

AFFORDABLE HOUSING STRATEGIES FOR THE CITY OF BUFFALO



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TABLE OF CONTENTS

Executive Summary	2
Challenges	2
Solutions	2
Introduction	4
Buffalo’s Housing Challenges	5
Affordability	5
Job Access.....	7
Inclusion.....	7
Vacancy and Abandonment	8
Housing Quality.....	8
Top-Down Development	8
Recommended Solutions	10
Inclusionary Zoning.....	10
Community Land Trusts	11
Deed Restrictions.....	12
Green and Healthy Neighborhoods.....	13
Green Buildings	17
Greening Buffalo’s Vacant Lots.....	19
Housing Preservation and Reuse	21
Increasing and Supporting Home Ownership.....	22
Reforming Tax Foreclosures	24
Protecting Tenants and Preventing Homelessness	26
Federal Funding Programs: Improving Processes, Priorities and Capacity	28
Conclusion: Community–Controlled Development	29

Executive Summary

Challenges

Affordability. More than half of Buffalo's households cannot afford their rent. They are facing increasing challenges as rents rise steeply but the urban poverty rate remains stubbornly high.

Job Access. Almost one third of the City's households lack access to a car, but only half of the region's jobs are accessible to city dwellers via public transit. Even those who work have trouble getting quality jobs that pay living wages.

Inclusion. The Buffalo-Niagara region is among the most segregated in the nation, by both race and income, with almost two thirds of people of color living in concentrated poverty, compared to 14% of whites.

Vacancy and Abandonment. The combination of severe depopulation, sprawl, and segregation has left many urban neighborhoods with very high rates of vacancy and abandonment, fueling a downward spiral of disinvestment.

Housing Conditions. Buffalo has the oldest housing stock of any major city, with over two thirds of units built before 1940. Old housing combined with disinvestment and poverty leads to bad housing conditions, lead paint poisoning, exacerbated asthma symptoms, and other health problems.

Top-Down Development. Buffalo's large developers have great influence over the City's housing markets, programs, and policies, making it harder for the needs and goals of ordinary residents to be heard and implemented.

Solutions

Inclusionary Zoning. The City should require new housing developments to include a set proportion of affordable units. In addition to leveraging market rate development to create affordable housing, this strategy helps create more mixed income neighborhoods and more housing close to jobs and transit.

Community Land Trusts. The City should aid in creating community land trusts dedicated to permanently affordable housing and should transfer some of its land and buildings into land trusts.

Deed Restrictions. The City should place deed restrictions on some of the thousands of properties it owns to keep them permanently affordable.

Green and Healthy Neighborhoods. Buffalo should use Green and Healthy Neighborhoods strategy that focuses resources in targeted areas, empowers and

employs residents, and addresses all of a neighborhood's housing needs – affordability, energy efficiency, and environmental health – at once.

Green Buildings. To promote the long-term affordability and sustainability of its housing stock, the City should promote green building design, renovation, and operations with regulations, funding, and public education, led by a new Sustainability Department.

Greening Buffalo's Vacant Lots. The City should establish a "Clean and Green" program for its over 10,000 vacant lots to beautify them and make them more sustainable while providing entry-level jobs for local residents.

Housing Preservation and Reuse. The City should seal abandoned buildings more completely to preserve them weather and break-ins. The City should be more aggressive in donating vacant buildings to non-profit developers and to responsible owner-occupants through its Homesteading program and in spending City money on repairs rather than demolitions.

Increasing and Supporting Home Ownership. The City should increase funding for repairs for low income homeowners and make home ownership programs better funded, more centralized, and easier to navigate. It should allow homeowners in fast-gentrifying neighborhoods to defer the payment of increased property taxes.

Reforming Tax Foreclosures. The City should make a set of reforms to its tax foreclosure process to make it easier for residents to pay delinquent garbage bills and taxes and to keep more owners in their homes.

Protecting Tenants and Preventing Homelessness. The City should provide funding for a tenant advocate and increase its funding for fair housing work. It should pass laws forbidding landlords with outstanding housing code violations from evicting tenants, increasing the penalties for retaliatory evictions, and requiring landlords to have a just cause for evicting tenants. The City should advocate for a state Home Stability Support program to provide rent supplements to tenants at risk of homelessness.

Federal Funding Programs: Improving Processes, Priorities and Capacity. In allocating its federal funds through programs such as CDGB and HOME, the City should orient its criteria more toward sustainability and homelessness prevention; it should help non-profit developers gain capacity to better access state and federal funds; and it should engage in more meaningful and creative forms of citizen engagement.

Community-Controlled Development. The City should do more planning and development that is resident driven and includes more voices from renters and people with low incomes.

Introduction

Many of the 273 organizations that belong to the Partnership for the Public Good (PPG) work directly with affordable housing, and many others feel the impact of housing issues as they work in fields as diverse as education and criminal justice. Families do not thrive when they must spend over half their income on rent, when they lose their housing through eviction or tax foreclosure, when they live in high-poverty neighborhoods marked by segregation, abandonment, and disrepair, or when they experience lead poisoning or asthma in their homes. A family's neighborhood affects whether their children go to a school with adequate resources, whether they can access jobs via public transit, and even whether they can purchase fresh food. Over the last ten years PPG has published numerous fact sheets, policy briefs, and reports on housing issues. In this report we draw on past work and supplement it with new research and analysis to present a broad range of affordable housing strategies for the City of Buffalo. None of these strategies will succeed in isolation, and like all public policies they should be re-evaluated regularly, but they offer concrete ideas to increase equity and sustainability in our city.

Buffalo's Housing Challenges

Affordability

- More than half of Buffalo households (55%) cannot afford their gross rent – according to the federal definition by which affordability means paying less than 30% of income toward gross rent, which includes contract rent and utilities.¹
- Buffalo's already extreme poverty is getting worse, not better, despite the spate of recent economic development projects. The City's poverty rate rose slightly each year from 2009 to 2015, going from 29.6% to 31.4%, which is more than twice the national rate.
- Unfortunately, even as poverty has risen, so have rents. According to Rent Jungle, which claims to capture roughly 80% of on-line rental listings in the city, whereas in 2011 the average rent advertised for a two-bedroom apartment in the city ranged between \$678 (March) and \$940 (November), in 2017 the average rent for a two-bedroom has ranged between \$1,226 (January) and \$1,355 (April).² According to the federal Department of Housing and Urban Development, fair market rents for a two bedroom apartment in the Buffalo-Niagara metropolitan region have risen from \$704 in 2008 to \$810 in 2017.³ According to the American Community Survey, the median gross rent in the city of Buffalo in 2015 was \$699.⁴
- High utility bills make Buffalo's housing much less affordable than it may appear when looking only at rents and sales prices. Roughly three fourths of Buffalo's renters pay their own utility bills. Given cold winters, poorly insulated and poorly repaired housing stock, and high electricity prices, these bills form a major burden. In Erie County, energy costs represent an astonishing 76.6% of household income for those who are at or below 50% of the federal poverty level.⁵



Figure 1 An aerial image of Buffalo, NY. Digital image. Wikimedia Commons. Accessed November 10, 2017. https://commons.wikimedia.org/wiki/File:Buffalo_1945_NARA_68145063.jpg

- By the time of the 2010 Census, 23% of the city's households had severe housing cost burdens, paying more than 50% of their income on housing (Appendices 1-2). Among black households, over 30% faced severe burdens; among Hispanic households, over 37% did.⁶
- Among metro areas nationwide, Buffalo experienced the seventh largest increase in rental affordability burden between 2015 and 2016.⁷
- When people can't afford their rent, many bad things happen. They have to skimp on necessities such as food and medical care. They get evicted or are otherwise forced to move, causing trauma and disruption. All too often, they become homeless. 5,455 people in Erie County experienced homelessness in 2015. In 2016, that number rose almost ten percent to 5,953.⁸ Homeless individuals most frequently originate from zip codes 14215 and 14211 (Appendix 3).
- Section 8 provides vouchers for low-income families to subsidize housing costs, but the demand far exceeds the supply. Both Section 8 providers closed their waitlists years ago, and their waitlists remain exceedingly long; there are nearly 4000 families on Rental Assistance Corporation's list.⁹ While Section 8 vouchers were designed, in part, to combat segregation, voucher use is concentrated in certain parts of the city (Appendix 7).
- Even homeowners are feeling the crunch of rising prices. The median sale price for a home in Erie County increased from \$132,500 in 2014 to \$141,000 in 2016.¹⁰ In trendy neighborhoods like the Elmwood Village, many homes are worth double what their owners spent on them.¹¹ While rising property values can be good for owners who want to sell, owners who want to stay in their homes may face unaffordable property taxes starting in 2019 after the City reassessment, and they may be forced to move.

Job Access

- Unemployment in Buffalo remains stubbornly high. The unemployment rate for African Americans in the city in recent years has averaged over 19%, and for Hispanic workers it has been 17%.¹²
- Even those who work have trouble getting jobs that pay decent wages. The median earnings of the 108,412 employed people in Buffalo are only \$27,437.¹³



Figure 2 NFTA-Metro bus. Digital Image. Flickr. Accessed November 10, 2017.

<https://www.flickr.com/photos/28156061@N04/8457581608>.

- Many workers lack cars and cannot reach quality jobs through public transit or by walking or biking (Appendix 8). Over 29% of the city's households have no vehicle available.¹⁴ In Buffalo-Niagara, there are 56,732 households without a vehicle. Workers in those households can reach only 42% of the region's jobs within 90 minutes by public transit. Even within the city, where access to transit is better than in the suburbs, workers can reach only 53% of jobs by public transit.¹⁵
- Thus, there is a need to house more workers in parts of the city that are experiencing economic growth, and/or locations along good public transit lines. These are the parts of the city where new, market-rate housing is being created, such as downtown, near the Medical Campus, in the Elmwood Village, along Niagara Street, and near Main St. (Appendices 4-6).

Inclusion

- Buffalo-Niagara is the sixth most segregated metropolitan region in the nation. In the region, 64% of people of color live in concentrated poverty, compared to 14% of whites.¹⁶ In the City itself, roughly 85% of African-Americans live east of Main Street (Appendices 10 and 11).¹⁷
- The Buffalo-Niagara metro area ranked in the top ten for increase in income segregation in the last decade,¹⁸ and in 2014 was ranked seventh most segregated by income (Appendix 9).¹⁹

Vacancy and Abandonment

- Decades of sprawl, depopulation and segregation have filled many Buffalo neighborhoods with vacant and abandoned buildings. The City's population fell from 560,132 in 1950 to 261,310 in 2010.
- The City's vacancy rate rose from 4.9% in 1970 to 16.3% in 2015. In 2015 the City had 132,134 housing units, of which 110,549 were occupied and 21,585 vacant. From 2000 through 2013 the City demolished 6,411 buildings, averaging 458 per year.



Figure 3 Two unoccupied residential homes in Buffalo, NY. Digital Image. Wikimedia. Accessed November 10, 2017. <https://commons.wikimedia.org/wiki/File:Buffalodecay1.jpg>.

Housing Quality

- Buffalo has the oldest housing stock of any major city, with 67.3% of units built in 1939 or earlier.²⁰ Poor housing conditions such as dampness, dust, draftiness, and pest infestation exacerbate asthma, which disproportionately affects people of color in high poverty neighborhoods.²¹ Old, badly-maintained housing stock contributes to Buffalo having one of the highest levels of lead poisoning in the nation – substantially worse than that of Flint, Michigan.²²
- According to Census data, over 41% of Buffalo households experience a housing problem, such as unaffordability, overcrowding, or substandard housing, and over 25% experience a severe housing problem. Over half of people of color experience a housing problem (Appendix 12).²³

Top-Down Development

- Much of the new housing being created in Buffalo is the work of a small number of developers. Many of them make large political contributions to elected officials, often contributing generously to both Democrats and Republicans, creating the appearance that their contributions are made in the expectation of favorable treatment rather than for ideological or policy-driven reasons. Developers hold positions on various city and regional boards and commissions and enjoy easy access to media, as well.

- Most of the new housing being created includes generous public subsidies through tax incentives, loans, and other means, but without any requirement that it include affordable units. (Appendices 4-6). For example, the Phoenix Brewery development near the Medical Campus includes city property tax reductions, \$316,000 in tax breaks from the Erie County Industrial Development Authority (ECIDA), and \$1.74 million in historic tax credits. The 30 one- and two-bedroom luxury apartments have an average rent of \$1,500 per month.²⁴
- Much of this public investment in market rate housing comes through federal or state programs, but the City also plays a role. Here are a few examples of public money provided through the City's Better Buffalo Fund and the Buffalo Building Reuse Project:
 - \$1.5 million loan for the Turner Brother warehouse project to create 40 apartments with a starting two-bedroom rent of \$1425.²⁵
 - \$1.2 million loan for the 1665 Main Street project to create 60 apartments.²⁶
 - \$800,000 loan for the 960 Busti Ave project to create 18 market-rate apartments with a starting two-bedroom apartment of \$1500.²⁷
 - \$750,000 loan to the Planning Mill project on 141 Elm Street, which has a starting rent of \$1800 a month.²⁸
 - \$750,000 loan to the Main-Cathedral project at 298 Main Street.²⁹
 - \$750,000 loan to the Alexandre Apartments at 510 Washington Street.³⁰
 - \$750,000 loan to the Phoenix Brewery Apartments at 835 Washington Street, which has a starting two-bedroom rent of \$1600.³¹
 - \$500,000 loan for the Mattress Factory project at 170 Florida Street with 34 apartments with rents between \$800 and \$1400.³²

Recommended Solutions

Inclusionary Zoning

The City of Buffalo is experiencing fast-rising rents and housing prices in the midst of severe and growing poverty. New housing is being built, often with generous subsidies from the taxpayers, but most of it is luxury or market-rate apartments and condominiums. Far from aiding the affordability crisis, this new development is worsening it, particularly in neighborhoods such as downtown, the West Side and Fruit Belt, where displacement of lower income tenants is on the rise. The real estate market is dividing Buffalo into neighborhoods of prosperity and neighborhoods of concentrated poverty, with relatively few mixed income areas.

Inclusionary zoning is a proven tool to leverage new development for the creation of affordable housing. It helps to create or preserve mixed income neighborhoods where all are welcome. The City of Buffalo should enact an inclusionary zoning policy requiring developers of ten or more units to set aside 30 percent of the units for people with an income below 60 percent of the area median income. In order to promote economic integration, the affordable units should be created on the same site as the market-rate units and should be of the same quality, with access to the same amenities. There are tools the City can use to help offset the potential for decreased revenue to developers. Other cities provide density bonuses (allowing greater density in buildings that include affordable units), faster permitting processes, tax incentives, and other inducements.



Figure 4 Bishop, Harper. Buffalo residents calling for inclusionary zoning. November 8, 2017.

For more information, see *Inclusionary Zoning: Creating Equity and Lasting Affordability in the City of Buffalo, New York* (Buffalo Inclusionary Zoning Coalition, 2016).

Community Land Trusts

A community land trust (CLT) is a private, nonprofit corporation that acquires and retains ownership over plots of land, while selling the housing on that land. CLTs market their housing to low and moderate-income households and sell homes at below-market prices. To keep these homes affordable, purchasers must agree to resale restrictions. In other words, their sale price is capped at a certain level of profit, so that the house remains affordable for the next buyer. A CLT is typically governed by a board with a majority of local residents. In this way, CLTs establish community control of land, preserve affordability, and help limit displacement.³³

More than 220 CLTs exist in the country today.³⁴ A famous example of a successful land trust is the Dudley Neighbors trust in Boston. Led by residents, Dudley Neighbors established community control over 1,300 parcels of abandoned land. Through the acquisition and management of these lands, Dudley Neighbors redeveloped a once neglected neighborhood without displacing its long-term residents. As of 2014 Dudley Neighbors oversaw 225 units of affordable housing as well as a playground, a mini-orchard and community garden, an urban farm/greenhouse, and community non-profit office space.³⁵



Figure 5 Open Buffalo. Land Trust Not a Land Rush. June 22, 2016.

FB Community Land Trust is the first resident-initiated CLT in the City of Buffalo. It was incorporated in April 2017, and its application to become tax-exempt is pending. With the rapid growth of the Medical Campus, property values in the Fruit Belt neighborhood are rising, and longtime residents face potential displacement. After acquiring vacant land in the Fruit Belt, the FB Community Land Trust will contract with developers and create permanently affordable housing. The City of Buffalo owns over 200 vacant lots in the Fruit Belt neighborhood. To promote development without displacement, the City of Buffalo should sell its vacant lots to the FB Community Land Trust for a nominal fee.

The Fruit Belt is not the only neighborhood in Buffalo that is feeling the effects of gentrification. With the renewed popularity of urban living, and with a spate of new public and private investment in the city, the value of property throughout the city is on the rise. Certain neighborhoods, including downtown, Allentown, and areas on the west and east sides, are becoming hot markets, with increased rents and property taxes threatening displacement of longtime residents. The City should devote start-up resources, technical assistance and land to neighborhood groups and non-profit organizations that are committed to creating CLTs.

Deed Restrictions

A deed restriction (also called a restrictive covenant) is a tool that property owners can use to dictate how future owners may use that property. These restrictions are legally-enforceable, and they can dictate just about anything—whether you can cut down a tree on the property, the type of building materials that you can use, require the home be

“An affordability deed restriction placed on Buffalo city-owned vacant land would ensure that any housing placed on the land would be permanently remain affordable.”

owner occupied, etc. By purchasing the property, the buyer agrees to abide by the deed restrictions. Further, deed restrictions “run with the land,” meaning that a change in ownership does not impact the restriction, and it therefore applies to all future owners.³⁶

While the restrictions listed above are commonly used by homeowners’ associations, deed restrictions can also be used by cities or housing organizations to ensure permanently affordable housing. An affordability deed restriction placed on Buffalo city-owned vacant land would ensure that any housing placed on the land would permanently remain affordable.

Deed restrictions can be used in conjunction with land trusts or separately. For example, the City of Chicago created the Chicago Community Land Trust (CCLT) to ensure that low- and moderate-income households gain access to the local housing market. The CCLT, unlike most land trusts, does not keep ownership of land parcels; instead, it uses deed covenants to restrict the sales of its properties. The CCLT’s restrictive covenants require that housing units be sold to an income-qualified buyer and that the price of the unit be affordable based on local income and housing data.³⁷

The City of Buffalo should work closely with community groups to identify parcels throughout the City that should be reserved for affordable housing through deed restrictions. This can be a particularly valuable tool in neighborhoods where housing prices are rising rapidly or anticipated to rise rapidly in the future – to ensure that the neighborhood remain accessible and equitable for all Buffalonians.

Green and Healthy Neighborhoods

The City should collaborate with government and community partners to renew Buffalo's neighborhoods by targeting distinct areas and focusing public and private investments to make the housing greener, healthier and more affordable while also improving infrastructure and vacant lots, creating quality jobs for local residents, adding public art, and empowering neighborhood leaders.

Focusing investment in tight areas creates many synergies and efficiencies. It generates sufficient improvements that private capital then returns to the neighborhood. In doing so, the neighborhood switches from the downward spiral of disinvestment and declining property values to the virtuous circle of reinvestment and appreciation. At the same time, by investing in the residents and not just the physical neighborhood, and by reserving a substantial amount of the property for affordable housing, this strategy ensures that the neighborhood remains mixed income and thus limits gentrification and displacement.

The result is a set of neighborhoods that are greener and healthier – filled with residents who are more prosperous, empowered, and engaged in their community. As these areas find renewal, their success spills over in to the areas around them, drawing more private investment and prosperity.



Figure 6 PUSH Green Development Zone. Digital Image. PUSH Buffalo. Accessed November 10, 2017. <http://pushbuffalo.org/green-development-zone1>.

A Green and Healthy Neighborhoods strategy capitalizes on several key assets and opportunities:

- **Proven models.** The Green and Healthy Homes Initiative demonstrated the success of coordinating programs and braiding funding to holistically address the repairs, health, and energy efficiency issues in local housing. The PUSH Green Development Zone has won international recognition and turned a Buffalo neighborhood around by using the strategies outlined in this section.
- **Publicly owned land and buildings.** The City of Buffalo owns or controls a large supply of vacant land and abandoned buildings that can be transformed into green and healthy neighborhoods.

This strategy also addresses key challenges preventing Buffalo from reaching its full potential:

- **Lack of green, healthy, affordable housing.** See “Buffalo’s Housing Challenges” above for data on this issue.
- **Lack of job opportunity.** Improving neighborhoods without improving the incomes of their residents can fuel displacement and fails to address underlying issues. Too many affordable housing development projects do not provide quality jobs for local residents.
- **Capacity.** There are not enough community development organizations with the capacity to do larger scale housing and neighborhood renewal projects. Partly as a result, too much affordable housing development is being done by large, for-profit corporations rather than by non-profits responsible to their communities.
- **Lack of cohesion.** In the absence of a community-wide plan, community development organizations are left to compete with one another for funds rather than coordinate their efforts to draw the maximum amount of money from public and private sources and to transform the entire city.
- **Isolated programs and funding streams.** It is hard to coordinate and braid resources to efficiently address all a house’s issues (lead paint, lack of insulation, etc.), much less all of a neighborhood’s issues, in an efficient way that delivers the best return on investment.



Figure 7 India Walton at CFA Community Congress. June 19, 2017.

The City should work with community and government partners to identify **focus areas** of roughly twenty-five blocks for renewal (this is the scale used by the highly successful PUSH Green Development Zone). Criteria for selection should include:

- High poverty rate;
- Proximity to public transit;
- Ability to leverage brownfield remediation efforts;
- Proximity to a community school or other “anchor” assets;
- Strong relationships between the residents and community partners;
- High number of buildings or lots owned by the City;
- Ability to get site control of roughly 20 percent of the housing units.

The City should place deed restrictions on the residential parcels it owns within the focus area, reserving them for affordable housing or publicly beneficial uses such as parks, gardens, and playgrounds. The City should grant exclusive development rights to the City parcels and the ability to buy them for one dollar to a non-profit developer, in exchange for the developer committing to:

- Lead a community planning process in which the residents help determine the end uses;
- Preserve existing structures and rehab them into green, affordable, lead-safe housing;
- Prioritize vulnerable populations such as people who have experienced homelessness, children with high lead levels or asthma, etc.
- Turn vacant lots into green affordable housing or other beneficial uses such as rain gardens, community gardens, and urban farms;
- Use high road employment practices with living wage jobs and first source hiring, including aggressive attempts to hire residents from inside and near the target area and to employ formerly incarcerated people;



Figure 8 PUSH Buffalo. Hiring hall, solar install. Digital Image. Facebook. July 11, 2017.
<https://www.facebook.com/push.buffalo/photos/a.846721715504799.1073741835.375021042674871/846722635504707/?type=3&theater>

- Work with local partners to bring to the neighborhood:
 - “Whole House” home improvements for other homes in the neighborhood:
 - Audits to assess repair needs, energy efficiency needs, renewable energy potential, and health hazards such as lead, asthma triggers, and radon;
 - “Braided” delivery of services/programs to address all the needs at once;
 - Resident leadership training;
 - Arts/cultural programming, including public art;
 - Health/wellness opportunities, including access to nutritious food;
 - Financial literacy, including homeownership counseling and other wealth building techniques.

The City should **prioritize investments and resources** in the focus areas, including:

- Renovating the streets with Complete Streets treatment;
- Doing sidewalk and streetlight replacement/repair;
- Adding green infrastructure to streets;
- Taking title to homes through the foreclosure auction;
- Allotting projects in the target areas bonus points in capital budget planning, CDBG and HOME allocations, and other processes;
- Prioritizing affordable housing projects in those areas for state and federal funds such as Low Income Housing Tax Credits;
- Helping build up the civic infrastructure of the target area with block club formation, community policing, crime prevention through environmental design, and Mayor’s Summer Youth program opportunities.
- Working with local businesses, non-profits, faith groups, foundations, and universities to focus resources, services, research, and volunteer activities in the target areas.

Green Buildings

All affordable housing should be green housing. Green housing is better for the environment, better for the health of its residents and the community, and, over its lifetime, more affordable. High utility bills make Buffalo's housing much less affordable than it may appear when looking only at rents and sales prices. Roughly three fourths of Buffalo's renters pay their own utility bills.³⁸ Given cold winters, poorly insulated and poorly repaired housing stock, and high electricity prices, these bills form a major burden. In Erie County, energy costs represent an astonishing 76.6% of household income for those at or below 50% of the federal poverty level.³⁹

Climate change is the most important policy challenge facing us, and residential buildings are Buffalo's greatest source of greenhouse gas emissions, contributing 34% of the City's total, well ahead of industrial uses (24%), commercial establishments (20%), and personal vehicles (14%).⁴⁰ Climate change will hurt the people with the lowest incomes the most, so any advocate for affordable housing should be very concerned with limiting climate change.⁴¹

Green housing is also more affordable than non-sustainable housing. A true and comprehensive cost/benefit analysis—one that measures not just the costs of building or rehabbing a home, but also the costs of operating, repairing, and, eventually, recycling or demolishing it—shows this to be true.⁴² Once health costs to residents and impacts on society at large are factored in, the case for green buildings is overwhelming. Therefore, the City's affordable housing policy should make sustainability – with particular focus on energy usage – one of its top priorities.

Specific action steps should include:

- Requiring all new and substantially renovated buildings to meet Energy Star or other heightened requirements for energy efficiency;

Energy Efficiency: a Win/Win Proposition

According to the US Department of Energy's Home Energy Saver website, a 1920 home for a family of three in Buffalo's 14215 zip code would have average yearly energy bills of \$3,689. A set of efficiency upgrades would reduce those bills by 50 percent, for savings of \$1,844, while also reducing carbon emissions by 52 percent, the equivalent of taking 1.1 cars off the road. The upgrades would cost \$8,844, so they would pay for themselves in five years and offer a return on investment of 21 percent.

- Adding City funding – possibly in the form of a revolving loan fund – to the federal and state-funded energy assistance programs such as Weatherization Assistance;
- Mounting a public education campaign on energy conservation, aimed in particular at low income renters who pay their own utility bills.
- Passing legislation requiring landlords to disclose average monthly utility bills to prospective tenants;
- Offering property tax reductions or other incentives for green buildings.

For more information on green affordable housing, see *Affordable Housing and the Environment in Buffalo, New York* (Partnership for the Public Good, 2007); *Green Affordable Housing Toolkit* (Enterprise Green Communities, 2010); and *Municipal Green Building Policies* (Environmental Law Institute, 2008).

To plan, implement, monitor, and report out on green initiatives such as this, the City should follow the lead of many other governments and businesses and create a cabinet-level Director of Sustainability and a sustainability department charged with greening the City's own operations and the City as a whole. The experience of other cities and institutions suggests that such departments can pay for themselves with the efficiencies they bring. The University at Buffalo UB Green office once estimated that it saved the university over \$10 million per year in reduced energy costs. For more information on sustainability plans and offices, see *Greening Buffalo: What Local Governments Can Do* (Partnership for the Public Good, 2008). The City should also dedicate staff within the Office of Strategic Planning specifically to sustainability measures.

Greening Buffalo's Vacant Lots

Summary

The City's housing policy should also address the vacant lots that impair the quality of life for residents of Buffalo's neighborhoods, and do so in a way that provides jobs for disadvantaged workers. Greening lots can benefit a community in different ways - a place for children to play; a very local source of fresh, nutritious food; and a way to soak up stormwater and keep it out of the sewer system. Many local organizations are engaged in greening lots. Expanding these efforts into a larger scale, city-wide program would make a dramatic, eye-opening difference in Buffalo, especially when combined with deed restrictions to ensure that the vacant lots can only be used for affordable housing or beneficial green space.

Vacant Lots and Decay in Our City

The City of Buffalo had an estimated 10,170 vacant lots as of 2000.⁴³ Of these, almost half – roughly 4,200 – were owned by the City.⁴⁴ That number now exceeds 7,000 lots⁴⁵ and will continue to grow, as there are many more abandoned buildings awaiting demolition. These wasted spaces generate little or no tax revenue, and are a major source of decline.

Uncared-for properties are a target for illegal dumping, crime, and drug use. They are eyesores and can drastically lower the property values of surrounding homes.⁴⁶

Philadelphia 'Clean and Green'

Faced with a similar problem, the City of Philadelphia devised a simple, cost-effective way to 'Clean and Green'

some of its debris-choked, abandoned properties.⁴⁷ Under the guidance of the Philadelphia Horticultural Society (PHS), 12,000 properties – over sixteen million square feet – were transformed from blight to green space in ten years.⁴⁸



Figure 9 A PUSH Buffalo clean and green lot.

PHS is given license to improve city-owned vacant lots and properties that violate the City's nuisance ordinance. City crews help remove the largest pieces of garbage and debris.⁴⁹ Contractors then clean up the remaining refuse, import topsoil as necessary, and plant grasses and trees.⁵⁰ Next, wooden railings are installed around the perimeter, creating an important visual sign that the property is cared for and deterring dumping and other illegal activity on the property.⁵¹ In the final phase, contractors perform bi-weekly maintenance during the summer months to cut grass and clean up additional garbage⁵².

Clean and Green prioritizes strategically located properties – those that serve as 'gateways' to a neighborhood or are particularly visible. In some cases, the property may later move to a different use, becoming the site of a community garden or new, affordable housing, for example.⁵³ In the meantime, however, it transitions from an eyesore to an asset.

PHS estimates that it costs between \$1.25 and \$1.50 per square foot to stabilize a property. Maintenance costs as little \$0.15/sq. ft. each year. As the average lot in Philadelphia is around 1,000 square feet, it costs roughly \$1,250 to turn the average eyesore into a green space that the community can enjoy. The space can be maintained for around \$150 a year.



Figure 10 Community Garden on 18th street in Buffalo

Philadelphia's Community LandCare

A second prong of Philadelphia's model, Community LandCare, involves neighborhood-based organizations and transition-to-work programs in the maintenance and improvement of vacant lots.⁵⁴ At the peak of this program, nine member organizations cared for hundreds of vacant properties, providing over one hundred seasonal jobs to members of the community.⁵⁵

Buffalo Clean and Green

We propose that a program modeled after Philadelphia's program should be employed to clean and maintain vacant lots here in Buffalo. The newly created green spaces would also improve the quality of life for thousands of residents and create a host of good entry-level jobs. Cleaning and greening should serve as the "baseline" treatment for our vacant lots – the simplest, least expensive, most universally appropriate measure.

Housing Preservation and Reuse

From both economic and environmental standpoints, it is much more efficient to save old housing than to demolish it and build new housing. Buffalo should do more to protect housing that is abandoned or foreclosed upon and quickly recycle it.



Figure 11 Unoccupied residential homes marked for demolition on Sears Street. Digital Image. Wikimedia Commons. August 17, 2008. https://commons.wikimedia.org/wiki/File:East_buffalo_decay.JPG.

Better sealing and more mothballing. For budgetary reasons, when the City seals a vacant house, it only boards the first floor, and it does so in a way that is easy for thieves, vandals, and others to break through. As a result, many or most city board-ups have broken second floor windows that let in the elements, animals, and humans. The damage that they suffer makes them harder to preserve, and their lack of security and run down appearance makes them an unnecessary blight to their neighborhoods. The City should invest in better sealing techniques and should use boards painted by local children and artists in colorful fashion to reduce blight, as is done in Syracuse.⁵⁶ The City should then look to recycle more of these buildings quickly.

Increased and faster reuse of buildings. The City should be much more aggressive in donating vacant housing that it owns to non-profit housing developers and in selling units to responsible residents wishing to rehab or build owner-occupied housing. The City's homesteading program has moved far too few units. Over the eleven years from 2007 through 2017, the program has transferred a yearly average of four properties to Habitat for Humanity, less than one property to other non-profits, and 23 properties to individuals (or unnamed purchasers).⁵⁷ Habitat has indicated that in 2017 its build rate has been cut in half due to its inability to access affordable buildings or lots from the City. City officials have sometimes said that it cannot donate property or sell it at less than fair market value because of the state constitution's prohibition on gifts of public property; however, there are many valid exceptions to that prohibition, and it would be relatively easy for the City to do much more than it does.

It costs the City an average of \$20,000 to demolish a house.⁵⁸ In many cases, it might make better sense for the City to donate the house to a non-profit developer and supply a grant of up to \$20,000 to redevelop the house into affordable housing.

Increasing and Supporting Home Ownership

Buffalo still has an oversupply of houses due to its dramatic depopulation. Housing prices on the private market in many neighborhoods remain very low, and the City owns a large number of houses and has access to many more through the tax foreclosure auction. This represents an opportunity for affordable home ownership and for mortgages that would cost less than many tenants' rent. There are four great challenges, however. First, Buffalo's high poverty rates mean that the pool of potential new home owners with adequate income and creditworthiness is relatively small. Second, many existing homeowners cannot afford to keep their units in good repair. Third, given low property values, spiraling disinvestment in many neighborhoods, and low income levels, banks are not willing to make the mortgages that would be needed. Fourth, in other neighborhoods, where housing prices are rising very quickly, residents will face displacement due to an inability to afford increased property taxes. Solutions to these problems include the following.

More funding for repairs. The City spends an average of \$20,000 to demolish a home. Tax foreclosure is also an expensive process for the City and a devastating one for owners. By investing more in repair programs, the City could save money on demolitions while also keeping low-income homeowners in affordable housing. The City's Housing Court has a docket clogged with homeowners who have been cited for housing violations, including toxic lead paint conditions, but simply lack access to any funding stream that can help pay for the repairs. The City's current home repair program serves two hundred to three hundred homes per year, but the need is much greater.



Figure 12 PUSH Buffalo. Roof Repair. Digital Image. Facebook. April 11, 2016. <https://www.facebook.com/PUSHGreenWNY/photos/a.350148401703733.102336.284211014964139/1106236206094945/?type=3&theater>.

More support for proven home ownership programs. Some local programs have very strong track records. The City can target more support for such programs both by offering grant assistance and by providing city-owned houses for one dollar.

Easier access and navigation. There are a large number of small-scale homeownership programs in the City. The City should evaluate the feasibility of expanding and centralizing programs and making them easier for residents to find and navigate.

Property tax relief in gentrifying neighborhoods. The City should seek state authorization for a policy under which low and moderate income homeowners faced with sudden, steep property tax increases could defer payment of the increased amount until the sale or transfer of the home.

Reforming Tax Foreclosures

One important reason that low-income homeowners lose their affordable housing is the City's flawed tax foreclosure laws, policies, and processes. The City of Buffalo holds an annual foreclosure auction to collect on delinquent taxes and fees owed by its residents. This is a way for the City to raise revenue that would otherwise go unpaid and for Buffalo citizens to buy buildings and lots at bargain prices. But the foreclosure process is imposing a high cost upon some of Buffalo's most vulnerable citizens, creating an unnecessary burden on people trying to stay in their homes, and adding to the already existing problem of abandonment and blight.

The net of foreclosure is being cast far too wide, and homes are being lost due to the failure to pay garbage bills or small amounts of taxes. Furthermore, the City's inadequate notice practices, its high fees, and its cumbersome and arbitrary payment practices are adding to the problem.

Foreclosure is an important tool. The City of Buffalo must collect its taxes, and when it comes to properties that have already been abandoned, a fast foreclosure process is essential in getting the properties transferred to a responsible owner or demolished. However, in some cases the current system may actually fuel abandonment by forcing out owners who owe only small amounts of money. These reforms will make a dramatic difference:

Narrow the Scope

- The foreclosure auction should not be used to foreclose on 1-4 family, owner occupied, residential properties that owe only user fees. The City retains other remedies against people owing fees, such as turning bills over to collection agencies or filing individual lawsuits.
- There should be no foreclosure for delinquent taxes and assessments of less than \$500.

In Rem	Serial	Address	Tax District	Property Class
Date 10/24/2017	74	40 EDUCLID	147001	311-RESIDENTIAL VACANT LAND
42	10	809 EAGLE EAST		311-RESIDENTIAL VACANT LAND
20		98 FILLMORE		311-RESIDENTIAL VACANT LAND
		178 SMITH		311-RESIDENTIAL VACANT LAND
		VISION SOUTH		311-RESIDENTIAL VACANT LAND

Figure 13 Copy of the City of Buffalo In Rem 51 list of properties. November 10, 2017.

Taxpayer Hardship Assistance Program

- Many times an illness or lay-off causes a temporary drop in income. If the owner's long-term prospects are viable, it is much better to keep that owner in the home than to spend the resources needed to foreclose and either find a new owner or lose the property to abandonment. The City should establish a Taxpayer Hardship Assistance Program to provide financial assistance and counseling to residents who have faced temporary loss of income and are at risk of foreclosure. The City should issue a Request for Proposals from eligible non-profit organizations to administer the program.

Bills and Notices

- Homeowners should receive quarterly user fee (garbage) bills with a return envelope instead of the current practice of sending all four bills at one time.
- Regarding water billing, homeowners should not be charged for services not rendered. When water is shut off, the homeowner should not be charged for additional water or sewer charges after the shut-off date.
- When properties are identified by the department of assessment and taxation as having unpaid taxes or assessments and a notice is sent to the homeowner, the department should reconcile addresses with data in possession of other City departments and send notices to other addresses on file.
- Notices to homeowners should be rewritten in plain language.
- The City should make three attempts to reach homeowners by phone before foreclosing on the property.

Payment

- The City should accept and apply partial payments to the unpaid balance. Interest and penalties should only accrue on the unpaid part of the unpaid taxes or assessments.
- Payments should be allowed by cash, certified funds or credit card at any time or by personal check no later than 30 days before the sale date of the property at the in rem auction.
- Rather than negotiating payment plans only at the time of the auction, the City should establish a yearlong program for residents to pay delinquent property taxes, user fees, sewer rents and water charges under an installment agreement, which the homeowner will sign. No additional interest should be charged to homeowners for delinquent amounts that are included in the installment agreement.

Protecting Tenants and Preventing Homelessness

One key to affordable housing is to improve the quality and stability of existing rental housing. Few things are more expensive and destabilizing for lower income families than being forced to live with – or forced to move by – housing in bad repair. Lead poisoning, asthma triggers, and high energy bills are some of the most common issues tenants face. Unfortunately, tenants in Buffalo do not have all the tools they need to enforce their rights to safe and decent housing.

Tenant advocate. The City should use CDBG or other funds to provide funding for a tenant advocate to teach tenants their rights and responsibilities and aid them in common problems such as getting repairs done, reclaiming a security deposit, and looking for affordable housing.

Clean hands evictions. The City should pass a law requiring that before a landlord makes use of Housing Court to evict a tenant, the landlord must have cured any outstanding housing code violations included in orders from City housing inspectors or County health sanitarians.

Just cause evictions. Currently, tenants who are renting month-to-month can be evicted by their landlords at any time. Buffalo should join cities such as Oakland and Boston that are passing “just cause eviction” laws, under which a tenant may only be evicted for a good reason, such as nonpayment of rent or another breach of the initial lease.

Protection from Discrimination. Housing discrimination distorts the housing market and makes housing less affordable, particularly for the victims of it. Housing discrimination operates like a hidden tax, decreasing choices and increasing prices. The City of Buffalo has some excellent fair housing laws, but more needs to be done. Not only do we need to prevent current discrimination, but we need to remedy the toxic effects of years of segregation, redlining, blockbusting, and other inequities by reinvesting in the communities that have been victimized.



Figure 14 Buffalo City Court Building. Wikimedia Commons. April 22, 2011. https://commons.wikimedia.org/wiki/File:Buffalo_City_Court_Building.JPG.

- **Help pass a County Fair Housing Law:** The City's fair housing law forbids discrimination by landlords based on source of income – for example, the receipt of public assistance or the use of section 8 vouchers. The City should join with community groups in vigorous advocacy for a county-wide fair housing law that does the same, so that all the region's renters can have the same protections.
- **Fight NIMBYISM:** The City should amend its zoning code to make it harder for residents to block quality affordable housing development, particularly the housing serving special needs populations.
- **Fund Agencies that Fight Discrimination:** The City should increase its funding for agencies that do education, advocacy, and litigation to prevent and remedy housing discrimination.
- **Support Community Reinvestment:** The City should work closely with groups such as the Buffalo Niagara Community Reinvestment Coalition to ensure that lenders are fulfilling their responsibilities under the federal Community Reinvestment Act and offering equal service and investment to low and moderate income neighborhoods and neighborhoods of color.



Figure 15 Apple Realty. HUD Equal Housing Opportunity. Digital Image. Flickr. November 3, 2012. <https://www.flickr.com/photos/applerealty/8151034866>.

Protection from Retaliation. The City should amend its laws to increase the penalties against landlords who retaliate against tenants who call the housing inspectors or otherwise assert their legal rights.

Homelessness Prevention. The City should become a forceful advocate for the statewide campaign for Home Stability Support.⁵⁹ Home Stability Support will be a new statewide rent supplement for families and individuals who are eligible for public assistance benefits and who are facing eviction, homelessness, or loss of housing due to domestic violence or hazardous living conditions. This program will be 100% federally and state-funded, and will replace all existing optional rent supplements.

The rent supplements will be a bridge between the current shelter allowance and 85% of the fair market rent determined by HUD. Local districts will have the option to further raise the supplement up to 100% of the fair market rent at local expense.

Federal Funding Programs: Improving Processes, Priorities and Capacity

In recent years, the City has made substantial progress in cleaning up its use of federal funds such as CDBG and HOME. However, there is still work to be done in making the process more green, equitable, and community driven.

Green, Equitable Criteria

The City's criteria for evaluating housing proposals should reward sustainability and equity.

- *Sustainability.* Proposals should be evaluated with a full cost/benefit analysis that includes long-term environmental and public health costs, especially with regards to energy efficiency, stormwater treatment, and access to public transit.
- *Equity.* The public should invest in housing for the people who need it the most: those suffering from or at risk of homelessness. This is both fair and efficient, as the true social and governmental costs of homelessness and housing instability are staggering. This means focusing on housing that is affordable for those with very low incomes. In the current market, there is a special need for efficiency and one-bedroom apartments.

Capacity Building

Buffalo has long suffered from a dearth of non-profit housing developers with the capacity to compete for state and federal funding streams. Over the next few years the State of New York is dramatically expanding its affordable housing funding. To take advantage of that opportunity, the City should invest in building the capacity of several smaller non-profit housing organizations, pairing them with more experienced non-profit developers who can help them learn the ropes and win funding.



Figure 16 Fruit Belt residents choosing location of community center at CFA Community Congress. June 19, 2017.

More Meaningful Participation in Action Planning

The City's annual housing Action Plans governing its use of federal housing funds are huge, opaque documents. Its public meetings are unlikely to draw those people most impacted by housing unaffordability or to lead to meaningful changes in the City's priorities. Each year, the City should identify crucial decisions that need to be made about its use of funding and then use creative ways to engage diverse groups of citizens in conversations around those decisions; then the City should use those conversations to craft its policies.

Conclusion: Community –Controlled Development

How do we build an equitable city, where every resident lives in stable, quality, affordable housing in a diverse and inclusive neighborhood? Building equity requires putting people first, not just as beneficiaries but also as decision-makers. No one knows a neighborhood better than the people living in it, and no one knows the challenges of today's housing better than the renters with low incomes who are suffering those challenges directly. The transformation of a toxic brownfield on East Ferry Street into True Bethel Townhomes, with 30 units of affordable housing, shows how an empowered neighborhood can seize control of its destiny. The success of the Green Development Zone on Buffalo's West Side proves that the most transformative redevelopment occurs when ordinary residents are truly engaged in planning and implementing the future of their neighborhood.

Unfortunately, these successes remain the exception rather than the norm. Too much of Buffalo's housing is neither affordable nor sustainable; and too much of the power over its neighborhoods rests in the hands of a small number of well-connected development companies. It is up to City government to lift up its residents' voices through community planning and community development – asking each neighborhood about its needs and goals and then giving them the tools they need to reach those goals. The City's citizen engagement in drafting and passing its Green Code offers an impressive example of its ability to convene residents and to act on their suggestions. That type of engagement – which the City used in re-writing the rules for development – should now be used to generate and implement good, community–controlled development projects. The recommendations in this report offer a menu of options for the City and its residents to consider as they plot a just future for the City of Good Neighbors.

Appendix 1

Severe Housing Cost Burdens by Race

A severe cost burden is defined as paying more half of a household's income on housing costs. Households of color in particular often face severe housing cost burdens. 42% of Native American households, 37% of Hispanic households, 30% of black households, and 29% of Asian or Pacific Island households pay more than half their income on housing every month.

Households with Severe Housing Cost Burden	(Buffalo, NY CDBG, HOME, ESG) Jurisdiction		
Race/Ethnicity	# with severe cost burden	# households	% with severe cost burden
White, Non-Hispanic	8,700	56,935	15.28%
Black, Non-Hispanic	12,510	41,270	30.31%
Hispanic	3,240	8,720	37.16%
Asian or Pacific Islander, Non-Hispanic	690	2,390	28.87%
Native American, Non-Hispanic	245	583	42.02%
Other, Non-Hispanic	835	2,123	39.33%
<i>Total</i>	<i>26,220</i>	<i>112,040</i>	<i>23.40%</i>
Household Type and Size			
Family households, <5 people	10,900	50,614	21.54%
Family households, 5+ people	1,693	7,970	21.24%
Non-family households	13,639	53,460	25.51%

Source: U.S. Housing and Urban Development Department, Affirmatively Furthering Fair Housing Map Tool, *Table 10 – Demographics of Households with Severe Housing Cost Burden* (July 2016), <https://legis.hud.gov/affht/#>.

Appendix 2

Cost Burden for Renters

Of renters with an income less than \$35,000, most live in unaffordable housing. That is, they are paying more than 30% of their income on housing costs. Furthermore, almost 90% of renters with an income less than \$20,000 face a housing cost burden.

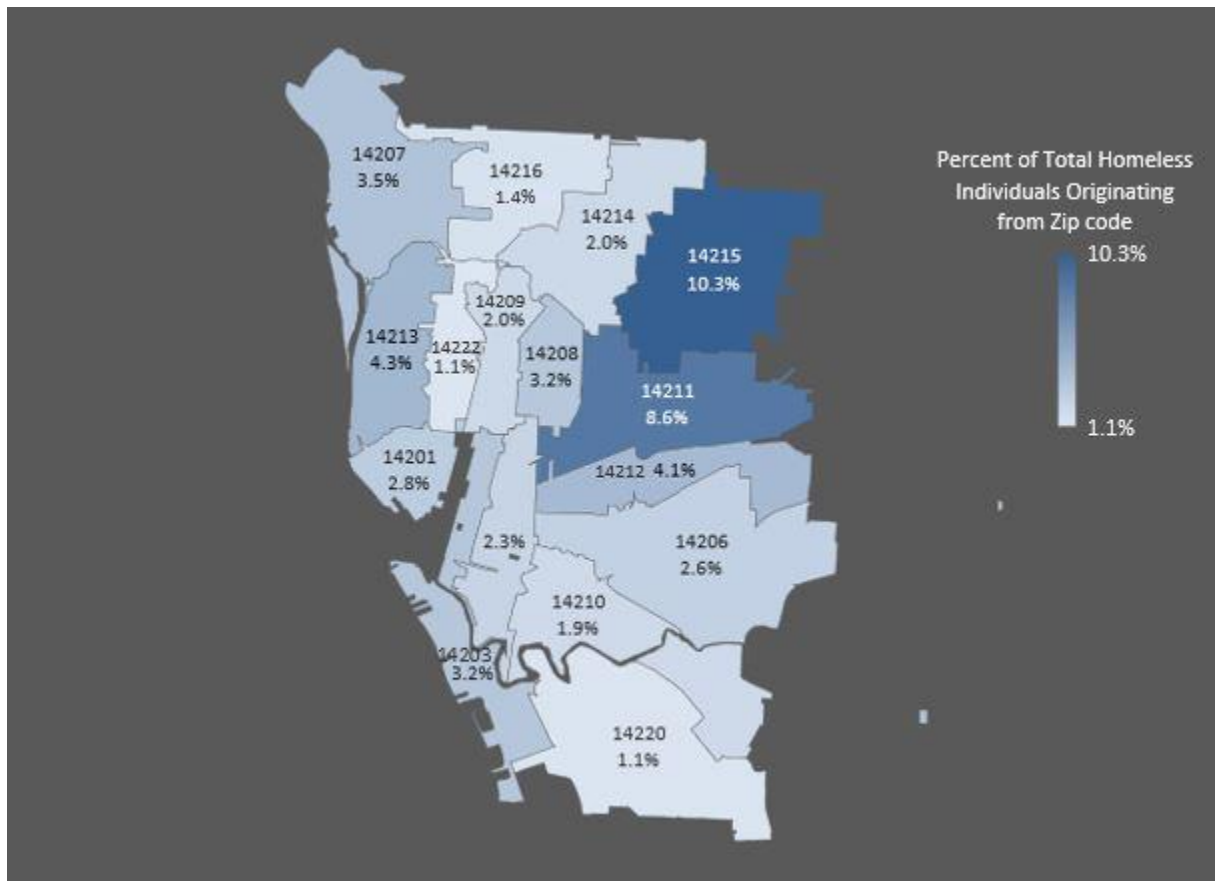
Renter Household Income / % of Income as Rent in Buffalo, NY	Estimate	Percent
Total Renter-occupied housing units	65,108	
Less than \$20,000:	27,695	42.54%
20 to 29% of income	2,240	8.09%
≥30% of income	24,716	89.24%
\$20,000 to \$34,999:	12,969	19.92%
20 to 29% of income	4,528	34.91%
≥30% of income	7,110	54.82%
\$35,000 to \$49,999:	7,324	11.25%
20 to 29% of income	3,777	51.57%
≥30% of income	1,428	19.50%
\$50,000 to \$74,999:	7,607	11.68%
20 to 29% of income	1,260	16.56%
≥30% of income	365	4.80%
\$75,000 or more:	5,708	8.77%
20 to 29% of income	304	5.33%
≥30% of income	0	0.00%

Adapted from: "Annual Report on the State of Homelessness in Western New York," (policy report, Homeless Alliance of Western New York, 2015), 19.

Appendix 3

Origin of Homelessness in the City of Buffalo

In 2016, the top 4 zip codes that people experiencing homelessness originated from are the following: 14215, 14211, 14213, and 14212. In other words, homelessness is most common on the east and west sides of the city—mirroring the patterns of income inequality, job inaccessibility, and housing problems.



Source: Christine Slocum, *Homeless Management Information System*, (2016), distributed by Homeless Alliance of Western New York, <https://wnyhomeless.org/hmis/about-hmis/>.

Appendix 4

Selected New Residential Projects Completed Within the Last Two Years (2015-2017)⁶⁰

Project Name	#New Units	Starting 2-Bedroom Rent	Cost	Developer
The Sinclair 465 Washington	45	\$2050 ⁶¹	\$16,000,000	Ciminelli Real Estate
The Fairmont 199 Scott	30	\$1795 ⁶²	\$14,700,000	Ellicott Development
Seneca Street Lofts 550 Seneca	48	\$1050 ⁶³	\$7,300,000	Savarino and Frontier Group
Bosche Lofts 918 Main	23	\$1425 ⁶⁴	\$6,400,000	Greenleaf Development
Hydraulics Lofts 500 Seneca	110	\$1075 ⁶⁵	\$38,000,000	Savarino and Frontier Group
Buffalo River Landing 441 Ohio	78	\$2100 ⁶⁶	\$18,500,000	Savarino and Frontier Group
Turner Brothers Lofts 295 Niagara	40	\$1425 ⁶⁷	\$10,500,000	Schneider Development
960 Busti Avenue ⁶⁸	18	\$1500 ⁶⁹	\$6,900,000	Ellicott Development
ARCO Lofts ⁷⁰ 1807 Elmwood	38	\$1375 ⁷¹	\$12,400,000	Signature Development
Phoenix Brewery 825 Washington	30	\$1600 ⁷²	\$6,600,000	Sinatra and Company Real Estate
Crescendo ⁷³ 1502 Niagara Street	41	\$1490 ⁷⁴	\$6,000,000	Natale Development Company
301 Ohio Street ⁷⁵	21	\$2195 ⁷⁶	\$4,500,000	Ellicott Development
Stratham Manor ⁷⁷ 481 Franklin Street	12	N/A	\$1,100,000	Don Gilbert
1285 Main Street ⁷⁸	19	\$1790 ⁷⁹	\$2,100,000	Ellicott Development
Elk Terminal Lofts Expansion ⁸⁰ 250 Perry Street	25	\$1450 ⁸¹	\$3,000,000	First Amherst Development
TOTAL	578	AVG: \$1594	\$154, 000,000	

Appendix 5

Selected Residential Developments Currently Under Construction

Project Name	Number of New Units	Cost	Developer
Mentholatum ⁸² 1360 Niagara Street	51	\$19,000,000	Ciminelli Real Estate
Alexandre Apartments ⁸³ 510 Washington Street	12	\$4,000,000	Amy Judd
722 West Delavan ⁸⁴	27	\$5,500,000	Ellicott Development
270 Michigan Avenue ⁸⁵	6	\$5,000,000	Ellicott Development
Midtown Apartments ⁸⁶ 1661 Main Street	55	\$8,000,000	Sinatra and Company Real Estate
1050 Niagara Street ⁸⁷	8	\$9,360,000	Ellicott Development
500 Pearl Street ⁸⁸	28	\$75,000,000	Ellicott Development
192 Seneca Street ⁸⁹	4	\$4,400,000	Ellicott Development
Canterbury Woods ⁹⁰ 3 Gates Circle	53	\$41,000,000	TM Montante
905 Elmwood Avenue ⁹¹	21	\$8,000,000	Ellicott Development
Our Lady of Lourdes ⁹² 1115 Main Street	12	\$2,850,000	Ellicott Development
Livery Stable ⁹³ 73 West Huron Street	14	\$12,000,000	Mark Croce
White Building ⁹⁴ 298 Main Street	24	\$12,000,000	Kissling Interests
The Marin & The Glenny ⁹⁵ 251 Main Street	86	\$48,000,000	Paul Kolkmeier/Priam LLC
TOTAL	401	\$254,110,000	

Appendix 6

Selected Upcoming Residential Developments

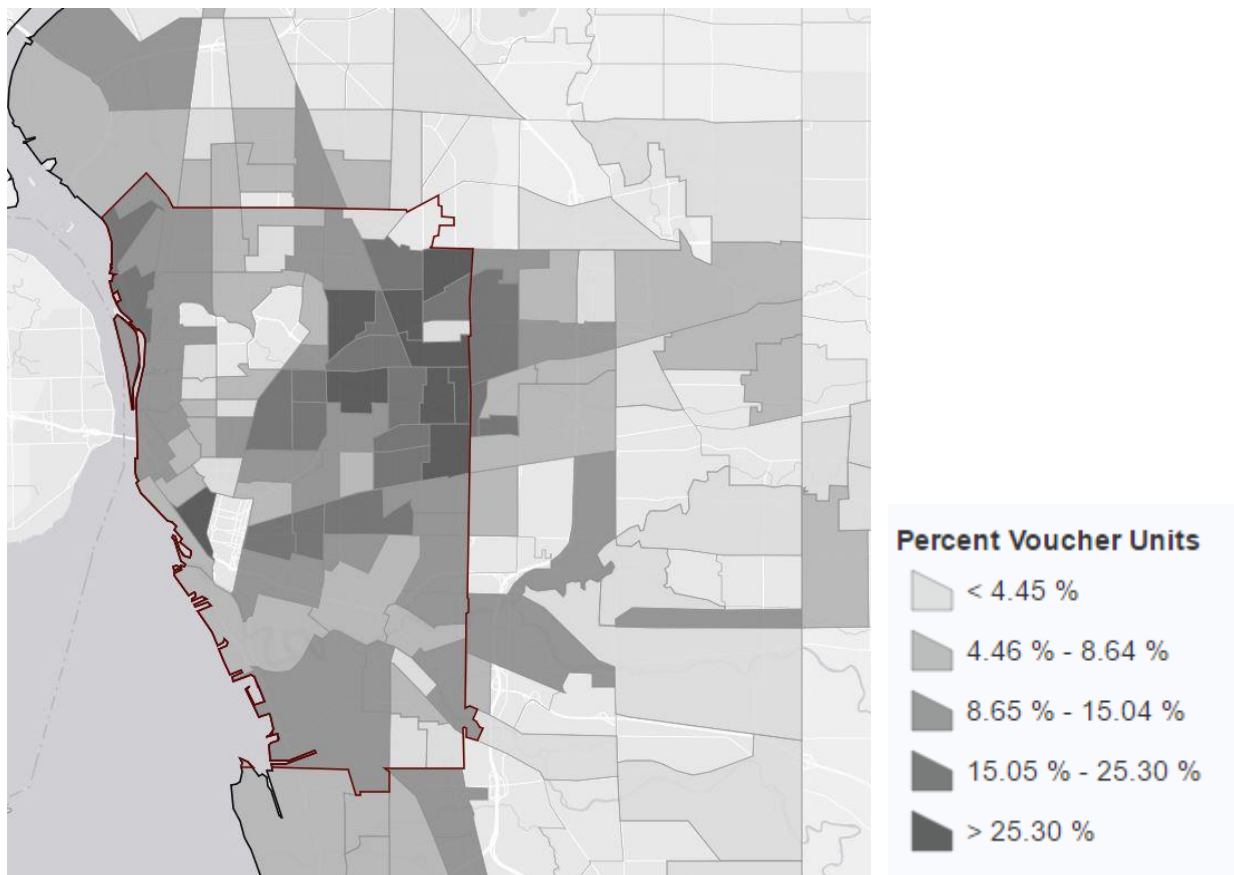
Project Name	Number of New Units	Cost	Developer
1130 Elmwood Avenue ⁹⁶	50	\$30,000,000	Chason Affinity
201 Ellicott ⁹⁷	200	\$200,000,000	Ciminelli Real Estate
QueensLight (319 Bryant St.) ⁹⁸	249	\$122,000,000	Ciminelli Real Estate
1010 Elmwood Avenue ⁹⁹	51	\$40,000,000	Ciminelli Real Estate
Symphony Circle Senior Living (291 North St.) ¹⁰⁰	119	\$30,000,000	Ellicott Development
Waterfront Village (260 Lakefront Boulevard) ¹⁰¹	30	\$28,000,000	Ciminelli Real Estate
2178 Seneca Street ¹⁰²	25	\$9,000,000	Schneider Development
Central Park, Phase I ¹⁰³	52	\$24,000,000	LPCiminelli
Central Park, other phases ¹⁰⁴	665 (total project: 717)	\$76,000,000 (total project: 100,000,000)	LPCiminelli
Campus Square ¹⁰⁵ (38 Holloway Boulevard)	152	\$90,000,000	Mark Trammell, McGuire Development
1140/1166 Jefferson Avenue ¹⁰⁶	84	\$21,000,000	Sinatra and Company
McCarley Gardens ¹⁰⁷ (818 Michigan Avenue)	15	\$35,000,000	Sinatra and Company
70 Harvard Place ¹⁰⁸	24	\$4,300,000	Sinatra and Company
Lancaster Square ¹⁰⁹	60	\$110,000,000	TM Montante
AP Lofts at Larkinville ¹¹⁰ 545 Swan Street	146	\$39,000,000	KCG Development
2929-2939 Main Street ¹¹¹	300	\$30,000,000	DF Fusion Investments
637 Linwood Avenue ¹¹²	37	\$11,400,000	People Inc.

The Forge ¹¹³ 490 Broadway Avenue	185	\$48,000,000	Stuart Alexander and Associates
Queen City Landing ¹¹⁴ 975 Fuhrmann Boulevard	199	\$60,000,000	Trautman Associates
St. Paul's Apartment Project ¹¹⁵ 128 Pearl Street	7	\$1,800,000	St. Paul's Cathedral
Former WNED Studio ¹¹⁶ 19 North Street	39	\$9,000,000	First Amherst
500 Franklin Street ¹¹⁷	16	\$1,000,000	Matthew Moscati
The Knights ¹¹⁸ 506 Delaware Avenue	25	\$6,000,000	James Jerge
810 Main Street ¹¹⁹	18	\$3,500,000	Legacy Development
Trico Building ¹²⁰ 791 Washington Street	185	\$80,000,000	Krog Corporation
Saturn Building ¹²¹ 505 Pearl Street	29	\$6,500,000	Buffalo Development Co.
HELP USA ¹²² 362 Broadway Avenue	48	\$12,900,000	HELP USA
Michigan Broadway LLC ¹²³ 163 Broadway Avenue	18	\$6,700,000	Steve Carmina
Compass East ¹²⁴ 425 Michigan Avenue	20	\$7,000,000	McGuire Development Co.
TOTAL	3048	\$1,142,100,000	

Appendix 7

Concentration of Section 8 Vouchers Utilized on East Side

One of the most important sources of housing affordability is Section 8, a federal program that subsidizes rents, but Section 8 vouchers are not used uniformly across the city. This is likely the result of the program's rental cost cut-off, rendering certain neighborhoods inaccessible for voucher holders, and/or certain landlords refusing to accept Section 8 vouchers (although such refusal is illegal in the City of Buffalo). In the map below, voucher use is concentrated on the east side of the City, while hardly any vouchers are used in the Elmwood Village area or downtown Buffalo.

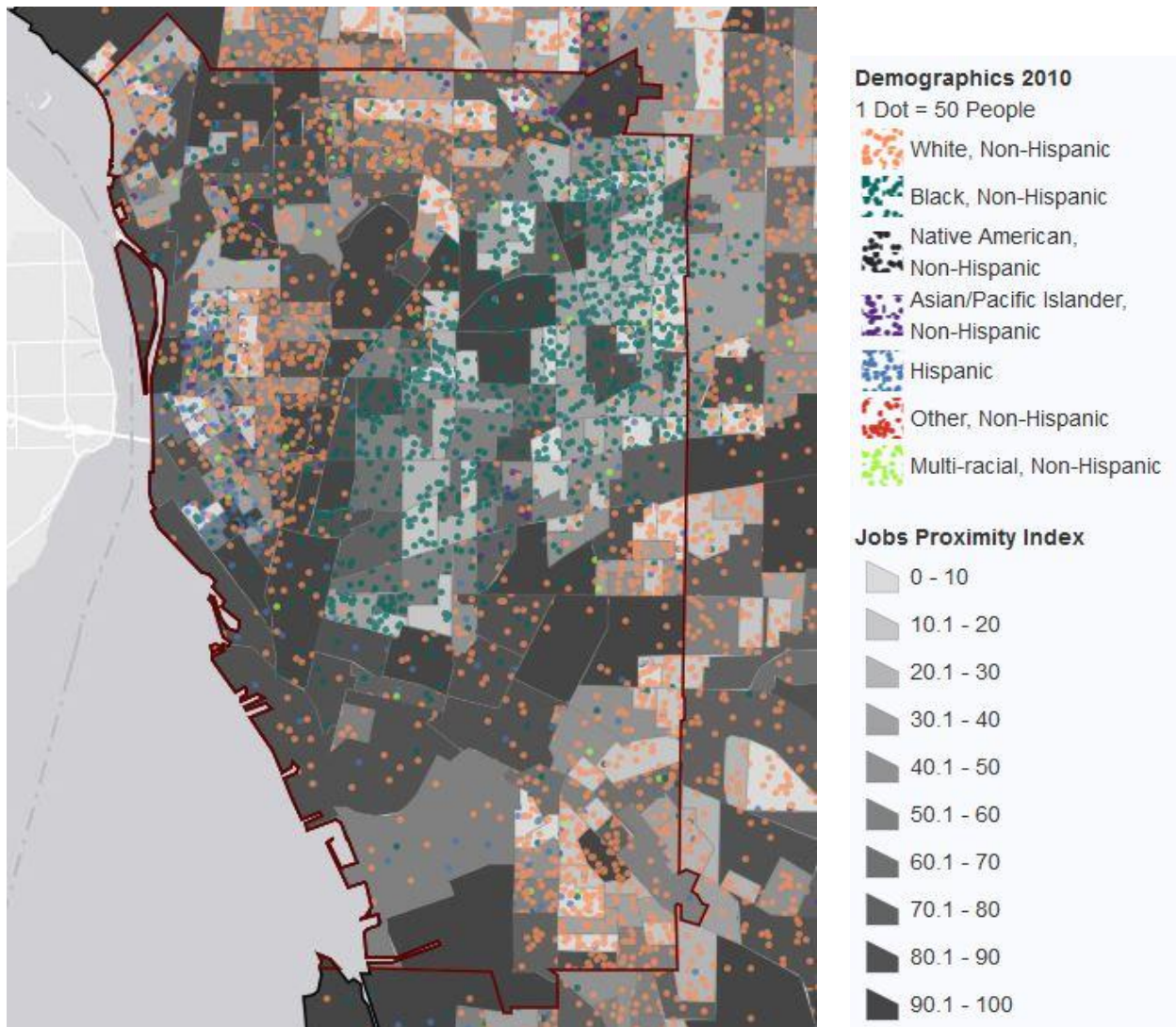


Source: U.S. Housing and Urban Development Department, Affirmatively Furthering Fair Housing Map Tool, *Map 5- Publicly Supported Housing and Race/Ethnicity*, (July 2016), <https://egis.hud.gov/affht/#>.

Appendix 8

Lack of Access to Jobs

Accessibility to employment is a problem on the east and west sides of the City. The map also depicts accessibility issues in north Buffalo, but when one considers that workers of color are more likely to be dependent on public transit than white workers, it is clear that job inaccessibility is particularly a problem in neighborhoods of color.¹²⁵



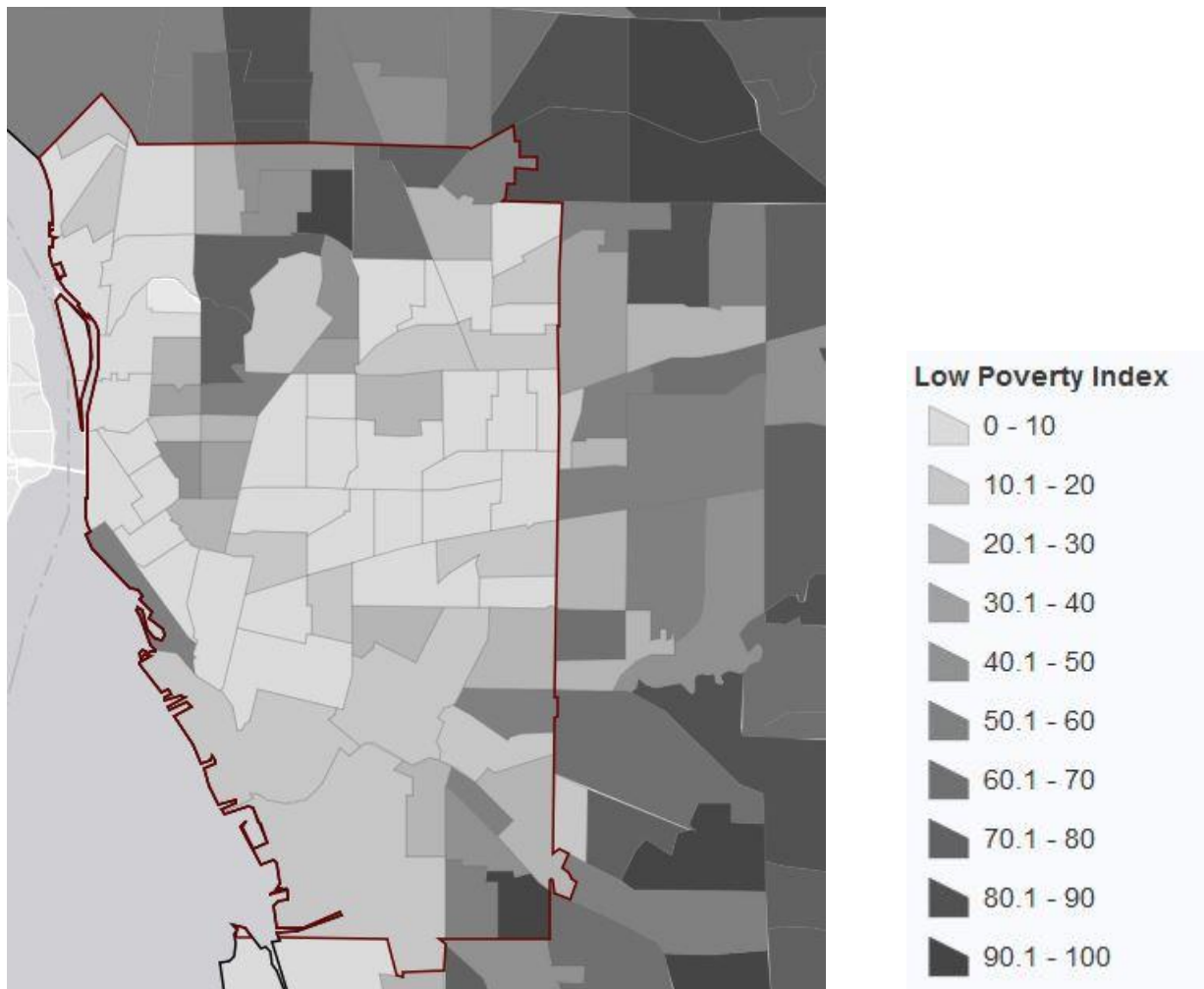
The Job Proximity Index is calculated as a function of its distance to all job locations within a metropolitan statistical area, with larger employment centers weighted more heavily, and inversely weighted by the labor supply (competition) to that location. The higher the index score, the better access to employment opportunities for residents in a neighborhood.

Source: U.S. Housing and Urban Development Department, Affirmatively Furthering Fair Housing Map Tool, *Map 8- Demographics and Job Proximity*, (July 2016), <https://egis.hud.gov/affht/#>.

Appendix 9

Income Disparity

Poverty is not spread evenly across the city of Buffalo, but is segregated to certain areas. Households with lower incomes are concentrated primarily on the east and west sides of the city, while Elmwood, north Buffalo, and Buffalo's surrounding suburbs experience relatively little exposure to poverty.



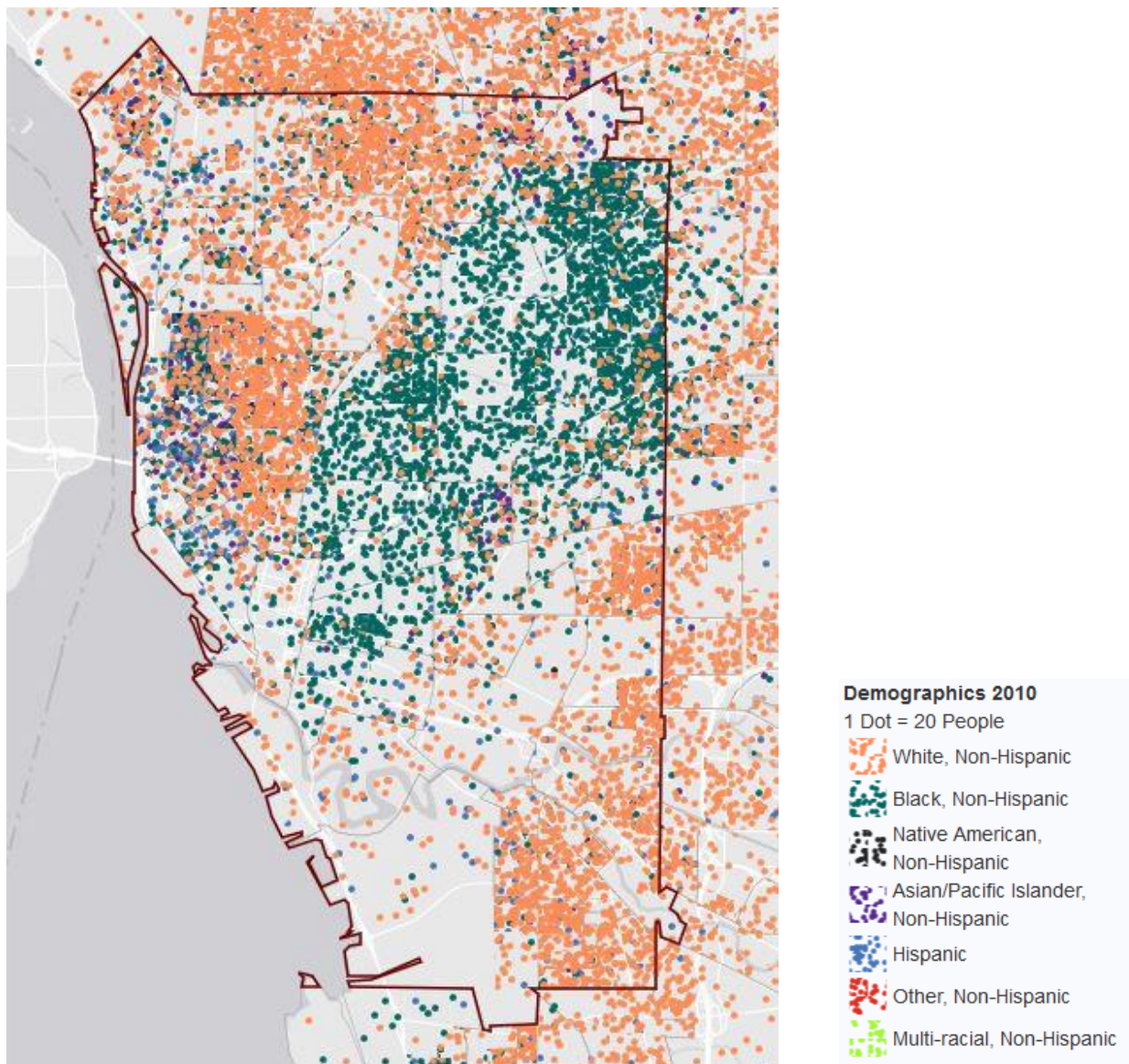
The Low Poverty Index is calculated using both the family poverty rate and the percentage of households receiving public assistance. The higher the index score, the less exposure to poverty in a neighborhood.

Source: U.S. Housing and Urban Development Department, Affirmatively Furthering Fair Housing Map Tool, *Map 12- Demographics and Poverty*, (July 2016), <https://egis.hud.gov/affht/#>.

Appendix 10

Racial Segregation

The City of Buffalo is highly segregated. Black residents are heavily concentrated east of Main Street, while whites are concentrated primarily in the Elmwood area, north Buffalo and in the less-densely populated south Buffalo. One sees some racial integration of whites, Hispanics, blacks, and Asian/Pacific Islanders on the west side of the city.

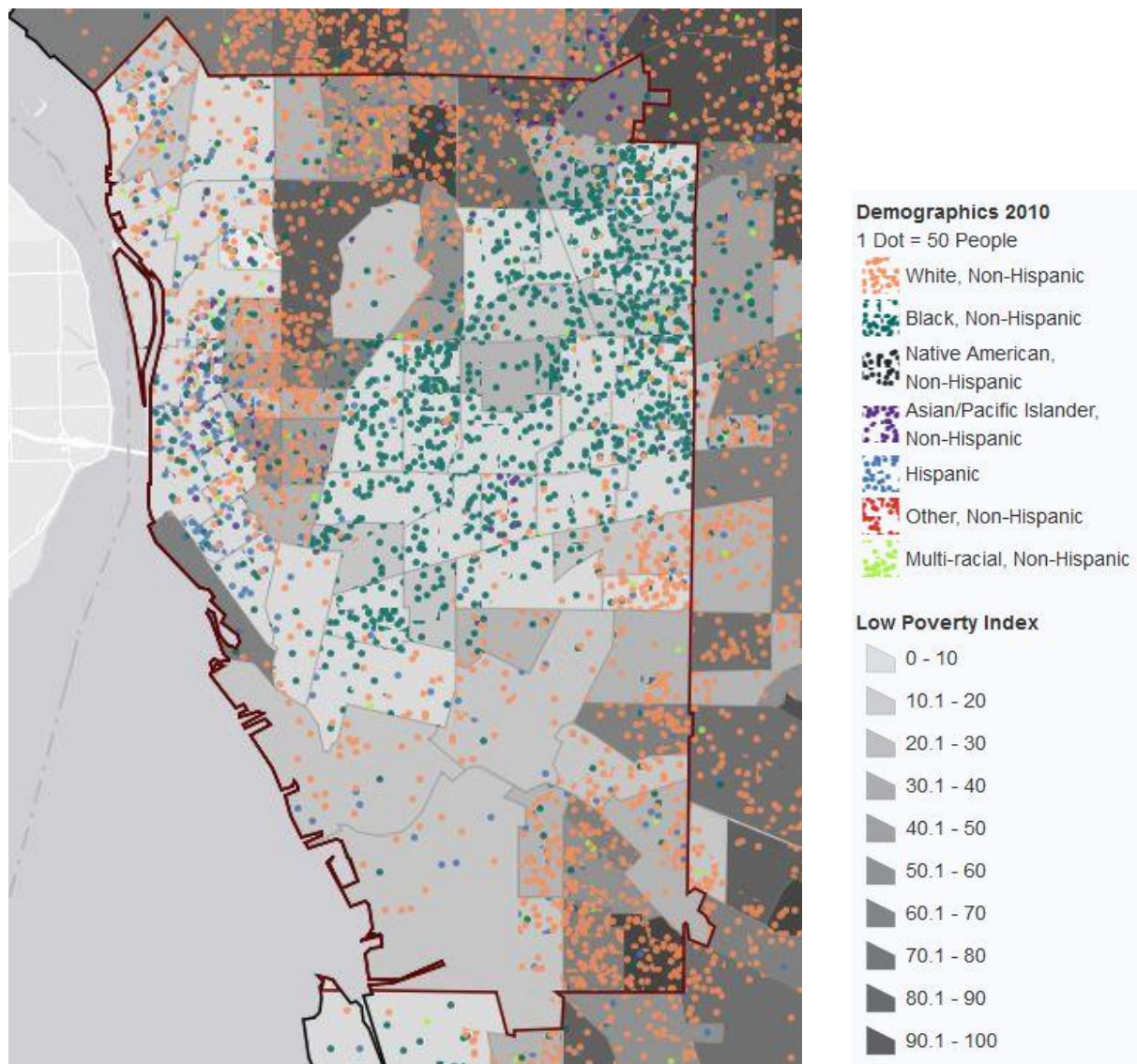


Source: U.S. Housing and Urban Development Department, Affirmatively Furthering Fair Housing Map Tool, *Map 1- Race/Ethnicity*, (July 2016), <https://egis.hud.gov/affht/#>.

Appendix 11

Concentration of Wealth in White Neighborhoods

Whites in Buffalo are located primarily in neighborhoods of wealth, while blacks, Hispanics and Asian/Pacific Islanders live primarily in neighborhoods that experience the highest levels of poverty.



The Low Poverty Index is calculated using both family poverty rate and the percentage of households receiving public assistance. The higher the index score, the less exposure to poverty in a neighborhood.

Source: U.S. Housing and Urban Development Department, Affirmatively Furthering Fair Housing Map Tool, *Map 12- Demographics and Poverty*, (July 2016), <https://egis.hud.gov/affht/#>.

Appendix 12

Unaffordable, Overcrowded and Sub-Par Housing in Neighborhoods of Color

Housing problems—such as unaffordability, overcrowding, and lacking necessary kitchen or plumbing facilities—are most frequently found on the east and west sides of the City.

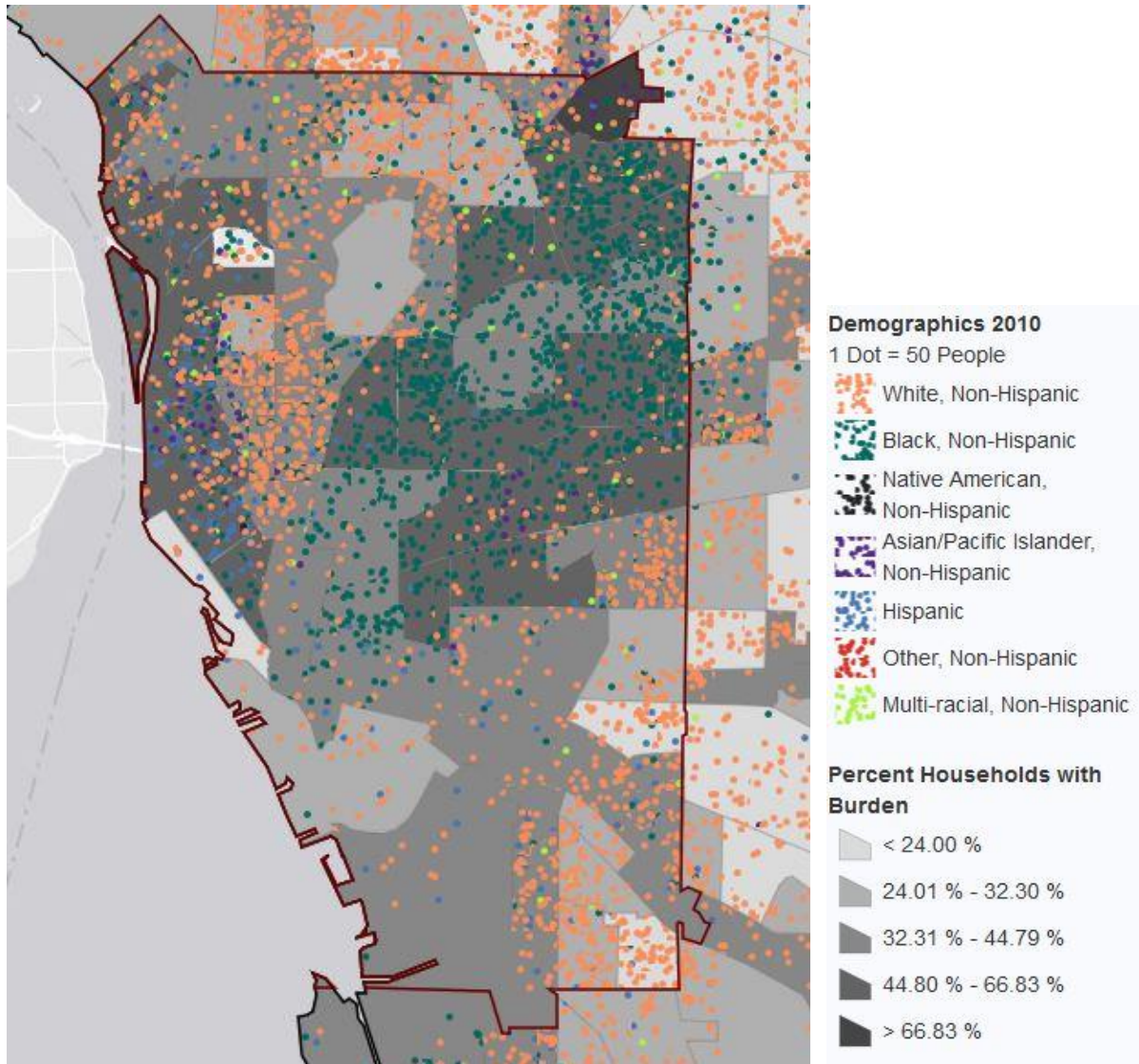


Figure 6. Housing Problems and Demographics

A household is considered to have a housing problem if its residents face one or more of the following issues: lacks complete kitchen facilities, lacks complete plumbing facilities, overcrowding (more than one person per room), cost burden (paying more than 30% of your income on housing costs).

Source: U.S. Housing and Urban Development Department, Affirmatively Furthering Fair Housing Map Tool, *Map 6- Housing Problems*, (July 2016), <https://egis.hud.gov/affht/#>.

Notes

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