No one should live in a basement. Basement and ground floor dwellings will always be susceptible to aquatic intrusion while also being dark, damp, spaces that are more difficult to ventilate than their counterparts that are fully above grade. There are some challenges we can design and engineer our way out of, but basement flooding is not among them. Legalizing basement dwellings may bring some light and formality to the realm of illegal dwellings, but legalization does nothing to fundamentally increase the supply of available housing while also increasing tolerance for a form of housing that is inadequate and fundamentally unsafe.

The tragic deaths from the flooding of basement dwellings during Hurricane Ida should be seen as a flashing sign that New York desperately needs more new housing, not as justification to lower thresholds in public health and safety. As the region sits at the crossroads of housing and climate crises, flash flooding demonstrates the limitations of New York City’s infrastructure, including its housing, today. For more than 100 years, New York City has not been able to affordably or safely house the entirety of its population. Despite having a combination of one of the most rigorous building codes and strongest tenant legal protections in the country, New York City’s buildings are ill prepared for the hazards of climatic extremes and rental tenants are as vulnerable to displacement and unsafe housing as they have ever been. The need for housing is so desperate, but the tolerance for change so weak, that we’ve all collectively looked the other way as grew significant portions of the region in environments inappropriate for development and without the infrastructure sufficient to support the existing population, let alone future growth.
New York City must recognize that certain structures are simply not designed to protect inhabitants from weather hazards and that investment in critical stormwater and flood management infrastructure must be accompanied by investment in the creation of new affordable housing. A combination of buyout programs and shared equity community land trusts can help homeowners in vulnerable structures or in vulnerable geographies make decisions about how and where to live in physical and financial safety. For rental tenants to have financial and physical stability, the City must focus on creating permanent housing stability through greater supply and the development of more nimble rental assistance programs. Responding to climate risk will take decades of course correction and billions of dollars. There is no one single path, instead we need to generate options so that the most vulnerable can have stable, safe, and affordable housing.