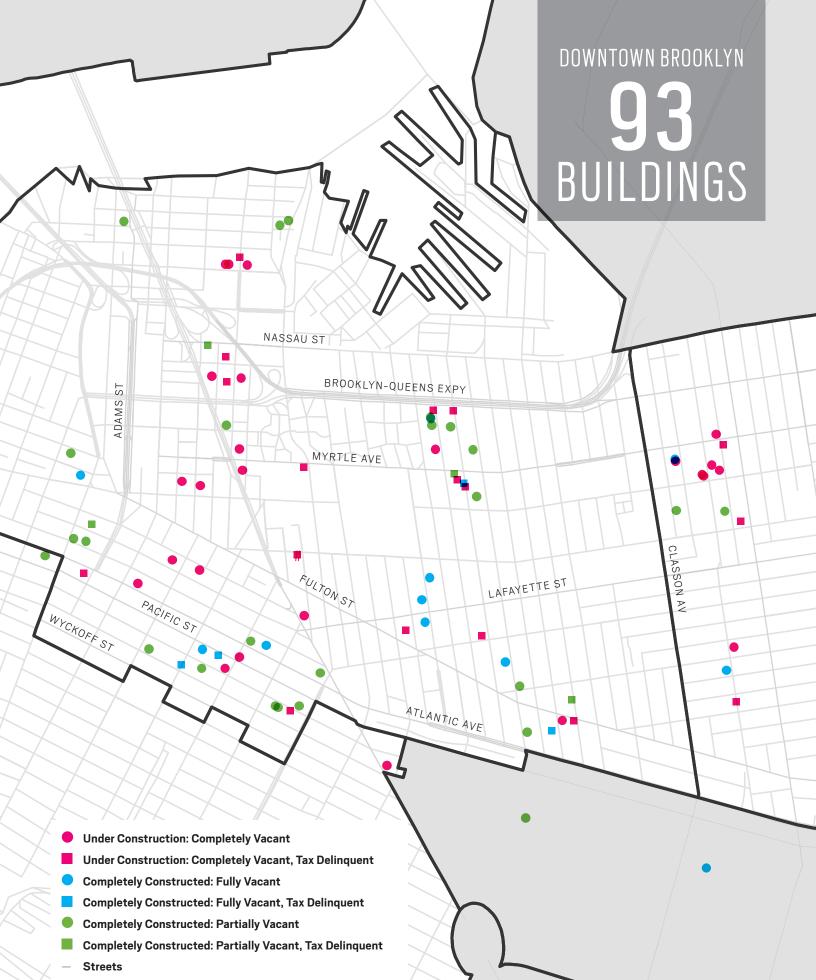
'The Oro" luxury condominium is located at 306 Gold Street. After languishing unsold on the market, the owner was forced to undergo a mix of strategies to attract buyers to this development, including cutting prices by as much as 25% and allowing prospective tenants to participate in a rent-to-own program, where 50% of an occupant's rent is allowed to go towards the purchase price of a unit. In December 2009, the owners announced that the Oro became approved to receive buyers that have qualified for a loan through the Federal Housing Administration (FHA), allowing potential buyers to qualify for government-backed financing. The Oro has also been approved for Veteran's Administration loans.

Eyesore of Ashland

TOTAL UNITS: 108 VACANCY RATE: 32% OWNERSHIP: CONDOMINIUM BUILDING TYPE: HIGH RISE AVERAGE PRICE: \$575,700 PRICE /SQ FT: \$495 AMENITIES: COURTYARD, FITNESS ROOM, ROOF-TOP DECK AVERAGE MONTHLY FEE: \$902 DAYS ON THE MARKET: 77

This luxury condominium is located at 230 Ashland Place in Fort Greene. In August of 2009, after two years of intense marketing and lagging sales, the developers and owners of the property, the Clarrett Group and Goldman Sachs, ceded control of 72 units within the property back to the lender, Eurohypo Bank. In November 2009, the units came back on the market, but at greatly reduced prices; one unit dropped from \$999,500 to \$547,220.<sup>8</sup>

ECLOSED!



- Community District Borders

### DOWNTOWN BROOKLYN CONDO COUNT: 93 BUILDINGS

RTTC-NYC Canvassers in Downtown Brooklyn identified 93 luxury residential buildings through our street canvass that were completely vacant, mostly vacant, or were undergoing construction. Census tract 235 had the highest rate of condos identified, with 14 buildings. Zip code 11201 in Downtown Brooklyn had the highest frequency of condos identified, with a total of 29 buildings.

D NUMBER OF COMPLETELY CONSTRUCTED RESIDENTIAL BUILDINGS IDENTIFIED BY RTTC CANVASSERS THAT ARE COMPLETELY OR PARTIALLY VACANT IN DOWNTOWN BROOKLYN.

**829** ESTIMATED NUMBER OF UNITS OF VACANT HOUSING IDENTIFIED BY RTTC CANVASSERS IN DOWNTOWN BROOKLYN THAT WOULD BE READY TO HOUSE LOW-INCOME FAMILIES IMMEDIATELY.

\$563,851 THE AVERAGE PRICE FOR CONDOS UNITS ON THE MARKET IN DOWNTOWN BROOKLYN.

### MANY CONDOS IN DOWNTOWN BROOKLYN ARE COMPLETELY CONSTRUCTED AND READY TO HOUSE THOSE IN NEED.

- ▶ 51: Number of completely constructed residential buildings identified by RTTC canvassers that are completely or partially vacant in Downtown Brooklyn.
- ▶ 829 units:

Estimated number of units of vacant housing identified by RTTC canvassers in Downtown Brooklyn that would be ready to house low-income families immediately.

Specifically, RTTC-NYC identified:

- ▶ 15 Completely Vacant Buildings with 118 vacant units.
- > 36 Partially Vacant Buildings with 711 vacant units.

TABLE 2.2: TOTAL VACANT BUILDINGS FOUND IN DOWNTOWN BROOKLYN

Total Buildings Found	93
Completely Constructed & Completely Vacant	15
Completely Constructed & Partially Vacant	36
Total Completely Constructed Buildings	51
Under Construction & Completely Vacant	42
Average Stories/Building	5
Average Units/Building	35

### TABLE 2.3: COMPLETELY CONSTRUCTED VACANT BUILDINGS AND UNITS

	Number of Buildings	Number of Vacant Units
Completely Constructed	51	829
Completely Vacant	15	118
Partially Vacant	36	711

**\$49,091** THE AVERAGE INCOME FOR A HOUSEHOLD IN DOWNTOWN BROOKLYN.

**444** AVERAGE NUMBER OF DAYS THAT CONDO UNITS HAVE BEEN ON THE MARKET.

**1,533** ESTIMATED NUMBER OF UNITS OF HOUSING IN DOWNTOWN BROOKLYN THAT ARE UNDER CONSTRUCTION. **S** RTTC IDENTIFIED LUXURY CONDOS THAT ARE PRICED FAR OUT OF REACH FOR CURRENT NEIGHBORHOOD RESIDENTS.

- ▶ \$563,851: The average price for condos units on the market in Downtown Brooklyn.
- \$3,854:The average price for rental units on the market in<br/>Downtown Brooklyn.
- \$49,091: The average income for a household in Downtown Brooklyn.



### OWNERS ARE STRUGGLING TO SELL THESE UNITS ON THE MARKET.

- ▶ 262: Number of units identified by RTTC-NYC in Downtown Brooklyn that are for sale and have online real estate listings.
- 444: Average number of days that condo units have been on the market.
- 89: Average number of days that rental units have been on the market.

TABLE 2.4: CONDOS FOUND THAT ARE ON THE MARKET

Total Buildings with Online Listings	23
Total Condos Units	262
Total Rental Units	39

# YET, HIGH-END, LUXURY BUILDINGS ARE STILL UNDER CONSTRUCTION.

- ▶ 42: Number of residential buildings in Downtown Brooklyn identified by RTTC canvassers as currently Under Construction.
- ▶ 1,533: Estimated number of units of housing in Downtown Brooklyn that are under construction.

### NEIGHBORHOOD VOICES



The people in my community can't afford to live in all these condos they've been building. And so many of them are vacant, the city could be making them available to low-income families, people in the shelter system — people who really need them.

Diana Smith / Member of FUREE / Resident of NYCHA's Farragut Houses in Downtown Brooklyn



### SOME OWNERS OF THESE BUILDINGS ARE NOT PAYING Taxes, putting a financial burden on the City and Neighborhood.

- > 26: Number of residential buildings in Downtown Brooklyn that are in tax arrears.
- \$1,015,677: Total amount owed in taxes to NYC by Downtown Brooklyn building owners.

### DOWNTOWN BROOKLYN DEVELOPER PROFILES

### **ROBERT SCARANO**

Robert Scarano, a controversial architect turned developer, is known for the development of luxury residential buildings, particularly in Brooklyn. One recent development, 'the Myrtle,' has been plagued with construction and regulation problems, which has delayed the opening of the project for over a year. Scarano has developed a reputation for skirting building regulations and codes; the New York City Department of Buildings (DOB) has issued violations against 25 of his projects in Brooklyn, particularly for building beyond specified height regulations. On March 4, 2010, the DOB barred Scarano from filing any additional construction plans due to "deliberately overbuilding" his projects.

### **JAMESTOWN PROPERTIES**

This German-backed investment firm, located in Atlanta Georgia, has been specifically seeking out troubled condominiums as investments. Matt M Bronfman, a managing director with the firm, said in a recent Wall Street journal article that distressed residential condominiums are "some of the best opportunities right now."<sup>9</sup> Jamestown Properties recently acquired the Be@ Schermerhorn, a 264-unit development, after it was stalled in construction when it was 90% complete.<sup>10</sup>

# LES

### **LOWER EAST SIDE** COMMUNITY DISTRICT 303



RTTC-NYC Groups that led canvassing: CAAAV/Chinatown Tenants Union, Jews United for Racial and Economic Justice (JFREJ), Good Old Lower East Side (GOLES)

### Neighborhood Background

The Lower East Side is one of the oldest and most diverse neighborhoods in New York City. The area has historically been home to various working class and immigrant populations and continues to be populated by many immigrant communities. In 2007, 40.5% of the neighborhood's residents were foreign born.<sup>11</sup> In recent years, there has been a significant amount of new construction in the area; though currently at least 12 projects are stalled.<sup>12</sup>

### TABLE 3.1: NEIGHBORHOOD INFORMATION

	CD 303 <sup>13</sup>		
	2000	2008	
Population	166,379	168,794	
Median Household Income	\$28,745	\$36,408	
% Foreign Born	40.3%	35.2%	
% Earning Less than \$37,865	N/A	51.7%	
Median Monthly Rent	\$575	\$713	
Poverty Rate	28.4%	27.7%	
Unemployment Rate	9.4%	10.1%	

### Gentrification

Over the last several decades, the Lower East Side has been gentrifying at an increasing rate, bringing in upscale hotels, condominiums, restaurants, and bars to this traditionally working class neighborhood. Recent development has focused on Orchard Street, often considered the historical center of the Lower East Side's working class. The neighborhood is home to large numbers of public housing developments, including the nation's first development, known as First Houses. While the presence of NYCHA properties has helped slow the rate at which the neighborhood has gentrified compared to nearby neighborhoods such as Greenwich Village, gentrification is still a major concern for low and moderate income residents.

### Rezoning

On November 19th, 2008, the City Council adopted the East Village/Lower East Side rezoning plan, which covers 111 blocks in the area. The new changes impose limits on the height of new construction, create contextual housing districts<sup>14</sup>, and eliminate the community facility bonus for the area, which had allowed entities like New York University to build large dormitories in the neighborhood. The rezoning also included some measures to encourage moderately priced housing, primarily through the use of inclusionary zoning bonuses for developers. Many residents in Chinatown protested these changes, believing that the exclusion of the Chinatown neighborhood from the rezoning plan would push large-scale and upscale development below Delancey Street and into Chinatown. In addition to contributing to the gentrification of Chinatown, many studies have shown that inclusionary zoning bonuses are not an effective way to build low-cost and low-income housing, as they depend upon the willingness of developers to build so-called "affordable" units.<sup>15</sup>



100% VACANTI

TOTAL UNITS: 5 VACANCY RATE: 100% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$1,259,000 PRICE/ SQ FT: \$940 AMENITIES: OUTDOOR PARKING, ROOFTOP DECK AVERAGE MONTHLY FEE: \$979 DAYS ON MARKET: 119

This address was home to a local auto repair business before the the building was bought and bulldozed by developers. Over the last 16 months while these condos have been on the market, the price has decreased an average of \$246,250, which is a 15.88% drop from the original price. Still, this building remains completely unsold. The price of the most expensive unit, the ground floor apartment with a private garden, has decreased \$380,000 to \$1.61 million. Empty on Orchard 30 Orchard Street

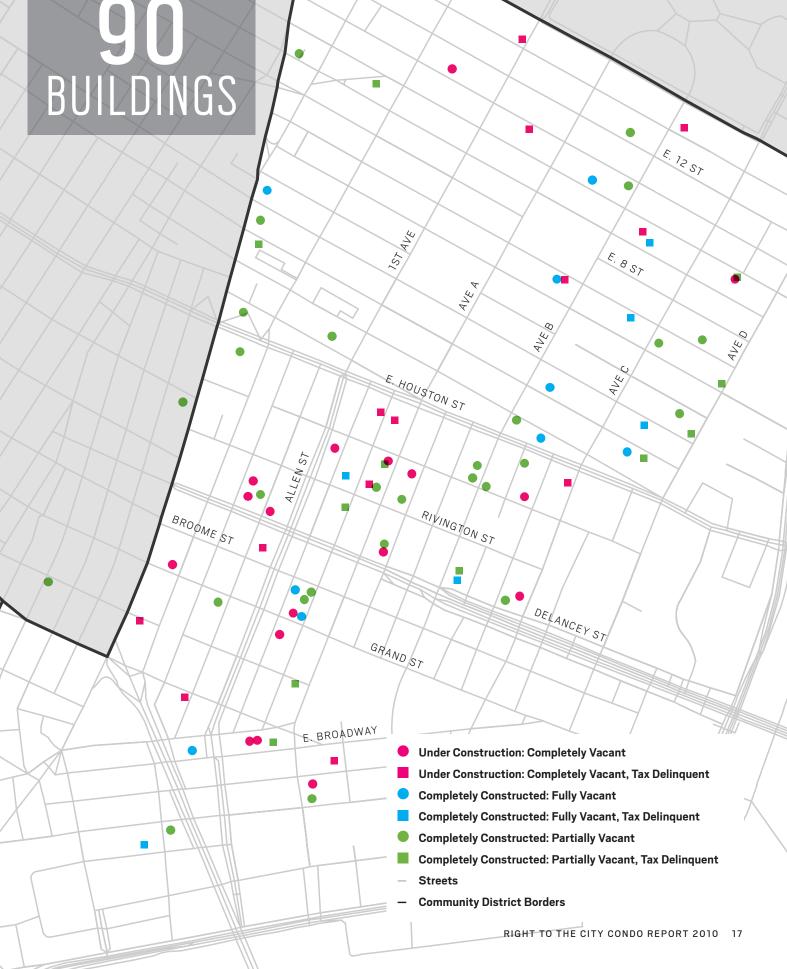
TOTAL UNITS: 9 VACANCY RATE: 66% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOFT AVERAGE PRICE: \$1,346,000 PRICE/ SQ FT: \$1,289 AMENITIES: OUTDOOR SPACE AVERAGE MONTHLY FEE: \$830 DAYS ON MARKET: 231

Developed by Orchard St LLC and designed by Ogawa Depardon Architects, 30 Orchard St in the Lower East Side has a total of 6 vacant units. These condominiums were originally meant to be on the market by 2008, yet construction was stalled for much of 2009. Most of the units have been on the market now for over 7 months yet remain vacant.

23 DAYS ON THE

ARKFT

# LOWER EAST SIDE



### LOWER EAST SIDE (LES) CONDO COUNT: 90 BUILDINGS

RTTC-NYC Canvassers in the Lower East Side identified 90 luxury residential buildings through our street canvass that were completely vacant, mostly vacant, or were undergoing construction. Census tract 30.01 had the highest rate of condos identified, with 9. Zip code 10002 had the highest frequency of condos identified, with a total of 50 buildings.

59 NUMBER OF COMPLETELY CONSTRUCTED RESIDENTIAL **BUILDINGS IDENTIFIED BY** RTTC CANVASSERS THAT ARE COMPLETELY OR PARTIALLY VACANT IN THE LES.

### 

### MANY CONDOS IN THE LES ARE COMPLETELY **CONSTRUCTED AND READY TO HOUSE THOSE** IN NEED.

- Number of completely constructed residential buildings 59: identified by RTTC canvassers that are completely or partially vacant in the LES.
- **1,187:**

Estimated number of units of vacant housing identified by RTTC canvassers in LES that would be ready to house low-income families immediately.

Specifically, RTTC-NYC identified:

- ▶ 18 Completely Vacant Buildings with 653 vacant units
- ▶ 41 Partially Vacant Buildings with 534 vacant units

TABLE 3.2: TOTAL VACANT BUILDINGS FOUND IN LES

Total Buildings Found	90
Completely Constructed & Completely Vacant	18
Completely Constructed & Partially Vacant Building	s 41
Total Completely Constructed Buildings	59
Under Construction & Completely Vacant	31
Average Stories/Building	6
Average Units/Building	28

### TABLE 3.3: COMPLETELY CONSTRUCTED VACANT BUILDINGS AND UNITS

	Number of Buildings	Number of Vacant Units
Total Completed Buildings	59	1,187
Completely Vacant	18	653
Partially Vacant	41	534

**FSTIMATED NUMBER OF** UNITS OF VACANT HOUSING **IDENTIFIED BY RTTC** CANVASSERS IN LES THAT WOULD BE READY TO HOUSE LOW-INCOME FAMILIES IMMEDIATELY.

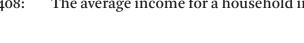
\$1,306,990 THE AVERAGE PRICE FOR CONDO UNITS ON THE MARKET IN THE LES.



### **RTTC IDENTIFIED LUXURY CONDOS THAT ARE PRICED FAR OUT OF REACH FOR CURRENT** NEIGHBORHOOD RESIDENTS.

\$1,306,990: The average price for condo units on the market in the LES. \$3,702: The average price for rental units on the market in the LES. The average income for a household in the LES.

\$36,408:





### **OWNERS ARE STRUGGLING TO SELL THESE** UNITS ON THE MARKET.

340 AVERAGE NUMBER OF DAYS CONDO UNITS HAVE BEEN ON THE MARKET.

\$36,408

THE AVERAGE INCOME FOR A HOUSEHOLD IN THE LES.

- Number of units identified by RTTC-NYC in the LES that are 25: for sale and have online real estate listings.
- > 340: Average number of days condo units have been on the market.
- ▶ 151: Average number of days rental units have been on the rental market.

TABLE 3.4: CONDOS FOUND THAT ARE ON THE MARKET

Total Buildings with Online Listings	20
Total Condos Units	25
Total Rentals Units	47

563 **ESTIMATED** NUMBER OF UNITS OF HOUSING IN LES THAT **ARE UNDER CONSTRUCTION** AND WILL EVENTUALLY COME ON THE MARKET.

### YET, HIGH-END, LUXURY BUILDINGS ARE STILL **UNDER CONSTRUCTION.**

- 31: Number of residential buildings in LES identified by RTTC canvassers as currently Under Construction.
- ▶ 563: Estimated number of units of housing in LES that are under construction and will eventually come on the market.

### NEIGHBORHOOD VOICES



When so many people don't have housing or are being pushed out of Chinatown, it's a huge waste to have these empty condos throughout our neighborhoods. They should become housing for low-income people, not wealthy people. Li Duan Jiang, LES resident at 53 Monroe Street



SOME OWNERS OF THESE BUILDINGS ARE NOT PAYING TAXES, PUTTING A FINANCIAL BURDEN ON THE CITY AND NEIGHBORHOOD.

- > 29: Number of canvassed residential buildings in the LES that are in tax arrears.
- \$1,078,304: Total amount owed in taxes to NYC by LES building owners.

### LOWER EAST SIDE DEVELOPER PROFILES

### VERACITY DEVELOPMENT

Focusing their work on downtown Manhattan, Veracity Development has played a significant role in the lower East Side's recent gentrification with four projects on Prince Street alone. Their latest project is "the Nolitan," a boutique hotel designed by Grywinski+Pons. Neighbors near the Nolitan hotel, on the corner of Kenmare and Elizabeth streets, have reported unsafe living conditions. Additionally, the Department of Buildings recently ruled that the hotel violated zoning limits on building heights in the area, and issued a stopwork order.<sup>16</sup>

### SION MISRAHI

Sion Misrahi formed the Lower East Side Business Improvement District in 1992 and has played a large role in bringing upscale development to the neighborhood. He is the developer of a failed 170-room luxury hotel on 180 Orchard that has been stalled now for over 5 years, which has been dubbed by some as the Lower East Side's "biggest eyesore"<sup>17</sup>. Misrahi was also responsible for negotiating the sale of air rights to pave the way for construction of the Hotel on Rivington, a structure which community members complain towers far above the neighborhood's smaller tenement buildings and is out of sync with the area's character.<sup>18</sup>

# HAR EAST & CENTRAL HARLEM COMMUNITY DISTRICT 310/311



RTTC-NYC Organization that led canvassing: Community Voices Heard

### Neighborhood Background

East and Central Harlem have long been residential, cultural, and business centers for African American and Latino communities in New York City. East Harlem, also known as El Barrio, has historically been comprised predominantly of Puerto Rican residents. However, over the last fifteen years the neighborhood has seen an influx of Mexican immigrants. The area contains the highest concentration of public housing in the country. This has helped slow the rate at which the neighborhood has been gentrified. Nevertheless, East and Central Harlem are increasingly targeted for development, with new luxury condominiums and shopping areas entering the neighborhood. However, much of this new development is stalled in construction, including at least 22 buildings on the city's stalled construction list.

### Gentrification

Several powerful forces have been behind the recent gentrification in Harlem. Some of the most prevalent of these include Columbia University and the predatory equity phenomenon. For years, Columbia has been attracting high-income students to Harlem, contributing to the gentrification of the area. Recently, the University also tried to expand its campus by additional 17-acres. However, a state court ruled that the use of eminent domain to take over the properties in Harlem was illegal because it was not being used in the public's interest. Another driver of gentrification has been predatory equity, used by private equity firms to buy affordable housing units and attempt to

#### TABLE 3.1: NEIGHBORHOOD INFORMATION

	CD 310		CD 311	
	2000	2008	2000	2008
Population	109,091	125,875	115,433	126,609
Median Household Income	\$19,920	\$33,039	\$21,295	\$30,226
% Foreign Born	17.8%	20.5%	21.1%	24.9%
% Earning Less than \$37,865	N/A	57.2%	N/A	56.3%
Median Monthly Rent	\$475	\$660	\$475	\$602
Poverty Rate	36.4%	27.8%	37.1%	27.1%
Unemployment Rate	18.6%	8.9%	16.8%	12.9%

force out current residents in order to inflate rents. This practice is profit-driven and has led to the displacement of low-income residents in Harlem and around New York City. A recent example of this is Dawnay Day, a British firm which bought forty-seven buildings in East Harlem in 2007 with the goal of pushing out rent regulated tenants, drastically increasing rents and attracting more affluent tenants. While these goals were not fully achieved, as the buildings have gone into foreclosure, Dawnay Day's predatory equity practices and the subsequent foreclosures will impact over 1,100 units in Harlem and disrupt the lives of thousands of families.

### Rezoning

In May of 2008, the New York City Council approved a rezoning plan for 125th Street in Harlem, one of the neighborhood's major thoroughfares. The efforts to rezone 125th were one of the most controversial rezoning proposals advocated for by the Bloomberg administration, and occurred despite vocal community opposition. The plan rezoned 24 blocks, and intends to turn the street into a regional business hub to pave the way for more than 2,000 market rate condominiums to be developed in the area.



Hazard of Harlem 123 on Windows

TOTAL UNITS: 26 VACANCY RATE: 100% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$831,500 PRICE /SQ FT: \$652 AMENITIES: GARAGE, FITNESS ROOM AVERAGE MONTHLY FEE: \$934 DAYS ON MARKET: 333

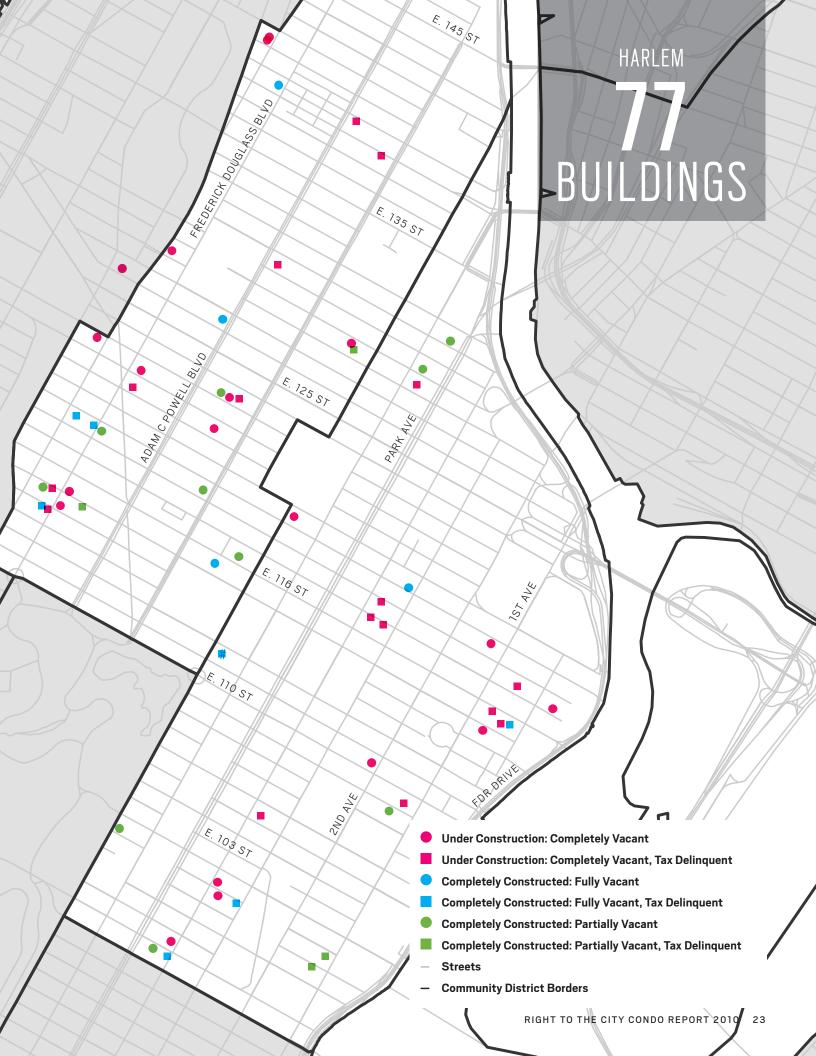
This Central Harlem building, located at 117 West 123rd Street, originally went on the market in April 2009. At that time, its 35 units were on sale in for an average of \$721,457. Since then prices at the condominium have decreased to an average of \$637,057. Despite the decreased prices none of the building's units have been purchased.

# The second secon

**Poor Sales on Park** Fifth on the Park

TOTAL UNITS: 160 VACANCY RATE: 71% OWNERSHIP: CONDOMINIUM BUILDING TYPE: HIGH RISE AVERAGE PRICE: \$1,151,378 PRICE /SQ FT: \$881 AMENITIES: GARAGE, FITNESS ROOM, INDOOR POOL, GARDEN AVERAGE MONTHLY FEE: \$651 DAYS ON MARKET: 784

Converted from a local church, this luxury condominium is located at 1485 5th Avenue. Developed by Uptown Partners, FX Fowle architects designed the building. The average price of the condos that have sold in the building is \$1,309,858. Originally meant to be all condos, slow sales have force the Uptown Partners to turn some units into rentals.



### HARLEM CONDO COUNT: 77 BUILDINGS

RTTC-NYC Canvassers in Harlem identified 77 residential buildings through our street canvass that were completely vacant, mostly vacant, or were undergoing construction. Census tract 178 had the highest rate of condos identified, with 8 buildings. Zip code 10029 in East Harlem had the highest frequency of condos identified, with a total of 28 buildings.

**40** NUMBER OF COMPLETELY CONSTRUCTED RESIDENTIAL BUILDINGS IDENTIFIED BY RTTC CANVASSERS THAT ARE COMPLETELY OR PARTIALLY VACANT IN HARLEM.

> **1,009** ESTIMATED NUMBER OF UNITS OF VACANT HOUSING IDENTIFIED BY RTTC CANVASSERS.

**\$1,012,207** THE AVERAGE PRICE FOR CONDO UNITS ON THE MARKET IN HARLEM.



### MANY CONDOS IN HARLEM ARE COMPLETELY Constructed and ready to house those in NEED.

- ▶ 40: Number of completely constructed residential buildings identified by RTTC canvassers that are completely or partially vacant in Harlem.
- 1,009 units: Estimated number of units of vacant housing identified by RTTC canvassers.

Specifically, RTTC-NYC identified:

- > 33 Completely Vacant Buildings with 203 vacant units.
- ▶ 17 Partially Vacant Buildings with 806 vacant units.

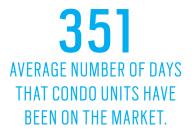
TABLE 3.2: TOTAL VACANT BUILDINGS FOUND IN HARLEM

Total Buildings Found	77
Completely Constructed & Completely Vacant	33
Completely Constructed & Partially Vacant	17
Total Completely Constructed Buildings	40
Under Construction	37
Average Stories/Building	7
Average Units/Building	35

### TABLE 3.3: COMPLETELY CONSTRUCTED VACANT BUILDINGS AND UNITS

	Number of Buildings	Number of Vacant Units
Completely Constructed	24	1,009
Completely Vacant	7	203
Partially Vacant	17	806





**571** ESTIMATED NUMBER OF UNITS OF HOUSING IN HARLEM THAT ARE UNDER CONSTRUCTION. \$

### RTTC IDENTIFIED LUXURY CONDOS THAT ARE PRICED FAR OUT OF REACH FOR CURRENT NEIGHBORHOOD RESIDENTS IN HARLEM.

\$1,012,207: The average price for condo units on the market in Harlem.

- \$2,695: The average price for rental units on the market in Harlem.
- \$31,628: The average income for a household in the Harlem.



# OWNERS ARE STRUGGLING TO SELL THESE UNITS ON THE MARKET.

- 43: Number of units identified by RTTC-NYC in Harlem that are for sale and have online real estate listings.
- ▶ 351: Average number of days that condo units have been on the market.
- ▶ 161: Average number of days that rental units have been on the market.

TABLE 3.4: CONDOS FOUND THAT ARE ON THE MARKET

Total Buildings with Online Listings	18
Total Condo Units	43
Total Rental Units	50

# YET, HIGH-END, LUXURY BUILDINGS ARE STILL UNDER CONSTRUCTION

- ▶ 37: Number of residential buildings in Harlem identified by RTTC canvassers as currently Under Construction.
- 571: Estimated number of units of housing in Harlem that are under construction.

### NEIGHBORHOOD VOICES



"I love living in East Harlem. I was born here, lived here my whole life and raised my kids here. It's a great community — we have families that have been in the area for three to four generations. But over the last ten years, things really started changing. Developers came in and started tearing buildings down to build luxury condos. But I don't see anyone coming in and out of these buildings. They're just sitting there empty, displacing families who need something affordable to live in."

Ann Bragg, age 67 / Member of Community Voices Heard / Lifelong East Harlem Resident



### SOME OWNERS OF THESE BUILDINGS ARE NOT Paying taxes, putting a financial burden on the city and neighborhood.

- ▶ 33: Number of residential buildings identified in Harlem that are in tax arrears.
- \$838,080: Total amount owed in taxes to NYC by Harlem building owners.

### HARLEM DEVELOPER PROFILES

### **UPTOWN PARTNERS**

Led by co-founder Lewis Futterman and former New York State Housing commissioner Joseph Holland, Uptown Partners is a development company "to address the emerging market rate condominium market in Harlem." A catalyst for gentrification, the developers claim to have helped create a "New Harlem."<sup>27</sup> One of the group's most recent developments is 5th on the Park, a luxury condo building with its own indoor swimming pool. Due to lagging sells at this new development and the current economic crisis, the company filed for bankruptcy in February 2009.

### **RGS HOLDINGS LLC**

Founded by Hans Futterman, RGS Holdings is a "privately funded real estate development firm with a current focus exclusively in Harlem."28 RGS Holdings bulldozed several historic buildings in Harlem in order to construct a new 71-unit luxury condo building at 2280 Frederick Douglass. The building was financed partly by Goldman Sachs, who played a central role in creating and perpetuating the recent financial crisis. Due to the current economic crisis, 64% of the units are currently vacant. In February 2010, to encourage more units to sell, RGS Holdings applied for and received approval from the FHA to allow buyers to only make a 5%-10% down payment on the condo units.

# **BSW BUSHWICK** COMMUNITY DISTRICT 204



RTTC-NYC Organization that led canvassing: Make the Road-NY

### **Neighborhood Background**

Since the 1970s, Bushwick Brooklyn has been a working class community of color and home to many immigrant populations. In 2007, 38.9% of the neighborhood was foreign-born. Even though most the residents rent their apartments, many pay more than 30% of their income on rent every month. Recent gentrification, spreading from Williamsburg, has replaced local bodegas and family-owned restaurants with specialty stores and luxury condos. The recent boom in construction has only been slightly delayed by the economy, with only 7 buildings currently stalled.<sup>29</sup>

### TABLE 4.1: NEIGHBORHOOD INFORMATION

	CD 20	<b>04</b> <sup>30</sup>
	2000	2008
Population	120,710	127,496
Median Household Income	\$22,100	\$35,916
% Foreign Born	33.2%	37.9%
% Earning Less than \$37,865	N/A	54.8%
Median Monthly Rent	\$575	\$873
Poverty Rate	38.2%	26.9%
Unemployment Rate	17.2%	N/A

### Gentrification

With Williamsburg creeping in from the west, Bushwick has been fighting gentrification for a number of years. While leadership from Bushwick's State Assemblyman Vito Lopez, Chair of the Assembly Housing Committee, has brought more moderate-income housing to the community, a rising rental market has meant that low-income residents of the neighborhood continue to face a rapidly shrinking set of housing options, and deteriorating housing stock. Neighborhood residents have organized to challenge landlords in the community who harass and intimidate tenants into leaving their apartments in order to allow them to rent to newcomer tenants at a higher rate. Similarly, tenant leaders at the community group Make the Road New York have worked to launch neighborhood-led campaigns and supported policy-makers in passing city legislation which mandates that landlords fix severe housing violations, rather than allowing conditions to deteriorate to such an extent that tenants are forced to leave.

### Rezoning

Rezoning efforts in the area have typically been very controversial, pitting groups of community residents against each other. For example, in nearby East Williamsburg, the proposed Brooklyn Triangle plan would rezone 31 acres which would allow for the construction of 1,851 units of housing; 800 of these homes would be moderately priced. <sup>32</sup> Although the plan passed the City Council, a judge has issued an injunction of the rezoning plan to allow the city to investigate claims that the rezoning discriminates against certain racial and ethnic groups in the neighborhood.



Monstrosity on Melrose 326 Melrose

TOTAL UNITS: 8 VACANCY RATE: 100% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$333,000 PRICE /SQ FT: \$439 AMENITIES: ROOFTOP DECK AVERAGE MONTHLY FEE: \$264 DAYS ON MARKET: 221

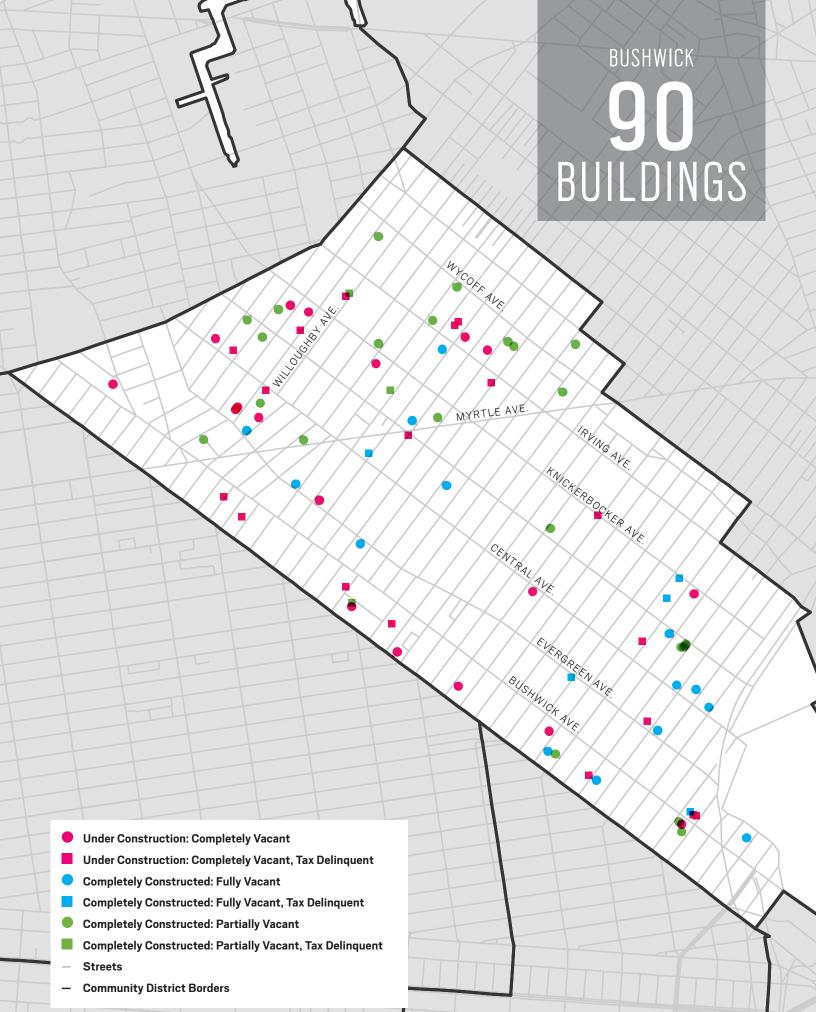
Originally called "Lumbini Gardens," now simply known by its address, 326 Melrose is a boutique condominium in West Bushwick. Formerly a factory site, the building has 8 units, which been on the market for an average of 34 weeks. Recently the developers secured FHA approval to only require a 3.5% down payment, which they hope will encourage buyers. However, currently, like many other luxury condos in the neighborhood, the building is completely vacant.



Barely Occupied in Bushwick 38 Wilson

TOTAL UNITS: 15 VACANCY RATE: 53% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$298,125 PRICE /SQ FT: \$494 AMENITIES: LAUNDRY ROOM, ROOFTOP DECK AVERAGE MONTHLY FEE: \$305 DAYS ON MARKET: 222

Developed by Cayuga Capital Management, 38 Wilson has been marketed as the 'opposite of Murray Hill.' The building was designed for 'young, collegeeducated professionals' yet eight of the units are currently vacant. On the market for an average of 31 weeks, the developer has lowered the prices and received FHA approval to accept down payments as low as 3.5%.



### **BUSHWICK CONDO COUNT: 90 BUILDINGS**

RTTC-NYC Canvassers in Bushwick identified 90 luxury residential buildings through our street canvass that were completely vacant, mostly vacant, or were undergoing construction. Census tract 425 had the highest rate of condos identified, with 8 buildings. Zip code 11237 in Bushwick had the highest frequency of condos identified, with a total of 28 buildings.

50 NUMBER OF COMPLETELY CONSTRUCTED RESIDENTIAL BUILDINGS IDENTIFIED BY RTTC CANVASSERS THAT ARE COMPLETELY OR PARTIALLY VACANT IN BUSHWICK.

**280** ESTIMATED NUMBER OF VACANT HOUSING IDENTIFIED BY RTTC CANVASSERS.

\$336,035 THE AVERAGE PRICE FOR CONDO UNITS ON THE MARKET IN BUSHWICK.

### MANY CONDOS IN BUSHWICK ARE COMPLETELY CONSTRUCTED AND READY TO HOUSE THOSE IN NEED.

- ▶ 50: Number of completely constructed residential buildings identified by RTTC canvassers that are completely or partially vacant in Bushwick.
- 280: Estimated number of units of vacant housing identified by RTTC canvassers in Bushwick that would be ready to house low-income families immediately.

Specifically, RTTC-NYC identified:

- > 20 Completely Vacant Buildings with 115 vacant units.
- > 30 Partially Vacant Buildings with 165 vacant units.

TABLE 4.2: TOTAL VACANT BUILDINGS FOUND IN BUSHWICK

Total Buildings Found	90
Completely Constructed & Completely Vacant	20
Completely Constructed & Partially Vacant	30
Total Completely Constructed Buildings	50
Under Construction & Completely Vacant	40
Average Stories/Building	3
Average Units/Building	12

### TABLE 4.3: COMPLETELY CONSTRUCTED VACANT BUILDINGS AND UNITS

	Number of Buildings	Number of Vacant Units
Completely Constructed	50	280
Completely Vacant	20	115
Partially Vacant	30	165



### RTTC IDENTIFIED LUXURY CONDOS THAT ARE PRICED FAR OUT OF REACH FOR CURRENT NEIGHBORHOOD RESIDENTS.

- \$336,035: The average price for condo units on the market in Bushwick.
- **\$1,775:** The average price for rental units on the market in Bushwick.
- \$35,916: The average income for a household in Bushwick.



### OWNERS ARE STRUGGLING TO SELL THESE UNITS on the market.

- ▶ 30: Number of units identified by RTTC-NYC in Bushwick that are for sale and have online real estate listings.
- ▶ 324: Average number of days that condo units have been on the market.<sup>33</sup>

TABLE 4.4: CONDOS FOUND THAT ARE ON THE MARKET

Total Buildings with Online Listings	6
Total Condos Units	30
Total Rental Units	4

**288** ESTIMATED NUMBER OF UNITS OF HOUSING IN BUSHWICK THAT ARE UNDER CONSTRUCTION.

# YET, HIGH-END, LUXURY BUILDINGS ARE STILL UNDER CONSTRUCTION.

- 40: Number of residential buildings in Bushwick identified by RTTC canvassers as currently Under Construction.
- 288: Estimated number of units of housing in Bushwick that are under construction.

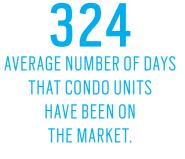
### NEIGHBORHOOD VOICES



"What Bushwick needs is housing that we can afford and housing that is safe for our families to live in! This is important to me because I live here, and I don't want to see people lose their shelter especially when there is space. Also, this is important because my family can't afford a condo and I don't want displacement to happen to me."

Yesenia Fajardo, age 16 / Member Make the Road-NY / Resident of Bushwick, Brooklyn







## SOME OWNERS OF THESE BUILDINGS ARE NOT Paying taxes, putting a financial burden on the city and neighborhood.

- ▶ 26: Number of residential buildings found by RTTC in Bushwick that are in tax arrears.
- ▶ \$92,433: Total amount owed in taxes to NYC by Bushwick building owners.

#### BUSHWICK DEVELOPER PROFILES

#### **MAYER SCHWARTZ**

Developer and artist Mayer Schwartz has been a major player in the luxury development in Williamsburg and the resulting displacement. However, he recently began expanding into Bushwick with the new "Castle Braid," a 144 unit, luxury condo building. With luxury amenities geared towards artists, like a recording studio, Schwartz hoped to make the building an "artist's utopia."34 However, unable to sell many units, Schwartz resorted to putting almost all up for rent, but the units are still unaffordable to neighborhood residents. Despite these efforts to occupy the buildings units, The State of New York Mortgage Agency recently had to step in to insure the building's mortgage. 35

### THE HUDSON COMPANIES

The Hudson Company has a long history of investing in questionable properties, including a development plan to construct several hundred units on the Superfund site on the Gowanus Canal.<sup>36</sup> Their recent investment in the new "Knickerbocker" luxury condo in Bushwick, an amenity-rich development, has been referred to as "a big bet."<sup>37</sup> Not yet completed, the developer once hoped to sell the 49 units, but has announced they will now be rentals.

# SBX



## **SOUTH BRONX** COMMUNITY DISTRICT 101, 102

RTTC-NYC groups that led canvassing: Mothers on the Move (MOM), Picture the Homeless and the New York City AIDS Housing Network (NYCAHN)

#### **Neighborhood Background**

Due in part to a history of government disinvestment and policies such as redlining, the South Bronx is one of the poorest neighborhoods in the five boroughs and is home to one of the poorest congressional districts in the nation. The South Bronx is also known as the birthplace of hip-hop and carries important cultural and musical legacy. Although it is a community with significant subsidized housing units, real estate prices have skyrocketed in recent years. Most of the South Bronx residents are Hispanic (62.7%); however there is also a large African-American population (33%).<sup>38</sup> The neighborhood has notoriously high asthma rates, most likely caused by the various industrial sites in the area, including the infamous New York Organic Fertilizer Company.

#### TABLE 5.1: NEIGHBORHOOD INFORMATION

	CD 101/102	
	2000	2008
Population	141,685	152,295
Median Household Income	\$17,130	\$19,111
% Foreign Born	23.9%	27.8%
% Earning Less than \$37,865	N/A	75.4%
Median Monthly Rent	\$475	\$587
Poverty Rate	45.5%	44.2%
Unemployment Rate	23.6%	8.7%

#### Gentrification

The South Bronx has been increasingly targeted for luxury and large-scale development, including the new Yankee Stadium, luxury condos and high-end restaurants. The Related Companies, the same developer of Pier 40 in the West Village, recently proposed a plan to develop the historic Kingsbridge Armory into a 575,000 square foot retail mall for \$310 million, \$50 million of which would come from public tax credits and exemptions.<sup>40</sup> Due to strong community opposition and the failure of the Related Companies to consider a Community Benefits Agreement that would create a living wage for employees of the new development, this plan was voted down by the City Council in December 2009 by a vote of 45-1. This marked the first time in Mayor Bloomberg's tenure that an economic development plan that was supported by his administration was voted down.

#### Rezoning

For the past four years, the City has rezoned several large swaths of land as a part of the Economic Development Corporation's South Bronx Initiative. This initiative has focused development on the Melrose Commons, the Bronx Civic Center and the Lower Grand Concourse. The Mayor claims this plan will create 8,000 new housing units and "160,000 sq ft of hotel and conference space and new and enhanced parks and green spaces."<sup>41</sup> However, community residents fear that new luxury condos and expensive boutiques will accompany these development projects, and will be largely unaffordable to current residents.



Gentrification on Greystone

TOTAL UNITS: 68 VACANCY RATE: 94% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$516,529.41 PRICE /SQ FT: \$507 AMENITIES: GARAGE, FITNESS ROOM, NURSERY, ROOFTOP DECK AVERAGE MONTHLY FEE: \$607 DAYS ON THE MARKET: 210

Originally meant to be all condominium units, the developer has been forced to rent half of the apartments and still almost the whole building is vacant. To further encourage buyers, Q-Real Estate Partners, the developers of the building, started a rent-to-own program; however, sales have still not picked up. At least 15 of the condo units have decreased an average of \$58,333, or 11% of the original prices.

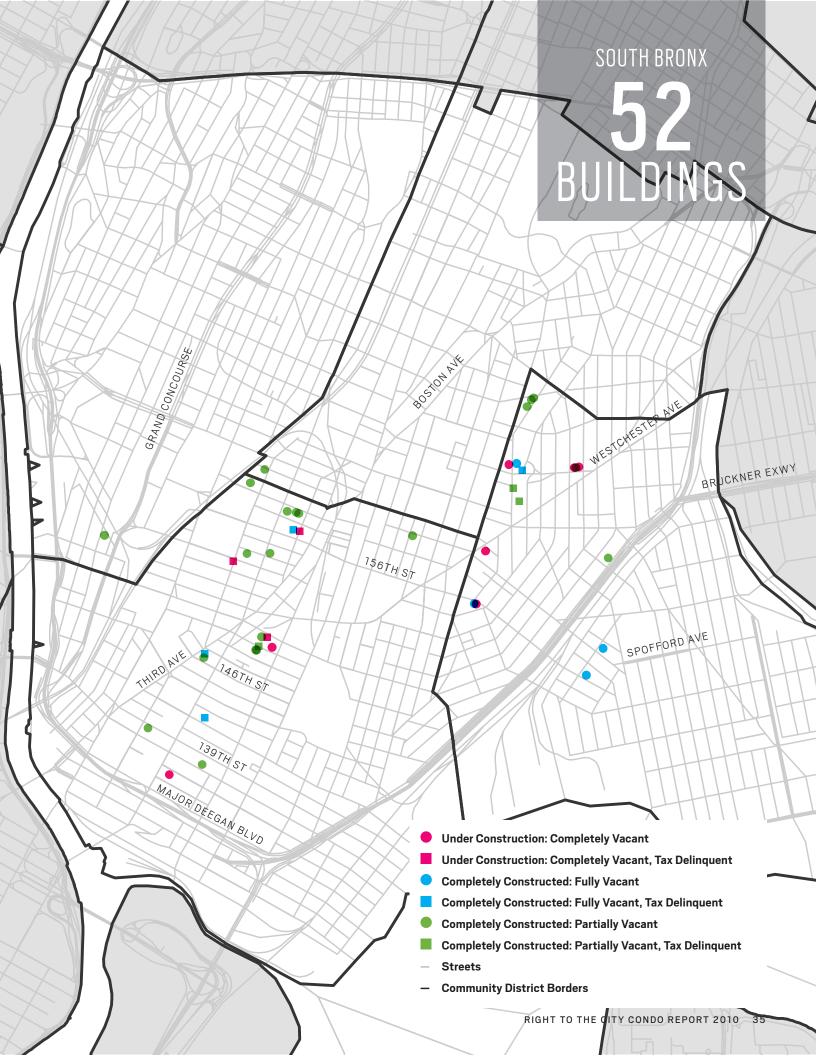
#### Barely Selling in the Bronx The Shirley Woods

TOTAL UNITS: 12 VACANCY: 67% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$842,500 PRICE /SQ FT: \$522 AMENITIES: GARAGE, FITNESS ROOM, NURSERY, ROOFTOP DECK AVERAGE MONTHLY FEE: \$631 DAYS ON THE MARKET: 385

585DAYS

**ARKFT** 

Located at 628 W 238th Street, "The Shirley Woods" is marketed as "an intimate luxury condominium residence."<sup>42</sup> Developed by Halstead Property Development Marketing LLC, the eight-story building has been open since 2007. The building is still almost 70% vacant, a clear sign that the prices are too high for neighborhood residents.



## SOUTH BRONX CONDO COUNT: 52 BUILDINGS

RTTC-NYC Canvassers in the South Bronx identified 52 luxury residential buildings through our street canvass that were completely vacant, mostly vacant, or were undergoing construction. Census tract 43 had the highest rate of condos identified, with 8 buildings. Zip code 10459 in had the highest frequency of condos identified, with a total of 17 buildings.



## MANY CONDOS IN THE S. BRONX ARE COMPLETELY Constructed and ready to house those In NEED.

- ▶ 41: Number of completely constructed residential buildings identified by RTTC canvassers that are completely or partially vacant in the South Bronx.
- ▶ 71: Estimated number of units of vacant housing identified by RTTC canvassers.

Specifically, RTTC-NYC identified:

- ▶ 8 Completely Vacant Buildings with 10 vacant units.
- > 33 Partially Vacant Buildings with 61 vacant units.

**\$943,514** THE AVERAGE PRICE FOR CONDO UNITS ON THE MARKET IN THE SOUTH BRONX.

**\$19,111** THE AVERAGE INCOME FOR A HOUSEHOLD IN THE SOUTH BRONX. TABLE 5.2: TOTAL VACANT BUILDINGS FOUND IN SOUTH BRONX

Total Buildings Found	52
Completely Constructed & Completely Vacant	8
Completely Constructed & Partially Vacant	33
Total Completely Constructed Buildings	41
Under Construction & Completely Vacant	11
Average Stories/Building	3
Average Units/Building	10

#### TABLE 5.3: COMPLETELY CONSTRUCTED VACANT BUILDINGS AND UNITS FOUND

	Number of Buildings	Number of Vacant Units
Completely Constructed	16	71
Completely Vacant	8	10
Partially Vacant	8	61

ESTIMATED NUMBER OF UNITS OF VACANT HOUSING IDENTIFIED BY RTTC CANVASSERS.



## RTTC IDENTIFIED LUXURY CONDOS THAT ARE PRICED FAR OUT OF REACH FOR CURRENT NEIGHBORHOOD RESIDENTS IN THE SOUTH BRONX.

- ▶ \$943,514: The average price for condo units on the market in South Bronx.
- ▶ \$3,056: The average price for rental units on the market in the South Bronx.
- \$19,111: The average income for a household in the South Bronx.



**120** ESTIMATED NUMBER OF UNITS OF HOUSING IN THE SOUTH BRONX THAT ARE UNDER CONSTRUCTION.

## • OWNERS ARE STRUGGLING TO SELL THESE UNITS ON THE MARKET.

- ▶ 64: Number of units identified by RTTC-NYC in the South Bronx that are for sale and have online real estate listings.
- > 280: Average number of days condo units have been on the market.
- > 209: Average number of days rental units have been on the market.

TABLE 5.4: CONDOS FOUND THAT ARE ON THE MARKETTotal Buildings with Online Listings5Total Condo Units64Total Rental Units29



# YET, HIGH-END, LUXURY BUILDINGS ARE STILL UNDER CONSTRUCTION.

- ▶ 11: Number of residential buildings in the South Bronx identified by RTTC canvassers as currently Under Construction.
- ▶ 120: Estimated number of units of housing in the South Bronx that are under construction.

#### NEIGHBORHOOD VOICES



"Us being people of color, low-income and middle income people, I really don't know the word, 'recession,' because it's been around my entire life! And now the mayor and certain other people are trying to give subsidies [through the HARP program] to buy these luxury condos, but these subsidies are going to the people who can't afford \$600,000 but maybe can squeeze out \$400,000." Cerita Parker / Member of Mothers on the Move / Born and raised in the South Bronx



▶ 12: Number of residential buildings identified in the South Bronx that are in tax arrears.

\$422,383:

Total amount owed in taxes to NYC by South Bronx building owners.

#### SOUTH BRONX DEVELOPER PROFILES

#### **JACKSON DEVELOPMENT GROUP**

The Jackson Development Group, founded in 1996, has greatly expanded development in the South Bronx, building 300 units from 1999 to 2006 and spurring neighborhood gentrification. In August, the group began construction on 640 affordable units with financing through the City's Department of Housing Preservation and Development. However, a recent NY Daily news story exposed some timely campaign contributions to Councilmember Maria del Carmen Arroyo that paved the way for the funding and project approval. Top Jackson Group executives gave the Councilmember more than \$50,000 on March 12, 2008. Less than two weeks later the Group's development plan was approved.43

### ATLANTIC DEVELOPMENT GROUP

Another affordable housing developer in the South Bronx, Atlantic Development Group, has also used HPD funding for many projects. However, the group's activities are currently under review by the City's Department of Investigation as a part of an inquiry into "allegations of bribery and influence peddling."<sup>44</sup> Specifically, Atlantic Development Group gave timely financial contributions to Councilmember Maria Baez just as the group was seeking approval for the Kingsbridge Armory redevelopment, but it was ultimately voted down.<sup>45</sup>

# WVC WEST VILLAGE & CHELSEA COMMUNITY DISTRICT 302/304/305



RTTC-NYC group leading canvass: Fabulous Independent Educated Radicals for Community Empowerment (FIERCE)

#### **Neighborhood Background**

The West Village and Chelsea neighborhoods have been a long-standing refuge for the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community in New York City. This includes local parks and piers, which provide a safe space for the LGBTQ community, particularly LGBTQ youth of color. However, this vibrant safe space has become one of the most expensive neighborhoods in the City. Long time community members are being displaced by rising rents and increased cost of living. Additionally, LGBTQ youth of color are being displaced from public spaces due to private development and police harassment linked to the gentrification of the neighborhood. However, the recent development boom has been slowly slightly by the economy, with 30 buildings currently stalled in construction in the West Village and Chelsea.46

#### Gentrification

The development of the Hudson River Park, a joint City and State project, has often been touted as a success. However, the park's restrictive hours diminish the amount of time residents can access the park which particularly impacts low-income, LGBTQ youth of color. This is especially true at the Christopher Pier (Pier 45), which has historically been a safe haven, but has become a hostile environment where LGBTQ youth of color do not feel welcome or safe. Furthermore, the park is owned and operated by a separate corporation that only has to consult

#### TABLE 7.1: NEIGHBORHOOD INFORMATION<sup>IV</sup>

	CD 302 <sup>47</sup>		CD 304/305 48	
	2000	2008	2000	2008
Population	125,567	152,633	122,241	145,155
Median Household Income	\$65,460	\$105,336	\$50,580	\$79,051
% Foreign Born	23.3%	23.2%	25.3%	22.6%
% Earning Less than \$37,865	N/A	20.3%	N/A	30.5%
Median Monthly Rent	\$1,000	\$1,869	\$875	\$1,452
Poverty Rate	9.9%	8.8%	14.4%	14.2%
Unemployment Rate	5.8%	3.2%	7.3%	6.8%

with the local Community Board, so resident's voices are often stifled. This has resulted in many park policies that neither meet the needs of the community at large nor the needs of the LGBTQ community.

#### Rezoning

Large sections of the neighborhood were rezoned in 2005 by the City Council with the West Chelsea Zoning Proposal and the Far West Village Zoning Proposal. While these proposals limited the height of new buildings and created more open space, the rezoning also paved the way for concentrated commercial and luxury residential space. In fact, the recent development has been almost exclusively expensive condos and boutique stores that do not serve the needs of many in the community.

<sup>vi.</sup> The West Village and Chelsea are unique in our sample in that their median incomes are much higher than the other neighborhoods included in our study. RTTC-NYC membership chose to include these areas because of the important role the West Village and Chelsea play to our membership who identify as LGBTQ youth of color."

Vacant in the Village Modern 23

TOTAL UNITS: 15 VACANCY RATE: 100% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$2,493,000 PRICE /SQ FT: \$1,235 AMENITIES: ROOFTOP DECK, BIKE ROOM AVERAGE MONTHLY FEE: \$1,391 DAYS ON THE MARKET: 231

NN

The Modern 23, located at 350 W 23rd St., was designed by Daniel Goldner Architects. When original real estate agents had trouble selling any of these units, Keystone Group, the developers for the project, fired them and hired individual agents to sell each unit. Still, not a single unit has been sold in the building.

## Wasteful on the West Side No. 22

AVG PRICE

TOTAL UNITS: 19 VACANCY RATE: 100% OWNERSHIP: CONDOMINIUM BUILDING TYPE: LOW-RISE AVERAGE PRICE: \$1.7 MILLION PRICE /SQ FT: \$1,425 AMENITIES: ROOFTOP DECK AVERAGE MONTHLY FEE: \$1,034 DAYS ON THE MARKET: 868

This luxury condo development at 22 Renwick and was designed by Philip Johnson/Alan Ritchie Architects. The building has been under construction since 2007, but has been plagued by development and construction problems. In December 2009, the construction company was ordered by the Department of Buildings to cease work due to hazardous on-site conditions. Prices have dropped an average of \$145,000 or 7.55% of the original prices.



AVE 10th

•

AVE

A78

BLEECKER ST

CHRISTOPHER ST

Ζ

W 23 ST

AVE OF THE AWERCAS

**\_/ =** 

WBST

W TA ST



**Under Construction: Completely Vacant** 

- Under Construction: Completely Vacant, Tax Delinquent
- **Completely Constructed: Fully Vacant**
- Completely Constructed: Fully Vacant, Tax Delinquent
- **Completely Constructed: Partially Vacant**
- Completely Constructed: Partially Vacant, Tax Delinquent Streets
- **Community District Borders**

## WEST VILLAGE/CHELSEA CONDO COUNT: 48 BUILDINGS

RTTC-NYC Canvassers in the West Village and Chelsea identified 48 luxury residential buildings through our street canvass that were completely vacant, mostly vacant, or were undergoing construction. Census tract 41 had the highest rate of condos identified, with 5 buildings. Zip code 10011 in Chelsea had the highest frequency of condos identified, with a total of 16 buildings.

23 NUMBER OF COMPLETELY CONSTRUCTED **RESIDENTIAL BUILDINGS IDENTIFIED BY** RTTC CANVASSERS THAT **ARF COMPLETELY OR PARTIALLY VACANT IN THE** WEST VILLAGE/CHELSEA.

715 ESTIMATED NUMBER OF UNITS OF **VACANT HOUSING IDENTIFIED BY** RTTC CANVASSERS IN THE WEST VILLAGE/CHELSEA.

## 

## MANY CONDOS IN THE WEST VILLAGE AND CHELSEA ARE COMPLETELY CONSTRUCTED AND READY TO HOUSE THOSE IN NEED.

- Number of completely constructed residential buildings 23: identified by RTTC canvassers that are completely or partially vacant in the West Village/Chelsea.
- > 715: Estimated number of units of vacant housing identified by RTTC canvassers in West Village/Chelsea.

Specifically, RTTC-NYC identified:

- ▶ 6 Completely Vacant Buildings with 60 vacant units.
- ▶ 17 Partially Vacant Buildings with 655 vacant units.

TABLE 7.2: TOTAL VACANT BUILDINGS FOUND IN THE WEST VILLAGE/CHELSEA

Total Buildings Found	48
Completely Constructed & Completely Vacant	6
Completely Constructed & Partially Vacant	17
Total Completely Constructed Buildings	23
Under Construction	25
Average Stories/Building	9
Average Units/Building	40

#### TABLE 7.3: COMPLETELY CONSTRUCTED VACANT BUILDINGS AND UNITS

	Number of Buildings	Number of Vacant Units
Completely Constructed	23	715
Completely Vacant	6	60
Partially Vacant	17	655



## RTTC IDENTIFIED LUXURY CONDOS THAT Are priced far out of reach for current Neighborhood residents.

**\$4,736,508** THE AVERAGE PRICE FOR CONDO UNITS ON THE MARKET IN THE WEST VILLAGE/CHELSEA.

**561** AVERAGE NUMBER OF DAYS THAT CONDO UNITS HAVE BEEN ON THE MARKET.

**192** ESTIMATED NUMBER OF UNITS OF HOUSING IN WEST VILLAGE/CHELSEA THAT ARE UNDER CONSTRUCTION.

#### NEIGHBORHOOD VOICES

\$4,736,508: The average price for condo units on the market in the West Village / Chelsea.

- ▶ \$7,716: The average price for rental units on the market in the West Village / Chelsea.
- \$92,523: The average income for a household in the West Village / Chelsea. This was the highest income neighborhood of those included in the RTTC canvass.



# OWNERS ARE STRUGGLING TO SELL THESE UNITS ON THE MARKET.

- ▶ 82: Number of units identified by RTTC-NYC in the West Village/ Chelsea that are for sale and have online real estate listings.
- ▶ 561: Average number of days that condo units have been on the market.
- 64: Average number of days that rental units have been on the market.

TABLE 7.4: CONDOS FOUND THAT ARE ON THE MARKET

Total Buildings with Online Listings	22
Total Condo Units	82
Total Rental Units	19

## YET, HIGH-END, LUXURY BUILDINGS ARE STILL UNDER CONSTRUCTION

- ▶ 25: Number of residential buildings in West Village/Chelsea identified by RTTC canvassers as currently Under Construction.
- ▶ 192: Estimated number of units of housing in West Village/Chelsea that are under construction.



"The West Village is a safe space for me and other LGBTQ people. As youth, we need somewhere to congregate and be ourselves. But the neighborhood has been changing- they're building up all these condos and gentrifying the area. When we went with Right to the City to count the empty condos in the area, I was so surprised how many we found. At FIERCE, we've been fighting the city to build a 24-hour community center on the pier. With so many empty spaces in the West Village, I don't get why we can't get the city to turn one into a center for homeless LGBTQ youth who need somewhere to go." CHRIS BAEZ, AGE 23 / MEMBER OF FIERCE

## SOME OWNERS OF THESE BUILDINGS ARE Not paying taxes, putting a financial burden The City and Neighborhood.

- ▶ 12: Number of residential buildings identified in West Village/Chelsea that are in tax arrears.
- \$350,813: Total amount owed in taxes to NYC by West Village/Chelsea building owners.

#### WEST VILLAGE / CHELSEA DEVELOPER PROFILES

#### **ROBERT GLADSTONE**

Robert Gladstone, chief executive of Madison Equities and prominent developer, has been at the forefront of the luxury development, and resulting gentrification, in the West Village. His developments include the Chelsea Modern, with condos from \$1.2 million, and 57 Irving Place, where the cheapest condo is \$6.7 million. The units in his latest project, simply named "the Townhouses," start at \$21 million, which is "the discount price." Gladstone was recently quoted as not being worried about the economic crisis, stating, "Everything that we're building right now is for the superwealthy crowd."49 Given the outrageous condo prices at his developments, it is not surprising that many are vacant and have been on the market for months.

## **ROCKROSE DEVELOPMENT**

The Rockrose Development group, founded in 1970 by three brothers, developed several large condo buildings in the West Village. Recently, when the group attempted to illegally raise rents by 500% at "the Archive," the City had to step in to enforce the lease requirements.<sup>50</sup> Recent financial troubles have also forced the group to rent many units instead of selling them; in an attempt to rent the units, the group is offering many units with free first month's rent.

#### THE IMPACT OF LUXURY DEVELOPMENT ON PUBLIC SPACE: PIER 45

In 2001, the Hudson River Park Trust, the public/private entity that manages the Hudson River Park began construction of the Christopher Street Pier (Pier 45). Pier 45 has been a historic safe space for the LGBTQ community since the 1960's and many youth have testified that the pier was the only place where they could go to be openly LGBTQ without the fear of violence they often faced in their schools and homes. In 2003, Pier 45 reopened with a new 1:00am closing time, higher priced refreshments at new concession stands, and heavily policed public restrooms by privately contracted Parks Enforcement Patrol. In addition, many new luxury condos began springing up around the pier. Today, these new restrictions, lack of affordable concessions, influx of wealthy homeowners and increased policing have resulted in the alienation of LGBTQ youth, homeless people, and poor people from this public space.

## SUMMARY: WHAT DOES RIGHT TO THE CITY'S CONDO COUNT TELL US?

## HUNDREDS OF LUXURY RESIDENTIAL BUILDINGS IN LOW-INCOME COMMUNITIES CONTAIN THOUSANDS OF VACANT UNITS OF HOUSING.

By walking the streets of each census tract within 9 community districts, RTTC-NYC has located hundreds of luxury residential buildings that exist across low-income communities in New York City. Given that RTTC-NYC's canvassing efforts were limited to 9 low-income community districts, this only represents a sample of the problem. The true number of vacant luxury housing that exists in the City is clearly much higher. DESPITE THE CLEAR FAILURE OF CURRENT LUXURY RESIDENTIAL BUILDINGS IN LOW-INCOME COMMUNITIES, HUNDREDS OF NEW LUXURY BUILDINGS ARE STILL BEING CONSTRUCTED.

Though hundreds of luxury buildings are unable to sell their units, are stalled in construction, or have entered foreclosure, still more luxury residential buildings are being constructed in low-income communities. Currently, communities do not have an adequate voice in land-use and zoning decisions, resulting in unwanted large-scale development projects.

## THE PROMOTION OF LUXURY DEVELOPMENT IN LOW-INCOME NEIGHBORHOODS IS UNSUSTAIN-ABLE FOR ECONOMIC GROWTH.

New York City has seen a large increase in luxury condominiums being developed in low-income communities. Often times, low-income neighborhoods are specifically targeted for luxury development in an effort to spur economic development in these areas. As evidenced by RTTC-NYC's research, however, the promotion of luxury development in low-income communities is not a sustainable engine for economic growth: in times of economic prosperity, luxury housing gentrifies neighborhoods and displaces families; in times of economic turmoil, these same buildings are unable to sell their units, creating ghost towns in communities with clear housing needs.

## NEW YORK CITY HAS AN Opportunity to house Thousands of low-income Families in Need of Housing.

Despite the blight that vacant units of housing are bringing to low-income neighborhoods, the current economic recession has produced an opportunity for public officials to increase the housing stock available to low-income New Yorkers. Thousands of units of housing uncovered through RTTC-NYC's canvass are completely vacant, and would be ready to house low-income New Yorkers immediately. RTTC-NYC is calling on New York City officials to seize this opportunity to provide affordable housing for low-income families in need.

# **PART 2: THE RTTC PLAN** CONVERTING VACANT CONDOS INTO LOW-INCOME HOUSING

## THE RTTC PLAN FOR CONDO CONVERSION

Based on the findings from RTTC-NYC's research, it is clear that an abundance of vacant residential properties exists in low-income communities; these buildings are harmful to our communities and are a financial drain on New York City. As such, RTTC-NYC is calling for the immediate conversion of these buildings into affordable housing for low-income families who are in desperate need. In order to create a plan to convert these condominiums, RTTC-NYC members met over the course of several months to discuss and consider a wide range of potential conversion options. The following sections outline RTTC's plan and provide information on potential mechanisms and policy options for condo conversion.

## **RIGHT TO THE CITY — NYC CONDO CONVERSION CRITERIA**

TO HELP GUIDE THE ALLIANCE IN DEVELOPING CONVERSION OPTIONS, OUR MEMBERSHIP CREATED THE FOLLOWING CRITERIA THAT ANY PROGRAM TO CONVERT VACANT RESIDENTIAL BUILDINGS MUST MEET:



## **PERMANENT AFFORDABILITY**

Any program to convert vacant residential buildings must ensure that all units are permanently affordable, meaning at no time may these units revert to market rate housing. All units converted must be free from the pressures of the speculative market.



## TARGETED TO EXTREMELY LOW-INCOME AND HOMELESS FAMILIES

Families moving into converted units must pay no more than 25% of their income on rent. Furthermore, at least half of units must be set aside for extremely low-income families making less than \$22,000 annually or families on a fixed income such as public assistance.



## **REDUCE GENTRIFICATION AND HALT DISPLACEMENT OF LOW-INCOME FAMILIES**

Any program to convert vacant residential buildings into affordable housing must permanently eradicate the potential for these buildings to gentrify neighborhoods and displace low-income families.



## 100% OF THE UNITS WITHIN TARGETED BUILDINGS MUST BE CONVERTED INTO LOW-INCOME HOUSING

All unoccupied units within a targeted building must be converted to low-income housing.

## **COMMUNITY INVOLVEMENT**

Avenues must be established for communities to be involved in the creation, implementation and oversight of any program created to convert vacant residential buildings into affordable housing.

## **CURRENT PROGRAMS**

Several affordable housing programs currently exist or are being proposed in New York City to convert failed and financially distressed residential buildings into some form of affordable housing. In developing policy recommendations for the conversion of vacant residential properties identified through our research, RTTC-NYC examined and analyzed the following programs:

## THE HOUSING ASSET RENEWAL PROGRAM (HARP)

City Council Speaker Christine Quinn, in her 2009 State of the City address, announced the creation of the Housing Asset Renewal Program (HARP), a pilot program to convert failed condominiums in the City into moderate-income housing.<sup>51</sup> The City has allocated \$20 million towards this program for the conversion of roughly 400 units, with \$10 million given from the City Council and an additional \$10 million from the Department of Housing Preservation and Development (HPD). This money will be used to subsidize failed condominiums for moderate-income households. Under HARP, a family of four can make up to \$125,720 annually and qualify for a homeownership unit or up to \$99,840 a year and qualify for a rental unit. Furthermore, affordable housing created with HARP funds need only be affordable for 30 years, after which time they may revert to market rate housing. Recently, the City was forced to extend its original deadline for developers to enter the program due to lack of interest on the part of developers, who must enter the program voluntarily.52

## **PROJECT RECLAIM INITIATIVE**

State Assembly Member Hakeem Jeffries recently announced Project Reclaim, which seeks to convert vacant condominiums into affordable housing. Jeffries initiative seeks to accomplish this through a combination of "debt refinancing, financial restructuring, and ensuring banks contribute to the neighborhood's revitalization."<sup>53</sup> Additionally, Jeffries has introduced legislation in the State Assembly that would give the State of New York Mortgage Insurance Fund the power to help finance the conversion of luxury buildings into affordable housing. Project Reclaim would seek to offer developers of failed condominiums tax incentives and bond financing to encourage the development of affordable housing. Similarly to HARP, Project Reclaim relies on the voluntary participation of developers of failed condominiums.

## THIRD PARTY TRANSFER INITIATIVE

The Third Party Transfer Initiative was created in 1996 to allow the City to transfer tax delinquent properties directly to a third party without publically acquiring or managing the buildings.⁵⁴ This program was created in response to a growing number of buildings entering in rem tax foreclosure throughout the 1960s and 1970s. Although several of the buildings that have entered the Third Party Transfer Initiative have been transferred to non-profit developers for the creation of affordable housing, most of the buildings are simply transferred back to private owners who use the buildings for market rate rental or homeownership units. Since the program's inception, 5,137 properties have entered this program, and 4,444 of these properties were converted into affordable housing.

## RTTC-NYC ANALYSIS OF CURRENT PROGRAMS

Although RTTC-NYC supports aspects of each of the above programs, none completely satisfies the criteria identified by our membership for the conversion of vacant residential buildings into lowincome housing. None of these programs specifically target low-income families, who are most in need of housing. Furthermore, while these affordable housing programs may provide low-income communities with a temporary protection against the threat of gentrification and displacement, none provides for permanent affordable housing. Any luxury residential building converted into low-income housing through these programs may eventually revert to market rate at some point in the future. Finally, none of these programs provide avenues for communities to become involved in the creation, implementation, and oversight of these programs.

## **OPTIONS FOR CONDO CONVERSION**

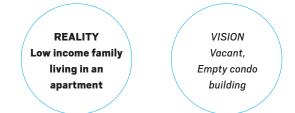
In order to facilitate the conversion of vacant condominiums into low-income housing, the city, state, or federal government must first acquire these properties. New York City and State government officials both have the power to forcibly acquire distressed and financially troubled properties and facilitate their conversion into low-income housing; the City maintains this power through the tax foreclosure process, and the State through its power of eminent domain. RTTC-NYC has also identified two methods for owning and operating these buildings that meet RTTC-NYC's condo conversion criteria: through government-owned and operated public housing or through communitycontrolled community land trusts.

## ACQUIRING VACANT RESIDENTIAL BUILDINGS: TAX FORECLOSURE & EMINENT DOMAIN

The foreclosure and eminent domain processes have both contributed to the ongoing gentrification and displacement of low-income people. However, this does not need to be the case. City and state officials could utilize these processes to benefit low-income communities by seizing vacant residential buildings and facilitating their conversion into quality low-income housing.

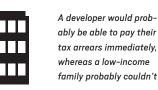
## METHODS FOR OWNING AND OPERATING LOW-INCOME HOUSING: PUBLIC HOUSING & COMMUNITY LAND TRUSTS

RTTC-NYC identified two methods for owning and operating vacant residential buildings that meet the criteria established by our membership: Public housing and community land trusts.



#### LATE ON PAYMENTS FOR ONE YEAR ...

Owner is behind on property charges for 1 year, the city names them as potential candidates for a tax lien.



## + 90 DAYS

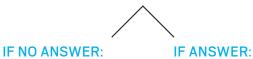
#### THE CITY SELLS A TAX LIEN ON THE PROPERTY

A THIRD PARTY (THE SERVICER) BUYS THE TAX LIEN

The Servicer can then initiate the foreclosure process Low income family must use their limited resources to hire a lawyer to help them during the foreclosure process, whereas a big developer can already afford a lawyer.

SERVICE OF PROCESS BEGINS (RIGHT OF REDEMPTION PERIOD BEGINS) — SUMMONS AND COMPLAINT FILED

Answer due in 20 or 30 days.

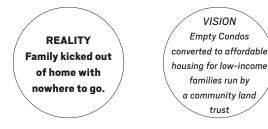


'motion for order of reference' filed

If answer, then moves into 'discovery' time period, then 'motion for summary judgment' filed. **1. IF DENIED**, moves to trial or settlement. **2. IF GRANTED**, 'motion for order of reference' filed.

AFTER 'MOTION FOR ORDER OF REFERENCE (UNDER EITHER I OR 2 ABOVE), THE 'MOTION FOR JUDGMENT OF FORECLOSURE AND SALE' IS FILED AND SIGNED BY COURT.

At least 30 days later, the property goes up for auction, at which point the right of redemption period ends.



## OPTION 1 FOR AQUISITION: **TAX FORECLOSURE**

#### What is Tax Foreclosure?

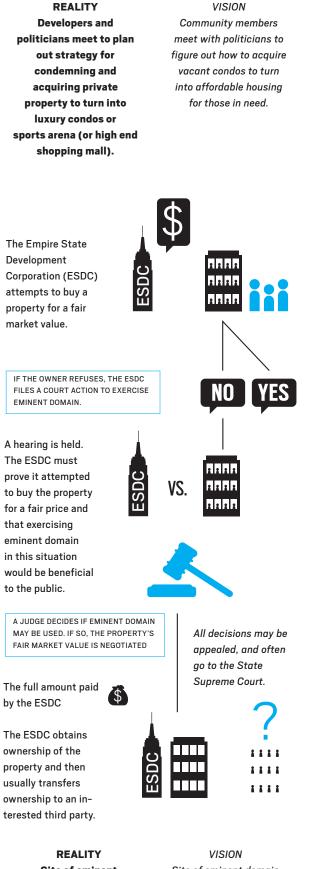
When a property is behind on taxes, the City, as a way to recoup tax losses, sells tax liens. Tax liens allow the lien-holder to collect the taxes formerly owed to the City. Only certain properties are eligible to have tax liens sold and the regulations vary by the size of the building; large residential properties with 4 or more units have to be a year or more delinquent on property-related taxes, including property, water, and sewer taxes. Once the tax lien is sold to a third party, the tax foreclosure process can begin. This process usually takes 6 to 18 months, during which the property owner may stop foreclosure at any point by paying all taxes owed. This period, known as the Right of Redemption, ends when the property is finally sold in an auction.

## Tax Foreclosure: An Agent of Gentrification & Displacement in New York City

The foreclosure process disproportionally affects low-income communities in New York City and across the country. In several low-income, predominately people of color neighborhoods included in RTTC-NYC's condo count, such as Bushwick and Bedford Stuyvesant in Brooklyn, the mortgage foreclosure rate more than doubled between 2005 and 2007, where as the rates in higher-income neighborhoods remained virtually the same. Tax foreclosure often affects low-income communities in a similar way. In Bushwick Brooklyn, 14 properties have entered the in rem tax foreclosure process within the last three rounds (usually takes 8-18 months), and 17 properties have done so in Central Harlem. In many high-income neighborhoods, such as the Upper East Side, no properties have entered the in rem tax foreclosure process in the same period.<sup>55</sup>

#### **Redefining Tax Foreclosure**

While the tax foreclosure process has served as an agent of gentrification and displacement in low-income communities in New York City, the current economic crisis has also created an opportunity for New York City to facilitate the conversion of tax delinquent vacant residential building in low-income communities into quality affordable housing. Through the Third Party Transfer Initiative, the City has already set a precedent for the conversion of tax delinquent properties into affordable housing. RTTC-NYC is calling on the City to convert these buildings into public housing or community land trusts to ensure these buildings remain permanently affordable.



## OPTION 2 FOR AQUISITION: EMINENT DOMAIN

#### What is Eminent Domain?

Eminent Domain is the process by which a government can obtain private property for "public use" by forcibly purchasing the land at fair market value.<sup>56</sup> In New York State, the Empire State Development Corporation (ESDC), which is the main public authority that finances many state development projects, has the power to obtain land through eminent domain. The ESDC can purchase the land at fair market value, at a price determined by the State Supreme Court.

#### Eminent Domain: An Agent of Gentrification and Displacement in New York City

In 2005, the U.S. Supreme Court broadened the powers of eminent domain by ruling that governments may seize private property for economic development purposes, arguing such development constitutes a public good by creating jobs and economic growth.<sup>57</sup> Following this ruling, more than 40 states passed laws restricting the government's ability to use eminent domain to seize private property. New York State, however, was not among them, and continues to use its power of eminent domain to pave the way for large-scale, luxury development projects, helping further the gentrification of lowincome communities. In a recent and controversial example, New York State used its eminent domain powers to seize 22-acres of land in Brooklyn to build an arena for the New York Nets basketball team and 16 high-rise residential towers, the vast majority of which will be luxury, market-rate housing despite the proliferation of failed luxury housing that already currently exists in this area.58

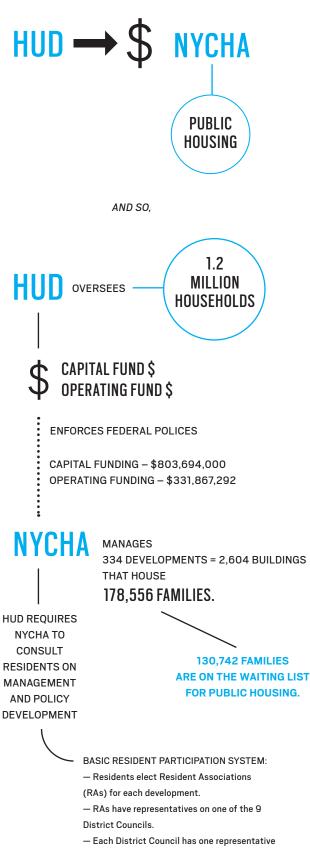
#### **Redefining Eminent Domain**

In recent years, eminent domain has been a powerful tool for developers to support and fuel the process of gentrification in low-income communities of color in New York City. RTTC-NYC is calling on New York State to stop using eminent domain as an agent of gentrification in low-income communities; instead, the State must use this process for the public benefit of these communities as originally intended. New York State could begin to use eminent domain to benefit lowincome communities by seizing vacant residential buildings and converting them into low-income housing.

Site of eminent domain is turned into luxury condos and sports arena that is not accessible to existing community



GENERALLY SPEAKING,



on the Citywide Council of Presidents.

## OPTION 1 FOR OWNERSHIP: **PUBLIC HOUSING**

#### What is Public Housing?

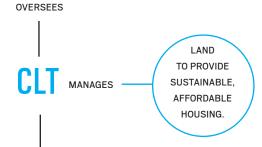
Public housing is a Federal government-run affordable housing program for low-income people, which provides a permanent and affordable housing option for low-income communities in New York City. According to Federal law, public housing residents pay no more than 30% of their income on rent, leaving low-income tenants with resources for other needs, such as transportation, food, and childcare. However, trends in affordable housing policy in New York, and across the country, are currently favoring private, market-based affordable housing programs. These trends have resulted in severe disinvestment in the public housing system in New York City and the destruction of public housing buildings in cities all across the country. The New York City Housing Authority, which operated the City's vast public housing system, is currently maintaining a deficit of \$137.1 million due to disinvestment at all levels of government.59

Why Convert Vacant Residential Buildings Into Public Housing? Public housing meets each of the housing requirements outlined by the RTTC-NYC membership. As a government-run program, the public housing system is unaffected by trends in the private real estate market, guaranteeing a reliable and permanent source of affordable housing for low-income families in New York City. Converting failed condominiums and other vacant residential buildings into public housing would simultaneously increase the amount of permanent, affordable housing stock in the City and help to ease the rate of gentrification and displacement in low-income neighborhoods caused by luxury development. Furthermore, federal regulations grant public housing residents with specific rights to engage in decision-making around housing policy. No similar rights exist in the private housing system. While more significant decisionmaking power should be granted to public housing residents, the existing structures for resident participation provide a meaningful opportunity for public housing residents to collaborate with local housing authorities in the development of housing policy. While public housing provides low-income people with a reliable source of affordable housing, RTTC-NYC also recognizes certain limitations with the program. Notably, federal policy restricts certain people, such as convicted felons and undocumented immigrants, from being admitted into public housing. In converting vacant condominiums into public housing, RTTC-NYC believes these barriers should be removed to allow all low-income people the opportunity to access this critical low-income housing option.

BOARD OF

Typically made up of an equal number of elected residents, public officials and other community members.

DIRECTORS



#### PERPETUAL AFFORDABILITY

The CLT retains an option to repurchase any residential (or commercial) structures located upon its land, should their owners ever choose to sell.

#### LAND TAKEN OUT OF SPECULATIVE MARKET

The resale price is set by a formula contained in the ground lease that is designed to give present homeowners a fair return on their investment, while giving future homebuyers fair access to housing at an affordable price.

#### **BUILDING OWNERSHIP**

Any building already located on the land or later constructed on the land is sold off to an individual homeowner, a cooperative housing corporation, a nonprofit developer of rental housing, or some other nonprofit entity, which then rents or sells units to individual residents.

## + ALSO

Mutual Housing Associations are community-based organizations with a board of directors primarily made up of residents that manage/own land AND all the buildings on that land.

## OPTION 2 FOR OWNERSHIP: COMMUNITY LAND TRUSTS

#### What is a Community Land Trust?

A Community Land Trusts (CLTs) is a non-profit organization that buys and manages land for the purpose of providing low to moderate-income housing. Homeowners within a CLT are only permitted to sell their homes back to the land trust or to another low-income family, which guarantees that the units of housing remain permanently affordable. CLTs are typically governed by an elected board of directors made up of residents, public officials, and community members, allowing for increased community involvement in decision-making within the land trust.<sup>50</sup> CLTs are often partnered with Mutual Housing Associations (MHAs), which provide community members with decision-making control over the buildings in addition to the land within a land trust.

#### Why Convert Vacant Residential Buildings Into Community Land Trusts?

Community Land Trusts meet all of the requirements outlined by our membership. CLTs are community controlled, and they have the power to ensure that housing with the land trust remain permanently affordable for low-income families in New York City. Converting the land on which vacant residential buildings are located into CLTs would increase the amount of permanent, affordable housing options for low-income people. Likewise, converting this land into CLTs would provide low-income communities with a permanent safeguard against gentrification and displacement.

## **THINK OUTSIDE THE BOX!**

#### SUPPORTIVE HOUSING

RTTC-NYC encourages the City to consider the wide-range of a community needs when creating programs to convert vacant residential properties. In addition to the need for affordable housing options, some low-income New Yorkers often require additional support to maintain stable housing, such as job training, substance use and mental health counseling, and treatment adherence support. There is already a precedent in New York City for the conversion of market-rate housing into supportive housing, which promotes long-term housing stability and reduces utilization of costly public services.<sup>61</sup> In a recent example, the City converted a luxury condominium in Crown Heights into a homeless shelter after the building was unable to sell any of its units.<sup>62</sup> RTTC-NYC believes the City should convert additional vacant residential buildings into affordable housing that provide these supportive services.

#### **COMMUNITY CENTERS**

Many low-income neighborhoods in New York lack spaces for community members to socialize, exercise, and recreate. Furthermore, many of the community centers that do currently exist for low-income people lack full city funding and are in danger of closing. Over the last several years, for example, the New York City Housing Authority has contemplated closing many of their community centers in an attempt to offset the costs of its mounting deficit.<sup>63</sup> Similarly, the City rejected a community-friendly proposal for the development of Pier 40 in the Hudson River Park that included a drop-in community center for Lesbian, Gay, Bisexual, Transgender and Queer youth (this community-friendly plan was advocated by a coalition that included RTTC-NYC member organization FIERCE). Generally, community centers are not prioritized for development because they are not revenue generating. However, they are critical to the health and well-being of neighborhood residents. Given the need for increased community space in low-income communities, and the impact they could have on public health, the City should consider converting several vacant residential properties, particularly storefront spaces, into community centers.

## **RTTC-NYC CONDO CONVERSION RECOMMENDATIONS**

Following RTTC-NYC's extensive research into the state of vacant residential buildings in New York City and thorough analysis of potential policy options for the conversion of these properties into low-income housing, RTTC-NYC's membership engaged in a participatory process to craft the following set of recommendations that could facilitate the conversion of vacant residential buildings into low-income housing:

## **NEW YORK CITY'S DEPARTMENT OF FINANCE SHOULD:**

- Acquire vacant residential buildings in tax foreclosure and sell them to a Community Land Trust for \$1, or;
- Acquire all vacant residential buildings in tax foreclosure and transfer these properties to the Federal Government's Department of Housing and Urban Development (HUD), which must provide subsidies for the operation of these buildings as public housing.

## NEW YORK STATE'S EMPIRE STATE DEVELOPMENT CORPORATION SHOULD:

- Condemn and seize all completely vacant residential buildings that have been unable to sell any of their units for over 1 year through eminent domain, and then sell the land for \$1 to a Community Land Trust, or;
- Condemn and seize all completely vacant residential buildings that have been unable to sell any of their units for over 1 year through eminent domain and transfer the buildings to the Federal Government's Department of Housing and Urban Development (HUD), which must provide subsidies for the operation of these buildings as public housing.

# MAYOR MICHAEL BLOOMBERG AND THE NEW YORK CITY COUNCIL SHOULD:

- Pass the Housing Not Warehousing Legislation (Intro 48) that has been introduced by City Council Member Melissa Mark Viverito to create an annual, city-run count of all vacant properties and lots in New York City, and;
- Pass legislation that requires owners to register all units and lots that are vacant for more than a year with the city and pay a registration fee. This revenue should be set aside to help finance the conversion of vacant residential properties into low-income housing.
- Pass legislation to invalidate a building's 421-A tax exempt status if the building is vacant and warehoused for a year.

# PART 3: APPENDIX

## APPENDIX A: METHODOLOGY HOW RTTC-NYC CONDUCTED THE CONDO COUNT

Over a 6-month period, members of RTTC-NYC conducted this research project using a participatory research model. With research support from the Community Development Project of the Urban Justice Center and data support from the Furman Center for Real Estate and Urban Policy at New York University, members of RTTC-NYC took part in each aspect of the research process, including the design of research questions and field surveys, canvassing, and the review and editing of the report.

Members of RTTC-NYC developed the following questions to guide the Alliance's research:

> What is the state of vacant and stalled residential buildings in

low-income communities?

- How are vacant condominiums and stalled construction projects affecting low-income communities?
- What policies helped contribute to this problem?
- What opportunities exist to convert vacant condos into low-income housing?
- What are the most effective policy and financing options to covert them?

The research design for this project consisted of two phases, including:

## **PHASE 1: FIELD RESEARCH**

The primary goal of the field research phase was to locate and document information about all vacant residential buildings that exist within our targeted low-income neighborhoods in New York City. To accomplish this, RTTC-NYC set out to walk the streets of 9 community districts within the city that cover the following neighborhoods: Downtown Brooklyn, Bushwick Brooklyn, Lower East Side, West Village/Chelsea, East/Central Harlem and the South Bronx. RTTC-NYC members chose to focus our field efforts on these areas because each had been recently rezoned or targeted for luxury development. Additionally, RTTC-NYC member organizations have an active low-income membership base in each of these communities. Members who live or spend time in these communities, moreover, have reported an increase in the amount of luxury residential development occurring in these neighborhoods.

#### **FIELD SURVEY**

Utilizing a field survey that was developed by RTTC-NYC members and researchers through a participatory process, canvassers were instructed to document information about any buildings that fell into one of the following categories:

- 1. Completely Constructed & Completely Vacant Buildings
- 2. Completely Constructed & Partially Vacant Buildings (at least 50%)
- 3. Building Undergoing Construction & Completely Vacant

Canvassers were instructed to complete a field survey for any residential building that appeared to be at least 50% vacant. In order to identify if a building was at least 50% vacant, canvassers were instructed to look for some of the following indicators of the building's occupancy rate: presence of household items in windows, such as curtains, furniture or air

conditioning units; number of units with lights on within a building; number of units without names listed on mailboxes or doorbells; and amount of people exiting and entering the building. Canvassers were also instructed to gather information about the vacancy rate of a building by speaking with construction workers, residents of the building, nearby neighbors, and building personnel, such as a building manager or door person. For each building located, the survey instructed canvassers to collect information such as: the number of stories and units within a building; building type; signage, including any contact information listed on the building; Department of Building permit information; any evidence of construction; and any evidence that the building is vacant.

#### MAPS OF TARGETED NEIGHBORHOODS

With support from the Furman Center for Real Estate and Urban Policy, RTTC-NYC mapped out 245 census tracts included within these 9 community districts. To help canvassers locate newly constructed residential buildings within our targeted census tracts, RTTC-NYC also mapped out the location of every building that had received a building permit from New York City's Department of Buildings between the years of 2006 to 2008.

#### **CANVASSING TRAININGS**

In order to completely canvass each of the 245 census tracts within the selected community districts, researchers and organizers trained a team of over 150 RTTC-NYC members and allies in canvassing and data collection techniques. Each RTTC-NYC base-building organization focused canvassing efforts within a particular neighborhood. In addition, several large-scale, alliance-wide canvassing days were held in which all RTTC-NYC member organizations would focus canvassing efforts on a particular neighborhood. RTTC-NYC completed the field research phase of this project over the course of three months.

## **PHASE 2: SECONDARY RESEARCH**

Following the completion of the field research, members of RTTC-NYC groups, with support from the Community Development Project at the Urban Justice Center, analyzed the data gathered and conducted secondary research to compile additional information about the condos that were identified.

#### DATA SOURCES AND INFORMATION GATHERED

- Real Property Assessment Database (RPAD): Researchers used this database to identify the owner of the buildings, number of floors and units in each building, and the year each building was built; researchers ran each canvassed address through RPAD.
- NYC Department of Buildings: Researchers obtained certificate of occupancy information for each building, and compared the addresses included in our canvass with the city's stalled construction list.
- NYC Department of Finance: Researchers looked up the amount each building owes in tax arrears, and the amount of time each property has been delinquent on paying property, water, and sewer taxes.
- Streeteasy.com and Propertyshark.com: Researchers used these and other online real estate websites to identify the average price and time on the market for the buildings canvassed.
- Offering Plans: Researchers obtained these plans, which condominium owners are required to submit to the Real Estate Finance Bureau (REFB), from the Attorney General's office through Freedom of Information Act (FOIA) requests. They were reviewed in order to find further information about vacancy rates and pricing of the condos.

#### CALCULATION OF VACANCY RATE

To determine the total number of vacant units in the buildings canvassed, researchers primarily relied on information provided by canvassers through the field research as well as the RPAD database, which provided researchers with the total number of units that exist in each building.

Completely Constructed and Completely Vacant & Under Construction and Completely Vacant: For buildings identified by canvassers as Completely Constructed and Completely Vacant, or as Under Construction and Completely Vacant, RTTC-NYC added the total number of units for these buildings through information provided by RPAD.

• Completely Constructed and Partially Vacant: To determine the total number of vacant units in buildings identified by canvassers as Completely Constructed and Partially Vacant, researchers relied on the total number of online real estate listings available for each building as an indicator of the building's vacancy rate. For partially vacant buildings that were not maintaining online real estate listings, researchers estimated that 50% of these units were unoccupied, which was the minimum requirement for canvassers to include a building within the field research phase of the project.

#### **REMOVAL OF DATA**

While conducting secondary research, RTTC-NYC removed from the data set any building identified during the field research that fell into one of the following categories:

- 1) building was less than 30% vacant
- 2) primary purpose was not residential
- 3) no exact address available

4) building was in the very early stages of construction, or was an empty lot.

## **APPENDIX B: FIELD SURVEY**

<b>RIGHT TO THE CITY</b> :	: VACANT CONDO C	ANVASS SHEET	
Surveyor Name	Org	Date	_ Census Dist
BUILDING I.D.			
Street Number Photo #	_ Street Name		Camera #
Street Name Suffix (Ave., Blvd., St., etc)Borough			
If building address is not visible, note the side streets, as well as the addresses of nearby buildings and where they in relation to the building			
Cross Streets:			
Addresses of nearby buildings:			

#### FIELD FINDINGS

**Only complete this section for buildings that appear to be 50% vacant.** We are looking for buildings that are: 1. Residential; 2. Newly constructed; 3. Newly renovated; 4. Fully built but DO NOT appear to be lived in; OR 5. NOT fully constructed and construction seems to have stopped. For the questions below, please circle Y or N and write additional information in space provided. Please record as much information as possible.

#### **BUILDING AND UNIT DESCRIPTION**

Number of Stories	Building Type	(Highrise, Brownstone, tenement, etc)
Completed Building or Ev	idence of Construction (ci	rcle one <u>)</u>
How many units? (count	doorbells or mailboxes)	Commercial Space? Y / N
Evidence that people are	living in any of the units?	Y / N

#### SIGNAGE:

Development Company listed on the l	puilding? Y / N Co. Name:
Real estate agent listed on the buildin	g? Y / N Name:
Contact number/website listed on the	e building? Y / N Number/website:
Is there a for sale sign on the building	? <b>Y / N</b>
Is there a price point listed? Y / N	Amount: \$
Other advertising or signage? Y / N	Type and contact info:

NOTES:\_\_\_\_\_\_

## **APPENDIX C: RESEARCH LIMITATIONS**

For buildings identified by canvassers as Completely Constructed and Partially Vacant, researchers were unable to rely solely on RPAD information to determine vacancy rate, which does not provide the total number of vacant units included in each building. For buildings identified as partially vacant, researchers relied on a combination of field observations and online real estate listing to estimate vacancy rate, which produced a less precise number. For 138 buildings identified by canvassers in our field research, RPAD information was unavailable. For these buildings, RTTC-NYC was unable to collect information such as the owner, number of units in each building, number of floors, and the year built. Given the absence of this information, the total number of vacant units in our study is likely higher. Through the Freedom of Information Act (FOIA), RTTC-NYC was able to request the offering plans of each condominium identified in our field research. A thorough review of these plans would have allowed RTTC-NYC to gather a precise number of vacant units for the buildings included in our study. However, RTTC-NYC was limited to viewing 5 offering plans per visit to the REFB, and each FOIA request required up to 3 months to process, so a thorough review was not possible. For two of our target neighborhoods- Bushwick and the South Bronx-very limited information about our canvassed buildings were available on online real estate listings. Consequently, for these two areas, RTTC-NYC was only able to gather limited information about the price points and vacancy rates of canvassed buildings, vacancy rates, and the time these units have been on the market.

## **APPENDIX D: NEIGHBORHOOD BOUNDARIES FOR STREET CANVASS**

**Lower East Side:** In this report, the Lower East Side refers to the area encompassed by Manhattan Community District 3. This area is bordered by 14th Street in the north, the East River on the east, Fourth Avenue and the Bowery on the west, and to the Manhattan Bridge in the south. Community District 3 also includes many smaller neighborhoods, including, Alphabet City, the East Village, Chinatown, Little Italy, Two Bridges and Nolita.

**Harlem:** In this report, Harlem refers to Manhattan Community Districts 310 and 311, which encompass the neighborhoods of Central and East Harlem, or El Barrio. Together, the boundaries of these two districts include the East River on the east, to St. Nicholas Avenue on the west, from 96th Street and Central Park North in the south and the Harlem River to the north.

**Downtown Brooklyn:** In this report, Downtown Brooklyn refers to Community District 202 and 203, which encompass the neighborhoods of Fort Greene, Brooklyn Heights and Bedford Stuyvesant. Bordered to the west by the East River, this area stretches all the way east to Broadway where it borders the neighborhood of Bushwick. This area is just south of Williamsburg and just north of the Prospect Heights area.

**Bushwick, Brooklyn:** In this report, Bushwick refers to Community District 304, which encompasses the neighborhood of Bushwick Brooklyn. This area is bordered by Flushing Ave to the west, Broadway to the south, Highland Blvd to the east, and the Queens Borough line to the north.

**South Bronx:** In this report, the South Bronx refers to Community Districts 101 and 102, which are bordered by the Harlem and East River to the south and east. The west and north border follows Park Ave and 161st Street, and then to Prospect Ave and 169th St. This area includes, but is not limited to, the smaller neighborhoods of Melrose, Mott Haven and Hunt's Point.

**West Village and Chelsea:** In this report, the West Village and Chelsea refers to Community Districts 302, 304 and 305, the western border of which is the Hudson River. The eastern border follows Bowery/Lexington Ave, while the southern border is Canal St and the northern border in Central Park/59th St. Smaller neighborhoods in this area include Greenwich Village, Chelsea, Clinton, and SoHo.

## **ENDNOTES**

1. Fernandez, Manny. "As City Adds Housing for Poor, Market Subtracts It." New York Times, Oct 9th, 2009. Available Online at: http://www.nytimes.com/2009/10/15/nyregion/15housing.html

2. This number excludes the West Village/Chelsea, which maintains a much higher median income than the other neighborhoods included in the study.

3. New York City's Department of Building Stalled Construction List. April 11th, 2010.

4. New York City's Department of Building Stalled Construction List. April 11th, 2010. Community Districts 202, 203.

5. State of New York City's Housing and Neighborhoods, 2002 and 2009, Furman Center for Real Estate and Urban Policy. Community District 202.

6. State of New York City's Housing and Neighborhoods, 2002 and 2009, Furman Center for Real Estate and Urban Policy. Community District 203.

7. "DoBro-Fort Greene's Forte Comes Back on the Market at A Discount." Curbed NY, November 23rd, 2009. Available online at: http://ny.curbed.com/archives/2009/11/23/dobrofort\_greenes\_forte\_comes\_back\_on\_the\_market\_at\_a\_discount.php

8. Fahim, Kareem. "Controversial Architect Is Barred by City." New York Times, March 3rd, 2010. Available Online at: http://www.nytimes.com/2010/03/04/ nyregion/04scarano.html?partner=rss&emc=rss

9. Lewis, Christina S.N. "Brooklyn Condo Scooped Up by German Investors, via Atlanta." Wall Street Journal, Nov 11th, 2009. Available online at: http://blogs.wsj. com/developments/2009/11/11/brooklyn-condo-scooped-up-by-german-investors-via-atlanta/?KEYWORDS=Jamestown+Properties

10. Ibid.

11. State of New York City's Housing and Neighborhoods, 2002 and 2009, Furman Center for Real Estate and Urban Policy. Community District 303.

12. New York City's Department of Buildings Stalled Construction List. April 111th, 2010. Community District 303.

13. Ibid.

14. Contextual districts have street wall and total building height limits and require that buildings be constructed at or near the street line

15. http://cityroom.blogs.nytimes.com/2008/07/15/lower-east-siders-deliver-petition-against-re-zoning-plan/?scp=7&sq=zoning%20east%20villagst=cse

16. 'Nolitan hotel violates area zoning, DOB says.' The Real Deal, Jan 22, 2010. Available online at: http://therealdeal.com/newyork/articles/little-italy-nolitanhotel-at-corner-of-kenmare-and-elizabeth-streets-violates-area-zoning-department-of-buildings-says

17. "Orchard Street Hell Building Fans the Flames Anew." Curbed NY, February 3rd, 2010. Available online at: http://ny.curbed.com/tags/180-orchard-street

18. Salkin, Allen. "Lower East Side is Under a Groove." New York Times, June 3rd, 2007. Available Online at: http://www.nytimes.com/2007/06/03/ fashion/03misrahi.html?pagewanted=2

19. New York City's Department of Buildings Stalled Construction List. April 11th, 2010. Community Districts 310 and 311.

22. PLANYC Website, "Columbia University Expansion." Available online at: http://www.plannyc.org/taxonomy/term/689

23. Christine Haughney, "Tenants Struggle as a British Landlord Goes Bust," New York Times, December 21, 2009, available online at: http://www.nytimes. com/2009/12/22/nyregion/22dawnay.html?pagewanted=1&\_r=1&sq=dawnay%20day&st=cse&scp=1

24. Lee, Jennifer. "Harlem Rezoning Plan is Under Fire." New York Times, City Room Blog, January 24th, 2008. Available online at: http://cityroom.blogs.nytimes. com/2008/01/24/harlem-rezoning-plan-is-under-fire/

25. Williams, Timothy. "Compromise is Reached in Harlem Rezoning." New York Times, April 16th, 2008. Available online at: http://www.nytimes. com/2008/04/16/nyregion/16rezone.html?scp=7&sq=125th%20street%20rezoning&st=cse

26. Lee, Jennifer. "Harlem Rezoning Plan is Under Fire." New York Times, City Room Blog, January 24th, 2008. Available online at: http://cityroom.blogs.nytimes. com/2008/01/24/harlem-rezoning-plan-is-under-fire/

27. "Luxury Condo Developer Markets Their New South Harlem, NYC Building Creatively". June 5th, 2008. Salem Global Internet Website Marketing. Available online at: http://www.salemglobal.com/press-releases/manhattan-luxury-condo-marketing.php

28. RGS Holdings Website. Accessed April 6th, 2010. http://rgsholdings.com/

29. New York City's Department of Buildings Stalled Construction List. April 11th, 2010. Community District 204.

30. State of New York City's Housing and Neighborhoods, 2002 and 2009, Furman Center for Real Estate and Urban Policy. Community District 204.

31. NYC Government Press Release. News From the Blue Room, February 10th, 2005. Available online at: http://www.nyc.gov:80/portal/site/nycgov/menuitem. c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pageID=mayor\_press\_release&catID=1194&doc\_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom% 2Fhtml%2F2005a%2Fpr058-05.html&cc=unused1978&rc=1194&ndi=1

32. Fahim, Kareem. "Judge Temporarily Prohibits Work at Broadway Triangle in Brooklyn." New York Times, December 23, 2009. Available online at: http://www. nytimes.com/2009/12/24/nyregion/24triangle.html

33. No data available for the average length of time rental units have been on the market in Bushwick.

34. "Castle Briad: Mayer Schwartz's Art Utopia?" Brooklyn Brownstoner, Sep 2009. Available online at http://www.brownstoner.com/brownstoner/archives/2009/09/castle\_braid.php 35. http://bushwickbk.com/2010/02/03/state-insures-mortgage-for-castle-braid/

36. "Not Every Developer Giving Up on Gowanus Canal." Curbed NY, March 3rd, 2010. Available Online at: http://ny.curbed.com/archives/2010/03/03/not\_every\_developer\_giving\_up\_on\_gowanus\_canal.php

37. "Fancy Bushwick Condos Could Go Rental" NY Curbed. Jan 20, 2009. Available Online at: http://ny.curbed.com/tags/knickerbocker-condos

38. New York City, Community District Profiles for CD 101 & 102. Available online at: http://www.nyc.gov/html/dcp/html/lucds/cdstart.shtml

39. State of New York City's Housing and Neighborhoods, 2002 and 2009, Furman Center for Real Estate and Urban Policy. Community District 101/102.

40. Dolnick, Sam. "Voting 45-1, Council Rejects \$310 Million Plan for Mall at Bronx." New York Times, Dec 14th 2009. Available online at: http://www.nytimes. com/2009/12/15/nyregion/15armory.html

41. "Mayor Bloomberg Announces South Bronx Initiative" Press Release, NYC Department of Housing Preservation and Development. June 17th, 2008. Available online at: http://www.nyc.gov/html/hpd/html/pr2008/pr-06-16-08.shtml

42. Shirley Woods Condominium Website. Accessed April 6th, 2010. http://www.theshirleywoods.com/

43. Einhorn, Erin and Benjamin Lesser. "You Can Color The City Council Green." Daily News, June 1st, 2009. Available online at: http://www.nydailynews.com/ news/politics/2009/05/31/2009-05-31\_city\_council.html

44. Ibid.

45. Ibid.

46. New York City Department of Buidings Stalled Construction List. April 11th, 2010. Community Districts 302, 304 and 305.

47. State of New York City's Housing and Neighborhoods, 2002 and 2009, Furman Center for Real Estate and Urban Policy. Community District 302.

48. State of New York City's Housing and Neighborhoods, 2002 and 2009, Furman Center for Real Estate and Urban Policy. Community District 304/305.

49. Marino, Vivan. "Square Feet: The 30-Minute Interview, Robert Gladstone." New York Times, November 13, 2009. Available online at: http://www.nytimes. com/2009/11/15/realestate/commercial/15SqFt.html

50. Gold, Ed. "Real Estate Development Corporation Does Right by the Community." SoHo Journal. Available online at: http://www.sohojournal.com/content/puregold-newsflash%E2%80%94real-estate-development-corporation-does-right-community

51. Speaker Christine Quinn. "State of New York City Address." February 12, 2009. Transcript available online at" http://council.nyc.gov/html/soc/2009\_speech. pdf

52. Buckely, Cara. "City's Affordable Housing Program Faces Trouble Finding Buyers." New York Times, February 18, 2010. Available online at: http://www.ny-times.com/2010/02/19/nyregion/19affordable.html?scp=7&sq=HARP&st=cse

53. Assemblymember Hakeem Jeffries, Community Housing Report, Fall 2009. Available online at: http://assembly.state.ny.us/member\_files/057/20090827/

54. NYC Department of Housing Preservation and Development, Third Party Transfers. Available online at: http://www.nyc.gov/html/hpd/html/developers/third-party-ownership.shtml

55. HPD Third Party Transfer/Active In Rem Foreclosures. Rounds 6,7, and 8.

56. The power of eminent domain comes from the Fifth Amendment which says, "No person shall be . . . deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

57. Bagli, Charles. "Ruling Lets Atlantic Yards Seize Land." New York Times, November 24, 2009. Available online at: http://www.nytimes.com/2009/11/25/ nyregion/25yards.html.

58. Calder, Rich. "Your 'Net' Loss." New York Post, April 14th, 2008. Available online at: http://www.nypost.com/p/news/regional/item\_Qz1qBFFuTuAysV3Be1rE OJ;jsessionid=5163AF610977E69D9A42D5520538120D

59. New York City Housing Authority, "PHA Plan – Final: Annual Plan for Fiscal Year 2010," (16 Oct. 2009), page 3. Available online at: http://www.nyc.gov/html/ nycha/downloads/pdf/FY2010\_AnnualPlan\_Final.pdf

60. Institute for Community Economics, The Community Land Trust Model. Available online at: http://www.iceclt.org/clt/cltmodel.html

61. Stephen Metraux, Steven C. Marcus, and Dennis P. Culhane. "The New York-New York Housing Initiative and Use of Public Shelters by Persons with Severe Mental Illness" Psychiatric Services 54.1 (2003): 67-71. Available Online at: http://works.bepress.com/dennis\_culhane/28

62. http://www.nydailynews.com/real\_estate/2009/06/04/2009-06-

63. Manny Fernandez, "Housing Cuts are Proposed to Help Close Budget Gap," New York Times, May 30, 2008, Available online at: http://www.nytimes. com/2008/05/30/nyregion/30housing.html?scp=2&sq=NYCHA%20community%20center%20closing&st=cse

## **RIGHT TO THE CITY – NYC**





























**Right to the City – NYC** is the local chapter of the national Right to the City alliance and is composed of over twenty base-building, community organizations, research groups and other allies in New York City.

The alliance aims to build a united response to gentrification and neoliberal development policies in NYC and to build a collective movement to promote and create communitybased economic development policies.

We accomplish our mission through base building, coalition building, direct action, leadership development and political education.