

Racial equity report submission guide

Introduction

Beginning June 1, 2022, certain applicants taking part in New York City's land-use review process must complete a Racial Equity Report on Housing and Opportunity ("RER") pursuant to [Local Law 78 of 2021 \("the law"\)](#). The RER is intended to add additional context not found in the land use application to facilitate public conversation about neighborhood change. The RER will draw on data included in the [Equitable Development Data Explorer](#) and include a narrative statement of how the project relates to the City's goals to affirmatively further fair housing and promote equitable access to opportunity.

This guide is provided to help land use applicants complete the racial equity report form and fulfill the requirements of the law.

Consistency with other reporting

Racial equity reports are independent reports but information in the racial equity report should be consistent with the associated land use application materials.

Report Sections

Racial equity reports include information about the proposed project and the surrounding community. The report is broken into five sections:

Section 1: Executive Summary

A short, plain-language summary of the report.

Section 2: Description of project components

Reporting on proposed housing affordability and proposed jobs.

Section 3: Community profile summary

Graphs and charts describing neighborhood demographic, socioeconomic, and housing conditions. Includes a displacement risk map. The community profile summary is downloaded from the [Equitable Development Data Explorer](#).

Section 4: Narrative statement

A statement describing how the project components and neighborhood characteristics relate to the City's commitment to affirmatively furthering fair housing and promoting equitable access to opportunity.

Section 5: Community profile

A full download of all indicators in the [Equitable Development Data Explorer](#) for the local community, the borough, and the city.

Updating a racial equity report

The racial equity report need not be updated if a project changes after an application has been certified or referred by the Department of City Planning or designated by the Landmarks Preservation Commission.

Questions?

Contact the Department of City Planning at EDDE@planning.nyc.gov.

Guidance for completing report sections

1. Executive summary

The executive summary should provide readers with a short, plain-language summary of the subsequent sections of the racial equity report.

There is no template for the executive summary, but it should include a short description of the proposed project, key statistics from the community profile summary, and a summary of the narrative statement on affirmatively furthering fair housing and promoting equitable access to opportunity.

2. Project specific information

2.1 Description of residential space and affordability

Section does not apply to historic district designations

2.1.1 Reporting residential floor area

Report the total residential zoning square feet (ZSF) associated with the proposed project.

2.1.2 Profile of anticipated residential affordability

Report anticipated unit count, rents and incomes by anticipated affordability levels as described and shown in Tables 1-2.

Income-restricted units

Income-restricted affordability information is **reported by specific AMI band**. Refer to Table 3 or [HPD's Area Median Income](#) webpage to report appropriate rents and incomes for each band.

All projects reporting income-restricted housing units should indicate the **planned affordability program(s)**. For example, Mandatory Inclusionary Housing (MIH), public financing or tax exemption programs, etc. If income restricted units are anticipated through MIH, describe the option(s) to be mapped (Table 4) and report an appropriate MIH affordability mix (Tables 5-8).

Example rents should reflect an appropriate range of bedroom sizes and **should be rounded to the nearest \$10** (Table 3). **Eligible household incomes** should illustrate likely household sizes based on unit sizes. For example, if the proposed development includes units ranging from studios to 2-bedroom units, you may report eligible household incomes for 1- to 4-person households. Report eligible household incomes **rounded to the nearest \$100** (Table 3).

The report should note that income-restricted rents will be set at time of project construction and eligible household incomes will be set at time of marketing.

Market-rate units

For units not subject to income restrictions, estimate rental prices based on current area market rents. Market rents for new construction vary by location and there is no official, public source (Census data from the American Community Survey do not distinguish between households living in rent regulated or income-restricted units and those living in market-rate units.).

To estimate local market rents, a proprietary source of rental data such as StreetEasy should be used. In some markets, it may be necessary to interview brokers familiar with the market or reference multiple data sources. Report the third quartile of market rents for the range of unit types relevant to the proposed project since rents for new units tend to be at the higher end of current area rents. If using a different methodology, describe. To estimate household incomes, assume that the example market rents represent 30% of the household income.

Reported example rents and incomes for market-rate units should reflect the range of anticipated bedroom sizes. **Rents should be rounded to the nearest \$10; incomes should be rounded to the nearest \$100.**

Table 1: Guidance for completing housing affordability table (see reference table below)				
COLUMN A Report income restriction based on Column C	COLUMN B Report unit count for each affordability level	COLUMN C Report specific affordability level aka AMI band	COLUMN D Report illustrative rent range	COLUMN E Report illustrative income eligibility range (household size range should reflect unit size range in Column D)
Extremely Low Income	Unit number and percent of total units	If income restricted, specific AMI band i.e. 30% or “60%”	“YEAR” should reflect the current AMI year.	
Very Low Income			Report studio and 2-bedroom rent prices for each AMI band. See Table 3.	Report 1- and 4-person household incomes for each AMI band. See Table 3.
Low Income		If market rate, “N/A”		
Moderate Income				
Middle Income				
Not Income Restricted				

Reference Table							
Income Restriction	Units # %		Anticipated Affordability				
			AMI Band	Rent (YEAR) Studio 2-bedroom		Eligible Income (YEAR) 1-person HH 4-person HH	
A	B		C	D		E	
TOTAL		100%					

Table 2: Example completed affordability table							
Income Restriction	Units # %		Anticipated Affordability				
			AMI Band	Rent (2024) Studio 2-bedroom		Eligible Income (2024) 1-person HH 4-person HH	
Very Low Income	20	10%	40%	\$1,090	\$1,400	\$43,500	\$62,100
Low Income	20	10%	80%	\$2,170	\$2,800	\$87,000	\$124,200
Moderate Income	10	5%	100%	\$2,720	\$3,500	\$108,700	\$155,300
Not Income Restricted	150	75%	N/A	\$3,000	\$4,500	\$120,000	\$180,000
Total	200	100%					

Table 3: Affordable rents and eligible incomes (2024 AMI)					
From Area Median Income - HPD (nyc.gov)					
AMI BAND		INCOME LIMITS		RENTS	
		(Rounded to nearest \$100)		(Rounded to nearest \$10)	
		1-person - 4-person household		Studio	Two-bedroom
Extremely Low Income	30% AMI	\$32,600	\$46,600	\$820	\$1,050
Very Low Income	40% AMI	\$43,500	\$62,100	\$1,090	\$1,400
	50% AMI	\$54,400	\$77,700	\$1,360	\$1,750
Low Income	60% AMI	\$65,200	\$93,200	\$1,630	\$2,100
	70% AMI	\$76,100	\$108,700	\$1,900	\$2,450
	80% AMI	\$87,000	\$124,200	\$2,170	\$2,800
Moderate Income	90% AMI	\$97,800	\$139,800	\$2,450	\$3,150
	100% AMI	\$108,700	\$155,300	\$2,720	\$3,500
	110% AMI	\$119,600	\$170,800	\$2,990	\$3,840
	120% AMI	\$130,400	\$186,400	\$3,260	\$4,190
Middle Income	130% AMI	\$141,300	\$201,900	\$3,530	\$4,540
	165% AMI	\$179,400	\$256,200	\$4,480	\$5,770

Table 4: Mandatory Inclusionary Housing affordability options	
<p>OPTION 1 25% of Residential Floor Area @ 60% AMI weighted avg</p> <ul style="list-style-type: none"> At least 10% of SF at 40% AMI No more than 3 AMI bands No AMI band > 130% AMI 	<p>OPTION 2 30% of Residential Floor Area @ 80% AMI weighted avg</p> <ul style="list-style-type: none"> No more than 3 AMI bands No AMI band > 130% AMI
<p>DEEP AFFORDABILITY OPTION 20% of Residential Floor Area @ 40% AMI weighted avg</p> <ul style="list-style-type: none"> No AMI band > 130% AMI Public funds per HPD exception only 	<p>WORKFORCE OPTION 30% of Residential Floor Area @ 115% AMI weighted avg</p> <ul style="list-style-type: none"> At least 5% of SF at 70% AMI At least 5% of SF at 90% AMI No more than 4 AMI bands No AMI band > 135% AMI Cannot be used with public funding
<p><i>Note: Except for the Workforce Option, all AMI bands must be in multiples of 10% AMI.</i></p>	

Mandatory Inclusionary Housing – sample affordability mixes

Table 5: MIH Option 1, mix A							
Income Restriction	Units # %		Anticipated Affordability				
			AMI Band	Rent (2024)		Eligible Income (2024)	
				Studio	2-bedroom	1-person HH	4-person HH
Very Low Income		10%	40%	\$1,090	\$1,400	\$43,500	\$62,100
Low Income		10%	80%	\$2,170	\$2,800	\$87,000	\$124,200
Moderate Income		5%	100%	\$2,720	\$3,500	\$108,700	\$155,300
Not Income Restricted		75%	N/A				
Total		100%					

Table 6: MIH Option 1, mix B							
Income Restriction	Units # %		Anticipated Affordability				
			AMI Band	Rent (2024)		Eligible Income (2024)	
				Studio	2-bedroom	1-person HH	4-person HH
Very Low Income		15%	40%	\$1,090	\$1,400	\$43,500	\$62,100
Moderate Income		10%	90%	\$2,450	\$3,150	\$97,800	\$139,800
Not Income Restricted		75%	N/A				
Total		100%					

Table 7: MIH Option 2, mix A							
Income Restriction	Units # %		Anticipated Affordability				
			AMI Band	Rent (2024)		Eligible Income (2024)	
				Studio	2-bedroom	1-person HH	4-person HH
Low Income		12%	60%	\$1,630	\$2,100	\$65,200	\$93,200
Low Income		10%	80%	\$2,170	\$2,800	\$87,000	\$124,200
Moderate Income		8%	110%	\$2,990	\$3,840	\$119,600	\$170,800
Not Income Restricted		70%	N/A				
Total		100%					

Table 8: MIH Option 2, mix B							
Income Restriction	Units # %		Anticipated Affordability				
			AMI Band	Rent (2024)		Eligible Income (2024)	
				Studio	2-bedroom	1-person HH	4-person HH
Low Income		30%	80%	\$2,170	\$2,800	\$87,000	\$124,200
Not Income Restricted		70%	N/A				
Total		100%					

2.2 Description of non-residential space and jobs

Section does not apply to historic district designations.

This section provides opportunity to report on the non-residential component of a proposed project.

If the proposed project has known non-residential tenant(s), report sections 2.2.1 and section 2.2.2. If the proposed project does NOT have a known non-residential tenant(s), report ONLY section 2.2.1.

Jobs reporting is **only for** projects containing a specific non-residential use. Specific non-residential uses are those where a space is being built for the use of a known tenant or business. For example, a known anchor tenant who will occupy some or all the proposed space. Non-residential spaces can be occupied by a wide variety of uses. Without a known tenant, all wage and workforce reporting would be speculative.

Projects without a known tenant should NOT report job numbers or job sectors anywhere in the RER.

2.2.1 Reporting non-residential floor area

Report three figures related to non-residential floor area:

- Total zoning square feet
- Area to be occupied by unknown tenants
- Area to be occupied by known tenants

2.2.2 Profile of anticipated new jobs for non-residential space with a known tenant

Only complete this section if the proposed project includes a known tenant.

Reporting number of jobs

Report total number of full-time equivalent workers based on specific project plans or estimate using Table 9. An applicant may use a different conversion factor based on specific plans for the proposed project--for example, if proposing an open floor plan office space that has more workers per square foot than the traditional estimate. If using a different conversion factor, provide a brief rationale in the report.

Reporting educational attainment and racial/ethnic composition of workforce and median wages for job sectors

Describe the educational attainment and racial/ethnic composition of the workforce and median wages for those job sectors in New York City.

Appendix A includes 2015-2019 wage, educational attainment, and racial/ethnic composition data for New York City employment sectors. Sectors are defined by the North American Industry Classification System (NAICS) 3-digit codes and the data comes from the Census American Community Survey (ACS). Applicants should find the sector that best describes the specific, non-residential use that they are proposing and report the associated information. There may be instances where the broad sector that the use falls within includes many more specific sectors that have very different trends or workforce composition. In these cases, it may be helpful to use a more specific industry sector (like a 4-digit NAICS code) to better describe the project.

Table 9: Employee conversion factor by industry*

Industry	Conversion Factor
Office	1 employee per 250 GSF
Retail	1 employee per 333 GSF
Restaurant	1 employee per 200 GSF
Fast food restaurant	1 employee per 100 GSF
Supermarket or grocery store	1 employee per 250 GSF
Medical office	1 employee per 450 GSF
School	1 employee per 11 school seats
Community facility	1 employee per 333 GSF
Residential	1 employee per 25 dwelling units
Hotel	1 employee per 400 GSF
Parking	1 employee per 50 parking spaces
Industrial or auto-related	1 employee per 1,000 GSF
Warehouse	1 employee per 15,000 GSF

** Conversion factors represent direct employment and do not capture secondary or indirect employment.*

2.3 Estimating construction jobs

All reports should include an estimate of construction jobs generated by the proposed project in construction person-years and average yearly construction workers. Applicants may report an estimate based on specific plans for the proposed project or they may use the methodology described below.

1. Report number of year-long, full-time equivalent (FTE) construction jobs at the development site as construction person-years

Multiply the gross square footage (GSF) of the development site by appropriate construction employment scaling factor (Table 10). Divide by one thousand.

If quarterly estimates of workers have been produced for other land use application materials, report total construction person-years by dividing the quarterly estimates by four and summing the values.

2. Report average number of workers at the development site during the construction period.

Calculation requires an estimated construction period (years)

Divide construction person-years by the construction period. This number is derived by taking the Construction Person Year and dividing by the construction period (years).

Table 10: Construction employment scaling factor

Size of development site	Construction employment scaling factor (person-year/1000gsf)
<= 150,000 gsf	1.88
> 150,000 gsf	0.71

3. Community Profile Summary

The community profile summary is intended to provide a user-friendly snapshot of household, housing, and neighborhood indicators in the project area. This summary includes graphs and charts of selected indicators found in the full community profile (Section 5).

The summary is available for download through the [Equitable Development Data Explorer](#). Applicants should insert the community profile summary pages from the EDDE download into Section 3 of the report.

4. Narrative statement

Each RER must include “a narrative statement by the applicant of how the proposed project relates to the goals and strategies to affirmatively further fair housing and promote equitable access to opportunity identified within the city’s fair housing plan...” (Admin. Code § 25-118(c)(5)).

Background on New York City’s Obligation to Affirmatively Further Fair Housing (“AFFH”)

In 1968, Congress passed the Fair Housing Act in the hopes of eliminating discrimination from the nation’s housing market on the basis of race, religion, and national origin. To achieve this difficult goal, Congress included a unique provision that required the newly created U.S. Department of Housing and Urban Development (“HUD”) to administer its programs “in a manner affirmatively to further the purposes” of the Fair Housing Act.

Since then, HUD and the federal courts have provided changing interpretations of what it means for the agency and its grantees to “affirmatively further” the goals of the Fair Housing Act. However, in the late 2000s, HUD sought to provide more support for cities and counties around the country by taking proactive steps to address persistent patterns of segregation and remove barriers that prevent protected groups from accessing opportunities. In turn, HUD finalized a new rule and published extensive resources in 2015 and 2016 to help jurisdictions – including the City of New York – to conduct more inclusive, comprehensive, and concrete planning to further fair housing and promote equitable access to opportunity.

New York City’s Plan to Affirmatively Further Fair Housing and Promote Equitable Access to Opportunity

While these rules have undergone significant upheaval over the past decade, the City continues to certify annually to HUD that its policies and programs are affirmatively furthering fair housing (“AFFH”). Moreover, in 2018, the City embarked on a comprehensive fair housing planning process in the spirit of HUD’s 2015 rulemaking in order to formalize and expand upon these efforts. The outcome was *Where We Live NYC* (“WWL”), the City’s plan to affirmatively further fair housing and promote equitable access to opportunity. Through WWL, the City recognized that policies and practices created segregation and inequity in New York City, and that concerted effort from governmental and non-governmental entities is necessary to undo that legacy.

Where We Live NYC was finalized in October 2020 after a multi-year process that involved extensive analysis of existing conditions in New York City’s neighborhoods, widespread public engagement with thousands of New Yorkers in all five boroughs, and deep collaboration among over 30 City and State agencies. Consistent with the City’s legal fair housing obligations, this process sought to study, understand, and address both the patterns of residential segregation and how these patterns interact with New Yorkers’ access to opportunity — including jobs, education, safety, public transit, positive health outcomes, and safe, affordable housing.

Chapter 5 of WWL describes many of the findings from this research, including maps depicting various dimensions of New York City's racial segregation.

Chapter 6 of WWL describes the City's current fair housing goals, strategies, and actions. Together, these initiatives are intended to empower New Yorkers with real choice in where they live, whether they wish to stay in their current home and community or find a new apartment with more room for their growing family or a shorter commute to work. Simultaneously, WWL's commitments ensure that all communities have the resources they need to thrive by dismantling historic patterns of disinvestment that still affect many neighborhoods.

Developing a narrative statement

The narrative section provides a place for applicants to explain whether and how the projects they are bringing through the City's land-use process relate to Where We Live NYC's goals, strategies, and actions (pp 187-212 of [the plan](#)). Applicants should review the goals and develop a narrative based on the application's project and neighborhood conditions.

As demonstrated in WWL, neighborhood characteristics are an important dimension of both fair housing and equitable access to opportunity. Applicants are encouraged to reference the charts, graphs, and tables in the Racial Equity Report's community profile when describing how the proposal may address inequities across populations and neighborhoods. Applicants may also choose to reference maps and charts in Chapter 5 of WWL to describe how the applicant addresses disparities across populations and neighborhoods.

Below is a brief description of each goal as well as examples of neighborhood characteristics or project features that may be considered when developing a narrative statement. Applicants may include additional neighborhood characteristics or project features relevant to these goals beyond what is included below.

Where We Live NYC's Goals

Goal #1: Combat persistent, complex discrimination with expanded resources and protections

- Discrimination against New Yorkers looking to rent, buy, or get a loan for a home is still a widespread practice that unfairly limits housing and neighborhood options for many.
- The City is committed to bringing new and creative resources to root out housing discrimination by landlords, brokers, and lenders. Property owners can also advance this goal through a commitment to inclusive tenanting policies.

Projects that advance this goal may include use of HPD's Marketing Guidelines with respect to criminal background screenings for all available housing units.

Goal #2: Facilitate equitable housing development in New York City and the region

- New York City has a housing crisis. Tremendous job growth over the last 20 years and a growing population has resulted in rising demand for homes. But housing production has not kept up, resulting in a limited supply and intense competition for the few available homes which drives up prices. The high cost of housing in New York City severely limits housing and neighborhood choice for people of color, people with disabilities, and other groups protected by the Fair Housing Act.
- The little housing growth we have seen in recent years has been concentrated in relatively few neighborhoods. New income-restricted affordable housing, especially affordable housing available to those with the lowest incomes, has been even more concentrated than housing production overall. Large parts of the city have provided limited or no new affordable housing.
- New York City is committed to increasing the number and type of homes available to New Yorkers at a range of incomes, including more options to move into neighborhoods that currently have limited housing affordable to low-income New Yorkers.

Project features relevant to this goal include:

- New housing units in neighborhoods that have experienced little housing production
- New income-restricted housing units
- New housing in historic districts
- New housing unit types that are not broadly available in the neighborhood
- New affordable housing in locations highly accessible to jobs, amenities, and services
- New jobs, amenities, and services accessible to low-income populations

Neighborhood characteristics to consider may include:

- Presence of housing affordable to low-income households in the neighborhood
- Recent housing production trends
- Access to job locations, amenities and services that could increase access to opportunity
- Neighborhood health outcomes
- Neighborhood demographics

Goal #3: Preserve affordable housing and prevent displacement of long-standing residents

- Promoting fair housing also means supporting New Yorkers who want to stay in their home or neighborhood, even as it changes. This is why it is critical both to build new housing across the city and preserve existing affordable homes, including those in NYCHA and other rent-regulated buildings, while also supporting programs that protect tenants and homeowners from harassment and mistreatment.
- The City is committed to continuing to improve conditions at NYCHA, supporting renters in effectively asserting their rights, and providing more protections for homeowners from speculation, scams, and solicitations. Property owners can also advance this goal by supporting tenants in their buildings to prevent evictions and working with local organizations who provide social services.

Project features relevant to this goal include:

- Income-restricted units subject to HPD Marketing Guidelines, which may include a preference for applicants from the local Community District
- Assistance for tenants with social services to prevent eviction
- Investment in local tenant organizations
- Tenant relocation plans in the event of direct displacement

Neighborhood characteristics to consider including in the narrative may include:

- Displacement risk based on the Displacement Risk Index
- Presence of rent stabilized housing

Goal #4: Enable more effective use of rental assistance benefits, especially in amenity-rich neighborhoods

- Many New Yorkers use rental assistance and vouchers to secure safe, stable, and affordable homes. But, across the nation and locally, residents using vouchers often live in neighborhoods with higher levels of poverty and lower performing schools.
- The City is committed to creating easy-to-use services for participating residents and landlords and more resources to help residents choose and move to a neighborhood that meets their needs, even in areas where using rental assistance has traditionally been difficult. Private property owners can help advance this goal with proactive outreach to housing voucher holders or including an affordable housing set-aside for people currently in shelters.

Project features relevant to this goal include:

- Homeless set asides in 100% affordable housing projects
- Proactive voucher-friendly policy for market-rate units

Neighborhood characteristics to consider including in the narrative include:

- Access to amenities, jobs, transit
- Health outcomes

Goal #5: Create more independent and integrated living options for people with disabilities

- New Yorkers with disabilities face unique challenges when it comes to finding housing that is affordable, safe, and accessible. A crucial part of promoting fair housing is ensuring that New Yorkers with disabilities have housing options that allow them to be independent and integrated through coordinated support and more accessible options.
- The City is committed to more coordinated planning on how to best improve the transition from an institutional setting to independent living and providing better education for architects and developers on how to make homes truly accessible. Public and private investment can increase the availability of accessible homes and public services for people with disabilities.

Projects features relevant to this goal include:

- New ADA compliant housing
- New ADA compliant transit access
- ADA accessible public improvements

Goal #6: Make equitable investments to address the neighborhood-based legacy of discrimination, segregation, and concentrated poverty

- New York City – like all cities in the United States – is scarred by a long history of discrimination, segregation, and concentrated poverty. This history has particularly disadvantaged neighborhoods that people of color call home. Today, many neighborhoods lack their fair share of crucial amenities.
- The City is creating new tools, resources, and measurements to take an equity-centered approach to planning and is committing more resources for public space, violence prevention, and financial empowerment in neighborhoods that need it most. Public and private investment can improve access to key neighborhood amenities and services, including transit access and open space.

In neighborhoods with legacies of discrimination, segregation, and concentrated poverty, project features relevant to this goal include:

- Alignment with previous City or community-led neighborhood plans to advance equity
- New development is part of a community land trust, shared equity initiative, or other community-ownership project
- New jobs, amenities, and services accessible to low-income populations
- Commercial and community-facility spaces in residential developments that serve neighborhood needs
- New affordable homeownership opportunities
- Public realm investments
- New or improved open space
- New or improved transit access
- Local workforce development commitments
- Programs to increase job access

Neighborhood characteristics to consider including in the narrative include:

- Displacement risk based on the Equitable Development Data Explorer's [Displacement Risk Index](#)
- Concentrated poverty
- Health outcomes

5. Community profile

Does not apply to projects pursuant to section 201 of the Charter

The community profile is a full report of all indicators in the [Equitable Development Data Explorer](#) for the local community, the borough and the city. Applicants should attach a PDF of the full report in Section 5 of the racial equity report.

All community profile reports are available by download from the [Equitable Development Data Explorer](#).

APPENDIX A

Educational attainment and race/ethnicity of workforce and median wages for New York City jobs by industry. (2017-2021 American Community Survey)

Note: Indicators may include values in a gray font color which mean that they have poor statistical reliability. For estimates and margins of error with a coefficient of variation, the gray font color is an indication that the CV is greater than or equal to 20%. Data associated with count estimates of zero and top-coded median (estimate can be anywhere above the displayed value) and bottom-coded median (estimate can be anywhere below the displayed value) are also shown in a gray font color to alert users that data are either relatively unreliable, or of indeterminate reliability.

