

The New York Housing Association is the trade association representing the Manufactured Housing Industry, including the factory that builds them, the retailers who sell and install them, and the owners and operators of manufactured home communities that provide safe, affordable housing for tens of thousands of New Yorkers, particularly upstate. We seek a waiver of the limits imposed on “affordable housing” in ESD’s guidance so that residents of New York State can obtain the benefits of truly affordable housing that is provided by manufactured homes.

Safe, affordable housing for low to moderate income individuals is paramount during this unprecedented time. In New York City, there are affordable housing opportunities and programs that target low-income families, which is typically defined as a family with an income not exceeding 80% of the Area Mean Income (AMI). Thus, a three-person family in the NYC region with an income of \$76,880 or less is considered a low-income household. (See: <https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page>). The median income throughout different areas of Upstate New York for a family of three may range up to \$54,600 in the Syracuse Area and \$69,850 in the Capital District (Albany-Schenectady-Troy). There are many families, however, that are considered very low, or extremely low, income that make much less in these areas. Outside of New York City, one of the most affordable housing options for low income families, is manufactured housing.

Manufactured homes are constructed in a factory and then shipped to a homesite or to a retail dealer for sale to residents. Depending on the size and model, manufactured homes consist of one or two sections which must be “installed” at the homesite. Manufactured homes may be located on single lots of private land or in a manufactured home community, sometimes referred to as mobile home parks. Installation generally takes 2 or 3 days and is performed by installers who are certified by the Department of State, Division of Building Standards & Codes. Installation crews usually consist of three people who are generally working at a distance from each other. Once the home is affixed to the site, the remaining finish work can be performed by one person. Importantly, a significant number of manufactured homes are owned by the home owner.

There can be no doubt that manufactured housing is the most affordable housing option in the State. Residents of manufactured housing throughout the United States have a median household income of just under \$30,000 per year. (See: <https://www.manufacturedhousing.org/affordablehousing/>). During a time when New Yorkers are losing their jobs, or seeing reductions in their income, there is a need, now more than ever, to provide more affordable housing options. This is recognized in the Governor’s Executive Order, which declared affordable housing to be essential. ESD’s Guidance, however, limits the advantages provided by this exception to construction for affordable housing where a minimum of 20% of residential units are or will be deemed affordable and are subject to a regulatory agreement or a declaration from a local, state, or federal government agency, or is a project undertaken, or on behalf of, a public housing authority as essential. Few manufactured homes are subject to a regulatory agreement or government declaration, and even fewer are utilized by public housing authorities. As noted above, there is no more affordable option than

manufactured housing. Thus, we respectfully request a waiver of the foregoing restrictions for the retail sale and installation of manufactured homes and a declaration that such sale and installation constitutes affordable housing where the family income is 80% or less of the AMI is essential. This will ensure that much needed affordable housing is not only continuing to be built in New York City, but throughout the entire state during the crisis.

As such, we respectfully propose the following language for amending the ESD Guidance:

Essential construction may proceed, to the extent that:

the construction is for affordable housing, as defined as construction work where either (i) a minimum of 20% of the residential units are or will be deemed affordable and are or will be subject to a regulatory agreement and/or a declaration from a local, state, or federal government agency or (ii) where the project is being undertaken by, or on behalf of, a public housing authority or (iii) the retail sale and installation of any affordable manufactured home that is or will be deemed for a family household income of 80% or less of area median income (AMI);