

Russell Squire  
Chair

Will Brightbill  
District Manager



**The City of New York  
Community Board 8 Manhattan**

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December 20, 2023

Hon. Kathy Hochul  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Andrea Stewart-Cousins  
Majority Leader  
The New York State Senate  
250 Broadway, Room 1930  
New York, NY 10007

Carl E. Heastie  
Speaker  
The New York State Assembly  
LOB 932  
Albany, NY 12248

**RE: Dis-incentivizing developers and owners from holding affordable units off the market**

Dear Governor Hochul, Majority Leader Stewart-Cousins, and Speaker Heastie,

At the Full Board meeting of Community Board 8 Manhattan held on December 13, 2023, the board approved the following resolution by a vote of 31 in favor, 5 opposed, 0 abstentions and 0 not voting for cause:

**WHEREAS**, New York City and New York State have a housing crisis; and

**WHEREAS**, the Governor introduced legislation in 2023 that would have created as many as 800,000 new units of housing in New York State; and

**WHEREAS**, there is an insatiable appetite for more affordable units in New York City; and

**WHEREAS**, New York State has created a provision of the state tax code identified as 421-a that incentivizes real estate developers to build units of market rate and affordable housing in exchange for tax benefits; and

**WHEREAS**, the latest version of 421-a has expired; and

**WHEREAS**, the upcoming session of the New York State legislature is likely to consider a new version of the 421-a tax provision;

**THEREFORE, BE IT RESOLVED THAT**, Community Board 8 Manhattan urges the adoption of a provision – within any new version of the 421-a tax program – that, prohibits any unit of affordable housing which is built utilizing tax benefits under the new version of 421-a, from being underutilized (i.e., not rented or sold) for over a year without a legitimate exception; otherwise the owner/developer would incur a financial penalty that is not less than the tax benefit(s) they received for that affordable unit.

Please advise us of any action taken on this matter.

Sincerely,

*Russell Squire*

Russell Squire  
Chair

*Ed Hartzog and Rebecca Lamorte*

Edward Hartzog and Rebecca Lamorte  
Co-Chairs, Housing Committee

cc: Honorable Eric Adams, Mayor of the City of New York  
Honorable Mark Levine, Manhattan Borough President  
Honorable Jerry Nadler, 12th Congressional District Representative  
Honorable Liz Krueger, NYS Senator, 28th Senatorial District  
Honorable José M. Serrano, NYS Senator, 29th Senatorial District  
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District  
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District  
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District  
Honorable Keith Powers, NYC Council Member, 4th Council District  
Honorable Julie Menin, NYC Council Member, 5th Council District