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CRISIS, CORRUPTION, & CUOMO:

How New York's
Botched Rent Relief Program
Fueled the Housing
Affordability Emergency

A report by Popular Democracy in Action,
New York Communities for Change & Make the Road Action





Executive Summary

During the COVID-19 pandemic, former New York Governor Andrew Cuomo rose to prominence nationally through his daily briefings, frequent media appearances, and even a book release about leadership in a crisis. But his mishandling of New York's emergency rental assistance for working-class renters during the pandemic tells a vastly different story. As families across the state faced widespread job loss and economic precarity, millions struggled to make rent. After Congress passed the Emergency Rental Assistance program, New York received **\$2.7 billion** in federal funding to support renters with back rent and temporary rental assistance. **Cuomo and his administration failed to effectively administer this program at every turn: by June 2021, New York was the only state in the country that failed to distribute any funding to help tenants keep up with their rent payments.**

Cuomo used sweeping emergency pandemic authority to award a lucrative no-bid contract to his preferred consulting firm, Guidehouse, to administer Emergency Rental Assistance. After receiving \$115 million in taxpayer dollars, Guidehouse's efforts were plagued by poor implementation, a slow rollout, and leaks of renters' personal information. During this

time, a high-ranking Cuomo advisor joined that same consulting firm, raising alarms regarding potential conflicts of interest. As New York State announced it would stop accepting new applications due to lack of funds, Guidehouse's CEO touted their "38% margins" from running the rental assistance program.

Cuomo's negligence in overseeing Emergency Rental Assistance meant that many families could not secure support they desperately needed. According to New York State data, as of July 2023, residents submitted 405,605 applications for assistance with rent arrears. By October 2024, only 282,711 rent arrears applications had received payments – suggesting that roughly 30% of those applications are still not paid out. Audits of this program showed troubling racial and economic disparities. Cuomo's political decisions reverberate years later, as working Black and Latino families across the state continue to struggle with skyrocketing rents and financial precarity.







New York's Emergency Rental Assistance Program

During the COVID-19 pandemic, New York City's job count fell by almost one million during March-April 2020 – making up half of the 1.9 million jobs lost statewide total for that period.¹ Unemployment soon spiked to nearly 20%.² By March 2021, estimates of rent debt had reached \$2.2 billion statewide, with \$2 billion of that concentrated in New York City.³ Landlords filed evictions at a rate 3.6 times faster in zip codes with the highest rates of death from COVID-19 – zip codes that were predominantly Black, Latino, and other people of color.⁴

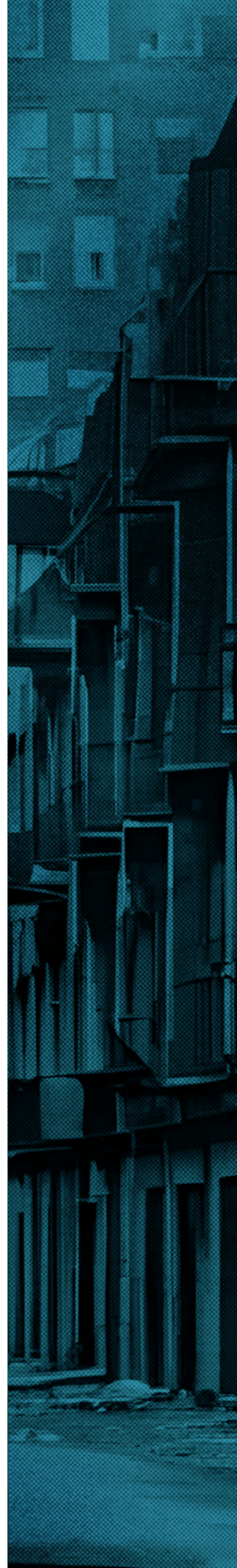
Devastatingly, those neighborhoods that were hit hardest by COVID-19 were majority people of color.⁵ COVID fatalities for Black and Latino New York City residents respectively were double the rate for white individuals, as Black and Latino residents also experienced disproportionately high hospitalization and diagnosis rates.⁶ Many of these Black and Latino workers risked repeated exposure, as they constituted 22 and 20% of the state's essential workers, respectively; were more likely to live in dense housing; and were more likely to take public transportation.⁷ These deaths, illnesses, and COVID-related disabilities took a toll on households already struggling to make ends meet.

During the COVID-19 pandemic, Congress appropriated \$46.55 billion in Emergency Rental Assistance as a policy response to the urgent need for rental assistance. The program was administered by the U.S. Department of the Treasury in 2020 and 2021.⁸ Congress allocated these funds to states, territories, tribes, and localities with over 200,000 residents.⁹ **The Emergency Rental Assistance program (ERAP)** was intended to keep people housed by helping renters catch up on rent and utility payments, particularly low-income renters at risk of eviction and homelessness.¹⁰ By the end of January 2021, New York had received \$1.2 billion of that money, with additional federal and state funding increasing the sum for its state ERAP to \$2.7 billion.¹¹

While the Treasury under the Trump and Biden administrations issued requirements on fund disbursement and eligibility determinations, state and local programs had flexibility in implementation.¹² As a result, many housing advocacy groups such as the National Low Income Housing Coalition, Popular Democracy, and others issued best practice recommendations to ensure funds were distributed to those most in need: low-income Black and brown households.¹³

New York's ERAP program promised to provide "significant economic relief" to low- and moderate-income households through rental arrears (payment of rent debt), temporary rental assistance, and utility bill assistance.¹⁴ Eligible applicants could receive up to 12 months of assistance to cover back rent or electric or gas bills accrued on or after March 13, 2020. The funds would be paid directly to utility companies and property owners. While renters had to apply, landlords also had to complete an application to receive the funds.¹⁵ While New York prioritized households meeting certain criteria in the program's first 30 days, after this window assistance was provided on a first-come, first-serve basis.¹⁶

Unfortunately, state leaders and policymakers across the United States implemented policies and practices that undermined the program's success and left low-income renters in the lurch. Under Governor Andrew Cuomo's leadership, New York's ERAP faced a disastrous rollout. Cuomo's handling of the Emergency Rental Assistance program was rife with poor implementation, wasteful spending, pandemic profiteering, and alleged conflicts of interest that left many of New York's struggling renter families without necessary financial support. New York State only opened their statewide Emergency Rental Assistance program for applications on June 1, 2021 and only started spending funds in August, much later than other states.¹⁷ **It was the only state that failed to distribute any Emergency Rental Assistance funding through June 2021.**¹⁸ In comparison, Virginia had distributed over \$155 million by May 31, 2021, while Texas had distributed over \$450 million by mid-July, 2021.¹⁹



Cuomo used his sweeping pandemic authority to award his preferred consulting firm more than \$100 million to run the Emergency Rental Assistance program

After declaring a statewide emergency during the COVID-19 pandemic, Cuomo used extensive emergency powers to issue dozens of rules related to businesses, schools, elections, and more.²⁰ While it received less media attention, Cuomo also used this authority to push through sizable government contracts. In New York State, government contracts over \$50,000 typically need to be approved by the State Comptroller. This independent review process is designed to prevent waste, fraud, and abuse in contracting.²¹ During the state's COVID-19 emergency, Cuomo suspended those rules.²²

Cuomo took advantage of that loophole to award an Emergency Rental Assistance program contract without outside oversight.²³ Cuomo cancelled a competitive bidding process that started in January 2021 and instead awarded a no-bid \$115 million contract to the consulting firm Guidehouse.²⁴ Guidehouse is a Virginia-based global consulting firm that works with governments and for-profit businesses on national security, financial services, healthcare, and energy sectors.²⁵ Guidehouse was a portfolio company of the private equity fund Veritas at the time of the award.²⁶ Veritas is run by Ramzi Musallam, whom Forbes described as “Wall Street’s Top-Secret Billionaire Investor.”²⁷ Guidehouse was responsible for developing a web

portal for renters to apply for rental assistance, and for issuing payments from the federal assistance program.²⁸

Cuomo’s handling of the Emergency Rental Assistance program was mired in controversy and implementation challenges

After Cuomo’s administration awarded the no-bid contract to Guidehouse,²⁹ **the firm failed to effectively administer the program, which was plagued by poor implementation and a slow rollout.** Renters using the online portal faced significant technical issues, and many were unable to save applications, upload documents, or see necessary language translations. This prevented renters and landlords from receiving critical financial assistance. The absence of a paper application option for people without internet access also meant that the program rollout was inaccessible for many low-income renters.³⁰

Because of a lack of transparency in the contracting process, it was not immediately clear what performance standards Guidehouse would be held to and whether there were penalties for poor performance.³¹ According to journalists who obtained the contract, Guidehouse failed to meet key benchmarks, including that applications be fielded by May 24, 2021 and payments be sent to landlords 30 days later. As of August 2021, New York State had indicated that Guidehouse did

not face any penalties for pushing back those benchmarks.³²

After Cuomo pushed through the no-bid contract, he was negligent in ensuring that the Emergency Rental Assistance program was run effectively. Commissioner of the New York State Office of Temporary and Disability Assistance Michael Hein, who was overseeing the ERAP program, told lawmakers he had never spoken to Cuomo about the rental relief fund while Cuomo was in office.³³ This stands in stark contrast to the public persona Cuomo cultivated at the time of being a highly effective manager who, in his words, is an “aggressive CEO” who fosters “constructive impatience.”³⁴ At the height of the pandemic, Cuomo penned “American Crisis: Leadership Lessons from the COVID-19 Pandemic,” for which his publisher offered a \$5 million advance.³⁵

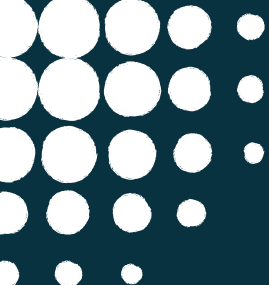
Despite rocky program implementation, Guidehouse has continued to receive lucrative contract funds from New York State. According to the Office of the New York State Comptroller’s database, New York continued to contract with Guidehouse for ERAP until May 2024.³⁶ The state’s reported spending to date is \$298,648,703.³⁷

Potential conflicts of interest within Cuomo’s administration

In 2021, it was revealed that a top Cuomo official joined Guidehouse’s leadership in the same

month that Guidehouse secured the lucrative contract to administer ERAP. Joseph Spinelli, who served as Cuomo’s senior advisor and deputy secretary, left government in May 2021 and was announced as Guidehouse’s incoming director of consulting. Spinelli has long-term ties with the Cuomo political family, including serving as inspector general under Governor Mario Cuomo’s administration.³⁸ At the time, New York State officials rejected claims that Spinelli’s hiring had anything to do with the ERAP contract, which would violate state ethics rules. Spinelli refused to comment directly, but Guidehouse denied direct involvement in contract negotiations.³⁹

However, these close ties between a high-level Cuomo advisor and Guidehouse raised conflict of interest concerns. Watchdog groups, like Reinvent Albany and Common Cause New York, called for a retroactive review of all government contracts Cuomo fast-tracked without Comptroller oversight.⁴⁰ Lawmakers questioned in public statements whether New York followed ethics rules in awarding the contract to Guidehouse.⁴¹ While Spinelli’s LinkedIn included a public post, reading “Congratulate Joseph Spinelli on his new position as Director at Guidehouse Consulting,” his LinkedIn page includes no mention of Guidehouse and indicates he spent two years at JS Held consulting after leaving the Cuomo administration.⁴²



Consulting firm Guidehouse bragged about “38% margins” from running the Emergency Rental Assistance program

As New York State announced it would stop accepting new applications due to lack of rental assistance funds, Guidehouse CEO Scott McIntyre was congratulating employees for record profits. In a leaked video obtained by *The Washington Post*, the CEO bragged about the company’s high margins from running New York State’s Emergency Rental Assistance program, saying:

“We’ve earned \$115 million in six months, with 38 percent margins, and we have a significant extension that is currently pending.”

In response, a spokesperson for the New York agency tasked with running this program said,

“It is beyond troubling that a company partially responsible for recurring technical issues in the processing of applications and payments for New York’s Emergency Rental Assistance program would allegedly boast of its success in profiting off the misfortune of tens of thousands of New Yorkers adversely affected by the pandemic.”

Guidehouse issued a statement denying the CEO was specifically referring to “profit” margins in the video.⁴³





Emergency Rental Assistance Mismanagement: The Impacts on Black and Latine New Yorkers

As the ERAP application portal closed on January 20, 2023, less than two years after the program opened, many applications remained unpaid due to lack of funds.⁴⁴ According to New York State data, as of July 2023, residents submitted 405,605 applications for assistance with rent arrears. **However, by October 2024, only 282,711 rent arrears applications had received payments – suggesting that roughly 30% of those applications are still not paid out.**⁴⁵

Data suggest that many applications for prospective rent (future rent expected to be owed) also remain unpaid.⁴⁶ 73% of ERAP applications for back rent were submitted by New York City residents.⁴⁷

New York State ERAP audits show racial and economic disparities in rental distribution

Cuomo has leaned on his New York City roots throughout his career, and working-class communities of color in NYC have been a key part of his political base in his election victories. But data from audits of the Emergency Rental Assistance program suggest that NYC residents, and Black and brown residents, were disproportionately harmed by the failures of the program. Based on New York State ERAP application data showing that Black and Latine residents submitted the majority of applications, it is likely that these communities are disproportionately impacted by unpaid ERAP claims. Black renters submitted the plurality (43.5%) of statewide applications. In New York City, 46.4% of rental applications were from Black applicants, and 38.4% from Latine applicants.⁴⁸

Only 4% of the state's 1.5 million low-income, cost-burdened renter households had received help by September 2021.⁴⁹

The majority of New York State's Emergency Rental Assistance applications came from New York City, which is home to 74% and 80% of the state's Black and Latine households, respectively.⁵⁰ Yet only 19% of ERAP funds disbursed went to NYC.⁵¹ In 2021, New York State Comptroller Thomas DiNapoli released a report analyzing the state's ERAP, arguing that based on publicly available data, assistance was

unacceptably slow in reaching applicants:

- By July 2021, total applicants amounted to fewer than 15% of the city's 1.2 million low-income renter households.⁵²
- By August 2021, only just over 7,000 households in the state had received funding, although 168,321 applications had been received by late July.⁵³

As advocacy groups and policymakers questioned Guidehouse's role in the slow rollout of ERAP funds, Comptroller DiNapoli's office revealed that they did not have access to the Guidehouse contract, despite their role in overseeing state finances and contracts.⁵⁴

Despite these issues, NYS Office of Temporary and Disability Assistance Commissioner Hein maintained that Guidehouse was fulfilling its contract: keeping the application open "99.9% during each full calendar month."⁵⁵ Guidehouse was supposed to process 240,000 rental assistance applications by November 1, 2021. Hein said that too few renters applied to exhaust funding, without acknowledging the barriers that the process posed to successful application submissions.

Additionally, though Guidehouse promised as part of their contractual agreement to share information with community-based organizations assisting renters with ERAP applications, they did not share information that would have allowed organizations to answer questions effectively or follow up on specific submissions. Due to

Guidehouse's tight reins on the data, nonprofit providers with city contracts were unable to track applications or figure out how to target outreach to reach the most vulnerable.⁵⁶ As a result, low-income residents were not effectively targeted.

"We still can't access any data about the clients we're seeing, and now what's happening is the tenants we were able to help are calling back, requesting an update on the application."

Lakisha Morris, Chief Operating Officer at Catholic Charities Community Services⁵⁷

The audit from DiNapoli's office highlighted racial and ethnic disparities in the rollout, in addition to the negative effects on low-income residents. The audit noted that Hispanic/Latine and Black households made up disproportionate shares (37% and 27%, respectively) of low-income renter households. DiNapoli suggested that the State needed to streamline the process and expand the pool of applicants to New York City Housing Authority public housing residents, who were not eligible in the first round of federal rental assistance.⁵⁸

As funding dried up, lawsuits were filed to protect the most vulnerable renters

Towards the end of the ERAP application process, renters and housing groups filed multiple lawsuits to address the state's mismanagement of ERAP. In December 2021, the Legal Aid Society sued the state's Office of Temporary and Disability Assistance (OTDA), arguing that officials shouldn't

have stopped accepting applications before exhausting all potential sources of funds.⁵⁹ The premature closure of the application portal made renters, like Maria Hidalgo, who owed \$8,000 in rent, vulnerable to eviction as protections were extended to applicants.⁶⁰ A judge ordered the portal reopened in January 2022.⁶¹

Controversy again followed when in June 2024, the Department of Justice announced that Guidehouse had agreed to pay a \$7,600,000 settlement related to its administering of the rental assistance program, "to resolve allegations that they violated the False Claims Act by failing to meet cybersecurity requirements in contracts intended to ensure a secure environment for low-income New Yorkers to apply online for federal rental assistance during the COVID-19 pandemic."⁶² The settlement revealed that Guidehouse failed to secure applicants' personally identifiable information, resulting in an information security breach. As a result, sensitive information was leaked on the internet.⁶³

New York City families struggle to rebound after pandemic

Four years after the start of the pandemic, New York families continue to struggle to make ends meet as bills mount and government assistance declines. An analysis of pandemic recovery following the expiration of COVID-era protections showed that 23% of New York City residents could not afford housing or food in 2022, up from 18% in 2021, and nearly double the nation's average of 12.4%.⁶⁴ One in four children lived in poverty.⁶⁵ Researchers cited government housing assistance and rent regulations as providing a temporary safety net for families.⁶⁶

Meanwhile, however, rents continue to skyrocket, fueled by housing speculation and corporate greed.⁶⁷ 2024 rental data showed that the average New York City rent price went up by 36% since before the pandemic.⁶⁸ In the Bronx, rents increased by nearly 9% compared to the previous year, with a median rental price of over \$2,800.⁶⁹ Though new housing is being built, much of this housing remains unaffordable for low-income renters, pushing them out.⁷⁰





Cuomo's long-standing ties with the real estate lobby and billionaire landlords

Cuomo's mismanagement of the Emergency Rental Assistance program demonstrates a profound lack of concern for the lives of working-class renters -- and disproportionately Black and Latine renters. At the same time, throughout his career, he has aggressively cultivated his relationship with powerful business interests and the real estate industry in particular.

Cuomo's political career has been bankrolled by powerful billionaires and business interests. A 2019 investigation into Cuomo's campaign finance records by the Public Accountability Initiative and Hedge Clippers revealed that a staggering 49 billionaires (worth a combined **\$280 billion**) **donated more than \$4 million** to Cuomo since 2002.⁷¹

Notably, Cuomo received at least **\$1.35 million** in political donations from **15 real estate billionaires (and their spouses)**.

- This includes Stephen Ross, of Related Companies, which took \$6 billion in public subsidies for the Hudson Yards development in New York City.⁷² While Hudson Yards

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condos range from \$4 million to \$32 million, Ross claimed it's "not a neighborhood for the rich."⁷³

- Cuomo's biggest real estate donor was Steven Roth of Vornado Realty Trust who used his \$1.1 billion net worth to give Cuomo a massive \$384,000 in campaign donations.⁷⁴ Roth was deeply involved in the plan to redevelop Penn Station and stood to gain from massive government subsidies.⁷⁵

Billionaire real estate mogul Leonard Litwin was also one of Cuomo's largest donors (before Litwin's death in 2017). As of 2013, Litwin had given Cuomo \$625,000 in campaign contributions, making him the governor's largest donor at the time.⁷⁶ Litwin was named as a co-conspirator for an alleged financial corruption scheme involving his company Glenwood Management and high-powered Albany lawmakers.⁷⁷

Troublingly, a 2018 investigation found that Cuomo had received at least \$804,000 in campaign donations from landlords that provide space to Immigration Customs and Enforcement for immigrant detention facilities. This included RXR Realty, Blackstone, Uniland Development, and more.⁷⁸

Cuomo's powerful donors have benefited handsomely from the governor's pro-business policies. Throughout his time in office, Cuomo protected luxury real estate developers from paying their fair share of taxes while providing

enormous public subsidies to real estate development projects, including projects of his top donors.⁷⁹ He consistently resisted demands to prioritize affordable housing, while shielding billionaire donors from having to pay taxes on luxury yachts and private jets.⁸⁰ Powerful business interests and real estate elites, including the Committee to Save New York, have spent millions lobbying for pro-business policy proposals. That bet paid off and Cuomo delivered tax loopholes, unaccountable giveaways, and business subsidies.⁸¹ For example, in Cuomo's "Buffalo Billion" plan, a high-level advisor and Cuomo major donors were accused of alleged bid-rigging.⁸² Cuomo also consistently failed to use his budget power to tax "carried interest" investment income while eliminating the bank tax.⁸³



Conclusion

Contrary to Cuomo's projected image as a highly effective leader and manager, his management of New York's Emergency Rental Assistance program underscores a different reality. As countless New York City renters plunged deeper and deeper into rent debt, the ERA program was designed as a lifeline. Unfortunately, Cuomo's handling of the ERA program was mired in controversy and implementation challenges. His negligence meant that many families could not secure the support they desperately needed. Independent audits of the ERA program later revealed troubling racial and economic disparities in who received rental support.

Today, many survivors of the pandemic still face eviction and housing instability years after his administration promised relief. This mishandling is consistent with Cuomo's decade in power, in which he enriched his billionaire donors and real estate developers at the expense of Black and Latine working people.



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Endnotes

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