Addendum to the HPD-HDC Marketing Handbook

Temporary Waiver to Section 4-4(A): Re-rentals and Resales, Mini Lotteries

Effective Date: May 1, 2025, through the anticipated end date of April 30, 2027

UPDATED MAY 1, 2026

The City is extending its waiver of Section 4-4(A) of the HPD-HDC Marketing Handbook in order to further its commitment to connecting vulnerable New Yorkers to affordable housing more quickly and with fewer barriers. This waiver, which is detailed below, temporarily removes requirements for certain developments to use NYC Housing Connect for re-rentals and resales while the New York City Department of Housing Preservation and Development (HPD) and the New York City Housing Development Corporation (HDC) ("the Agencies") work on enhancements to the process. The Agencies will continue to provide updates on progress and timelines.

The policies and procedures outlined below will supersede Section 4-4(A) of the HPD-HDC Marketing Handbook for the effective period of this waiver or until the Agencies announce otherwise.

Process

1. For HPD projects, the Marketing Agent must publicize re-rental/resale opportunities in a way that is accessible to the public citywide, such as on a widely known commercial platform, as well as on the New York City Department of Housing Preservation and Development (HPD)'s website.
    a. Opportunities can be for general waitlists or a specific project/unit.
    b. The following must be included where re-rental/resale opportunities are publicized:
        i. Unit sizes, occupancy standards, rents, and income limits for affordable units.
        ii. Statement: "New York City is committed to the principle of inclusivity in all of its neighborhoods, including supporting New Yorkers to reside in neighborhoods of their choice, regardless of their neighborhood of origin and regardless of the neighborhood into which they want to move."
    c. Marketing Agents must provide HPD a link for housing seekers citywide to find and apply for such opportunities that HPD will publish on its re-rental/resales page.
        i. Marketing Agents must email links to nychpd_marketing@hpd.nyc.gov for posting on HPD's website.
        ii. Marketing Agents are responsible for keeping information on available affordable units accurate and up to date.
    d. As stated in the HPD-HDC Marketing Handbook, Section 4-3(5), "[t]he Marketing Agent must ensure that all paper and digital applications and applicant personal information are stored securely and kept on file for at least six years, or longer if the project is subject to additional retention requirements."
    e. The Marketing Agent must also maintain the date and time each application was received and its

place on any applicable property or portfolio waitlist(s) outside NYC Housing Connect, also for at least six years, or longer if the project is subject to additional retention requirements.

2. For HDC projects, advertisements for re-rentals or resales must be submitted to and approved by HDC and posted on HDC's website.
    a. Marketing Agents must use HDC's template to create an advertisement for their project and include the following statement: "New York City is committed to the principle of inclusivity in all of its neighborhoods, including supporting New Yorkers to reside in neighborhoods of their choice, regardless of their neighborhood of origin and regardless of the neighborhood into which they want to move. "
    b. Applicants contact each property directly in response to the advertisement or listing to apply.
    c. As stated in the HPD-HDC Marketing Handbook, Section 4-3(5), "[t]he Marketing Agent must ensure that all paper and digital applications and applicant personal information are stored securely and kept on file for at least six years, or longer if the project is subject to additional retention requirements."
    d. The Marketing Agent must also maintain the date and time each application was received and its place on any applicable property or portfolio waitlist(s) outside NYC Housing Connect, also for at least six years, or longer if the project is subject to additional retention requirements.
3. HPD/HDC reserve the right to information described in 1(d) and (e) and 2(c) and (d) for review.
4. Applicants are processed in first-come, first-served order and/or according to the Marketing Agent's written procedures regarding waitlists or internal transfers. All such policies and procedures must be consistent with applicable laws and applied consistently and fairly to all applicants. No policies or procedures may provide an advantage, priority, or preference to external applicants based on the current or former residence of the applicant or a member of the applicant's household. This includes but is not limited to preferential notification of existing or upcoming vacancies.
    a. The Marketing Agent contacts applicants for eligibility verification in accordance with the HPD-HDC Marketing Handbook.
5. The Marketing Agent must use standard language for all applicant communication by utilizing the form letters ("H-notices") from the HPD-HDC Marketing Handbook attachments.
6. When the Marketing Agent confirms an applicant is income eligible, they must submit unit and applicant information to the Agency for signoff, including:
    a. For HPD projects:
        i. Date of vacancy
        ii. Unit details (rent, AMI, etc.)
        iii. Applicant file (household member details, Tenant Income Certification, primary residence affidavit)
        iv. Rent roll
    b. For HDC projects:
        i. Complete tenant file, including AIF, TIC, and application

    Note: From May 1, 2025, through the anticipated end date of April 30, 2027, HPD will accept applicant files for re-rentals or resales outside of Housing Connect via a FormAssembly webform. The link to the webform will be available on the Housing Connect admin portal and/or can be requested via email to your Housing Connect project manager.

7. HPD/HDC confirms that Marketing Agent-reported household size and income information match the affordable unit details (limited check, AKA "modified file review").

8. HPD/HDC issues decision (approve/deny) on the file within 3 business days. Then:
    a. Approved applicants can proceed to move in.
    b. Files with errors or discrepancies will be sent back to the Marketing Agent and may delay the approval process beyond the 3-day turnaround expectation.
    c. HPD/HDC reserve the right to audit Marketing Agent files (submitted and not submitted).
9. All re-rental and resale files are required to be submitted to the Agencies. However, only files for certain project types must be submitted to the Agencies before move-in can occur. Projects subject to the following requirements must be pre-approved by the Agencies before move-in:
    a. HDC regulatory agreement
    b. Chapter 51 of Title 28 of the Rules of the City of New York (Section 421-a tax benefit)
    c. Chapter 63 of Title 28 of the Rules of the City of New York (Section 485-x tax benefit)
    d. Chapter 64 of Title 28 of the Rules of the City of New York (Section 467-m tax benefit)
    e. Chapter 41 of Title 28 of the Rules of the City of New York (Inclusionary Housing Program)
10. For any units not subject to the aforementioned requirements in 9(a) through 9(e), the applicant file may be submitted after move-in instead of prior to move-in if the Marketing Agent chooses to do so (including where a project is subject to an HPD regulatory agreement that includes a requirement for application submission before move-in).
11. Non-compliance with any of the requirements in this addendum, such as an ineligible tenant having moved in or an applicant receiving preference, priority, or an advantage based on the current or former residence of the applicant or a member of the applicant's household, may result in, but shall not be limited to, the following actions by the Agency in its sole discretion:
    a. Rescission of the waiver of the requirement to submit applicant files before lease-signing.
    b. Removal from the HPD-HDC Marketing Agent Qualified List.