



**Strengthening Transparency & Accountability in Housing and Planning**

A Presentation to the

**Bronx Community Board 8 Land Use Committee**

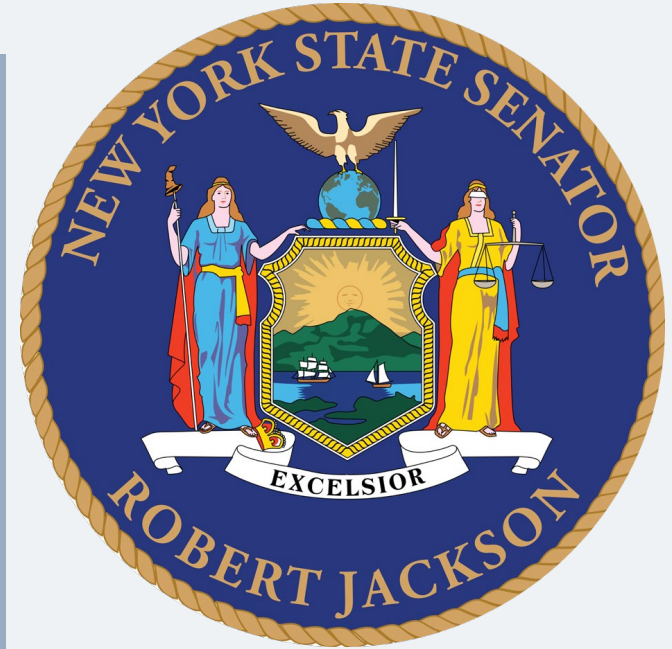
Chair Charles G. Moerdler

Vice Chair Martin Wolpoff

Members Bender • Chong • Matthews • Rowen • Spalter

Presented by: *Office of Senator Robert Jackson*

Date: 03/11/2026



**S6761 & S5226-A**

# Why These Bills Matters

- Provide statutory summaries of S6761 and S5226-A
- Explain operational impacts on affordability calculations and housing advertising
- Identify implications for CB8's land-use review responsibilities
- Outline rationale for committee support

**S6761 & S5226-A**



## Why This Matters for CB8

CB8's February 5 meeting identified the following issues:

- Inflated AMI figures used to justify unaffordable “affordable” units
- Misleading affordability claims in development presentations
- Infrastructure strain in Van Cortlandt Village
- Need for standardized definitions of affordability
- Community mistrust due to inconsistent or inaccurate information

S6761 and S5226-A directly address these concerns.

# S6761 & S5226-A



## S6761: Statutory Function

**S6761 amends affordable housing program requirements in NYC** by mandating that all programs initiated after enactment must use the lower of:

1. **ZIP-code-specific Area Median Income (AMI)**, or
2. **Regional AMI** as defined by HUD for the NYC Metropolitan Area

This ensures affordability calculations reflect **localized income conditions** rather than inflated regional figures.

# S6761 & S5226-A



# S6761: Technical Rationale

- Current “Metropolitan AMI” includes higher-income counties (e.g., Westchester), artificially elevating affordability thresholds
- ZIP-code AMI methodology aligns affordability with **actual neighborhood income distributions**
- The bill preserves use of Regional AMI **only when it is lower**, ensuring the most conservative affordability metric applies
- Supports accurate rent-setting for programs tied to AMI (e.g., 421-a successors, HPD programs)

S6761 & S5226-A



# S6761 Implications for CB8

- Ensures future affordable housing proposals in CB8 are priced using Bronx-appropriate AMI levels
- Provides a statutory basis to challenge affordability claims based on inflated regional AMI
- Aligns with CB8's stated goal of establishing clear, defensible affordability definitions
- Reduces risk of “affordable” units priced at levels inaccessible to local residents

S6761 & S5226-A



# S5226-A: Statutory Function

S5226-A adds General Business Law §350-a-1, establishing statewide standards for advertising “deeply affordable housing.”

The bill:

- i. Defines “deeply affordable housing” as units affordable to households earning  $\leq 60\%$  of AMI
- ii. Classifies misrepresentation of deeply affordable units as false advertising
- iii. Requires advertisements for mixed developments to disclose the number or percentage of deeply affordable vs. market-rate units
- iv. Applies these standards to developers, brokers, and all state/municipal agencies
- v. Does not alter eligibility rules for programs with different affordability definitions, but mandates advertising compliance

S6761 & S5226-A



# S5226-A: Technical Rationale

- Current advertising practices allow units priced at **up to 120% AMI** to be labeled “affordable,” creating consumer confusion
- Standardized definitions reduce ambiguity and improve market transparency
- Accurate disclosure of unit mixes improves public understanding of development impacts
- Supports consistent application of affordability terminology across agencies and developers

S6761 & S5226-A



# S5226-A: Implications for CB8

- Provides a statutory definition CB8 can apply during ULURP and pre-ULURP reviews
- Prevents developers from presenting units as “deeply affordable” when they exceed 60% AMI
- Addresses CB8’s concerns regarding misleading affordability claims (e.g., \$3,000 micro-units)
- Enhances CB8’s ability to evaluate whether proposed projects meet local affordability needs
- Improves public trust by ensuring accuracy in all housing-related presentations

S6761 & S5226-A



# How S6761 + S5226-A Work Together

These bills advance CB8's stated objectives:

- Establishing clear definitions of affordability
- Ensuring affordability reflects local income levels
- Improving accuracy of developer presentations
- Addressing community concerns regarding claims
- Supporting evidence-based land-use recommendations

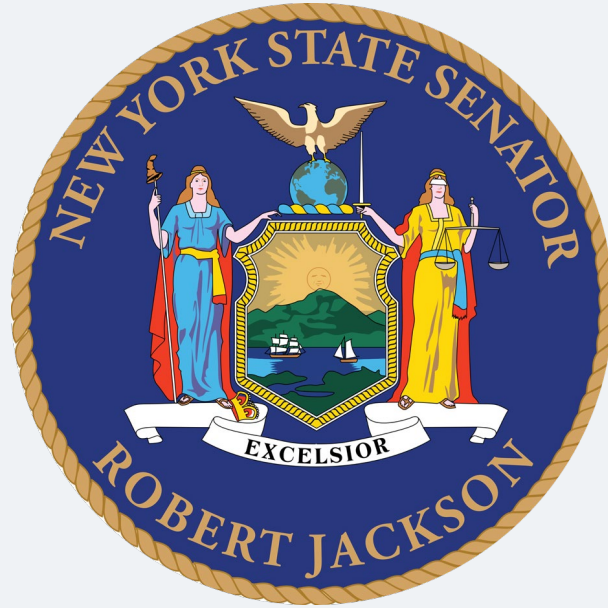
**S6761 & S5226-A**





**Questions?**





Thank You!

