

May 9, 2021

New York City Law Department Division of Legal Counsel
100 Church Street
New York, NY 10007 212-356-4028

Reference Number: 2021 RG 008

Rulemaking Agency: Department of Housing Preservation and Development

RE: Proposed Rule: Rules Governing Housing Portal for Affordable Units

Dear Chair Jones and Board Members:

I am a Brooklyn resident and a Graduate Student at the Pratt Institute Center for Planning and the Environment (GCPE), writing to express my support for the implementation of the Housing Portal website plan adopted by the City Council along with a few key recommendations. The maintenance of a Housing Portal website is critical to ensure that New York City residents have an outlet through which to learn about affordable housing opportunities and apply for them efficiently. However, there are a few recommendations that I believe will be critical for HPD to consider in the implementation of the new Housing Portal website. The three main outcomes I will emphasize in my comment are as follows:

1. It is critical that the website functions properly and can support the volume of usage that the portal will inevitably encounter.
2. The website needs to be fully accessible to users of differing abilities.
3. The website needs to be translated so that all of New York's immigrant communities can fully access and successfully navigate through housing opportunities.

I. Notes in Support of the Housing Portal

The successful implementation of the New York City Housing Portal is paramount for residents to access affordable housing and keep all boroughs economically and racially diverse communities. It is critical that the city directly confronts and explicitly addresses the destructive practices of speculation and segregation, and works toward ensuring all New Yorkers have safe and healthy housing. As of 2019, 40.9% of NYC tenants are rent burdened, and low-income tenants, who make up to 200% of the Federal Poverty Level, 71.5% are rent burdened¹. This Housing Portal is one critical step toward ensuring that affordable housing is truly accessible to the New Yorkers who can most benefit from the program. The rules proposed here will require HPD to maintain the website, and promulgate specific enforcement of verification processes, how to determine violations of the Act, and guidelines for the manner in which Affordable Units May be offered on the Housing Portal. These rules lay the groundwork for HPD to make the affordable housing process more equitable in the city. However, it is critical that these rules be implemented in such a way so as to serve residents who have been excluded from affordable housing opportunities in the past, or face barriers to learning about or accessing the Portal.

II. Recommendation: HPD Maintenance Ensures a Fully Functioning Website

Past iterations of city Affordable Housing web portals have encountered issues upon rollout. For example, the introduction of the Housing Connect lottery application web portal was described

¹ Community Service Society. (2021, February). *Assessing De Blasio's Housing Legacy*. Community Service Society of New York. https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Deblasio_Housing_V41.pdf

as “inadequate” and “glitchy,” “buggy” and “very hard for people to navigate,”². In subsequent rollouts, features such as mobile compatibility and the ability for users to update their applications online have made the site more user friendly. These features should be continued into the newest implementation of the Housing Portal. Finally, this website will need to sustain a high degree of user traffic. A review by THE CITY of more than 18 million applications to the NYC Housing Connect system between January 2014 and March 2019 shows that for every one of the 21,382 new apartments built as part of Mayor Bill de Blasio’s Housing New York plan, 314 eligible applications poured in³. HPD must ensure that the new website is able to handle this level of traffic on an ongoing basis, and that highest need applications are prioritized within the system.

III. Recommendation: Accessibility of Website

To ensure that users of differing abilities are able to navigate the website, HPD must explicitly focus on features to make the Housing Portal compliant with the Section 508 Amendment to the

² Herzenberg, M. (2020, June 15). City Launching Revamped Affordable Housing Lottery Website. *Spectrum News NY1*. <https://www.ny1.com/nyc/all-boroughs/news/2020/06/15/city-launching-revamped-affordable-housing-lottery-website->

³ Smith, R. H., Choi, A., & Welch, W. (2020, June 29). Affordable Housing Lottery Odds Worst for Those Who Can Afford the Least. *THE CITY*. <https://www.thecity.nyc/2020/6/28/21306383/affordable-housing-lottery-chances-worst-low-income>

Rehabilitation Act of 1973. Some preliminary recommendations as to how to ensure that this site is 508 compliant are as follows:

- Do not rely on color as a navigational tool or as the sole way to differentiate items
- Images should include Alt text in the markup/code; complex images should have more extensive descriptions near the image (perhaps as a caption or descriptive summaries built right into a neighboring paragraph).
- Functionality should be accessible through mouse and keyboard and be tagged to worked with voice-control systems
- If there is a video on the site, provide visual access to the audio information through in-sync captioning
- Sites should have a skip navigation feature⁴

Further information on how to be compatible with WCAG 2.0 (Web Content Accessibility Guidelines 2.0) can be found [here](#).

IV. Recommendation: Site Accessibility for Immigrant Populations and Language Versatility

As of 2019 the credit check requirement, including Social Security Number and Tax ID provision were removed from the affordable housing application process so that undocumented

⁴ *Accessibility Basics* | Usability.gov. (2020). Usability.Gov. <https://www.usability.gov/what-and-why/accessibility.html>

immigrants are able to participate.⁵ This is a step toward making affordable housing more equitable in the city. However, if the website is to be truly accessible to our immigrant neighbors, it must be easily translated into a range of languages, ideally the same ones that NYC Census resources are translated into, found [here](#). Undocumented immigrant contribute significantly to New York City's labor force; over three-quarters (77.5 percent) of undocumented immigrants are in the labor force compared to the city's U.S. born population (64.9 percent), and yet, median annual earnings for undocumented immigrants in the city (\$25,300) is significantly lower than earnings for U.S.-born citizens.⁶ Therefore, it must be a priority for HPD to ensure that undocumented New Yorkers are able to access the Housing Portal with ease.

In conclusion, I am voicing my strong support for the implementation of the Housing Portal. I am submitting this comment to strongly encourage HPD to acknowledge these considerations as they promulgate the rules around maintenance of the site.

Sincerely,
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⁵ Ricciulli, V. (2019, August 21). *New NYC housing lottery rules remove a barrier to entry for immigrants and other renters*. Curbed NY. <https://ny.curbed.com/2019/8/21/20826895/nyc-affordable-housing-lottery-credit-check-hpd-immigrants>

⁶ *An Economic Profile of Immigrants in New York City*. (2018, June). NYC Mayor's Office for Economic Opportunity. <https://www1.nyc.gov/site/opportunity/reports/immigrant-economic-profile.page>