

REBNY Comments | March 31, 2026

## The Real Estate Board of New York to The Department of City Planning and the Board of Standard Appeals on the proposed Affordable Housing Fast Track Methodology and Amendments

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY appreciates the opportunity to provide comments on the proposed City Planning Commission rules: Affordable Housing Fast Track Methodology and The Board of Standard Appeals rules: Affordable Housing Fast Track Amendments.

New York City is in the midst of a severe housing crisis, defined by insufficient housing production and a persistent lack of affordable housing necessary to meet the needs of its diverse population. Without meaningful tools to align housing supply with demand, these challenges will continue to worsen. For this reason, initiatives such as City of Yes and the City Charter amendments represent important progress to tackling the housing crisis.

REBNY supported the [City Charter amendments](#) designed to accelerate housing production by enabling certain affordable housing developments to utilize a fast-tracked land use review process in underproducing community districts. These changes represent an important step toward ensuring that all neighborhoods contribute to addressing the housing shortage.

The proposed rules appropriately codify these changes and reflect meaningful efforts to facilitate housing development and expand affordable housing opportunities across the City. While we support the intent of these rules, we offer the following comments to help ensure their effective and practical implementation.

### **Affordable Housing Fast Track Amendments (Board of Standards and Appeals)**

The proposed rules establish new administrative requirements for applications seeking fast track treatment, including the requirement to submit a letter from the Department of Housing Preservation and Development (HPD) confirming compliance with affordable housing design and

development standards, as well as procedural requirements related to application timing and distribution.

REBNY supports the goal of ensuring that projects utilizing the fast-track process meet applicable affordability standards. However, we have concerns regarding the sequencing and feasibility of certain requirements.

Specifically, Section 3(e) raises concerns regarding the sequencing of required approvals and the practical timing of review. As currently drafted, it is unclear whether HPD will be able to review and issue a compliance letter for a project that has not yet received the necessary zoning approvals. Given how the development and review process typically proceeds, this requirement may create uncertainty and add potential delays in the application process.

We recommend clarifying the review sequence and eligibility criteria for HPD review in these circumstances; such as whether HPD approval is required prior to BSA discretionary approval. Addressing this issue will be critical to ensuring that the fast-track process functions as intended and does not introduce additional delays.

### **Affordable Housing Fast Track Methodology (City Planning Commission)**

The proposed methodology establishes a framework for determining which community districts qualify for expedited review based on their rate of affordable housing production over a five-year cycle. REBNY supports the creation of a transparent and data-driven approach to identifying underproducing areas and directing resources accordingly.

Finally, we support the identification of the 12 community districts with the lowest rates of affordable housing development and the subsequent application of an expedited review process in those areas. The calculations behind determining the rates will be based on multiple sources of government, statistically sound public data sources. The calculations will also be made public. This approach appropriately targets resources and aligns with broader fair housing goals.

REBNY appreciates the opportunity to comment on these proposed rules and commends the City's efforts to advance policies that support housing production and affordability.

Thank you for considering these points.

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