

A REPORT BY PICTURE THE HOMELESS

HOMELESS PEOPLE COUNT

VACANT PROPERTIES IN MANHATTAN

“The housing crisis does not exist because the system isn't working. It exists because that's the way the system works.”

PETER MARCUSE

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If your name
isn't on the
lease, your ass
is homeless.”

SELENA KALU

PICTURE THE HOMELESS MEMBER



EXECUTIVE SUMMARY

VACANT PROPERTY CAN COMPLETELY ERADICATE HOMELESSNESS IN NYC

The total volume of empty housing units in abandoned buildings exceeds the number of homeless households in shelter and on the street! 24,000 potential apartments can be developed out of all those properties going to waste. As of April 17, 2007, families and 7,170 single adults. NYC's HOPE 2006 count of the "unsheltered homeless" indicated a citywide street population of 3,843. While we believe that this number is dramatically lower than the actual street population, even if the City's count was off by 98.7%—meaning the street homeless population is twice as high as officially acknowledged—there are still enough potential apartments in Manhattan to house every homeless person in the shelters and on our streets.

PROPERTY ABANDONMENT TARGETS COMMUNITIES OF COLOR

The neighborhoods with the highest volume of empty buildings are primarily inhabited by households of color. For example, Community Board 10—Harlem—has 552 vacant properties, while Community Board 7 (the Upper West Side) has only 73. Community Board 11—Spanish Harlem—has 387 empty buildings and lots, while Community Board 8 (the Upper East Side) has 88. Community Boards 10 and 11 are also the neighborhoods with the highest percentage of households of color (98% and 92.7%, respectively), and the Manhattan neighborhoods from which the most families enter the city shelter system.

VACANT PROPERTY AFFECTS EVERYONE

Every year, an overwhelming amount of money is lost as a result of property abandonment. Blocks with boarded-up buildings experience two to three times as many police calls for violent offenses as blocks in the same neighborhood without vacant property. Homes near abandoned buildings experience a net loss of more than \$7,000 in value. Not only is money spent as a result of abandonment, considerable revenue is lost through the taxes and utilities that could be generated. We believe that vacant properties contribute to the NYC housing crisis and to homelessness. In 2005, New York City spent \$709 million to provide shelter to 97,039, with an average shelter population of 34,000 a night.

INCENTIVES TO ABANDONMENT REMAIN

Many city policies encourage landlords to keep their buildings empty, either directly or indirectly. As neighborhoods gentrify, many **speculating** landlords choose to keep buildings empty so that they can rent them at a future date and charge far higher rents—instead of renting the units out now, and becoming

saddled with poorer tenants. **1996 changes in the rent stabilization code** broadened the scope of renovations that landlords could do to move a building out of rent stabilization, which would mean that in the process of opening up a sealed building, all units would almost automatically come out of stabilization. Particularly common with properties designated as landmarks or as historic, "**demolition by neglect**" is a way of circumventing legislation aimed at building preservation. Landlords let buildings deteriorate, hoping that courts will rule that they can't be rehabilitated.

CURRENT CITY "SOLUTIONS" SPEED UP GENTRIFICATION

Mayor Bloomberg's much-hyped "New Housing Marketplace" plan is creating tens of thousands of units of "affordable housing," but this housing is not affordable to poor New Yorkers. Federal guidelines for affordable housing targets households with an annual income at 90% of Area Median Income. In New York City, where AMI for a family of 4 is \$70,900, families making \$56,000 are eligible for "affordable" housing, which means they are in direct competition for scant housing resources with the working poor—a full-time minimum wage worker makes approximately \$14,800 per year, or 20.9% of AMI. In reality, due to the way "affordability" is configured, every government program that provides money for affordable housing in the low income neighborhoods most in need of housing development will result in housing for income brackets much higher than the traditional demographic for a given neighborhood.

LEGISLATIVE AND POLICY CHANGES ARE NEEDED!

We need significant changes in housing policy to develop real housing out of empty property. Our core demands include: **Creation** of a regular citywide census of vacant buildings and lots. **Empowerment** of NYC Department of Buildings to expand the Building Code concerning "nuisance" buildings, to declare unoccupied buildings "nuisances" on the grounds that they are "detrimental to the life or health" of the community at large, including homeless people. **Empowerment** of NYC HPD to levy an annually-increasing fine against non-compliant landlords in an amount equivalent to the current cost of bringing the building online. **Development** of a mechanism by which DHS-funded shelter residents can "opt out" of shelter and into housing, with a portion of the money currently being paid by the City to their shelter being used to rehabilitate empty buildings. **Amendment** of NYC Rent Stabilization guidelines to ensure that when these properties are brought back online, previously-rent-stabilized units, which typically lose their stabilization as a result of their vacancy, will revert to stabilized status.

ACKNOWLEDGEMENTS

This report was developed by the Housing Committee at Picture the Homeless, and coordinated by Sam J. Miller. Frank Clark, Michael Garrett, Leroy Parker, Andre Pettus, Robert Robinson, and Yvette Williams read and edited early versions of the report. Other staff and board members who gave feedback and suggestions: Lynn Lewis, Nikita Price, and Jean Rice. Marisa Day and Michael Selick did invaluable research and drafted initial versions of many sections of the text. The brilliant graphic design of this report is the work of Trinidad M. Peña, of Impact Design Graphics. www.impactdesigngraphics.com

Our Vacant Building & Lot Count is the culmination of years of effort by our Housing Campaign. Along the way, crucial support was provided by City Council Member Tony Avella, the Ben & Jerry Foundation, the FAR Fund, Rabbi Michael Feinberg, Dr. Alan Felix, Funding Exchange, Chino Garcia, Archdeacon Michael Kendall, the Lily Auchincloss Foundation, Reverend Elizabeth Maxwell, the New York Women's Foundation, the North Star Fund, Valerio Orselli, the Public Welfare Foundation, James Tracy, Trinity Grants, the Union Square Awards, the Unitarian Universalist Association, the United Way of New York City and the Mertz-Gilmore Foundation, who hosted our first Housing Policy Briefing. Thanks also to the endorsers of our Homeless Housing & Jobs Platform, all of whom are listed on our website: www.picturethehomeless.org

Special thanks to the nearly two hundred volunteers gave up an entire Saturday (or two) to join us in exhaustively surveying building conditions—thanks to them we covered every single block in the borough of Manhattan. The following Picture the Homeless members served as team captains: Marco Brumfield, William S. Burnett, Lisa Davall, DeBoRah Dickinson, Nikita Price, and Mike Slater.

This count would never have happened without the support and vision of Manhattan Borough President Scott Stringer, who recognized the importance of this issue when no other elected official would. Housing Policy Analyst Ryan Galvin put an enormous amount of effort into coordinating the count and researching the vacant properties we surveyed. The Borough President's entire staff spent a rainy Saturday counting buildings, and invaluable guidance was provided by former Director of Policy and Research Laura Caruso and Deputy Borough President Rose Pierre-Louis. While the Building Count itself was developed and executed jointly by the Manhattan Borough President's Office and Picture the Homeless, *the conclusions and demands of this report represent the analysis of Picture the Homeless, and should not be interpreted as expressing the opinions or carrying the support of the Manhattan Borough President.*

MISSION STATEMENT

Picture the Homeless was founded on the principle that homeless people have civil and human rights regardless of our race, creed, color or economic status. Picture the Homeless was founded and is led by homeless people. We refuse to accept being neglected, and we demand that our voices and experience are heard at all levels of decision-making that impact us.

We oppose the 'quality of life laws' that criminalize homeless people in any form by the city, state and national governments. We work to change these laws and policies as well as to challenge the root causes of homelessness. Our strategies include grassroots organizing, direct action, educating homeless people about their rights, public education, changing media stereotypes, and building relationships with allies.

Don't talk about us, talk *with* us.





WHY A BUILDING COUNT?

THE PROBLEM

Communities mobilized in the past to stop the city and landlords from holding on to empty buildings. Significant progress was made, but under Giuliani most of the city's stock of vacant properties were handed over to private developers, many of whom have made no efforts to fix them up and make them habitable. Homeless people, many of whom have been displaced from neighborhoods with a high density of vacant property—or have been shipped into shelters in those areas—are keenly aware of the role these buildings play in the overall crisis. The city's policies of criminalizing and stigmatizing people who cannot afford housing, and rewarding investors who profit from abandonment, moved homeless people to begin organizing to see change. Picture the Homeless leaders came up against the public's perception that "abandonment is a thing of the past." Administration officials would respond to our demands by telling us "well, HPD says the vacancy rate is only 3%," or that "Mayor Bloomberg is already working on that." We knew that before we could see any real change on the issue, we would need to prove the extent of the problem.

BUT DOESN'T HPD'S HOUSING & VACANCY SURVEY ALREADY HAVE THAT INFORMATION?

Currently, the vacancy rate is at 3.09%, according to HPD. Throughout the city, however, there are hundreds of abandoned residential buildings. To figure out why this does not translate into a much higher vacancy rate, Picture the Homeless spoke with Sheree West, in the office of Dr. Moon Wha Lee, who compiles data on vacant units in NYC to produce the vacancy census (212-863-8492).

HPD contracts people to randomly sample 18,000 housing units that were occupied on the last U.S. census, as representative of the housing available in the five boroughs. Surveyors go to those units to verify if the same people are still living there. Units that are not currently occupied are then put into the 'vacant' category.¹ They list several reasons why the space may now be empty—fire, abandonment, no longer residential, demolished, etc. The HPD vacancy rate, therefore only includes buildings that were occupied in the census 2 years before. Many of the buildings we surveyed have been empty for 5, 10, or 20 years—and will not show up. Additionally, the Census Bureau excludes "dilapidated" vacant units from consideration. While the HPD vacancy rate reveals the extent of vacancies within currently-available housing stock, it does not include potentially-available housing in empty buildings.

EAST HARLEM BUILDING COUNT

In November 2003, Picture the Homeless moved to 116th St between 3rd and Lexington Avenues in E. Harlem. There were hundreds of abandoned buildings within walking distance of our new office. Many of them had commercial space on the first floor, including 99 cent stores, Duane Read, Rite Aid, furniture and clothing stores, as well as supermarkets. Leaders of the Picture the Homeless civil rights committee, most of who were street homeless, questioned why people were being arrested for sleeping in public spaces while there were hundreds of abandoned buildings that should be

opened up to create housing for the poor. Some leaders were squatting abandoned buildings and were willing—and had the skills necessary—to do the work required to make them habitable. These concerns formed the basis of what was to become our housing campaign.

Our methodology at Picture the Homeless is based on grass roots organizing, leadership development, issue identification, and participatory research: collectively designed and implemented, from which we developed an action-based organizing campaign. We knew that to counter the perception that there were no more opportunities for housing development for the poor in Manhattan, we had to document the number, the ownership of, and the condition of, abandoned buildings. In addition, our members saw housing rehabilitation as a massive source of jobs. We designed a simple survey tool and trained Picture the Homeless members on carrying it out. It wasn't a block by block count, nor was it exhaustive, but we counted 109 abandoned buildings in just a couple of weeks. We took note of the address and condition of each building. We identified the owners of the building from the HPD website. Many of the results from that preliminary count in E. Harlem are strikingly similar to the findings of the 2006 borough wide building count:

- 94% were privately owned
- 40% had commercial storefronts on the ground floor
- 9% had visible structural problems
- A random sampling of buildings revealed that each building sampled owed an average of \$2,200.00 in taxes and fines—indicating that the majority of these landlords are financially capable of maintaining them.

WHY NOT A CITYWIDE COUNT?

While our goal is an official count of every empty building and lot in the five boroughs, only the Mayor has the power to create such a count and ensure the full participation of city agencies such as HPD and DOB, which already have much of the necessary information. In spite of the highly visible clusters of boarded-up buildings in neighborhoods throughout the five boroughs, Mayor Bloomberg has repeatedly stated that we

have reached “the end of the crisis of abandonment.”^{II} In December of 2005, seven faith leaders signed on to a Picture the Homeless letter to Mayor Bloomberg, urging him “to issue an administrative directive to create a citywide count of boarded-up empty properties.” In a letter dated April 27, 2006, HPD Commissioner Shaun Donovan responded to our letter on behalf of the Mayor. “A comprehensive count, in our opinion, would not be cost effective,” he said. “Such an effort would be labor intensive and time consuming and would not add appreciably to our understanding of the issue. In the end, because our housing market is so dynamic, any count would only represent a snapshot. In addition, housing and neighborhood development in our city requires that some property be temporarily held off the market to assemble development opportunities.”

For two years, campaign leaders had attempted to secure a commitment from community leaders to address the problem, with no results. Most ignored us, or were hostile to the idea—a Harlem City Council Member said “what do you want me to do, take those buildings away from people?” Some would make sympathetic statements off the record (another Council Member stated that landlords “ought to be in jail” for keeping those buildings empty), but then refuse to meet with us to discuss the solutions homeless people had developed. Frustrated with the apathy of elected officials on the issue, campaign leaders prioritized attending community functions such as town hall meetings to speak out on the need for real solutions to the problem of landlords keeping buildings empty. In March of 2006, two leaders of the Picture the Homeless Housing Campaign attended a town hall meeting in Harlem, where they spoke about the high quantity of abandoned buildings in the city and the administration’s unwillingness to quantify the problem. Ryan Galvin, Housing Policy Analyst for Manhattan Borough President Scott Stringer, was interested in the issue and contacted us the next day to set up a meeting, at which we began the process of developing the building count.

SCOPE OF REPORT

THIS REPORT DETAILS NOT ONLY THE RESULTS OF OUR COUNT, BUT ALSO THE PROCESS BY WHICH THE COUNT WAS DEVELOPED, AND THE POTENTIAL OF PARTICIPATORY RESEARCH PROJECTS TO BECOME ORGANIZATIONAL VICTORIES IN THE PROCESS OF WINNING SOCIAL CHANGE.

Our building count was at once a strategy to quantify the exact state of building abandonment in New York City, as well as a stepping-stone to winning broader victories. One of the most significant aspects of this process is that homeless New Yorkers are showing the creative leadership necessary to make structural changes in NYC housing policy for the benefit of the city as a whole.

BUILDING COUNTS IN OTHER CITIES

An abandoned building count is not a new idea; many other cities have employed this tactic as a first step towards creating substantive policy solutions to deal with property vacancy. In Boston, for example, the total number of abandoned buildings has decreased by 67% since the survey began in 1997—from 1,044 to 350 buildings. While some of that decline is due to an overall upswing in the real estate market, city officials have stated that quantifying and publicizing the extent of the problem led to the creation of the public will necessary for the city administration to implement new policies and funding streams for the conversion of these economic sinkholes into functioning residential buildings.^{III} In Albany, NY, owners of buildings are required to register their properties within 30 days of vacancy. Owners are then required to maintain these buildings so that they will not deteriorate and become a danger to the community.^{IV} This registration allows the city to keep track of when those properties are not taken care of, and if the owner stops paying taxes the city government is more capable of taking action to abate nuisances and foreclose on problem properties.

St. Louis has recently been faced with the challenge of significant urban blight and abandonment. Their latest building count clocked in with 5,699 vacant buildings. As their housing crisis is not as severe as in New York City, the concern was with the health risks that abandonment poses to neighbors. They are in the process of demolishing vacant properties that have deteriorated to an unsafe point. Abandoned building counts have proved an effective first step in controlling the abandonment problem in other cities, and our count is an important part of the process of building a New York City where housing is a right as much as a commodity.

“Even before I was in the shelter system, I always noticed how many abandoned buildings there were. I didn’t understand how there were so many people sleeping on the streets while these buildings were going to waste.”

**LEROY PARKER
PICTURE THE HOMELESS MEMBER**

ORGANIZING METHODOLOGY AND COUNT LOGISTICS

GRASSROOTS ORGANIZING

Picture the Homeless is a grass roots organization founded and led by homeless New Yorkers. The majority of our board, staff, and our membership is comprised of current-

ly or formerly homeless men and women who have experienced homelessness on the streets, in the shelter system and in temporary doubled up housing situations.

By developing leadership among homeless people, we are correcting one of the underlying causes of homelessness—the stigma attached to poverty and resultant silence of the poor. *Picture the Homeless is founded on the principle that in order to effect structural social and economic changes, homeless people must build collective power.*

Our organizing methodology emphasizes leadership development and utilizes processes such as issue identification, documentation, critical analysis and the development of action based campaigns to demand the structural changes required to build a society that ensures housing as a human right.

“

I'll get arrested for sleeping in the street, but this landlord can keep his building empty for decades and nothing happens to him.”

ANONYMOUS PTH MEMBER



PARTICIPATORY RESEARCH

Participatory research allows communities directly impacted by social problems to engage in the identification of issues and solutions. It demystifies research and redefines expertise, removing the distinction between subject and researcher in order to produce more accurate research findings. In order for researchers and subjects to engage as partners on research projects however, those members of the community to be studied must build their research skills in order to effectively participate in identifying issues, choosing research topics, developing the research tools, conducting interviews and otherwise carrying out the research project, choosing the audience to whom to present the findings, and conducting data analysis. Ultimately, participatory research seeks to quantify and contextualize the lived experience of communities with information in order to achieve goals that they themselves have identified as important.

Our building count provided an opportunity for stakeholders from throughout the City to join together to count abandoned buildings and lots—stakeholders who otherwise would not recognize their common interest. Homeless New Yorkers, students, architects, faith leaders, and public officials joined together out of diverse self interest and a shared concern about their cities housing crisis. The building count allowed these stakeholders to take action in solving the housing crisis

POLICY WORK

Public policy work is the vehicle through which we articulate our campaign demands to achieve the necessary changes in laws and bureaucratic policies that will ensure that the use of public assets—such as public funding and public space—will benefit the community as a whole. Our public policy work is intended to address the structural changes that need to happen to *actualize justice*. It is based on the issues homeless people have identified through collective analysis and expanded through participatory research in order to arrive at real solutions to homelessness.

DIRECT ACTION AND PUBLIC EDUCATION

We use direct action to move our public policy agenda as a means to educate the public and put pressure on elected and appointed officials as needed. We know that we have to make noise and even put our bodies on the line through legal actions such as picketing and press conferences and through civil disobedience, to effectively challenge unjust laws. Direct action spotlights injustice in a way that allows the general public to see reality through the perspective of homeless people. In the months leading up to the building count, Picture the Homeless leaders went out every day to speak to people about the count and to solicit volunteers. We held three sidewalk sleep-out protests. Just a few blocks from Grand Central Station on 3rd Ave, we slept out on a block with commer-



cial storefronts on the street level and the entire block of residential units above the storefronts empty. Passersby were surprised to speak with us and dozens responded with comments such as "We had no idea these apartments were empty, we never look up!" In Harlem we camped out on the street at 125th and Malcolm X Blvd., in front of an entire block of abandoned buildings, in order to dramatize the injustice of buildings standing empty while New Yorkers are arrested for sleeping in the streets. Harlem residents signed up to help us count buildings for the first count in July 2006—many of them had seen buildings stand empty for decades in their neighborhood only to be redeveloped out of their price range. People were happy for the chance to get involved in making sure that neighborhood residents wouldn't be displaced by gentrification. All in all, we secured commitments from nearly 200 people to volunteer for the first stage of the count.

BUILDING COUNT LOGISTICS

The building count took two full Saturdays—July 22nd and October 14th of 2006. Volunteers gathered for a morning training session and breakfast, and then headed out in teams to tackle a portion of the borough calculated to take four hours to survey. Collaboratively with the Borough President's Office, homeless people developed the survey tool and drafted the volunteer training. Because it's easier to see building conditions from across the street, one team member went down each side of the street surveying conditions on the other side. In cases where a team of volunteers was unable to cover all of their allotted territory, staff from the Borough President's office went out during the week to survey the unfinished blocks.

DATA TABULATION

While many city agencies keep track of information on buildings, we received no response when both Picture the Homeless and the Manhattan Borough President's Office attempted through numerous channels to obtain property information from such public entities as HPD, DOB, Con Ed (which should keep track of all buildings to which power had been turned off entirely, and for how long), the Department of Sanitation (for records of residential units to which water had been turned off), and even the Fire Department. As a result, we were obliged to undergo a painstaking research process that involved looking up every building in a series of city databases. This work was done exclusively by the Borough President's Office, demonstrating the need for making informational resources and software available to all.

MARGIN OF ERROR

Warehousing takes on different forms in different parts of the city. In more expensive neighborhoods, landlords who are keeping their buildings empty tend to maintain the exteriors and not board up the windows, so as not to affect neighboring property values or attract unwanted attention from Community Boards or other interests. Building Count volunteers in Harlem usually had no problem recognizing vacant properties—the windows were sealed, the building was dilapidated—but on the Lower East Side, surveyors had to rely on a variety of indicators (long-expired building permits, rusted padlocks on doors, identical curtains in every window). This subjectivity is an important reason for the city to institutionalize the count as a regular event by trained professionals.

VACANT PROPERTY IN MANHATTAN: FINDINGS AND CONTEXT

VACANT BUILDINGS AND EMPTY LOTS ARE A KEY PART OF THE BROADER CRISIS OF HOUSING.

TOTAL NUMBER OF VACANT BUILDINGS: 1,723

TOTAL NUMBER OF EMPTY UNITS IN VACANT BUILDINGS: 11,170

TOTAL NUMBER OF VACANT LOTS: 505

TOTAL POTENTIAL APARTMENTS IN VACANT BUILDINGS AND LOTS: 24,000

POTENTIAL IMPACT

These results indicate that there are enough potential apartments in vacant property in Manhattan alone to house every single homeless person in the city.

Specifically: as of April 2007 there are 16,410 homeless households living in city shelters—9,249 families and 7,170 single adults. NYC's HOPE 2006 count of the “unsheltered homeless” indicated a citywide street population of 3,843. While we believe that the count is dramatically lower than the actual street population even if the City's count was off by 98.7%—meaning the street homeless population is twice as high as officially acknowledged—there are still enough potential apartments in Manhattan to house every homeless person in the shelters and on our streets.^v

Please bear in mind that this count utilized a conservative

methodology. Where surveyor information was incomplete or inaccurate, properties were not counted towards the total. And obviously, Manhattan is only one of five boroughs. Enormous pockets of abandonment remain throughout all five boroughs. The total number of potential apartments going to waste citywide must therefore be considered to be far, far greater than our findings, pointing to the need for a regular citywide count of all vacant property, and for real legislative solutions to reduce homelessness and overcrowding.

COMMERCIAL VACANCIES

We found 584 commercial vacancies in Manhattan. These often-intentional vacancies testify (and contribute) to the staggering rents that are a key factor in the difficulties small businesses face. This and other factors have made New York one of the top ten worst cities in the country for doing business.^{vi}

Additionally, we found 612 mixed-use buildings with vacancies. These often took the form of buildings with active commercial space but vacant, boarded-up apartments. In 2005, Picture the Homeless members made visits and phone calls to landlords who had active commercial space on the ground floor but were not attempting to rent out the residential spaces above. Again and again we were told they didn't want “the hassle” of residential tenants, that being a residential landlord is “too much work,” and that the high commercial rent was sufficient to cover all the expenses of maintaining the building and still yield a substantial profit.

Obviously the dire shortage of good-paying jobs goes hand-in-hand with the shortage of housing to create record numbers



of homeless people. The results of our Vacant Building and Lot Count underscore the need for job development to happen hand-in-hand with housing creation, and points to exciting opportunities for that to happen in such a “hot” housing and commercial market.

PRIVATE VS. PUBLIC

Many people assume that now, as in the past, most board-ed-up buildings are owned by the city. While HPD has largely jettisoned its once-substantial holdings of derelict property, this does not mean that the new landlords have done anything to rehabilitate these vacant properties. In fact, we found that:

- Of the vacant residential buildings whose ownership status could be determined, 53% are privately-owned—nearly 3,800 apartments.
- 37% of the total properties we identified had no ownership status in the City’s PLUTO database.
- City-owned vacant residential buildings represent only 7% of the total. The remainder whose ownership could be identified are owned by not-for-profits or other governmental entities.
- 6,075 apartments could be developed out of privately-owned vacant lots, while 2,443 units could be built on city-owned land.

While it is vital that the city develop immediate strategies to fully create housing out of the vacant buildings and lots that it owns, it is even more important that the administration implement policies to stop landlords from keeping privately-owned property off the market.

VACANT PROPERTIES IMPACT ALL NEW YORKERS

Empty buildings affect New York City communities in direct and indirect ways. As we move forward to develop comprehensive strategies for disposition of vacant property into housing for the poor, we can look to policies and experiences in other cities.

- “Every dollar of construction activity is estimated to leverage nearly two dollars in other economic activity.”^{vii} In New York City, the per-unit rehabilitation cost of distressed properties ranges from \$60,000 to \$100,000 depending on the size of the building.^{viii}
- In 2005, New York City spent \$709 million to provide shelter to 97,039 homeless people, with an average shelter population of 34,000 per night.^{ix} For every dollar spent on quality, affordable housing, at least ten dollars are returned in the form of job creation, increased independence and tax contributions, new businesses, and access to higher education.^x If the money NYC spent on shelters went to rehabilitating distressed hous-

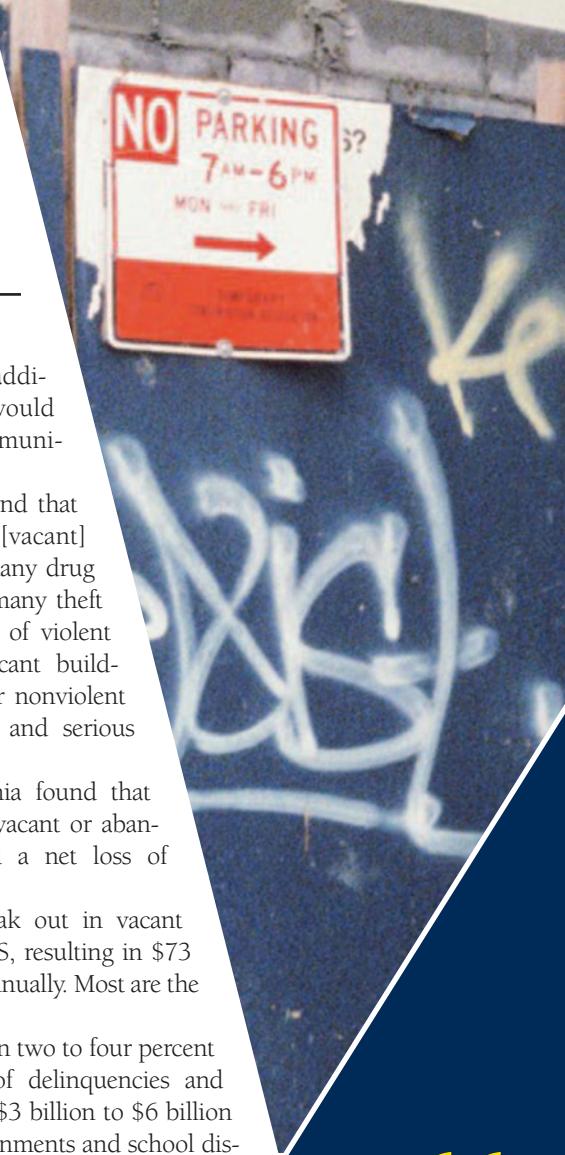
ing for the homeless, an additional seven billion dollars would have been generated in communities throughout the city.

- A study in Austin, Texas found that “blocks with unsecured [vacant] buildings had 3.2 times as many drug calls to police, 1.8 times as many theft calls, and twice the number of violent calls” as blocks without vacant buildings.”^{xi} (\$90 cost per call for nonviolent offenses, \$1,080 for violent and serious calls)^{xii}
- A 2001 study in Philadelphia found that houses within 150 feet of a vacant or abandoned property experienced a net loss of \$7,627 in value.^{xiii}
- More than 12,000 fires break out in vacant structures each year in the US, resulting in \$73 million in property damage annually. Most are the result of arson.^{xiv}
- “Failure of cities to collect even two to four percent of property taxes because of delinquencies and abandonment translates into \$3 billion to \$6 billion in lost revenues to local governments and school districts annually.”^{xv}

INCENTIVES TO ABANDONMENT

■ Speculation

In the past, building abandonment was a symptom of neighborhood decline. Now, it's often a sign of neighborhood renewal. As neighborhoods gentrify, many landlords choose to keep buildings empty so that they can rent them at a future date and charge far higher rents—instead of renting the units out now, and becoming saddled with poorer tenants. “Landlords are keeping buildings off line and losing money, so what's going on?”



“
Pardon my French, but the housing programs the city comes up with are sh*t. Homeless people had no say in developing them, so how do they expect them to work? When we’re the ones living it?
LEROY PARKER
PICTURE THE HOMELESS MEMBER

VACANT PROPERTY IN MANHATTAN:

“Why are these buildings empty? That landlords can hold on to empty buildings in the hope of maximizing profits, without contributing to the public welfare of people from the communities in which those buildings are located, is a major scandal. We want landlords and our elected officials to promote community need over corporate greed.”

**WILLIAM S. BURNETT
PICTURE THE HOMELESS MEMBER**

asked Picture the Homeless member Roosevelt Orphee in an interview with the Gotham Gazette. “They’re not stupid. They’re speculating.”^{xvi}

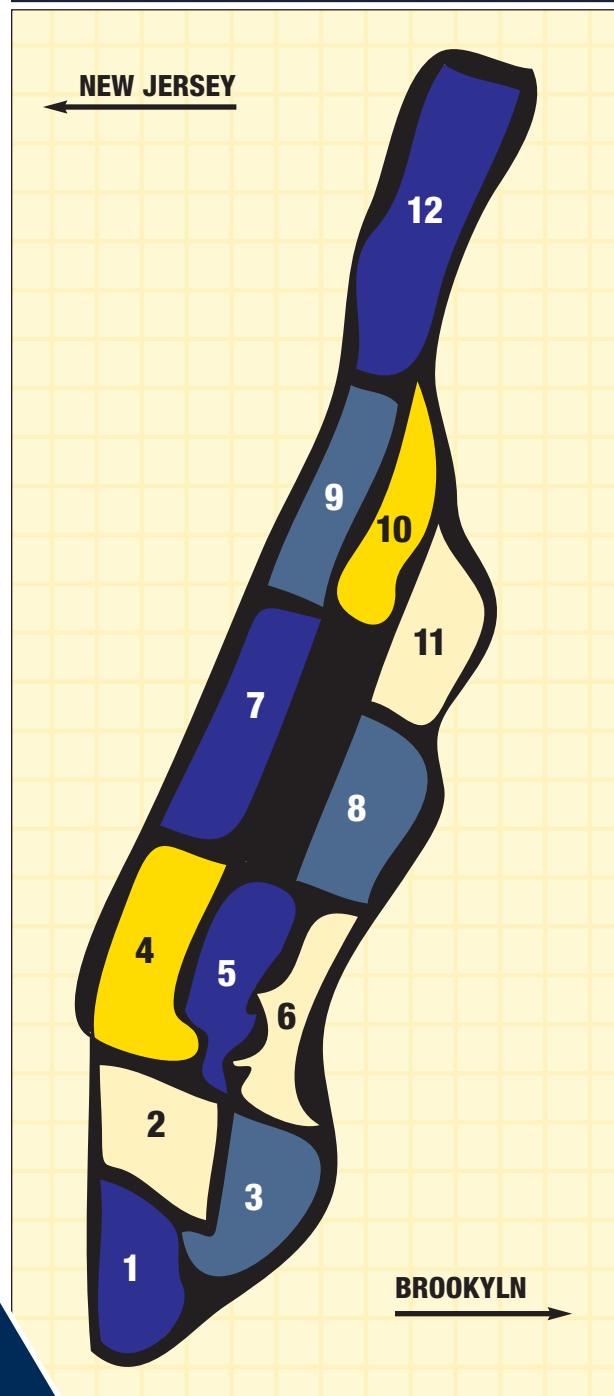
■ Rent Stabilization and Building Abandonment

The practice of allowing buildings to fall into disrepair so as to make repairs that will take apartments out of rent stabilization has been well documented by many in the housing & tenant advocacy community, and widely reported in the mainstream media. “Management’s goal, residents say, is to dump longtime tenants, invest in individual apartments to raise the rent, and pull these buildings out of rent stabilization.”^{xvii} Much of the agitation and awareness-raising on this issue comes from the affected tenants themselves, who organize and fight back when faced with eviction. But abandoned buildings have no tenants, and as a result have been largely absent from discussions of the attack on rent stabilized housing stock. 1996 changes in the rent stabilization code broadened the scope of renovations that landlords could do to move a building out of rent stabilization, which would mean that in the process of opening up a sealed building, all units would almost automatically come out of stabilization. While most such renovations require tenant approval, “in the case of vacant housing accommodations, tenant consent shall not be required.”^{xviii} In addition, if a building becomes 80% vacant or more, it is destabilized by default.^{xix}

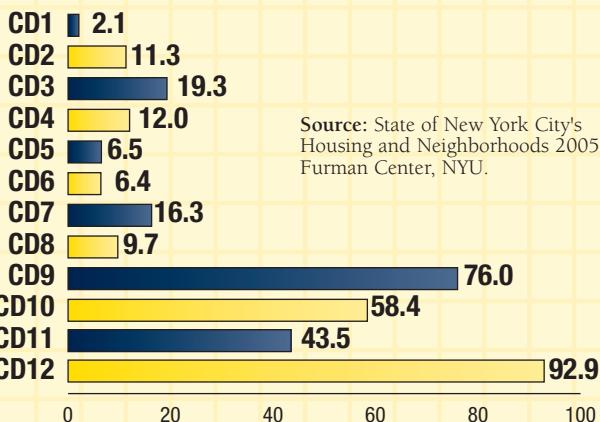
■ Demolition by Neglect

Particularly common with properties designated as landmarks or as historic, “demolition by neglect” is a way of circumventing legislation aimed at building preservation. Landlords allow “buildings to deteriorate in the hope that within a short time courts can be persuaded to rule that it is no longer feasible to rehabilitate the structures.”^{xx}

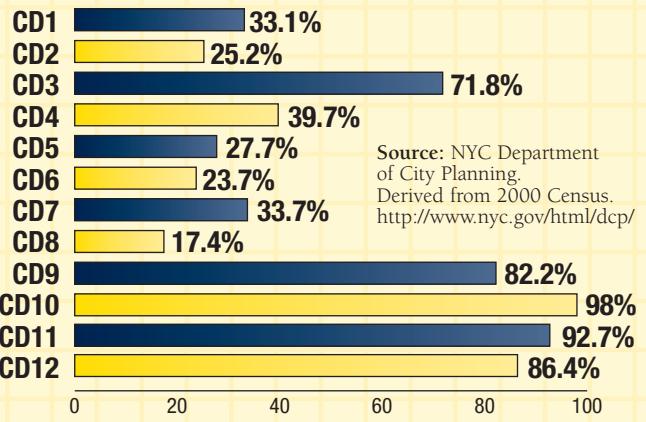
MAP OF MANHATTAN COMMUNITY DISTRICTS



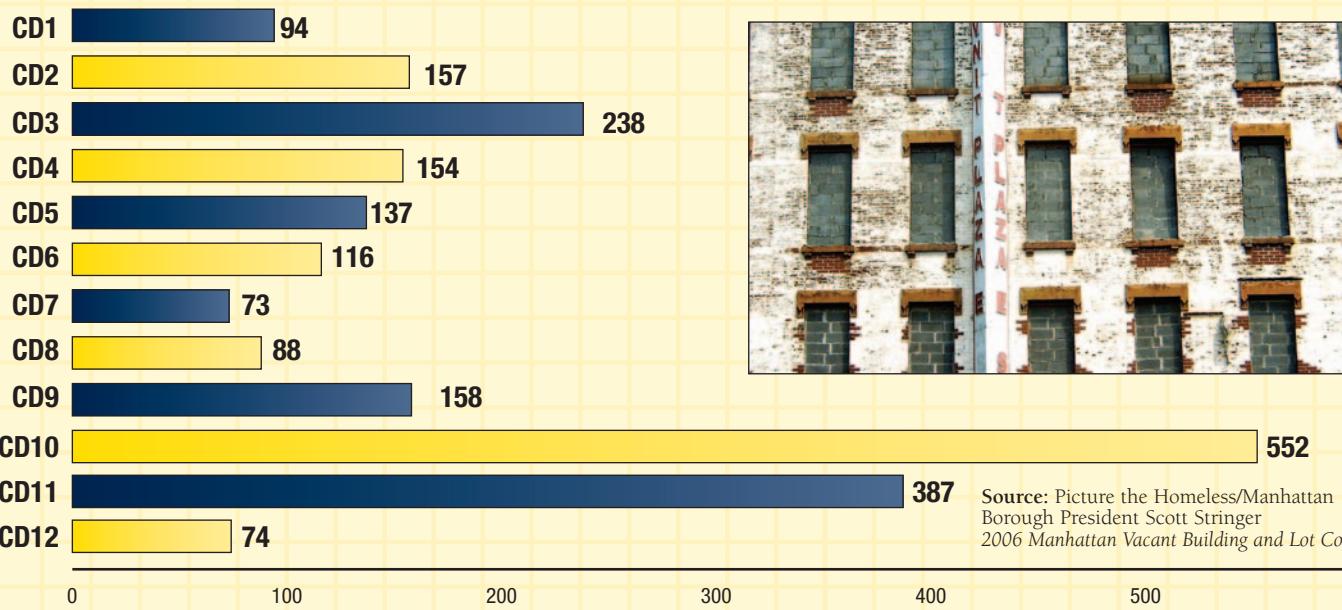
SERIOUS HOUSING CODE VIOLATIONS (PER 1,000 RENTAL UNITS)



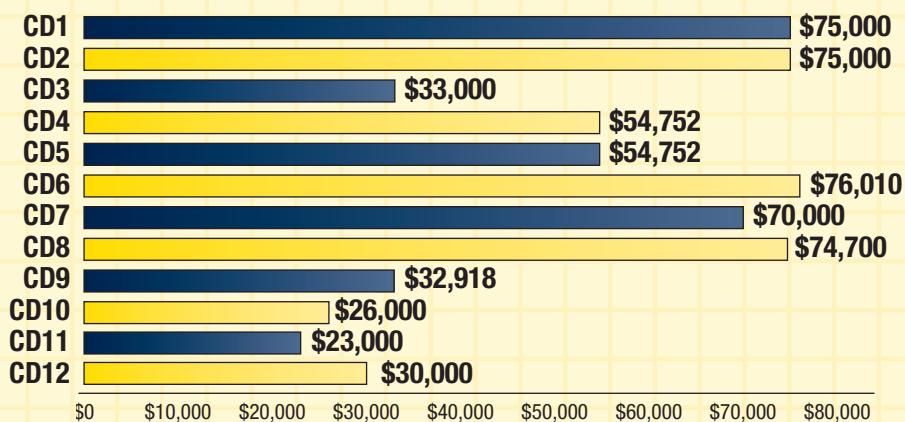
HOUSEHOLDS OF COLOR (BY COMMUNITY DISTRICT)



ABANDONED PROPERTIES (BY COMMUNITY DISTRICT)



MEDIAN HOUSEHOLD INCOME (BY COMMUNITY DISTRICT)



A Vera Institute survey commissioned by HPD, DHS, and NYCHA found that one of the main characteristics of the neighborhoods sending the majority of families into homeless shelters was the high presence of "vacant housing units."^{xxi} Furthermore, 75% of the inmates in the entire state prison system came from just seven neighborhoods in New York City: South Bronx, Harlem, Brownsville, East New York, South Jamaica, Bedford-Stuyvesant and the Lower East Side.^{xxii} These are also the neighborhoods with the highest HIV seroprevalence rates.^{xxiii} All of these are communities of color. Clearly these are the neighborhoods with the most need of "rehabilitation;" however, "neighborhood development" as practiced by the city is only accelerating these negative trends.

CURRENT CITY SOLUTIONS

BUT WHAT IS THE CITY DOING ABOUT ALL THIS?

While numerous initiatives have been developed to deal with the dual problems of homelessness and empty buildings, these programs work at cross purposes and largely serve to put Band-Aids on the human costs of the housing crisis while enabling the real estate industry to increasingly profit from speculation and gentrification.

"AFFORDABLE" HOUSING VS. HOUSING FOR POOR PEOPLE

Area median income (AMI) is the median income for a family of four measured across the metropolitan statistical area. This means that New York City's AMI is not only the median of incomes in the city itself, but also the near suburban areas surrounding the city. In New York, AMI for a family of four is \$70,900. When "affordable" housing is created, it is priced based on the AMI, making it unaffordable for anyone with an income significantly lower than the median income. "Affordable housing" constructed in Harlem can be targeted at families making between \$52,000 and \$157,000 a year,^{xxiv} although the median income for that neighborhood is actually only 26,000 dollars a year.^{xxv}

Mayor Bloomberg's New Housing Marketplace is creating tens of thousands of units of "affordable housing." However, this housing is not accessible to poor New Yorkers: it follows federal guidelines in targeting households with an annual income at 90% of Area Median Income. In New York City, families making \$56,000 are eligible for "affordable" housing, which means they are in direct competition for scant housing

resources with the working poor—a full-time minimum wage worker makes approximately \$14,800 per year, or 20.9% of AMI, and the majority of homeless New Yorkers have incomes below. In a city where 11 community districts have median incomes under \$25K, applying a uniform standard of 56K means that "affordable" housing will never be affordable to the poor.^{xxvi}

SUPPORTIVE HOUSING

The development of a parallel housing track for homeless New Yorkers through HUD, and state and city financing over the past 25 years has not led to a decrease in homelessness in NYC—but it has fueled the expansion of an expensive service system that includes drop-in centers, shelters, transitional housing and supportive housing. These services have institutionalized homelessness in NYC

because it is so difficult to exit the homeless system due to the lack of housing affordable for the very poor. While services are needed and desired by many homeless New Yorkers, they are not a "big picture" solution to homelessness. According to estimates from the Department of Homeless Services, less than half of homeless New Yorkers meet Supportive Housing eligibility requirements and while meeting this need is critical, the majority of homeless New Yorkers – families and individuals – have extremely low incomes and are in need of low cost housing.

CITY ADMINISTRATION INITIATIVES TO DEAL WITH ABANDONED BUILDINGS

The "New Partners Program" of HPD acknowledges the urgent need to address the quantity of vacant units in privately-

WASTED MONEY

Currently, the city has two main solutions for homeless people: the shelter system, and the Housing Stability Plus (HSP) housing subsidy. These are both Band-Aid, desperately-flawed programs that cost substantially more than it would cost to simply create housing!

COSTS OF SHELTER VS. COSTS OF HOUSING

DHS pays **\$90** a night to shelter homeless families
DHS pays **\$3,000** a month to shelter homeless families
(Source: City Limits Magazine)

\$969.94 = the average monthly cost of stay for a single man in Camp LaGuardia.
\$1,889.00 = the average monthly cost of stay in the University Ave Family Shelter.
\$2,783.00 = the average monthly cost of stay in Prospect Interfaith Family Shelter.

HSP VOUCHERS VS. THE REAL COST OF HOUSING

	Studio	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Federal Fair Market Rent Guidelines for NYC	\$940.00	\$1,003.00	\$1,133.00	\$1,406.00	\$1,556.00
HSP maximum rent payments for 1st Year	\$820.00	\$925.00	\$1,176.00	\$1,397.00	

owned housing. However, this program prioritizes the development of “affordable housing” for people making 120% of Area Median Income! (“Borrowers must agree to lease the rehabilitated units as affordable housing for tenants with incomes below 120% of Area Median Income and to maintain buildings with 3 or more residential units as rent stabilized units”).^{xxvii} In fact, the creation of housing targeted at people making 120% of AMI in the poor neighborhoods where these properties are concentrated will lead to accelerated gentrification of those areas.

GOVERNMENT PROGRAMS THAT ACCELERATE GENTRIFICATION

HPD’s HomeWorks. This program is credited by major real estate developers with the recent surge of big-chain retail development in Harlem. According to the developer who brokered the \$10.5 million sale of the abandoned buildings on Lenox and 125th Street, “the growing population moving into Harlem is more diverse and affluent than the traditional demographic for that area,” which “is why you see so many retailers and investors looking to Harlem as a new frontier to delve into.”^{xxviii} The HomeWorks program prioritizes market-rate housing, with no income or price limits for renters or buyers.^{xxix}

HPD Cornerstone Program. Creates housing “on vacant City-owned land, financed principally through private sources.”^{xxx} Targets “middle-income families... available to households with annual incomes between approximately \$52,000 and \$157,000.”

The New York City Housing Development Corporation. Since the late 1990’s, this public benefit corporation has been a major boost to large-scale condo development in East, Central, and West Harlem. “At the initiative of the New York City Housing Partnership in association with New York City Housing Preservation Department and the New York City Housing Development Corporation, we were able to create a marketable for-sale development in Central Harlem which opened the gates for lending institutions to establish the criteria for pricing for all for sale projects which followed,” the principal at Suna Levine, Mr. Levine, said. “This project broke the dam for private lending institutions to finance for sale housing in Central Harlem.”^{xxxi} NYCHDC developments must include “affordable” housing for families “with an absolute cap of 175% of Area Median Income (AMI) for 75% of the apartments in a building and 200% of the AMI for 25% of the apartments.”^{xxxii} In New York City, 175% of AMI is \$117,180 for a family of one; \$124,075 for a family of three or four.

Empowerment Zones. While the Empowerment Zone program was created with the laudable intention of fostering local businesses, in practice it has functioned to facilitate chain retail developments that pay low wages, at the same time building the commercial infrastructure necessary to attract higher-income households. “The rising costs of Harlem residential and commer-

cial real estate, for example, are attributable in part to the Empowerment Zone.”^{xxxiii} According to Lloyd Williams, the president of the Greater Harlem Chamber of Commerce, “Unfortunately, the major beneficiaries of the zone to date have been some of the large corporations.” He also cites “the questionable level of commitment to sustained, local development.”

Federal HOME Funds. “For rental housing and rental assistance, at least 90 percent of benefiting families must have incomes that are no more than 60 percent of the HUD-adjusted median family income for the area. In rental projects with five or more assisted units, at least 20% of the units must be occupied by families with incomes that do not exceed 50% of the HUD-adjusted median.”^{xxxiv} The low-end of the spectrum equates to \$33,480—even a household with two full-time minimum-wage jobs is substantially less than that, which again puts “affordability” out of the reach of homeless and very-poor households.

In reality, due to the way “affordability” is configured, every government program that provides money for affordable housing will result in housing for income brackets much higher than the traditional demographic for a given neighborhood.



“We can make this housing ourselves. People in shelters are qualified, we’re electricians and plumbers and we have licenses and permits. We can come together and do it.”

**ELIZABETH HOOVER
PICTURE THE HOMELESS MEMBER**

NATIONAL PRECEDENTS FOR DEALING WITH ABANDONED BUILDINGS

Dozens of cities throughout the nation have implemented new policies and new laws to reconstruct abandoned housing into usable housing. Every point outlined in our platform has had its effectiveness proven in one or more cities across the country. From Boston, St. Louis, Seattle, and so on, we can see the potential of our platform successfully applied.

■ **BALTIMORE, MD.** In 2002, Mayor O'Malley launched Project 5000, an effort to return 5,000 vacant and abandoned properties to productive use. The project combined aggressive tax sale foreclosures with traditional condemnations and property transfers. It called on local law firms, title companies, businesses and realtors for expedient and discounted services. By January of 2005, Baltimore Housing had gained title to all 5,000 properties and increased the number of annual property acquisitions ten-fold. To date, 5,758 properties have been acquired through Project 5000 and, more importantly, 1,700 have already been conveyed, sold, or programmed for redevelopment.^{xxxv}

■ **BOSTON, MA.** The Department of Neighborhood Development coordinates an annual survey of buildings in the city that are abandoned. Since the survey began in 1997, the total number of abandoned buildings has decreased by 67%,

from 1,044 to 350 buildings. Once the city could quantify its vacant properties it could begin introducing solutions to the problem, which it did, as part of a three year city initiative to create and preserve affordable housing. Many of the abandoned buildings in Boston have been renovated by community development corporations working in cooperation with the City to reduce urban blight.^{xxxvi}

■ **SAN FRANCISCO, CA.** Homeless-led advocacy resulted in the passage of the Surplus Property Ordinance, transferring jurisdiction of vacant lots to the Mayor's Office for Housing for development of these lots into housing for homeless people. What is especially relevant about this example to our proposal is that the ordinance also established an Administrating Council, including homeless and formerly homeless people, to work with the Mayor's Office for Housing to ensure accountable development.



PROFILES IN ABANDONMENT

■ JEFF SUTTON.

Jeff Sutton is head of Wharton Realty, one of the largest developers in the city, famous for huge “trophy” sites such as the Fifth Avenue sites of Hugo Boss and the new Abercrombie & Fitch. Sutton personally contributed to the 2004 George W. Bush campaign.^{XL} In the five years that Sutton has owned the building at 293 Lenox Avenue, the city spent \$3.7 million on providing shelter to the families that could have been housed in those 33 units alone! Sutton did not respond to repeated requests for a meeting.

■ ESGD CORP.

This landlord owns several empty buildings in one of the city's prime real estate corridors, three blocks from Grand Central. All of them have commercial space on the ground floor, including the lucrative Muldoon's Pub. When one business closed and the space was for rent (690 Third Avenue), we called to inquire about the rent. The landlord was asking for \$18,000 per month, compared to the \$35,000 the building pays each year in property taxes. When we asked if the boarded-up floors above would be renovated anytime soon, we were told “don't worry;” that the landlord had “no plans to develop” that property for residential tenants.

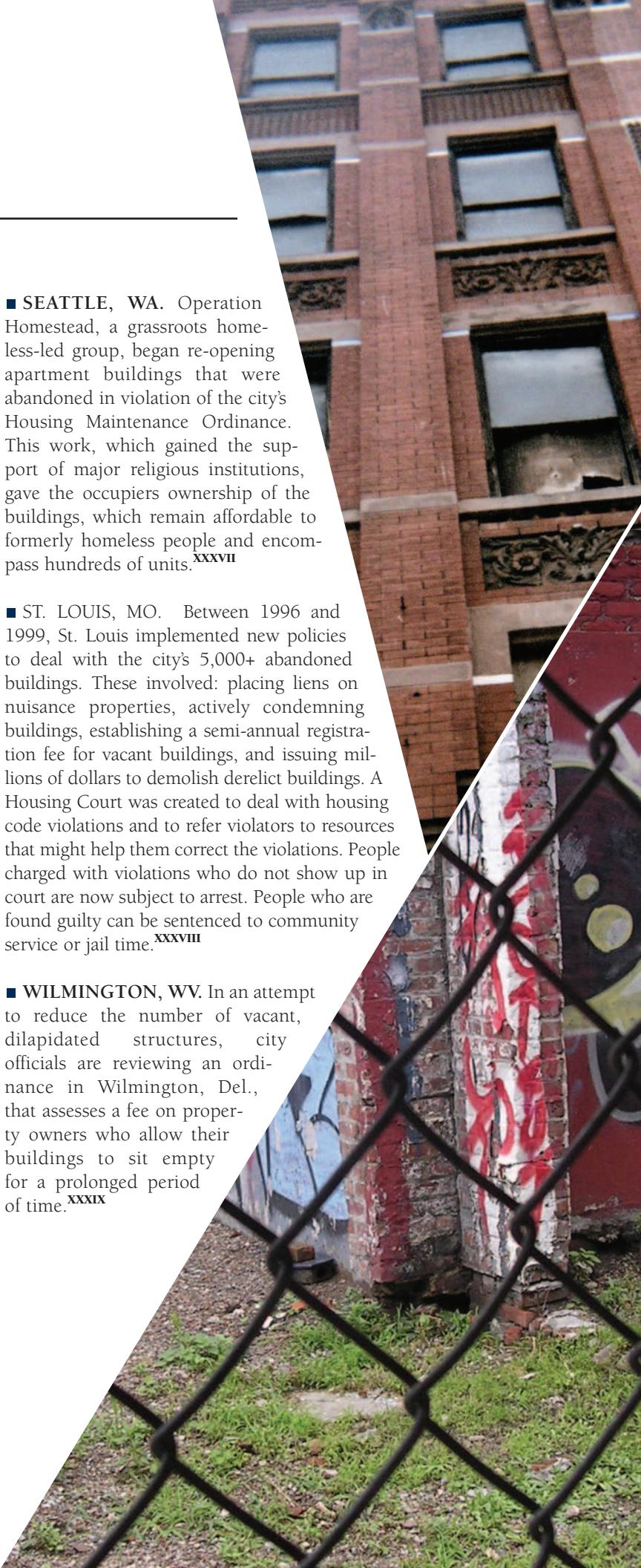
■ NEW YORK CITY

While much has been made of the city's progress in liquidating its stock of empty buildings, hundreds of vacant properties are still owned by the city. DCAS supplied the Manhattan Borough President's Office with a listing of every piece of city-owned property in Manhattan, from City Hall to the most run-down empty lot—1,741 in all, of which 601 are classified as “Vacant.” The majority of these are not owned by HPD (only 240 are), but by other agencies such as ACS, Sanitation, etc.

■ SEATTLE, WA. Operation Homestead, a grassroots homeless-led group, began re-opening apartment buildings that were abandoned in violation of the city's Housing Maintenance Ordinance. This work, which gained the support of major religious institutions, gave the occupiers ownership of the buildings, which remain affordable to formerly homeless people and encompass hundreds of units.^{XXXVII}

■ ST. LOUIS, MO. Between 1996 and 1999, St. Louis implemented new policies to deal with the city's 5,000+ abandoned buildings. These involved: placing liens on nuisance properties, actively condemning buildings, establishing a semi-annual registration fee for vacant buildings, and issuing millions of dollars to demolish derelict buildings. A Housing Court was created to deal with housing code violations and to refer violators to resources that might help them correct the violations. People charged with violations who do not show up in court are now subject to arrest. People who are found guilty can be sentenced to community service or jail time.^{XXXVIII}

■ WILMINGTON, WV. In an attempt to reduce the number of vacant, dilapidated structures, city officials are reviewing an ordinance in Wilmington, Del., that assesses a fee on property owners who allow their buildings to sit empty for a prolonged period of time.^{XXXIX}



RECOMMENDATIONS AND DEMANDS

1 **Initiate a city-wide count.** Expanding upon the building count developed by the Manhattan Borough President's Office and Picture the Homeless, the city administration should conduct a regular count of every single vacant building and lot throughout the five boroughs, supplemented by better sharing of data from agencies such as the Department of Buildings, the Fire Department, and the Department of Housing Preservation & Development—all of whom keep track of building and lot conditions for different reasons. These findings should be made accessible to the public so that communities can chart the impact and change of the issue on their neighborhoods.

2 **Implement anti-warehousing legislation.** In light of the gravity of the current housing crisis, innovative solutions are needed. The property rights of landlords keeping buildings empty must be weighed against the human rights of homeless people who are unable to find housing, and the rights of communities who are impacted in extremely negative ways by the presence of boarded-up buildings. Key components of the legislation should include:



- Empowerment of NYC Department of Buildings to expand the Building Code (Section [643a-13.0] 26-127) concerning “nuisance” buildings, to declare specific unoccupied boarded-up buildings “nuisances” on the grounds that they are “detrimental to the life or health” of the community at large, including homeless people.
- Empowerment of NYC HPD to levy an annually-increasing fine against non-compliant landlords in an amount equivalent to the current cost of bringing the building online
- Funnel resources from shelter to housing! DHS should develop a mechanism by which shelter residents can “opt out” of shelter and into housing, with a portion of the money currently being paid by the City to their shelter being transferred into a voucher program, and the balance being paid into the NYC Homeless Housing Trust Fund.

3 **Redefine federal “affordability” guidelines to reflect the realities of poverty.** Current “affordability” guidelines, set by HUD and based on Area Median Income, do not work in an environment as economically diverse as the greater NYC metropolitan area—especially since AMI takes

into account wealthier outlying areas like Westchester and Nassau Counties. As a result, it is all but impossible for the very poor to access “affordable housing.” The City must actively work to bring that definition in line with poverty in New York City, either by changing the way the guidelines are constituted federally, or by empowering localities to determine their own guidelines..

4 **Amend NYC Rent Stabilization guidelines** to ensure that when these properties are brought back online, previously-rent-stabilized units, which typically lose their stabilization as a result of their vacancy, will revert to stabilized status—to take away the incentive to abandonment.

5 **Include Mutual Housing Associations** as part of the city's portfolio of housing solutions. MHAs are an important model for developing sustainable housing that remains affordable to low-income people. Similar to co-operatives

but comprised of several buildings, MHAs allow greater affordability and sustainability by utilizing economies of scale and other innovations in rent calculation, such as revenue from rental of commercial space, use of housing vouchers, and a balance of market-rate and low-income housing.

6 Create a Homeless Housing Trust Fund, explicitly targeted at funding the rehabilitation of vacant property into housing for the homeless.

Generating real housing for the homeless out of abandoned buildings is a cost-effective, common-sense solution, and can be accomplished without creating additional taxes—utilizing existing governmental subsidies and grants to fund building rehabilitation, housing, and construction. Sources of funding for this Trust Fund would include:

- Shelter money re-allocated to fund housing.
- Money raised through HPD fines against non-compliant landlords
- Existing government construction subsidies, such as HUD's Community Development Block Grant; NYS OTDA's Homeless Housing Assistance Program; New York State's Division of Housing and Community Renewal; and NYC's Participation Loan Program (PLP), Small Buildings Loan Program and Tenant Interim Lease Program.
- Existing governmental rental subsidies, such as Section 8.

7 Link Job Creation and Housing Development.

Abandoned buildings also represent a massive potential source of employment for the communities where they are concentrated. Each building will require a varying degree of construction and rehabilitation in order to make it habitable; those jobs must go to the people who have lived in these communities, as part of the broader goal of making neighborhoods economically sustainable. Many men and women in the shelter system have relevant job experience or want job training, and come from the very neighborhoods where building abandonment is most rampant. Job creation and education is essential as part of a broader platform of community development, taking abandoned buildings as a source of both jobs and housing. The goal is not to give people housing they cannot sustain: the goal is to get people jobs so they can have an income sufficient to maintain themselves in their apartments.

In a November 2004 survey of 308 residents of family and single shelters, we found that:

- 16% were current or former union members
- 20% had served in an apprenticeship program
- 20% said that a criminal history was an obstacle to employment

■ 53% had some form of specialized employment certification or advanced degree.

■ 93% had a significant history of conventional employment (of the 7% who did not: 52% declined to comment one way or another, 14% indicated "mother/homemaker," 5% made a living collecting and redeeming recyclable containers, and 5% indicated a disability prevented them from working). These findings show that the characterization of homeless people as "unemployable," and in need of expensive "job training/job readiness" programs is inaccurate. Many members of Picture the Homeless have had extremely negative experiences attempting to find work after graduating from city-funded "job readiness" programs targeted at the homeless. Instead of treating homelessness as a crippling illness to be overcome through "rehabilitation," city money needs to create jobs that pay wages in line with the cost of housing, and tackle the stigmatization of the homeless that leads employers to overlook qualified homeless candidates. Existing union apprenticeship programs should be expanded to target shelter residents and street homeless people to enable them to receive skills and jobs; negotiations should be initiated with the AFL-CIO, as well as the appropriate individual unions, to get these apprenticeships broadened to include the most marginalized communities.

"In too many cases the city and state of New York is not working against "homelessness" but against "the homeless"—your neighbors, your friends, and sometimes your family, but always our people.

**PAMELA LYNCH-THOMAS
PICTURE THE HOMELESS MEMBER**

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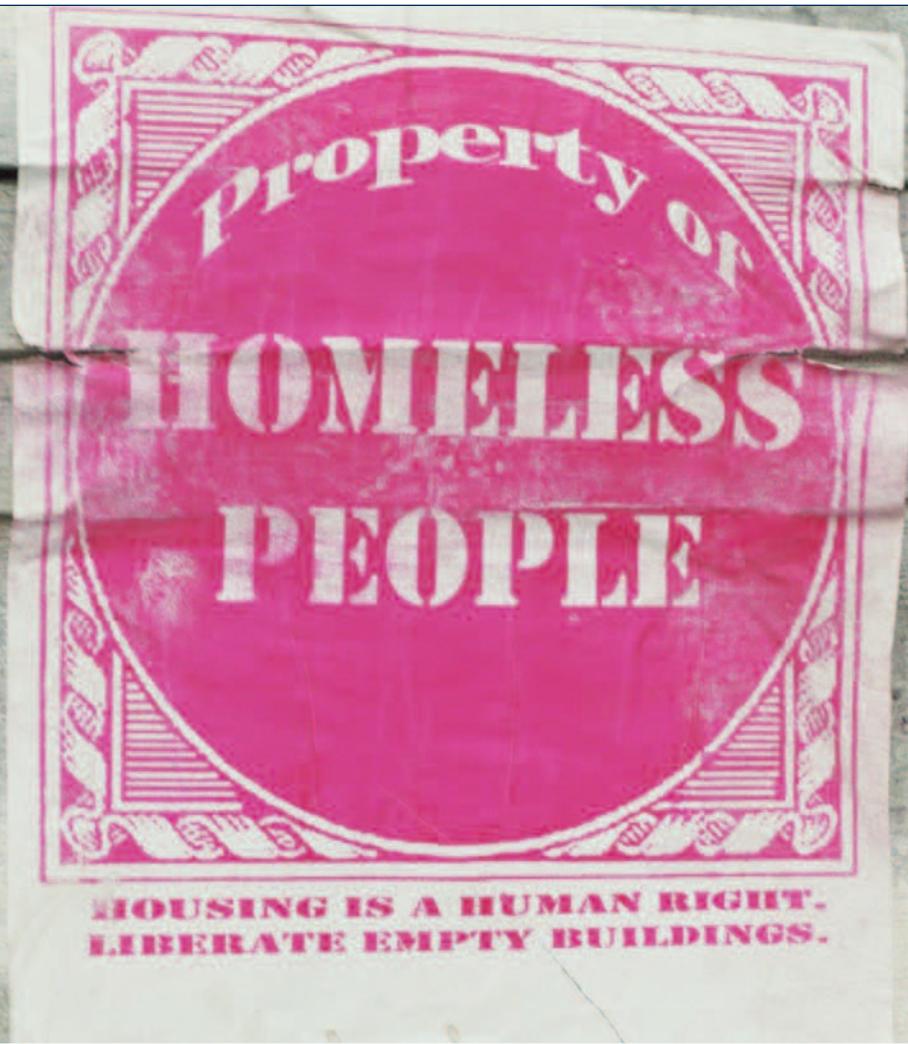
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