Article

Urban Affairs Review
49(5) 718–747

DOI: 10.1177/1078087412469341
uar.sagepub.com
SAGE

The Nuances of NIMBY: Context and Perceptions of Affordable Rental Housing Development

Corianne Payton Scally[1]

Abstract

This research investigates the nuances of local not-in-my-backyard (NIMBY) attitudes and actions, asking why some communities support publicly assisted affordable rental housing development, while others do not. Six case studies within New York State explore local acceptance and avoidance of affordable rental housing development through the low-income housing tax credit program. Findings inform future marketing, planning, and programming to encourage local participation in affordable rental housing development. More research is needed on the contextualized nature of NIMBY, how NIMBY attitudes and actions can be effectively reduced, and whether this increases the supply of affordable rental housing.

Keywords

NIMBY, affordable housing, rental housing, low-income housing tax credit, New York

[1]University at Albany, State University of New York, Albany, NY, USA

Corresponding Author:
Corianne Payton Scally, Department of Geography and Planning, University at Albany, State University of New York, Arts and Sciences 218, 1400 Washington Avenue, Albany, NY 12222, USA.
Email: cscally@albany.edu

The development of affordable housing can have multiple positive effects on households and communities. Access to quality, affordable housing can improve student success in school, help adults secure and maintain employment, and provide a healthier living environment for families (Heintze et al. 2006; Miles and Jacobs 2008; Mueller and Tighe 2007). Affordable rents can also mean more money to spend on other significant household needs, such as nutritious food, health care services and remedies, and transportation (Stone 2006). Communities, on the other hand, gain a more stable workforce by reducing common causes of employee stress and absenteeism, including high housing costs and mobility, lengthy and costly commutes, and poor adult and child health due to unsuitable living conditions (Lipman 2006; Rauh, Landrigan, and Claudio 2008). They also can benefit from increased social and economic diversity and sustainability (Campbell 1996; Dreier, Mollenkopf, and Swanstrom 2004). Finally, the availability of affordable rental units can help seniors on fixed incomes, as well as reduce and prevent homelessness, particularly when service supports are available (Bratt 2008; Culhane and Metraux 2008).

Many concerns remain, however, over potential negative outcomes for communities where affordable rental housing is developed.[1] People and places exhibiting these concerns are often labeled as suffering from “not-in-my-backyard” (NIMBY) syndrome. Previous research has broken down NIMBY syndrome into two distinct parts: (1) an attitude having a “personal basis” and (2) an institutionalized action (Advisory Commission on Regulatory Barriers to Affordable Housing 1991). A NIMBY attitude is often shaped by specific fears, including increased crime, poverty, and service and education costs, coupled with decreased property values and open space preservation (Dear 1992; Pendall 1999). There are also concerns that a low-rent housing development will be unable to support the increased cost of services associated with the population growth they may create, especially if they receive property tax relief. These attitudes may motivate NIMBY-related local government actions that simultaneously “restrict . . . supply and increas[e] demand for housing” (Pendall 2008, p. 226), thus driving up the cost of multifamily rental housing development. These “regulatory barriers” range from direct exclusion of multifamily development to indirect exclusion through cost inflation caused by imposing growth boundaries, enacting strict environmental controls, requiring low-density development and thwarting infill development, charging excessive fees, and inefficiently moving proposed projects through the permitting pipeline, among other things (Advisory Commission on Regulatory Barriers to Affordable Housing 1991). These institutional actions are generally assumed to be highly correlated with personal attitudes against affordable rental housing, and vice versa, although these links have not been sufficiently tested.

Some studies over the years have found mixed, and even positive, effects of the development of affordable rental housing on many of the areas of concern driving NIMBY attitudes (see, for example, Deng 2009; Ellen et al. 2007; Freeman and Botein 2002). Yet NIMBY attitudes persist, and many local governments still oppose such housing through institutional actions, with some going to great lengths to make it difficult to develop (Advisory Commission on Regulatory Barriers to Affordable Housing 1991; Pendall 2008). This suggests that certain local concerns and conditions have not been adequately identified or addressed by existing affordable rental housing policies and programs.

This research investigates the nuanced local contexts and public perceptions behind NIMBY syndrome—both attitudes and actions—by asking why some communities support publicly assisted affordable rental housing development, while others do not. Six municipal case studies—three matched regional pairs—within New York State (NYS) highlight similarities and differences in local acceptance and rejection of affordable rental housing development through the state-administered federal low-income housing tax credit (LIHTC) program. An analysis of state, regional, and local housing studies and reports, and interviews with local public, private, and nonprofit sector participants in the LIHTC process reveal the influence of local housing legacies, development environment and conditions, and politics and perceptions on community support for affordable rental housing development. These findings can inform future marketing, planning, and programming by states to encourage local government participation in affordable rental housing development. They also produce a series of rival hypotheses on the diverse contexts of NIMBY syndrome, suggesting areas for further study.

The remainder of this article is presented in five sections. First, I briefly review the general disdain for housing assistance and rental housing in the United States, how this translates into NIMBY syndrome, and how current policy and research efforts to respond to NIMBY arguments around affordable rental housing development generally disappoint. Second, I discuss the research design and methods undergirding the cross-case comparison, including case selection criteria, data collection methods, and research limitations. Third, I present the context of affordable rental housing development in NYS, and introduce the six cases in more detail. Fourth, I detail the major themes that emerged from the data regarding how and why communities are (not) supportive of affordable rental housing development, highlighting linkages to both NIMBY attitudes and actions. I conclude with recommendations on how states, as administrators of the LIHTC program, can address local NIMBY syndrome more effectively, and suggest further research to unpack the nuanced nature of NIMBY on affordable rental housing development.

NIMBY and the Affordable Plus Rental Housing Nexus

Publicly subsidized housing has never been popular in the United States.[2] Viewed primarily as a slum clearance and economic development strategy for a country in the midst of a depression and then a World War, direct housing subsidies were meant to be temporary relief for families down on their luck but vital to the war effort and economic recovery of the nation (Von Hoffman 2000). By the 1970s, the federal government took an official stance against providing permanent subsidized housing, increasingly viewed as warehouses for the poor, and began shifting the responsibility back to the private sector (Schwartz 2010). Since then, new public–private vehicles have emerged to provide publicly assisted, but privately owned and managed, affordable rental housing. This includes project-based development subsidies, but relies to a large extent on tenant-based assistance through vouchers (Schwartz 2010). This policy shift toward dispersing former tenants of subsidized housing developments is buoyed by fears around the negative consequences of spatially concentrating poverty (Goetz 2003; McClure 2008; Williamson, Smith, and Strambi-Kramer 2009; Wilson 1987).

To compound the issue, not only is housing assistance mired in controversy but also renters are frequently considered lesser citizens than homeowners.[3] Renter households are viewed as having less investment in their housing and in the community in general, representing a poorer, more transient population than neighboring homeowners. In contrast, homeownership is generally understood to provide greater economic, social, and political benefits to households and stability to neighborhoods (Fischel 2001; Krueckeberg 1999; Retsinas and Belsky 2002; Rohe and Stegman 1994; Rohe and Stewart 1996).

NIMBY attitudes and actions stem from this nexus of beliefs regarding subsidized housing, on one hand, and rental housing, on the other. They are assumed to be strongest in the suburbs to which wealthy, white households fled to escape from high-poverty, high-minority urban centers with higher renter-occupancy rates (Tighe 2010). NIMBY arguments against affordable rental housing typically revolve around two premises: first, it jeopardizes existing community *amenities*, and second, it creates new or exacerbates existing *disamenities*. Affordable rental housing development is understood by homeowners as a direct assault on their greatest financial asset: the equity gained through the increasing value of their property over time. It is also considered a burden to existing public services, including fire and safety, education, and social services, due to expectations that renters have more children, pay fewer local taxes, and require more public services (Dear 1992; Pendall 1999). Rental housing is also often pitted against the preservation of open space (Schmidt and Paulsen 2009). In addition to threatening these positive attributes of communities, rental housing is often accused of attracting or producing increased criminal activity, and contributing to overcrowding and poor-quality housing conditions propagated by slum landlords (Freeman and Botein 2002; Lemanski and Saff 2010).

Common responses to NIMBY fall into four categories: disproving fears, shifting public opinion, regulating equity, and/or circumventing opposition. The first two responses focus on NIMBY attitudes. The first type of response challenges the assumptions of negative spillover effects of project-based rental housing development, such as decreasing property values and school performance, and increasing crime rates (Deng 2009; Di and Murdoch 2010; Ellen et al. 2007; Funderburg and MacDonald 2010; Galster et al. 2002). The second type attempts to rebrand affordable rental housing as well-designed, high-quality workforce or life cycle housing for a more deserving population (Goetz 2008). The third type addresses NIMBY actions by emphasizing voluntary or mandated removal of regulatory barriers to affordable rental housing development and/or offering incentives to encourage it (Pendall 2008). The final type of response tries to circumvent NIMBY pressures by focusing instead on deconcentrating and dispersing poor households through mobility programs, but does not engage directly with NIMBY attitudes or actions (Basolo and Nguyen 2005; Goetz 2003). None of these responses have proven overwhelmingly successful in overcoming and reversing NIMBY syndrome.

These diverse and divergent responses highlight a narrow conception of NIMBY as it relates to affordable rental housing. First, NIMBY attitudes are often attributed to a homogeneous public with similar personal and community characteristics leading to a consensual public opinion (Tighe 2010). Second, there is little nuanced understanding of how NIMBY attitudes and actions may be differentiated across space, with little comparative research exploring local contextualization within cities versus suburbs, and in strong versus weak markets (Pendall 2008). Finally, NIMBY syndrome is expected to yield similar outcomes regardless of the people and the place, that is, homogeneous attitudes yield similar institutional actions that result in a straightforward outcome: A proposed affordable rental housing development does not get built. In reality, however, little is understood about the differentiated outcomes resulting from complex interactions of public, place, and policy (Pendall 1999). This research on why affordable rental housing is built in some communities but not others begins to address these gaps.

Method

Case Selection

Three pairs of case studies were conducted in Upstate New York. Jurisdictions were matched according to similarities across a range of geographic, demographic, and socioeconomic characteristics. However, they exhibited differing levels of applications and awards through the federal LIHTC program, administered by NYS. Given its size, affordable rental housing history (discussed more below), and internal geographic diversity, NYS was a fitting state to examine inter- and intraregional differences. The LIHTC has been the primary source of funding for affordable rental housing development since 1987, financing more than 100,000 units in NYS between 1992 and 2009 (New York State Homes and Community Renewal [HCR] 2010a).[4] While LIHTC applications do not require official community support in the form of a local ordinance, as practiced in some states, almost all applications include an authorized payment-in-lieu-of-taxes (PILOT) agreement with the local municipality to be financially feasible.[5] Therefore, LIHTC application and award activity were assumed to indicate implicit local government support for a given project.

The selected matched pairs of jurisdictions were the cities of Albany and Schenectady (Capital District), the cities of Newburgh and Poughkeepsie (Mid-Hudson), and the towns of Islip and Smithtown (New York City [NYC] Suburban) discussed in more detail in the next section. These pairs were matched according to similarities across key characteristics based on their hypothesized influence on community support for affordable rental housing development, as discussed below (see Table 1).[6] Data were drawn from the 1990 U.S. Census to approximate the beginning of the LIHTC program. Jurisdictions were rated either high or low on these characteristics based on their comparison with the statewide average.

1. Jurisdictions with weaker markets may be more accepting of affordable rental housing, posing fewer barriers to development. Pairs were located in three different regional economic markets delineated by the NYS economic development authority, Empire

Table 1. Case Selection Criteria for Three Matched Pairs Compared with New York State, 1990 and 2009.

		Capital District		Mid-Hudson		NYC Suburban	
	New York State	Albany	Schenectady	Newburgh	Poughkeepsie	Islip	Smithtown
County	NA	Albany	Schenectady	Orange	Dutchess	Suffolk	Suffolk
Population							
1980		101,727	67,972	23,438	29,757		
1990	17,990,455	101,082	65,566	26,454	28,844	299,587	113,406
2009	19,423,896	94,083	61,327	28,212	29,813	336,753	121,340
% change 1980-1990	2.5	−1	−4	13	−3	0.2	−2.8
% change 1990-2009	8	−7	−6	7	3	12	7
Median household income							
1990 ($)	32,965	25,152	24,316	22,224	27,606	50,212	60,068
2009 ($)	55,233	38,642	37,238	37,391	38,533	81,792	104,767
% change	68	54	53	68	40	63	74
Poverty rate							
1990 (%)	13	18	15	27	15	5	2
2009 (%)	14	25	21	25	23	5	3
% change	1	7	6	−2	8	0	1
% black							
1990 (%)	27	21	9	35	31	7	1
2009 (%)	16	28	19	35	35	10	1
% change	−11	7	10	0	4	3	0

Source: 1980 Decennial Census, 1990 Decennial Census, 2005-2009 American Community Survey five-year estimates.
Note: NYC = New York City.

State Development Corporation. Economically, the Capital District and Mid-Hudson cities have the weaker markets, whereas the NYC Suburban towns have stronger ones.[7] Matched jurisdictions were within the same county or in neighboring counties, and were less than 20 miles apart.

2. Affordable rental housing has tended to cluster in central cities, remaining more elusive in suburban areas. It was therefore desirable to explore both types of jurisdictions, including counterexamples to this trend. Four central cities and two suburban towns were selected.[8]
3. Demand for affordable rental housing can reflect population size and change. We might expect to see greater demand and price pressures within larger, growing population centers and decreasing demand in areas experiencing declining populations. Therefore, cases were matched by population size and similar rates of decline or growth over the preceding decade.
4. Housing affordability is directly linked to a household's ability to pay. We would expect households with higher incomes to have less of a demand for affordable rental housing. The four selected cities had median household income below the state average, and the two towns had substantially higher incomes.
5. NIMBY responses have been connected with particular populations, including poor minorities. More specifically, white residential preferences exclude African-Americans to a higher degree than other races or ethnicities. Jurisdictions were therefore matched on their poverty rates and percentage of the population identified as African-American.[9]

LIHTC data were drawn from the database on all applications and awards to jurisdictions with populations between 10,000 and 100,000 residents maintained by New York State HCR (2010a) covering 1992-2008 (see Table 2). Jurisdiction categorization as having high or low LIHTC activity was a relative measure based on regional variations, rather than an arbitrary absolute standard.[10]

To find the matched pairs, jurisdictions with high levels of LIHTC applications and awards were selected from the state database and combined with their census characteristics. Jurisdictions with similar characteristics were then identified within the same region, and cross-checked with the state LIHTC database to ensure low to no LIHTC development activity.

Table 2. Housing Activity Through the Low-Income Housing Tax Credit for Three Matched Pairs Compared with Upstate New York, 1992-2009.

		Capital District		Mid-Hudson		NYC Suburban	
	Upstate New York[a]	Albany	Schenectady	Newburgh	Poughkeepsie	Islip	Smithtown
Project applications[b]	1,250	57	8	46	18	12	0
Units applied for[b]	70,337	2,327	167	1,956	635	1,413	0
Projects awarded	287	11	1	13	5	3	0
Units awarded	19,686	604	40	372	319	264	0
LIHTC[c]	16,982	572	40	370	87	264	0
Elderly	8,325	72	0	60	0	179	0
Special needs[d]	NA	113	12	82	16	50	0

Source: New York State Homes and Community Renewal (2010a).
Note: NYC = New York City; LIHTC = low-income housing tax credit.
a. These numbers exclude New York City, a substantial outlier.
b. These numbers include repeat and multiple applications for the same development. Due to demand for credits consistently outstripping supply, persistence is rewarded here.
c. Due to database structure, it is impossible to determine when multiple funding sources overlap for a single unit. This prohibits a total count of units funded through the combined programs.
d. Special needs is used here to refer to units serving the following populations: physically disabled; veterans; homeless; those with AIDS, alcohol, or substance abuse, mental retardation or development disabilities, or psychological disorders; single parents; and those receiving public assistance.

Data Collection and Analysis

The primary methods of data collection included compiling existing public documents and conducting in-depth interviews. Documents reviewed included State Regional Affordable Housing Needs Studies, Consolidated Plans and associated annual Action Plans, Analysis of Impediments to Fair Housing, comprehensive plans, public housing Five-Year Plans, local zoning codes and ordinances, regional rental housing reports, and fair housing lawsuits and studies. Primary data regarding affordable rental housing were collected through interviews with more than 25 public officials and developers and/or managers of affordable rental housing. These were identified online as local planning officials responsible for housing programs, and developers/managers of LIHTC projects on record with NYS. Snowball sampling was used in cases where the identified contact person was no longer accurate (e.g., due to staff turnover), and for developers in jurisdictions where little to no LIHTC development had occurred. Interviews probed perceptions of the need for, desire for, obstacles to, and impact of affordable rental housing development within the local jurisdiction.[11] All data were analyzed for emergent themes, with content coded to reflect various dimensions of NIMBY attitudes and actions.

Limitations

There are several limitations to this research. One limitation is that the selection criteria only considered total applications and awards over the entire study period without exploring the timing of such activity. State criteria for awarding tax credits do change over time, and demographics may as well, although there was little change in the socioeconomic characteristics and trajectories of the selected cases by the end of the study period.

Another limitation is that the research design did not control for existing assisted rental housing inventory and activity within the jurisdiction. While it would have been prohibitive to reliably gather these data for all local jurisdictions within NYS for the purpose of case selection, the presence and history of other subsidized rental units, developers, and property managers are evaluated for each case below. Within these cases, there do not appear to be clear-cut correlations between inventories from older versus newer rental housing development programs. In fact, the cases highlight disadvantages to relying on publicly available data on subsidized housing that miss histories of refinancing between programs as well as project mismanagement.

Finally, it was particularly difficult to get developers to talk who had experienced significant opposition from either local government or adjacent neighbors, even with standard confidentiality guarantees. This could be overcome in the future by a larger study covering more communities with less likelihood of project and developer identification.

Setting the Context for Affordable Rental Housing Development in NYS

NYS's extensive leadership in supporting affordable rental housing development, coupled with its internal regional diversity, makes it a prime setting for examining similarities and differences in local LIHTC support. First, I discuss the history of the state's involvement in affordable rental housing development through federal- and state-sponsored programs. Then, I address the geographic diversity and economic and population pressures faced by the six local municipalities in the three regions studied. Such differences provide initial clues about how local contexts may result in unique manifestations of NIMBY attitudes and actions around affordable rental housing development.

State Participation in Affordable Rental Housing Development

NYS has been an active participant in many federally sponsored affordable rental housing development programs. More than 210,000 units of public housing provide affordable rental housing, heavily concentrated in NYC (U.S. Department of Housing and Urban Development [HUD] 2008). The LIHTC program has funded 100,000 additional units, concentrated in NYC and other Upstate cities with 100,000 or more population, including Buffalo, Syracuse, and Rochester (New York State HCR 2010a). There are still a fair number of units financed by other federal programs no longer producing new units, such as project-based Section 8 (more than 90,000 units remaining) and Section 236 (more than 36,000 units remaining), as well as some assisted by other federal programs (U.S. Department of HUD 2008). The federal HOME program has also been used by NYS to assist in the production of a small number of affordable rental units beyond those produced by local participating jurisdictions (New York State HCR 2010b).

In addition to implementing federal programs, NYS has been a progressive adopter of other statewide incentives and programming for affordable rental housing development. This includes a state housing trust fund (est. 1985; 16,000 units financed) and its own state housing tax credit program (est. 2000;

1,650 units financed). More unique programs include a statewide public housing program (est. 1939; 21,000 units remaining as of 2007) that preceded the federal public housing program, and a moderate-income rental housing development program, Mitchell-Lama (est. 1955; 74,000 units remaining as of 2007), mostly concentrated in NYC.

Case Study Regions and Municipalities

Capital District—Albany and Schenectady. The cities of Albany (est. 1686) and Schenectady (est. 1798) are located less than 20 miles apart in the Hudson and Mohawk River Valleys in Upstate New York within the Capital District, a region of 850,000 people. Located within one of the oldest settled regions in the country, these cities have benefitted from history, natural amenities, transportation, industry, and government. The Albany–Schenectady–Troy Metropolitan Statistical Area (MSA) employs almost half a million people (U.S. Bureau of Labor Statistics 2010), with almost half working in government, education, and a growing health services sector (Pendall, Drennan, and Christopherson 2004). Although Albany has experienced a period of population loss, it is slowly rebounding, helped by the stabilizing influence of state government (as the state capital), numerous institutions of higher education, and four regional hospitals, including the only research hospital in a 25-county region. Schenectady, however, has its roots in industry and transportation as the birthplace of General Electric and the headquarters of the American Locomotive Company, which together employed 90% of the local workforce at one time and fueled an immigrant population explosion (Schenectady Digital History Archive 2010). Post–World War II economic restructuring has led to the loss of a third of its 1930 peak population of just over 90,000 people (City of Schenectady 2008).

Mid-Hudson Region—Newburgh and Poughkeepsie. The Mid-Hudson Region has experienced growing population pressures over the past decade as households are pushed out of the NYC area by high housing costs and move north to commute to work. The cities of Newburgh (est. 1865) and Poughkeepsie (est. 1854) are located 18 miles apart, on opposite banks of the Hudson River, at a midpoint between NYC and the Capital District. Both cities serve as their county seats and have a history of economic and social decline, with plans to capitalize on their waterfronts and revitalize their local business districts. Newburgh once served as a transportation hub, industrial center, and shopping destination within the region; today's largest employers include the health care, manufacturing, financial services, utilities, education, and services sectors (City of Newburgh 2006).

Poughkeepsie has had a more diversified economic base historically, from mills to glass factories and potteries, and successfully attracted an IBM research and development facility. Major employers in 1998, however, were public and land-based institutions, including the county government, hospital, utility company, and the city school district. Poughkeepsie is the northern-most stop for the Metro-North Rail line serving NYC commuters; the terminal was recently redeveloped as part of a larger waterfront plan to enhance community, waterfront access, and safety (The Chazen Companies et al. 1998).

NYC Suburban—Islip and Smithtown. The towns of Islip (est. 1683) and Smithtown (est. 1665) are both located within Suffolk County on Long Island, and contain no incorporated cities but several villages and numerous smaller hamlets. Both are significantly larger than the other jurisdictions studied, with Islip covering an area of 106 square miles with current population of about 335,000 on the south shore of the island, and Smithtown having approximately 123,000 people living within a land area of 53 square miles on the north shore. A preferred residential destination for people of means working in NYC, but no longer desiring to or able to afford to live there, these towns face significant housing price pressures. The Long Island Railroad links suburban dwellers with their city jobs.

Islip's initial major employment activities were in the fishing and shipping sectors, but today include communications, insurance, manufacturing and distribution, health care, services, and a growing technology sector (Town of Islip 2010). Smithtown, however, was an agricultural area until the twentieth century, and is now primarily a bedroom town with declining retail and service districts, and one major industrial park (Town of Smithtown Planning and Community Development Department 2010). Both towns experienced population explosions during the post–World War II suburbanization boom, leveling out during the mid-1970s. Islip started growing again during the mid-1990s, whereas Smithtown's population remained stable.

How and Why Support Differs: Context and Perceptions

The cases reveal three categories of reasons for why support differs for affordable rental housing development through the LIHTC program: housing legacies, development environment and conditions, and politics and perceptions. These findings complicate our understanding of NIMBY attitudes and actions as monolithically motivated or intrinsically linked in a rational, causal relationship.

Table 3. Cumulative Total Units/Households Assisted by Program, 2000 and 2008.

		Capital District		Mid-Hudson		NYC Suburban	
Program	Year	Albany	Schenectady	Newburgh	Poughkeepsie	Islip	Smithtown
Vouchers[a]	2000	2,167	1,212	720	1,066	NA	NA
	2010	2,231	1,289	374[b]	712	1,036	111
Waiting list	2010	4,504[c]	554	309[b]	NA	3,947	700
Public housing[a]	2000	1,518	1,018	135	359	NA	0
	2010	1,832[d]	1,006	135	360	361	0
Waiting list	2010	4,504[c]	807	169	NA	2,103	NA
Project-based Section 8	2000	720	342	211	587	NA	299
	2008	651	340	132	265	295	298
LIHTC (9%)	2000	337	0	222	32	72	0
	2008	572	40	370[e]	121	164	0
LIHTC (4%)	2000	806	0	0	0	0	0
	2008	966	0	580	251	152	0
Housing trust fund	2000	79	0	65	32	72	0
	2008	306	40	85	126	72	0

Sources: New York State Homes and Community Renewal (2010a), U.S. Department of Housing and Urban Development (2000, 2008).
Note: NYC = New York City; LIHTC = low-income housing tax credit. Due to overlap in units/tenants funded through multiple sources, figures cannot be added for a total number.
a. Recent voucher and public housing numbers were taken from each city's Consolidated Plan and/or from interviews with people familiar with these programs, as the most reliable and current data.
b. Pathstone administers 252 additional vouchers for Orange County within the city and the town of Newburgh with a waiting list of more than 1,800 families as of 2006.
c. This number is waitlist for public housing and vouchers combined. Disaggregated data are not available.
d. This increase is in part due to the federalizing of 158 former state public housing units.
e. This includes at least 205 formerly state-subsidized public housing units that were privatized and refinanced through the LIHTC program.

Housing Legacies

Each jurisdiction studied had its own unique legacies of subsidized rental housing, fair housing discrimination, and regional inequalities in affordable housing distribution. These legacies are primarily the result of NIMBY-related institutional actions, or inactions, as the case may be. In terms of subsidized housing inventories, Albany and Schenectady had large ones, but Albany had maintained and increased its inventory over time, whereas Schenectady stagnated and was left with a concentration of units funded by older project-based programs (see Table 3). This stood in contrast to Newburgh's checkered history, including repeat management difficulties resulting in privatization and refinancing of a large portion of former public housing units in the 1990s (Interview 1)[12] and a brief stint on HUD's Troubled Housing Authorities list between 2006 and 2008 (Saccardi and Schiff 2009). Today, Newburgh has few public housing units, but a growing inventory through more contemporary project-based housing programs despite past failures. Its close neighbor, Poughkeepsie, maintained a higher number of public housing units, but only moderate activity in contemporary programs resulting in a stagnant inventory. Finally, Islip has a small but growing inventory, whereas Smithtown has almost none. In sum, the extreme examples of Albany and Smithtown followed expectations, while the jurisdictions in the middle occupy a less understood middle ground. Context and perceptions change over time, and past attitudes and actions do not always predict the future.

Discrimination is highlighted through at least two processes: underreporting and official legal conflicts. Underreporting was a concern in many jurisdictions but for different reasons. In the cities, there was concern that tenants were simply not aware of their rights according to various fair housing and landlord–tenant laws. On Long Island, many fair housing cases filed with the NYS Division of Human Rights are not resolved in favor of the person reporting the discrimination, providing little incentive for filing new complaints (ERASE Racism 2008). While some notable legal battles have been won against active discrimination in both urban and suburban jurisdictions in NYS, the legacy of fair housing violations reveals continuing NIMBY actions against renters exercised not just by the private sector but by public landlords and program administrators (Briggs, Darden, and Aidala 1999). For example, the Town of Smithtown settled a 2009 fair housing lawsuit regarding the administration of its Housing Choice Voucher program within which it gave preference to existing residents and/or local employees. The Town maintained its innocence in passing over minority households on its waitlist, but agreed to provide fair housing education and training to staff, develop a new Equal Opportunity Housing Statement, affirmatively market the voucher program, alter its residential preference policies, and improve voucher portability to other jurisdictions.[13]

Regional inequalities are the final housing legacy influencing the future development of affordable rental housing. Developers confirmed that existing distributions are easiest to perpetuate, with the path of least resistance found in those poorer cities desperate for redevelopment compared with surrounding suburbs determined to keep it out (Interviews 2, 3, and 4). City officials often accused surrounding suburbs of failing to "step up to the plate" to provide their fair share of affordable rental housing (Interview 5). Some have had enough: While Dutchess County lists affordable housing as its first priority in its combined 2008-2012 Consolidated Plan with the City of Poughkeepsie, the city lists "provid[ing] suitable housing for owners and renters" last within the same document (Saccardi and Schiff 2008, section IV, p. 13). Suburban towns acknowledge their lack of affordable rental housing, and officials comment that those home-rule municipalities most tolerant of affordable housing development (usually homeownership) tend to be villages and hamlets with more concentrated poverty and higher minority populations (Interviews 6 and 7).

Contemporary regional needs assessments also serve to perpetuate existing distributions and inequalities. One way they do so is by limiting areas of need to those with lower incomes, higher property taxes, higher poverty rates, slow rates of income growth, and existing compact development (Dutchess County Planning Department, Orange County Planning Department, and Ulster County Planning Department 2009). Another way is by simply projecting existing population growth patterns based on exclusionary legacies (Burchell, DiGiovanna, and Dolphin 2007). These assessments highlight the tensions between having an equitable regional housing distribution based on relieving the concentration in cities through dispersion, an efficient one based on smart growth principles of compact development, or a pragmatic one based on serving those with the greatest need who are often concentrated in central cities.

Development Environment and Conditions

Regulations and incentives, existing property conditions and redevelopment costs, and developer capacity varied significantly across jurisdictions. While some of these may be the effects of explicit NIMBY actions, others may be a consequence of the local environment and economic market. In general, not all high-activity LIHTC development jurisdictions exhibited regulations and incentives most associated with promoting affordable rental housing development, and not all low-activity jurisdictions were weak across the board (see Table 4). If we look more closely, however, a more nuanced picture emerges. Suburbs still provide the weakest supports across the board, and are only "strong" on inclusionary zoning because NYS has launched a temporary program mandating workforce housing on Long Island.[14] Poughkeepsie came out looking the best on paper, but interviewees indicated that the climate has turned unfavorable in recent years to affordable rental housing development, and a new zoning ordinance under consideration confirms this trajectory (Interviews 4, 5, and 8).

Table 4. Degree to Which Various Development Incentives Exist by Jurisdiction.

	Capital District		Mid-Hudson		NYC Suburban	
	Albany	Schenectady	Newburgh	Poughkeepsie	Islip	Smithtown
Lot sizes and setbacks	Weak	Weak	Average	Average	Weak	Weak
Two-family zoning	Average	Strong	Improving	Strong	Weak	Weak
Multifamily zoning (3+ units)	Weak	Weak	Weak	Average	Weak	Weak
Inclusionary zoning	Weak	Weak	Improving	Average	Strong	Strong
Permitting and fees	Average	Average	Average	Average	Weak	Weak
Property taxes	Weak	Weak	Weak	Weak	Weak	Weak
Agency cooperation	Average	Improving	Weak	Weak	Strong	Weak

Note: NYC = New York City. Each jurisdiction is scored on the following scale: *Strong* (the incentive exists and is actively used), *Average* (the incentive exists but neither acts as a significant support or deterrence to affordable rental housing development), *Improving* (the incentive was formerly weak, but has been recently improving in its effectiveness in supporting affordable rental housing), or *Weak* (the incentive is not useful or does not exist at all).

Case comparisons highlight promising actions to combat NIMBY syndrome as well as reveal some red flags. One promising practice is the rise of unofficial inclusionary zoning activity in Newburgh and Poughkeepsie, in large part due to a cross-county regional alliance on workforce housing that has been campaigning for local adoption of regulations (Dutchess County Planning Department, Orange County Planning Department, and Ulster County Planning Department 2009). These cities continue to consider actions to support affordable rental housing development despite clear NIMBY attitudes that they have more than enough.

On the downside, all jurisdictions rated poorly on legislated property tax relief to affordable rental housing, although most projects receive PILOT agreements. The reality is that this type of tax relief remains a significant burden to jurisdictions if the payments do not cover the increased service costs associated with the development. This sample included the state capital and three other county seats with significant amounts of tax-exempt government property (see, for example, City of Schenectady 2008). Property taxes in Islip and Smithtown are also already high, in large part due to school taxes (Town of Islip Community Development Agency 2010). Supporting additional tax-exempt properties is simply not popular, as summarized by one local official:

> Affordable housing that's on the tax rolls certainly would be a benefit, and anything that's not should pay a PILOT to cover the services that residents there will use as opposed to continuing to burden those in a taxed property. (Interview 5)

Different markets present their own unique conditions for affordable rental housing development that can drive up costs, with or without the aid of NIMBY-related regulatory actions. In most of the cities, a surplus of deteriorated vacant properties coupled with high costs of demolition or rehabilitation pose significant barriers, especially within designated historic districts where these units tend to be concentrated (Interviews 1, 3, 9, and 10; City of Schenectady 2008; New York State HCR 2008, 2009; Saccardi and Schiff 2009). Many of these properties are privately owned by out-of-town investors, and often tax delinquent, making redevelopment subject to the vagaries of local foreclosure processes (City of Albany 2010; Saccardi and Schiff 2009; The Chazen Companies et al. 1998). In Poughkeepsie and the suburban towns, the limited availability of developable land and properties contributes to the shortage of affordable rental housing (Burchell, DiGiovanna, and Dolphin 2007; Town of Islip Community Development Agency 2010; Interviews 5 and 6). In addition, on Long Island, a lack of sewer infrastructure for supporting higher residential densities can serve as a barrier, but some developers believed this was not as difficult to address as municipalities argued (Town of Islip Community Development Agency 2010; Interviews 6, 7, 11, and 12).

In developer-driven programs, such as the LIHTC, local developer capacities are an important variable, and both NIMBY attitudes and actions can affect a developer's willingness and success in affordable rental housing development. This research suggests that developer capacity varies according to past local reputation, the capacities of other local affordable rental housing developers (if present) in the region, and expertise operating within local development conditions. Once a developer does a first project that is "well-designed, well-maintained, and well-managed" it is easier to do a second one based on trust and reputation (Interview 4; also interviews 3, 9, and 11). Yet, this assumes the developer has already done the hardwork of getting an initial project approved and developed. Furthermore, past good work is no

Table 5. Developer Capacities for Affordable Rental Housing by Jurisdiction.

	Capital District		Mid-Hudson		NYC Suburban	
Developer	Albany	Schenectady	Newburgh	Poughkeepsie	Islip	Smithtown
PHA	Strong	Weak	Weak	Weak	Weak	NA
Private	Strong	Weak	Moderate	Weak	Weak	Weak
Nonprofit	Weak	Weak	Moderate	Strong	Weak	Weak

Note: NYC = New York City; PHA = public housing authority. Each developer type was scored on the following scale: *Strong* (developer(s) in this sector is(are) highly active in affordable rental housing development, as evidenced by number of units developed), *Moderate* (developer(s) in this sector is(are) somewhat active, producing some units), or *Weak* (developer(s) in this sector is(are) not actively producing units).

guarantee that future transactions will go smoothly, especially in those markets with numerous development barriers and strong opposition (discussed below; see Table 5). There were few patterns regarding which sector was most active in affordable rental housing development—public, private, or nonprofit. There was only one strong public housing authority (PHA) engaged in active development (Albany). Jurisdictions with low levels of activity seemed to have the weakest developer capacity, including Schenectady with a passive PHA and Smithtown with no PHA; both had inactive rental development markets in general, and so did Islip. Finally, developer capacity varies based on the technical expertise required to do development in certain conditions, such as rehabilitation and historic restoration work, where there is a steep learning curve for local, state, and/or federal regulations.

Politics and Perceptions

How a community perceives (and responds to) affordable rental housing development in general, or a particular project, appears to be based on the interaction between several factors: individual household attitudes, local official attitudes and concerns, local market histories and conditions, and regional tensions brought about by uneven legacies of exclusionary zoning and other NIMBY-related actions. These case studies confirmed that some households moving into a community are escaping from conditions they did not like, and exhibit an exclusionary "drawbridge mentality" against others moving into their newfound idyllic "paradise" (Dutchess County Planning Department, Orange County Planning Department, and Ulster County Planning

Department 2009, p. 96). Such circumstances can motivate residents to voice concerns over increasing school taxes, decreasing property values, and declining community character overall. It also causes them to target certain populations for exclusion according to level and sources of income, special needs status, and "outsiders" migrating in from other communities, especially NYC.

The bifurcated roles of local officials, as both local citizens and public representatives, are less understood. However, they have their own personal opinions and hypotheses as residents themselves: from anecdotally linking perceived crime within a multifamily senior development to its "Pruitt-Igoe . . . [and] Cabrini Green" design (Interview 6), to emphatically declaring "if I knew this was about rental housing . . . I wouldn't have even bothered to participate because I'm such a strong advocate for owner occupancy"[15] (Interview 10). However, officials must juggle the health, safety, and fiscal solvency of their jurisdiction. Here, unsurprisingly, concerns about property values, taxation, municipal revenues, and intermunicipal competition reign (Fischel 2001). Sometimes they share these concerns willingly with their constituents, whereas other times they may disagree, but find their choices for action limited by public opinion and job security needs (Interview 7).

Local market histories and regional tensions are the final cog in the wheel of community perceptions. The local subsidized housing history, discussed above, and conditions within the current housing market—tenure mix; housing stock quality and type; existing relations with developers, managers, and landlords; and the like—all affect perceptions around the benefits and consequences of developing any or more affordable rental housing within a jurisdiction (Interviews 1, 10, 12, 13, 14, and 15). In addition, legacies of discrimination and uneven usage of regulatory barriers within the region lead to finger pointing. Cities are quick to note that suburbs need to provide their fair share of affordable housing; even among cities, some are willing to support more development, whereas others are not.

Both cities and suburbs were described by developers as difficult development environments, supported by specific evidence of the intentional use of both direct and indirect barriers to building affordable rental housing. For example, Newburgh downzoned its two-family district to single family before reinstating it again when this action was identified as an impediment to fair housing (City of Newburgh 2006). Some also accuse Newburgh of hassling existing affordable rental developments with excessive citations (Interview 16). Meanwhile, Poughkeepsie no longer gives properties at a discount to nonprofit developers (Interview 8), whereas Newburgh targets rehab of municipal-owned properties specifically for first-time homebuyers, not renters. Other indirect actions against affordable rental housing include intense advocacy for homeownership within public documents, and the omission of any discussion of rental housing from plans for the future (Saccardi and Schiff 2008; The Chazen Companies et al. 1998). Finally, school districts are separate municipal jurisdictions within NYS, and often prove an important swing vote in whether rental housing of any kind gets built, under the assumption that such housing attracts a greater number of children. Despite research that suggests otherwise (Listokin et al. 2006), this remains a significant barrier, especially in the suburban Long Island towns (Interviews 6, 7, and 17).

Conclusion: Understanding and Responding to NIMBY

These case studies confirm that NIMBY attitudes and actions against affordable rental housing are highly differentiated based on local legacies, development environment and conditions, and politics and perceptions. NIMBY is not a homogeneous, consensus-based public opinion, but differs across affected parties. NIMBY attitudes do not always line up with actions; resulting outcomes from their complex interactions are differentiated across space. Suburbs are not the only local municipalities excluding affordable rental housing development; cities can also formally or informally act against it. Neighboring jurisdictions that appear similar on the surface may in actuality have completely different local attitudes and contexts shaping opposite responses.

Current responses to NIMBY syndrome seem insufficient to adequately overcome the nuanced nature of attitudes and actions against affordable rental housing development. Circumventing the issue through the use of vouchers continues rather than challenging the spatially uneven distribution and availability of affordable units. Current efforts to disprove fears based on statistical analyses fail to speak directly to those promoting NIMBY attitudes in their communities. Attempts to regulate equity through mandates are commonly contested by affected communities, and fail to address legacies of regional inequalities created by exclusionary actions. Marketing and education to shift NIMBY attitudes may hold some promise, but cannot yet be linked to sufficient reversals of NIMBY-related institutional actions, or to significant increases in the number of affordable rental units developed.

Perhaps it is time for a new strategy with state governments taking the lead (Pendall 2008). As administrators of the LIHTC program—the largest affordable rental housing development program today—states are uniquely situated to influence affordable rental housing development in ways that overcome NIMBY attitudes and actions reflected within local legacies, development barriers, and community perceptions.

Overcoming Legacies

Communities need assistance breaking from their past development patterns, and regional solutions can help. States can support regional alliances, like the one in the Mid-Hudson Region, that get neighboring cities and suburbs to voluntarily rethink their affordable housing needs. In the short term, incentives could be offered such as placing priority on applications from regions with little to no affordable rental housing and/or those that show evidence of strong regional collaboration around equity. Inclusionary zoning mandates may be a longer-term solution, but they must do a better job balancing issues of local need, residential choice, and regional equity than current regional housing needs assessments do. There may not be a one-size-fits-all solution.

Overcoming Environment

Funding programs like LIHTC could be more accommodating to regional differences in development environment. They do not necessarily need to target who can build the most units for the fewest resources or with the least political resistance, regardless of where. Instead, program criteria could be more flexible, taking into consideration conditions in different markets/geographies that may drive up development costs, such as housing rehabilitation in urban historic districts and infrastructure needs in environmentally constrained communities.

State agencies can partner with committed developers, tapping into existing capacities and providing training and assistance where capacities are low. There are committed, high-capacity developers who could be encouraged to work in communities with little to no affordable rental housing, perhaps through a separate LIHTC funding round or set-aside. There are also committed low-capacity developers who could be cultivated in underserved markets, rather than waiting for high-capacity developers to willingly take on a project in a challenging development environment. Finally, local PHAs are often overlooked, even though they are committed and can be the best high-capacity developer in some jurisdictions (Kleit and Page 2008).

Projects need to support themselves financially and contribute their "fair share" to the tax rolls of the municipalities providing services. This means reexamining the use of PILOT agreements and other property tax incentives offered to affordable rental housing developments. Alternatives should maximize the affordability of regulated rents, maintain long-term predictability of a development's tax burden, and represent an appropriate and sustainable tax burden. More research is needed on how to effectively balance these requirements.

Overcoming Perceptions

Some people can be persuaded by accurate data and information, whereas others will not. It behooves state governments, however, to take some of the burden of defending affordable rental housing off of local developers and municipalities by increasing the transparency of the state LIHTC program and proposed developments. This means circulating appropriate information about the project, its financing, its tax contributions, its expected demands on municipal services, and potential tenants. Local media can be enlisted in this effort, and local officials briefed on the benefits and costs of having affordable rental housing within their jurisdictions.

States also have a responsibility to monitor, evaluate, and respond to outcomes of state-financed affordable rental housing (Scally and Koenig 2012). Physical development occurs in specific communities that are stuck with the outcomes. Property managers and tenants come and go. Project funders are not usually local residents or businesses. It is the neighbors and local government who are most affected in the long term by a development's success or failure (in addition to the tenants, of course). There needs to be some kind of guarantee that states care about outcomes of their financed developments and will make a goodwill effort to address any negative ones.

Future Research

More research is needed on the contextualized nature of NIMBY, how NIMBY attitudes can be effectively changed over time, and whether this reduces NIMBY actions and increases the supply of affordable rental housing. This research explored weak urban and tight suburban markets, but there is certainly much to understand about strong urban, declining suburban, and rural areas, as well. Right now, there are few solid recommendations that can be made to any local or state government about crafting affordable rental housing programs to fit a diverse array of local contexts. There is a need for more context-sensitive, generalizable research that can proactively inform policy and practice beyond states and the LIHTC program. Existing, reliable data may prove difficult to find on the key variables highlighted through this research, warranting some primary data collection.

There have been numerous calls for and attempts at marketing campaigns to try to change perceptions about affordable rental housing, but it is difficult to quantify how NIMBY attitudes, institutional actions, and affordable rental housing supply have changed as a result (Basolo and Scally 2008; Goetz 2008; The Campaign for Affordable Housing 2004). These are important relationships to prove before more resources are spent on such campaigns and efforts to simply shift public opinion become the primary response to NIMBY. Until we further unpack these nuances of NIMBY, policies and research will continue to fall short of convincing communities to support affordable rental housing development.

Appendix

Interviewee Characteristics

Interview Number[a]	Region[b]	Sector	Type
1	Mid-Hudson	Public	Official
2	Capital District	Nonprofit	Developer
3	Capital District	Private	Developer
4	Mid-Hudson	Public	Official
5	Mid-Hudson	Public	Official
6	NYC Suburban	Public	Official
7	NYC Suburban	Private	Developer
8	Mid-Hudson	Nonprofit	Developer
9	Mid-Hudson	Private	Developer
10	Mid-Hudson	Public	Official
11	NYC Suburban	Nonprofit	Developer
12	Capital District	Public	Official
13	Capital District	Public	Official
14	Capital District	Nonprofit	Developer
15	Capital District	Public	Official
16	Mid-Hudson	Nonprofit	Developer
17	NYC Suburban	Public	Official

Note: NYC = New York City.
a. Interviews are numbered according to their appearance in the text.
b. Region is used instead of jurisdiction to protect the confidentiality of interviewees.

Acknowledgments

The author would like to thank Rachel Bratt for feedback on an earlier draft, and the reviewers and editors for their suggestions. She thanks staff at New York Homes and

Community Renewal (HCR) for their assistance with data and case selection, and John Westenberg, Tim Malone, Rebecca Slaughter, and students in her 2010 U.S. Housing Policy course for their research assistance.

Author's Note

An earlier version of this work was presented at the Urban Affairs Association annual meeting in March 2011.

Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: This research was funded in part through a Faculty Research Award Program seed grant through the College of Arts and Sciences, University at Albany, State University of New York.

Notes

1. Although concerns exist around affordable housing developed for ownership as well, the lower status of rental housing compared with homeownership in the United States makes it an easier target for opposition. See the discussion on American perceptions of rental housing below.
2. Although the largest and most popular housing "subsidy" remains the federal mortgage interest and property tax deductions for homeowners, it is technically a tax expenditure, or forbearance of tax revenues, as opposed to a direct outlay of funds (see Baer 1975; Dolbeare, Saraf, and Crowley 2004).
3. This harkens back to historical views of property ownership in the United States (see De Neufville and Barton 1987; Krueckeberg 1999).
4. The 9% low-income housing tax credit (LIHTC) program, considered here, is competitively awarded according to state priorities spelled out annually in a Qualified Allocation Plan (QAP). The 4% LIHTC program is awarded as of right to developers successful in applying for state bond financing. While an additional 14,000 units were funded during this time through 4% credits, these target a different population and were excluded. Additional units funded through the state's housing trust fund are included due to state interest and the similarity (and often overlap) of these units with 9% LIHTC units. Given the small number of units funded solely through the trust fund, LIHTC is used throughout this article to refer to both.
5. Personal communication with New York State (NYS) LIHTC staff.

6. A more objective selection, for example, based on propensity score matching, was not possible due to the low number of jurisdictions with overlapping characteristics and differential LIHTC activity. The intention of this research was not to prove correlation or causation, but to interrogate and contextualize similarities and differences between municipalities and across regions.
7. Note that while these descriptions are historically accurate, the foreclosure crisis has certainly placed downward pressures upon all of these regions.
8. It is difficult to compare towns with cities in NYS as towns include autonomous home-rule cities and villages within them. However, Long Island was of strategic interest to NYS officials, and does not contain comparable cities or villages with adequate LIHTC activity.
9. Not-in-my-backyard (NIMBY) responses can also vary based on other population characteristics, including households with children, special needs, and elderly. Due to the wide variations in projects across jurisdictions, it was not possible to control for these characteristics of individual projects.
10. The initial intent was to focus on new family rental housing only. However, these units proved difficult to identify, and understated the activity of jurisdictions engaged in redeveloping or refinancing existing units and/or development for elderly and special needs populations. It also made it impossible to identify a high-activity jurisdiction with a high-income population.
11. Interview protocols are available from the author upon request.
12. See appendix for a listing of interviewee characteristics in the order in which they appear in the text.
13. Corinne Vargas, Kisha Trent, Annie Smith, and R. G., on behalf of themselves and all others similarly situated, v. Town of Smithtown, Case No. 07-CV-5202.
14. The legislation mandates a 10% set-aside for units affordable to households earning up to 130% of area median income within any development of five units or more.
15. Note that the participant had given informed consent to participate in a rental housing study.

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Author Biography

Corianne Payton Scally, PhD, is an assistant professor in the Department of Geography and Planning at the University at Albany, State University of New York. She researches state and local affordable housing and community development policy and program innovation, implementation, and outcomes. Prior research has been published in the *Journal of Urban Affairs, Environment and Planning C, Housing Policy Debate, Housing Studies*, and the *Journal of Planning Education and Research*, among others.