

# New York's Housing Underground: 13 Years Later

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Basement apartments are home to thousands of New Yorkers, many working class immigrants and people of color. While New York City rents have always been out of reach for many newly arrived immigrants as well as many long-term residents, basement apartments have provided an option for stable housing for those struggling to find an adequate option. However, while basement apartments provide much needed housing, a need borne out of a citywide crisis of affordability, many are also unregulated and unsafe. Recent flooding resulting from Hurricane Ida led to disastrous and heartbreaking outcomes for families living in basements in Brooklyn and Queens.

Immigrants, people of color, and working class New Yorkers living in these spaces will bear the brunt of climate disasters unless we truly address climate change, housing affordability, and safety. Although the City has committed to addressing the affordability crisis, many New Yorkers simply cannot wait for long term policy solutions and need to find immediate affordable housing, which basement units provide. New York City has a responsibility to take immediate measures that ensure habitable and safe homes for all New Yorkers, while addressing the citywide housing affordability crisis. This means decriminalizing basement apartments, updating the building and zoning codes to ease compliance for homeowners while mitigating the threat of flooding, and implementing and providing appropriate funding for programs to upgrade, legalize and regulate basement units.

In order to tackle the issue of basement safety in unregulated units, it is necessary to understand where unaccounted-for units, or units that are not regulated by the Department of Buildings (DOB) through a certificate of occupancy, are concentrated. **A Pratt Center analysis finds that unaccounted-for units are overwhelmingly located in rent burdened communities of color.**

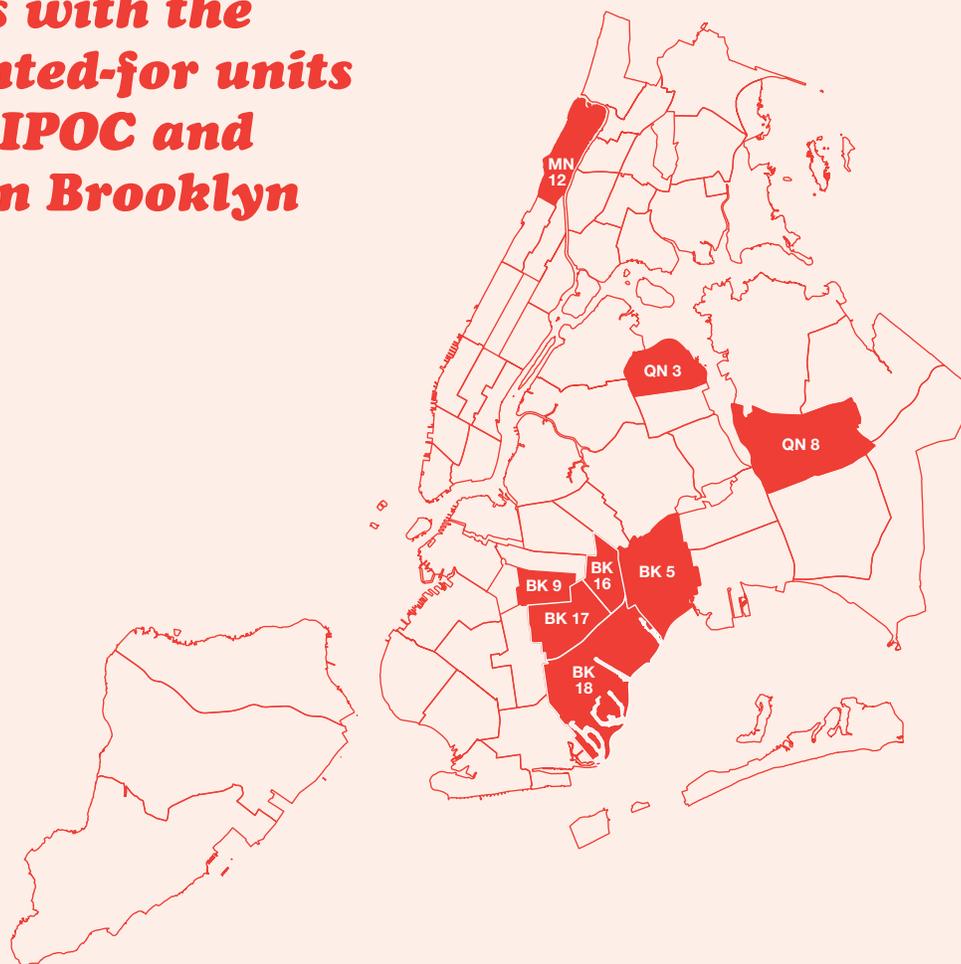
## FINDINGS

An analysis of total units as counted within the census through the American Community Survey, Certificates of Occupancy, and residential building permits from the Department of Buildings finds that unaccounted-for units are largely located within eight communities:

- Brooklyn Community District 5—  
East New York / Starrett City
- Manhattan Community District 12—  
Washington Heights / Inwood / Marble Hill
- Queens Community District 8—  
Briarwood / Fresh Meadows / Hillcrest
- Brooklyn Community District 18—  
Canarsie / Flatlands
- Brooklyn Community District 16—  
Brownsville / Ocean Hill
- Queens Community District 3—  
Jackson Heights / North Corona / East Elmhurst
- Brooklyn Community District 9—  
Crown Heights South / Prospect Lefferts / Wingate
- Brooklyn Community District 17—  
East Flatbush / Farragut

All of the communities included are majority Black, Indigenous, or People of Color (BIPOC). All experience a higher percentage of rent burden compared to the citywide average of 42%, with Jackson Heights/North Corona/East Elmhurst and Brownsville/Ocean Hill experiencing the highest level of rent burden at 64% and 62% respectively. Jackson Heights has one of the highest percentages of foreign born residents in the city with 64% of residents born in another country, as compared to the citywide average of 40%. Brownsville's poverty rates are among the highest in the city, 34% of residents living below the federal poverty line, more than double the citywide average of 16%.

## Neighborhoods with the most unaccounted-for units are majority BIPOC and concentrated in Brooklyn and Queens



COMMUNITY DISTRICT/ NEIGHBORHOODS	UN-ACCOUNTED FOR UNITS	PERCENT BELOW POVERTY LEVEL	PERCENT RENT-BURDENED	PERCENT OVER-CROWDED	PERCENT FOREIGN BORN	PERCENT HISPANIC/LATINO	PERCENT BLACK	PERCENT ASIAN	PERCENT WHITE
<b>Brooklyn 5</b> East New York/Starrett City	<b>5,086</b>	26%	59%	15%	35%	37%	52%	5%	4%
<b>Manhattan 12</b> Washington Heights/ Inwood/Marble Hill	<b>4,945</b>	20%	52%	12%	46%	68%	8%	3%	19%
<b>Queens 8</b> Briarwood/Fresh Meadows/Hillcrest	<b>4,897</b>	13%	53%	10%	47%	20%	12%	34%	29%
<b>Brooklyn 18</b> Canarsie/Flatlands	<b>4,716</b>	10%	50%	8%	40%	9%	62%	5%	22%
<b>Brooklyn 16</b> Brownsville/Ocean Hill	<b>4,685</b>	34%	64%	6%	29%	23%	71%	1%	3%
<b>Queens 3</b> Jackson Heights/ North Corona/East Elmhurst	<b>4,106</b>	15%	62%	19%	60%	66%	5%	17%	10%
<b>Brooklyn 9</b> Crown Heights South/ Prospect Lefferts/ Wingate	<b>1,255</b>	18%	54%	9%	40%	9%	62%	2%	24%
<b>Brooklyn 17</b> East Flatbush/Farragut	<b>705</b>	14%	57%	8%	52%	8%	87%	1%	3%

East New York has 5,086 unaccounted for units, the highest number in the city and, at 59%, one of the highest rates of rent burden of any community as compared to the city-wide average of 42%. Twenty-nine percent of residents live below the poverty line. Ninety-six percent of residents are nonwhite, while 35.2% are foreign born. East New York also has one of the highest rates of overcrowding in the city, with 15.2% of residents living in overcrowded housing, as compared to the citywide average of 11%.

Washington Heights/Inwood is the only Manhattan neighborhood on the list and has one of the highest numbers of unaccounted-for apartments in the city, with 4,945 units. Forty-six percent of residents are foreign born, 11.6% live in overcrowded situations, 51.7% experience rent burden, and 19.7% live below the poverty line.

Over half (52%) of residents in Queens CD 8 (Fresh Meadows/Briarwood/Hillcrest) are rent burdened, though the neighborhood has lower rates of poverty as compared to other communities on this list. However, Queens CD 8 has 4,897 unaccounted for units, the third highest number in the city.

While this paper does not break out 5+ unit buildings from total certificates of occupancy and new construction, it should be noted that

higher percentages of unaccounted-for units are located in communities where 1–4 family homes are both the majority of the building stock and the total housing stock. In East New York, which is home to 5,086 unaccounted-for units, the highest of any community district in the city, units in 1–4 family housing comprise over half of the total housing stock—much higher than the citywide average of 33%—and 95% of all residential buildings in the neighborhood. In Canarsie, 82% of total units are located in 1–4 family housing, while 4,716 units are unaccounted-for. Ninety-nine percent of all residential buildings in Canarsie are 1–4 family housing. Similarly, in Queens, 40% and 48% of units in Jackson Heights/Elmhurst and Briarwood/Hillcrest, respectively, are located in 1–4 family buildings, which, all told, comprise 94% and 98% of the residential building stock in these neighborhoods.

The only exception to this trend is Washington Heights/Inwood, which has one of the highest numbers of unaccounted-for units in the city, but does not have substantial 1–4 family housing within the community district. It is possible that new construction and renovations that include mixed use buildings were captured in the data, skewing the number of unaccounted-for units in the neighborhood. However, without accurate data collection and streamlined legalization options, while continuing to criminalize these spaces, it is and will continue

**Higher percentages of unaccounted-for units are in communities where small homes are the majority of both the building & housing stock**

COMMUNITY DISTRICT	RESIDENTIAL BUILDING STOCK			HOUSING STOCK		
	TOTAL RESIDENTIAL BUILDINGS	1-4 UNIT BUILDINGS	5+ UNIT BUILDINGS	TOTAL RESIDENTIAL UNITS	% UNITS IN 1-4 UNIT BUILDINGS	% UNITS IN 5+ UNIT BUILDINGS
<b>New York City</b>	<b>764,592</b>	<b>91%</b>	<b>9%</b>	<b>3,621,630</b>	<b>33%</b>	<b>67%</b>
<b>Brooklyn 5</b>	<b>18,160</b>	<b>95%</b>	<b>5%</b>	<b>67,253</b>	<b>51%</b>	<b>49%</b>
<b>Manhattan 12</b>	<b>2,068</b>	<b>15%</b>	<b>85%</b>	<b>73,767</b>	<b>1%</b>	<b>99%</b>
<b>Queens 8</b>	<b>18,540</b>	<b>98%</b>	<b>2%</b>	<b>59,968</b>	<b>40%</b>	<b>60%</b>
<b>Brooklyn 18</b>	<b>33,620</b>	<b>99%</b>	<b>1%</b>	<b>65,605</b>	<b>82%</b>	<b>18%</b>
<b>Brooklyn 16</b>	<b>6,765</b>	<b>88%</b>	<b>12%</b>	<b>39,101</b>	<b>33%</b>	<b>67%</b>
<b>Queens 3</b>	<b>13,649</b>	<b>94%</b>	<b>6%</b>	<b>53,519</b>	<b>47%</b>	<b>53%</b>
<b>Brooklyn 9</b>	<b>6,451</b>	<b>85%</b>	<b>15%</b>	<b>40,928</b>	<b>25%</b>	<b>75%</b>
<b>Brooklyn 17</b>	<b>16,945</b>	<b>93%</b>	<b>7%</b>	<b>59,785</b>	<b>51%</b>	<b>49%</b>

to be extremely difficult to correctly track on-the-ground trends. This analysis is an attempt to do so with the limited data available.

## METHODOLOGY AND LIMITATIONS

Since basement apartments are under-regulated, it is extremely difficult to know the true number of unaccounted-for units that exist in the city. This analysis is a reconstruction of Pratt Center's 2008 report, "[New York's Housing Underground: A Refuge and Resource](#)," and is meant to provide a rough estimate of where these units are located, and in which communities they comprise a considerable amount of the housing stock. However, the current housing landscape in New York City is very different from that of 2008.

This analysis is a comparison of new housing units based on two different sources. The first set of data used is on housing units as recorded by the census and shows occupied units based on people answering questions about where they live. The second set of data is Certificates of Occupancy and Residential Building Permits, recorded by the Department of Buildings, which gives an idea of what the City of New York has issued as a "new" housing unit between the years listed. This should give an idea of how many "unaccounted-for" units exist by showing the difference in where tenants say they are living and where the city government is saying units exist, which is exemplified in the community districts highlighted in this analysis. However, the proliferation of new construction across the city complicates these assumptions. Our analysis shows that unlike the 2008 context, new construction permits are outpacing occupancy—meaning there are many vacant units across the city, and unaccounted-for units may be lost within this count.

Additionally, PUMAs/community district boundaries create limitations because they include neighborhoods that vary widely in terms of new construction and economic conditions. For example, Queens CD 12, which includes the Long Island City (LIC) waterfront, has the highest number of vacant units under construction in the city. As a result, the data show zero unaccounted-for units. However, CD 12 also includes Woodside, a neighborhood with vastly different demographics than the LIC waterfront in terms of race, immigration status, income, and housing stock. Three of the 11 deaths that occurred as a result of Hurricane Ida basement disasters happened in Woodside, yet unaccounted-for basement units are invisible within the data.

It should be noted that the City passed legislation in 2019 for implementing the East New York Basement Conversion Pilot, which was promised as a part of the East New York rezoning. The pilot's funding, which was cut during Covid, has yet to be restored, despite the clear need to identify and safely convert basement apartments.

## RECOMMENDATIONS

The limitations of this data and an undercounted, unregulated housing stock led to life and death circumstances, as we saw during Hurricane Ida. New York must ensure habitability and a safe place to live for all New Yorkers. Pratt Center recommends that:

1. The New York State legislature pass Intro. A-4854/S-4547, the New York State Accessory Dwelling Unit Enabling act, which creates a statewide framework for building, legalizing and helping fund safe Accessory Dwelling Units (ADU) and would greatly improve the ability of New York City homeowners to legalize their basements.
2. The City of New York fully fund a citywide basements conversion program, as advocated by the Basement Apartments Safe for Everyone (BASE) coalition, in order to produce an adequate count of unaccounted-for units and to ensure habitable and safe dwellings for all New Yorkers. This includes:
  - Restore the funds committed to East New York for the basement conversion pilot to ensure findings can be used in design of a citywide program
  - Create a government funding stream dedicated to helping low and moderate income homeowners convert their basements into up-to-code, habitable dwellings.
  - Legalize cellar conversions, when this can be done safely.
  - Update zoning code to remove parking and/or FAR requirements that limit legalization without impacting safety.
  - Update the ENY basement legalization pilot model to ensure flood mitigation measures are included beyond the pilot's no-build requirement in flood zones.
  - Stop the criminalization of basement apartments, which causes fear and makes it even more difficult to find homeowners and tenants willing to work with the City to ensure all units are safe and habitable.

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## DATA SOURCES &amp; LINKS

CoreData.NYC

[2010 Housing units](#)

[2019 Housing units](#)

[Units Authorized by New Residential Building Permits](#)

[Units Issued New Certificate of Occupancy](#)

2019 American Community Survey,  
5-Year Estimates

[Percent below poverty level](#)

[Percent Rent-burden](#)

[Percent Overcrowded](#)

[Percent Foreign-born](#)

[Percent Hispanic/Latino](#)

[Percent Black](#)

[Percent Asian](#)

[Percent White](#)

NYC Planning Community District Profiles

[Residential buildings by number of residential units](#)

[No. of Units by Number of Residential Units per Building](#)

Founded in 1963, the Pratt Center for Community Development works for a more just, equitable, and sustainable city for all New Yorkers. As part of Pratt Institute, we leverage professional skills including participatory planning, community organizing, and public policy advocacy to support community-based organizations in their efforts to challenge systemic inequities and advance sustainable development.



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The BASE (Basement Apartments Safe for Everyone) campaign is a coalition of community organizations, advocates, tenants, homeowners, and community members who are organizing working-class neighborhoods and communities of color to increase the number of legally-recognized, affordable, and safe basement apartments, as well as other accessory dwelling units (“ADUs”) in New York City.

