



**Testimony of Steven Banks, Commissioner  
New York City Department of Social Services**

**Before the New York City Council General Welfare Committee  
April 21, 2016**

Good afternoon Chairperson Levin and members of the General Welfare Committee. Thank you for inviting me to appear before you today to discuss the outcome of the Mayor's comprehensive operational review of homeless programs to ensure services are delivered as efficiently and effectively as possible in order to prevent and alleviate homelessness in New York City that was announced on April 11, 2016. My name is Steven Banks and I am the Commissioner of the Department of Social Services, overseeing the Human Resources Administration and Department of Homeless Services.

On December 15, 2015, the Mayor ordered a review of homeless services and he asked First Deputy Mayor Tony Shorris, the Director of the Mayor's Office of Operations Mindy Tarlow, and I to conduct the review. Following her appointment, Deputy Mayor for Health and Human Services Herminia Palacio joined in this effort. During the review, I oversaw the operations of Department of Homeless Services in my capacity as the administrator and commissioner of the local social services district.

As described in the 90-day review report, there has been a 115% increase in homelessness over the past two decades – from 23,526 on January 1, 1994 to 33,194 on January 1, 2002 to nearly 51,000 on January 1, 2014. Based on this trajectory, we were heading to a shelter census of 71,000 next year before this Administration's prevention and rehousing programs took hold. During this two-decade buildup, New York City has faced increasing economic inequality as a result of low wages, the lack of affordable housing, and an increased cost of living. Today approximately 46 percent of New Yorkers live near poverty and approximately 21 percent live below the poverty line. This income inequality and the resulting gap between income and rent, combined with other drivers of homelessness such as domestic violence, overcrowding and eviction, are what bring people to our shelter system. We did not arrive at this point overnight and it will take some time to address the multifaceted drivers of homelessness.

Our review was guided by three principles: providing quality services to vulnerable clients, efficient use of City resources, and achieving cost effectiveness by avoiding duplication. The forty-six reforms developed as a result of this review build on the initiatives this Administration has already undertaken to prevent and alleviate homelessness, including comprehensive rental assistance programs, historic funding allocated for civil legal services for tenant anti-

harassment and anti-eviction programs, and a commitment to the preservation and creation of 200,000 units of affordable housing.

Over the past two years, the new rental assistance programs and other permanent housing initiatives have enabled 32,352 children and adults in 11,038 households to avert entry into or move out of DHS and HRA shelters. And coinciding with the historic increased investment in civil legal services and the increased payment of rent arrears to prevent evictions, we have seen a 24% decline in evictions over the past two years.

But these initiatives alone are not enough. That is why we did not wait until the end of the 90-day review period to implement further reforms.

During the review period itself, we took these actions to enhance client services:

- We moved forward with a plan to provide 15,000 new units of supportive housing over the next 15 years.
- We moved forward with an initiative to provide additional Tier II and Emergency beds for the Domestic Violence shelter system, doubling the number of Domestic Violence survivor beds with the first increase since 2010.
- We moved forward with a plan to triple the number of dedicated youth beds for runaway and homeless youth.
- We moved forward with a plan to double the number of drop-in centers to provide services to help bring homeless individuals off the streets.

And during the review period, we implemented specific reforms related to those residing in shelter:

- We created the shelter repair scorecard to track improvements in shelter conditions.
- We implemented an enhanced shelter repair program.
- We increased security at all commercial hotels that house homeless families and individuals.
- We provided 24/7 security coverage at mental health shelters.
- We overhauled reporting on critical incidents.
- We restored a program for domestic violence services at shelters that was eliminated in 2010.
- We initiated a New York City Police Department (NYPD) shelter security review and retraining of Department of Homeless Services (DHS) Peace Officers.
- We announced and began to implement a plan to end the 16-year-old cluster shelter program and the use of commercial hotels.

### **Review Process:**

For this 90-day review, leadership and staff from this Administration, including the Human Resources Administration (HRA), the Department of Homeless Services (DHS) and the Mayor's Office of Operations, assessed the strengths and challenges of the current homeless services system in order to determine how to deliver client services more effectively and to improve client outcomes. We conducted a comprehensive review of the City's homeless services policies and practices.

The review included interviews with a variety of stakeholders. The Mayor's Office of Operations Director Mindy Tarlow, City Hall Health and Human Services staff, PwC consultants, and I interviewed more than 400 people. We met with homeless people in shelters, on the streets and in focus groups; advocates, shelter and homeless services providers, other non-profit organizations, national experts and researchers, former DHS Commissioners, and elected officials; and staff union leadership and managers and staff at DHS, HRA and other City agencies. We also surveyed best practices in other jurisdictions, and received feedback from the United States Department of Housing and Urban Development (HUD). In all, 24 different government agencies and 60 non-profit providers participated in the review process.

### ***Client Focus Groups:***

As indicated in the report issued on April 11, 2016, client focus groups were conducted with four homeless advocacy organizations in order to obtain client feedback. The focus groups were convened by the Coalition for the Homeless, the Urban Justice Center's Safety Net Project, Picture the Homeless, and VOCAL. More than 80 clients shared their experiences directly with me and provided feedback on the delivery of services. Clients focused primarily on issues surrounding shelter conditions and policies, social services delivery, and housing. Additional client discussions were conducted in shelters and on the streets.

### ***Staff and Client Surveys:***

A survey was also sent to DHS staff and a random sample of clients to assess what services are most important to address homelessness. More than 700 DHS staff responded to the online survey and 630 clients across shelter populations and types were surveyed. Both clients and staff overwhelmingly reported that rehousing programs and processes are the biggest area of opportunity for reform, with 34% of clients and 27% of staff citing it as the most critical issue. Within rehousing, staff and clients commented on the need to streamline rental assistance, have greater availability of affordable and supportive housing, and provide recourse for landlord source of income discrimination.

### *Process Analysis:*

A process analysis of prevention and intake, capacity planning and projections, and shelter operations was conducted to identify strengths of the system and areas of opportunity for reform. Through shelter and intake center visits, stakeholder interviews and a review of operations, we were able to identify where clients interact with multiple agencies and where there are gaps and overlap in service delivery.

### **Key Programmatic Reforms:**

Over the past two decades, homelessness in New York City, as reflected in the DHS shelter system census, increased by approximately 115%, particularly after the precipitous end of the Advantage rental assistance program in the 2011 State budget. This is a product of today's economic realities – increasing income inequality, rents rising, and stagnant wages.

The reforms resulting from the 90-day review will cost an estimated \$66 million which will be offset by \$38 million in administrative savings. These reforms can be categorized under four broad categories: prevention, addressing street homelessness, sheltering, and rehousing. I will now discuss these reforms in more detail.

### ***Prevention:***

The old adage that an ounce of prevention is worth a pound of cure is a key component of many of the reforms that we have implemented over the past two years.

In order to enhance our prevention efforts, we will take these actions:

- Move Homebase program management from DHS to HRA.
- Expand Homebase staffing and services.
- Expand the scope of Homebase as the first point of entry for those at risk of homelessness.
- Use data analytics to proactively target prevention services for at-risk clients.
- Target services and rental assistance for youth in DYCD shelters at risk of entry into DHS shelters.
- Target services and rental assistance for clients with mental health needs cycling between jail and homelessness.

We are also proposing two new City-State task forces, one that will develop and implement alternatives to avert discharges from State prisons to DHS shelters, and one that will work to implement community-based programs to eliminate the need for DHS mental health shelters. These two client groups account for a large proportion of the census for the City's single adult shelters.

### ***Addressing Street Homelessness:***

The City's street homelessness reforms work together to better identify, engage, and transition homeless New Yorkers from the streets to appropriate services and permanent housing. The full launch of HOME-STAT (Homeless Outreach & Mobile Engagement Street Action Teams) builds on our street homelessness prevention and response initiatives, and enhanced funding for additional safe haven beds, drop in centers, and supportive housing units ensures that those living on the streets have opportunities to come inside and connect to the services and supports they need.

Implemented in March, HOME-STAT is the nation's most comprehensive street outreach program, with nearly 500 workers to help transition homeless individuals from the streets and into shelters. The program will enable the City to better address the needs of New Yorkers who are homeless and on the streets. We have also committed to developing 500 new safe haven beds. This increased availability of low threshold options for those who need assistance but are not willing to enter shelter will be essential to connecting individuals to the services and supports to ultimately bring them in from off the streets and into permanent housing. The supportive housing plan will provide an additional tool to address street homelessness with a long proven track record of success. These reforms coupled with a citywide HOME-STAT case management system will enhance City service integration, continuous monitoring and outreach, and rapid response to individuals on the street, improving the quality of life for both clients and City residents. We are very grateful that Michael Jacobson will be working with us in this citywide case management initiative. He brings years of experience and government service, having previously served as Commissioner of three City agencies as well as the President of the Vera Institute of Justice.

All of these initiatives to address street homelessness recognize that the pathway to the streets is not linear and the pathway back off the streets therefore cannot be a one size fits all approach. Especially as we head into warmer months, it is also important to remember that not all who are on the street are in fact homeless. And, as the Mayor has announced with the launch of HOME-STAT, to better understand our street homeless population, we will be conducting more frequent (quarterly) street counts to assist us in determining solutions to the problem of street homelessness and provide transparent reporting on what we find.

### ***Sheltering:***

With the exponential increase in the shelter population that has occurred over the past two decades, it has become increasingly difficult for DHS to adequately oversee and monitor providers, ensure safe, clean and secure conditions, and provide necessary services to clients. Shelter safety can be improved through the deployment of an NYPD management team to DHS

to develop an action plan to upgrade security at all shelters and the NYPD's retraining of the DHS peace officers. The City is creating a multi-pronged approach to improving shelter conditions by: establishing a unit of City staff to observe conditions, monitor services, and determine vacancies; streamlining the inspection process for providers; and expanding the DHS capital repair program.

In addition to addressing the physical infrastructure and safety needs for clients, we are implementing new programs to create career employment pathways and enhance education and training services for clients in shelter. Phasing out the use of clusters and commercial hotels is also essential to improving shelter conditions and services.

In addition to the reforms we already began implementing during the review period, the report includes a roadmap for further reforms, including:

- Rationalizing shelter provider rates;
- Addressing ADA compliance in shelters;
- Expanding the scope of HRA's ADA coordinator to cover the shelter system;
- Targeting services for emerging new trends in the single adult population, particularly for clients 50 or older and between the ages of 18 and 24;
- Targeting services for families based on their individual needs to move away from a one size fits all approach;
- Eliminating the requirement for school-age children to be present at PATH for multiple appointments;
- Aligning access procedures for adult families with procedures for families with children;
- Streamlining access to DYCD shelter for homeless youth;
- Implementing a tripling of DYCD shelter capacity for Runaway and Homeless Youth;
- Providing increased notice prior to non-emergency transfers;
- Increasing transportation resources to reduce placement waiting time;
- Deploying social workers to accompany families found ineligible who are returning to a community resource to provide on-the-spot assistance;
- Expanding the shelter conditions complaint process through HRA's Infoline; and
- Communicating information to clients through flyers, posters, and other media.

### ***Rehousing:***

Rehousing and keeping families and individuals in their homes by assisting them with rent or with legal services are significantly more cost-effective for taxpayers than to pay the cost of shelter for a family or individual. From our recent experience in establishing a unified management structure to achieve the goal of ending chronic veterans homelessness, we will

replicate such a structure to promote overall shelter move outs. The current rental assistance programs will be streamlined through consolidation at HRA and process improvements. And in order to ensure effective usage of the programs, the City will increase enforcement of the source of income discrimination local law.

Additional rehousing reforms include:

- Streamlining the HPD housing placement process;
- Continuing to utilize NYCHA placements to address homelessness;
- Implementing a more effective aftercare program;
- Providing assistance to obtain federal disability benefits;
- Incorporating Continuum of Care strategic planning into homeless strategy development and establish leadership reporting structure; and
- Providing clear and concise information and written materials to clients about available assistance and programs.

We are also proposing to the State to (a) permit use of Medicaid funds for apartment search and shelter relocation services for homeless clients with disabilities; and (b) approve HRA's requested FEPS plan modifications

#### **Management Structure:**

The 90-day review concluded that client services can be provided more seamlessly and effectively through integrated management for HRA and DHS. Both HRA and DHS will report to a single Commissioner of Social Services. The City will leverage shared services functions across agencies, resulting in better day-to-day management and building an integrated mission across agencies. Prevention and rehousing will be moved out of DHS operations and integrated within current HRA operations. To advance accountability for preventing and alleviating homelessness across multiple City agencies, the City will create an Interagency Homelessness Accountability Council reporting to the Deputy Mayor for Health and Human Services Herminia Palacio.

The accompanying slides present more detail concerning each of the 46 recommendations contained within the 90-day review report.

However, as we proceed with the implementation of these reform efforts, we will continue to identify ways in which our programs to prevent and alleviate homelessness can be improved. While a lot has been accomplished through the 90-day review, we know there is much more to do.

Thank you again for this opportunity to testify, and I welcome your questions.

# REVIEW OF HOMELESS SERVICE AGENCIES AND PROGRAMS

Steven Banks, Commissioner

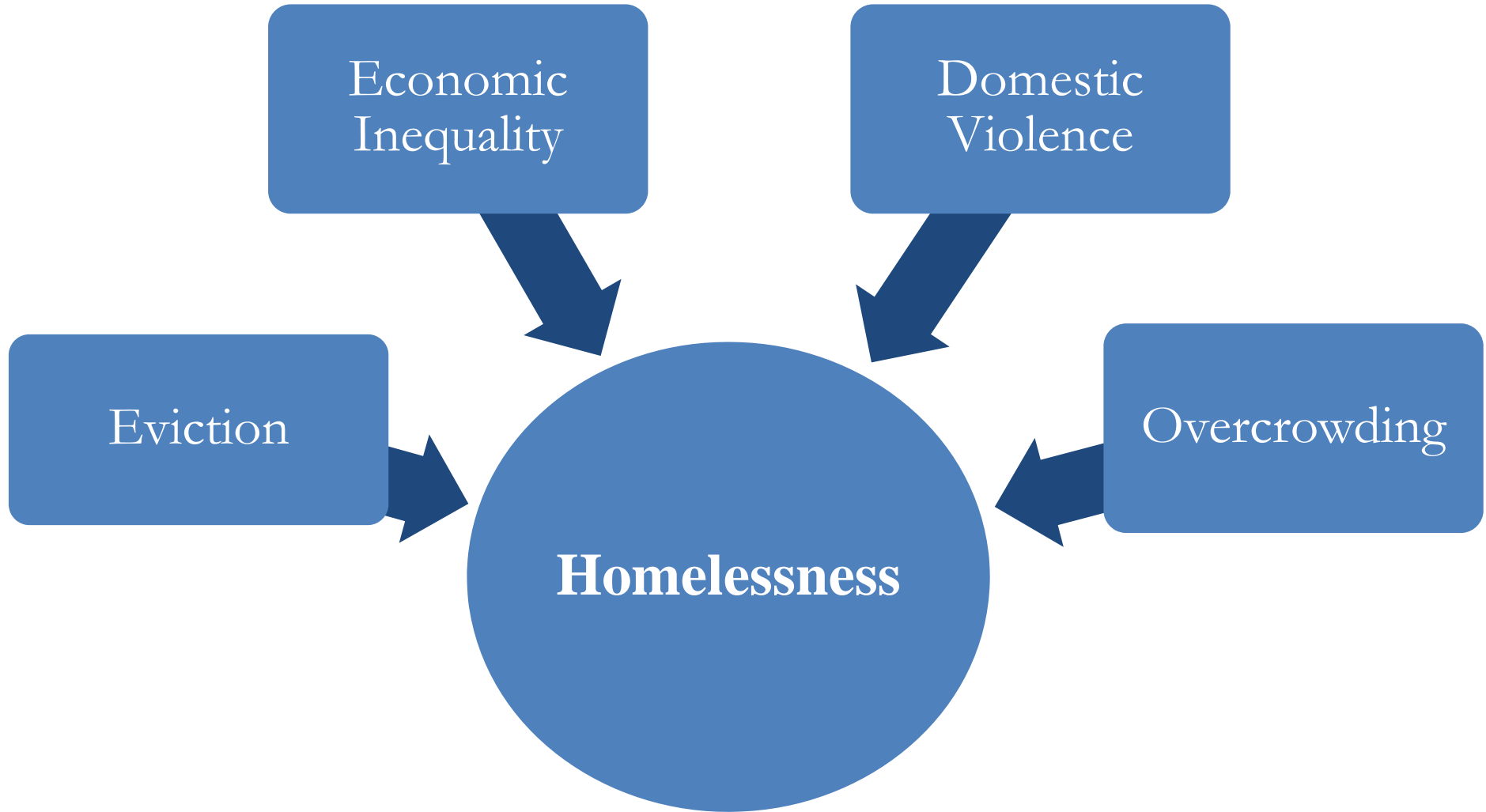
April 21, 2016



Human Resources  
Administration  
Department of  
Social Services



# Drivers of Homelessness



# Shelter Census Forecast Compared to Historical Growth



# Housing Assistance Results:

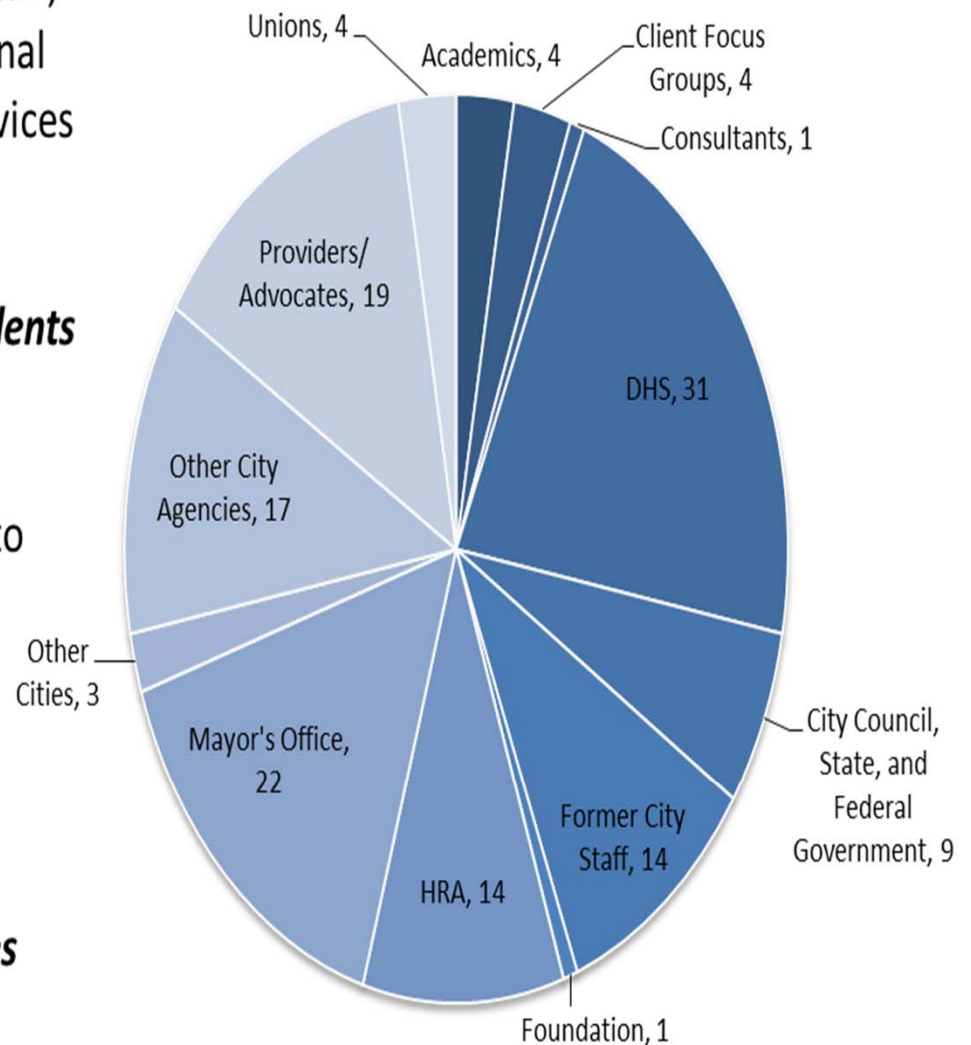
	FY15 and FY16 (through Mar. 2016)	
	Total Households	Total Individuals
DHS LINC 1	991	3,449
DHS LINC 2	550	1,914
DHS LINC 3	534	1,858
DHS LINC 4	1,411	1,675
DHS LINC 5	847	946
DHS LINC 6	52	178
HRA LINC 3	397	1,382
CFEPS	1,628	5,665
NYCHA	3,126	10,855
SECTION 8	1,242	4,081
SEPS	224	224
HOME TBRA	36	125
<b>TOTAL</b>	<b>11,038</b>	<b>32,352</b>

Notes: CFEPS and SEPS contain data though the week ending April 1, 2016.  
 CFEPS data contains both DHS shelter move outs and community provider placements.  
 NYCHA total includes Project Based Section 8 and Priority Referrals - N0 and W0.  
 Section 8 total includes HPD Initiatives and NYCHA Priority.

## Inputs:

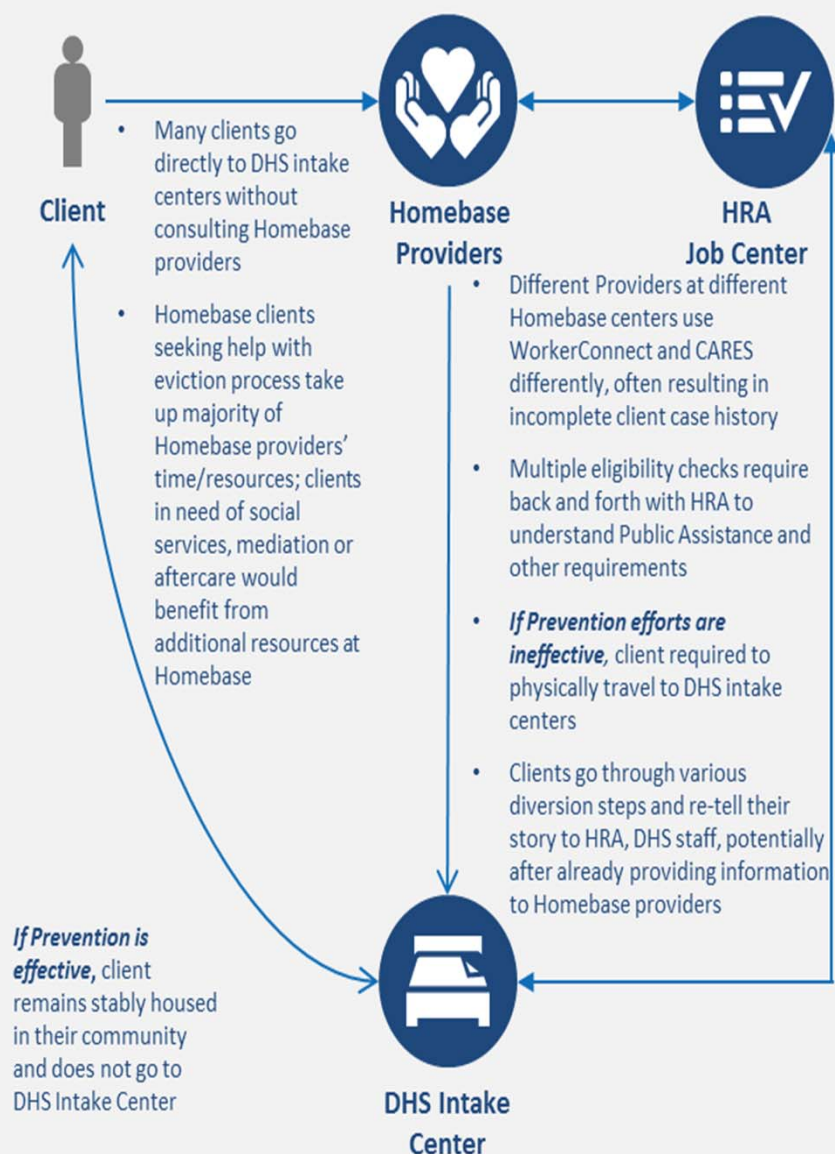
- **Over 400 people interviewed** including City staff, providers, local and national advocates, external partners, former leaders and providers of services **and 4 focus groups with clients**
- **Survey of 725 DHS staff and 630 shelter residents** across shelter populations and types
- Process mapping of **intake centers** and visits to **shelters**
- Research of **leading practices** from other jurisdictions and academics
- Analysis of **existing City policies and processes**

## Number of Interviews Conducted



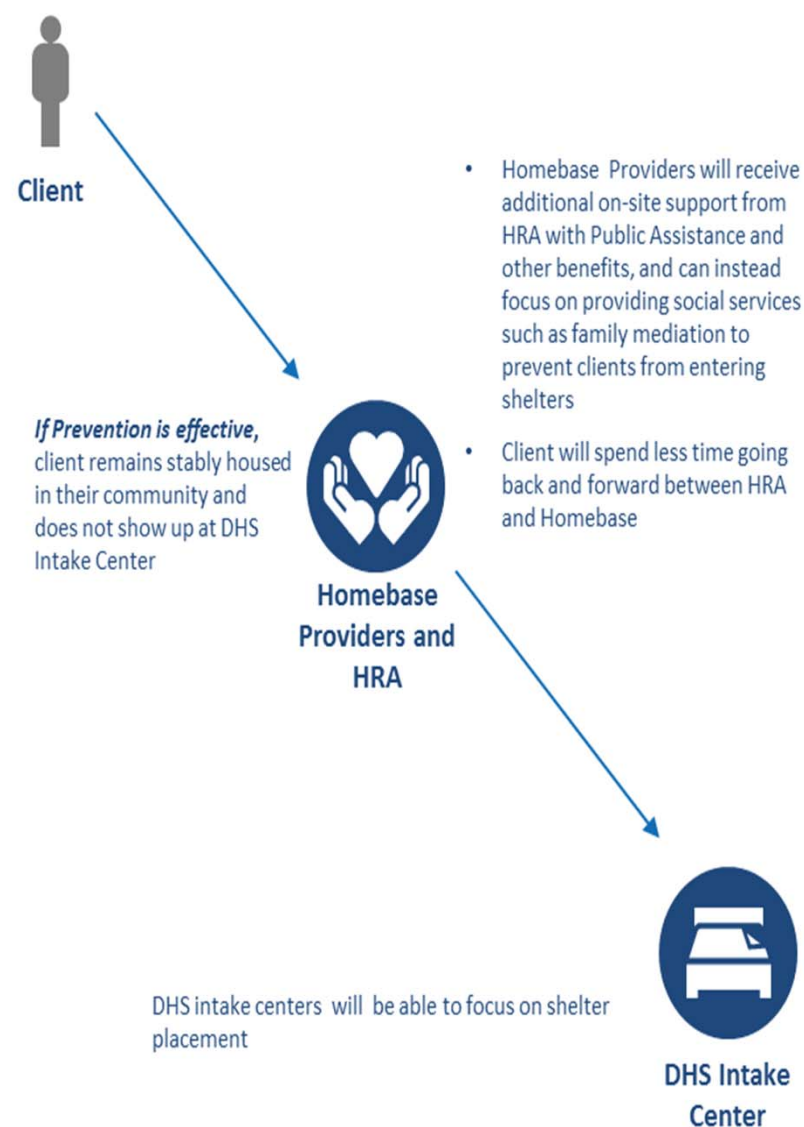
## Current Prevention Process

*Clients forced to navigate variety of stakeholders, programs, and physical locations prior to and/or during shelter intake process*



## Future Prevention Process

*Via expanded Homebase services, clients will be provided proactive and tailored services to prevent entering shelter*



# DSS Reforms: Prevention

## **Move Homebase program management from DHS**

**to HRA:** Management of the Homebase program will be moved to HRA, which already runs a number of homeless prevention programs and services. Integrating all prevention services under one agency will reduce inefficiencies and allow for more seamless and effective client services.

**Expand Homebase staffing and services:** HRA staff at Homebase offices will provide expanded on-site processing and triage for HRA benefits, including public assistance and rental assistance. Homebase not-for-profit staff will also expand their case management services to include landlord and family mediation, educational advancement, employment, and financial literacy services.

## **Expand the scope of Homebase as the first point of entry for those at risk of homelessness:**

The City will develop an intake model that builds on Homebase to focus greater attention on the role of communities in supporting families at risk of becoming homeless. Families seeking homeless prevention or shelter services will obtain these services within their borough, rather than through the City's centralized intake center in the Bronx.

## **Use data analytics to proactively target prevention services for at-risk clients:**

HRA will use client data collected by the agencies to proactively identify and target prevention services for New Yorkers who are most at risk of becoming homeless, such as families who are at risk of having their public assistance case closed administratively or reapplying for shelter.

# DSS Reforms: Prevention

## Target outreach to doubled-up families with school-aged children:

HRA will work with DOE to identify and proactively target prevention services for students of families living in doubled-up situations who are reported as homeless under the McKinney-Vento Act.

## Deploy additional HRA prevention staff to single adult and adult family intake sites:

The City will increase the HRA Diversion staff presence at these intake sites to expand services for clients.

## Target services and rental assistance for youth in DYCD shelters:

Eligibility criteria for the City's rental assistance programs will be expanded to include youth living in DYCD youth shelters at risk of entering DHS shelters.

## Target services and rental assistance for clients with mental health needs cycling between jail and homelessness:

City rental assistance will be strategically targeted to identified at-risk clients with mental health needs cycling between Rikers Island and DHS shelters.

# DSS Reforms: Prevention

Create two new City/State Task Forces to increase homelessness prevention: The City is proposing that the State participate in two new City-State task forces, one that will develop and implement alternatives to avert discharges from State prisons to DHS shelters, and one that will work to implement community-based programs to eliminate the need for DHS mental health shelters. These two client groups account for a large proportion of the census for the City's single adult shelters.



# DSS Reforms: Street Homelessness

**Fully launch HOME-STAT to address street homelessness:** The HOME-STAT initiative partners existing homeless response and prevention programs with a series of new innovations designed to better identify, engage, and transition homeless New Yorkers from the streets to appropriate services and permanent housing.

**Enhance tools for outreach teams to bring people in from the streets:** The City will increase safe haven beds, increase the number of drop in centers, and develop 15,000 units of supportive housing to provide essential tools to address street homelessness.

# DSS Reforms: Shelter

**Increase safety in shelters through an NYPD management review and retraining program:** The NYPD will begin re-training all Department of Homeless Services Peace Officers and deploy an NYPD management team at DHS to develop an action plan to upgrade security at all shelter facilities.

**Enhanced domestic violence services in DHS shelters:** HRA's NoVA (No Violence Again) out-stationed Domestic Violence Services will be expanded to DHS Tier II family shelters to provide families with access to domestic violence services. Trained staff from HRA will go to designated Tier II shelters to provide these services. Existing social services staff in Tier II shelters will participate in enhanced training that will provide them with the tools to identify and refer families and individuals to the NoVA team, a NYC Family Justice Center, or other community-based domestic violence providers.

**Implement a more extensive reporting system for critical incidents that occur in shelters:** DHS has implemented a new, more comprehensive system for the reporting of critical incidents in shelters. To ensure that problems are identified, violence is now defined much more broadly to include wide-ranging definitions of domestic violence, assault, and both child abuse and neglect. DHS is implementing thorough reforms to ensure that all critical incidents, especially violent incidents, are appropriately categorized, and there is appropriate follow-up.

**Expand Shelter Repair Squad 2.0 Operations:** The City will continue to aggressively inspect homeless shelters to identify and address building violations and shelters in need of repairs. Inspections will be conducted twice a year at all sites used to house homeless individuals and families, and the Shelter Report Card will be produced regularly to hold the City and providers publicly accountable. The City will also ensure that all providers have clear information about the standards and regulations against which they are measured, explore ways to reduce the time it takes for violations to be cleared, and create a working group of shelter providers to discuss the best means of working together to improve shelter conditions.

# DSS Reforms: Shelter

**Increase coordination among inspectors:** To avoid duplication of effort, the City will establish a semi-annual multi-agency inspection process that includes all City agencies that have inspection responsibilities. The City again asks for joint participation by NYS Office of Temporary and Disability Assistance (OTDA) and the City and State Comptrollers.

**Phasing out the use of cluster shelters:** The City will phase out the use of cluster shelter units, returning them to the market so that the apartments can be restored as low-rent housing; 260 cluster units have already been designated for closure during this fiscal year. The City will continue with the plan to phase out the 16-year cluster program through a combination of code enforcement to address inadequate conditions; working with owners to return units to the permanent housing stock, rehabilitate the buildings, and permit families to remain in the upgraded units; and, to the extent necessary, replacing units with a new shelter model that combines transitional housing, permanent housing, and community space.

**Assessing the potential conversion of existing shelters to permanent housing:** Where feasible, the City will partially convert current shelter sites into permanent housing using new shelter models like Gateway Housing and Homestretch, which include affordable permanent housing, shelter units, and community space at the same location. At other sites, it may be possible to convert an entire shelter site to permanent housing and we will begin that evaluation process at locations in East New York.

**Phasing out use of commercial hotels:** As the cluster takedown, the shelter conversion process, and the enhanced shelter move out efforts proceed, the City will prioritize ending reliance on renting blocks of rooms in commercial hotels as shelter.

# DSS Reforms: Shelter

## Implement the domestic violence shelter expansion:

The City will continue to implement the initiative to increase domestic violence services by adding 300 emergency beds and 400 Tier II units.

## Implementing a capital repair

program: The City will implement a program to systematically review and fix capital needs at shelters.

## Rationalizing shelter provider rates:

The City is evaluating payments to shelter providers to ensure they are sufficient to fund maintenance and services, and is assessing the capital needs of shelters which have not been adequately supported for many years.

## Address ADA compliance in shelters:

The City will hire a consultant to evaluate ADA accessibility in the DHS shelter system and formulate a compliance plan.

# DSS Reforms: Shelter

**Expanding the scope of HRA's ADA coordinator to cover the shelter system:** HRA's ADA Coordinator will coordinate and oversee ADA compliance and initiatives in the shelter system. The Coordinator will also develop and implement staff training and address client complaints.

**Promote career pathways for shelter residents:** The City will implement new programs to help shelter residents move forward on a career pathway. Adult literacy and High School equivalency programming will be implemented at all shelters for residents who need additional supports in these areas. The City will also implement a training and employment program at select shelters for residents to learn trades by providing system-wide shelter maintenance services in private shelters.

**Targeting services for emerging new trends in the single adult population (persons 50 or older and 18 to 24):** More effective targeting will promote our prevention and rehousing efforts.

**Targeting services for families to move away from a one size fits all approach:** The City will develop initiatives that focus on the varying needs of homeless families. The City will work with providers to develop shelter models in which placements may be differentiated based on the family's readiness to be rapidly rehoused; families who are assessed to likely have a shorter stay in shelter may be placed in different programs than families with higher needs and a likely longer length of stay.

# DSS Reforms: Shelter

Eliminate the requirement for school-age children to be present at PATH for multiple appointments: School-age children will no longer be required to be present with their families for multiple appointments in the shelter application process.

Align access procedures for adult families with procedures for families with children: The City will modify the intake process and improve capacity planning to avoid long waits and/or transporting clients in the middle of the night as a result of the delay in identifying available shelter placements.

Streamline access to DYCD shelter for homeless youth: City staff will be deployed at the entry points of the DHS shelter system to offer youth beds for individuals between the ages of 16 and 21. The plan to triple the number of youth beds is a critical element of this reform.

Implement tripling of DYCD shelter capacity for Runaway and Homeless Youth: DYCD will continue its expansion of RHY capacity. Nearly 200 additional beds have already been brought online and the City will open 100 beds each year for the following three years. This will bring the total system capacity from 250 when Mayor de Blasio took office to 750 by FY19.

# DSS Reforms: Shelter

**Provide increased notice prior to non-emergency transfers:** In non-emergency situations, clients will be given more notice that they are being transferred to another shelter.

**Increasing transportation resources to reduce placement waiting time:** The City will be deploying additional transportation resources to address this problem.

**Deploy social workers to accompany families found ineligible who are returning to a community resource to provide on-the-spot assistance:** This will enhance client services and address problems related to repeated reapplications.

**Expand the shelter conditions complaint process through HRA's Infoline:** The hotline's current purpose is to address conditions complaints. HRA will expand this to include complaints on all shelter services, including shelter conditions.

**Communicate more information to clients through flyers, posters and other media:** Better information for clients will enhance access to services, including employment and housing assistance.

# DSS Reforms: Rehousing

**Move Rehousing program management from DHS to HRA:** Modeled on the veterans move out effort, HRA will develop a centralized reporting structure to promote move outs.

**Streamline the HPD housing placement process:** The City will establish a streamlined process to connect homeless clients to HPD-financed units that are available and appropriate for their needs.

**Continue to utilize NYCHA placements to address homelessness:** As provided in the City budget, within the needs-based NYCHA placements that are available during the year, the City will continue to place 1,500 DHS families on the NYCHA waiting list as well as 300 domestic violence survivors in HRA and DHS shelters and on the NYCHA waiting list into vacancies that arise.

**Consolidate and streamline the LINC, SEPS and CityFEPS rental assistance programs:** The City will consolidate and streamline the operations of its rental assistance programs to enhance shelter move outs.

**Increase enforcement of source of income discrimination law:** The City will train and dedicate HRA staff to conduct testing to identify potential discriminatory practices and take enforcement action to supplement the efforts of the City Human Rights Commission.



# DSS Reforms: Rehousing

**Implement a more effective aftercare program:** Using the critical time intervention as a model, the City will enhance aftercare services for rehoused clients.

**Provide assistance to obtain federal disability benefits:** The City will dedicate services to focus on enrolling shelter residents on SSI/SSD to increase income and promote rehousing.

**Incorporate Continuum of Care strategic planning into homeless strategy development and establish a leadership reporting structure:** Drawing on the model in other jurisdictions, the City will enhance the role of the Continuum of Care in the policy and planning process. As part of this initiative, the City will explore ways to further *coordinate access* and *assess need* for those experiencing homelessness following the HUD approach.

**Provide clear and concise information and written materials to clients about available assistance and programs:** HRA and DHS will create and distribute more effective informational materials for clients in the community and in shelters.

**Call on the State to: (a) permit use of Medicaid funds for apartment search and shelter relocation services for homeless clients with disabilities; and (b) approve HRA's requested FEPS plan modifications:** These policy changes will enhance both rehousing and prevention efforts.

## ***Social Services/HRA Commissioner***

### ***Chief Social Services Administrator***

#### **Core Services**

Cash Assistance/SNAP, Employment, Health Insurance, Prevention/Rental Assistance, Legal Assistance, Child Support, Homecare, APS, DV/HASA Assistance and Shelter, IDNYC, InfoLine, **Homebase, Rehousing**

### ***Chief Homeless Services Administrator***

#### **Core Services**

Intake, Shelter System Management and Oversight of Not-for-Profit Providers (capacity planning, shelter conditions and services), Support for Innovation by Providers

#### **Shared Services**

Counsel/Contracts, IT, Program Accountability/Audits, Communications/External Affairs, HR, Finance/Performance Management/Research/Policy and Planning

**Composition:**  
Deputy Mayors,  
Agency  
Commissioners  
and chair(s) of  
the workgroups

**Deputy Mayor  
for Health and Human Services**

**Steering Committee**  
Project Coordination  
Scope/Issue Resolution  
Policy Visioning and Direction

**Administrative**

- Operations
- Law Department
- DoITT
- OMB
- DCAS
- MOCS
- HRA/DHS

**Prevention**

- HRA
- ACS
- DoHMH
- DYCD
- DFTA
- DOC
- DOP
- H+H
- HPD
- MOCJ
- NYCHA

**Shelter**

- DHS
- HRA
- DYCD
- HPD
- DoHMH
- NYPD
- FDNY
- DOB
- DOE
- MOCJ

**Re-housing**

- HRA
- HPD
- NYCHA

**After-care**

- HRA
- ACS
- DoHMH
- DYCD
- DFTA
- DOE
- DOC
- DOP
- H+H
- NYCHA
- HPD

Thank you!



**Human Resources  
Administration**

Department of  
Social Services

# Rental Assistance Funding Sources





FOR THE RECORD

**Testimony of Sally Greenspan  
Senior Program Director  
Enterprise Community Partners, Inc.**

**To the New York City Council  
Committee on General Welfare  
Oversight Hearing: An Examination of the  
Department of Homeless Services 90-day Review**

**April 21, 2016**

Good morning. My name is Sally Greenspan and I lead the Vulnerable Populations program for Enterprise Community Partners, a non-profit affordable housing organization that has worked to create and preserve affordable housing here and nationwide for 30 years. Thank you, Chair Levin and the members of the City Council's Committee on General Welfare, for the opportunity to comment on the DHS 90-day review.

On behalf of Enterprise, I would like to applaud the City for completing this 90-day review with many stakeholders. We believe this will lead to meaningful changes that will help families and individuals struggling with housing challenges to find the help they need, and we offer the following suggestions to strengthen this work

First, we encourage the City to work with the State on implementing these reforms and new programs. We also urge the Council to join the housing and homelessness advocacy community in calling for an MOU between the Governor, Assembly, and Senate so that the new state housing and homelessness plan can get underway. As the homelessness crisis continues, we cannot wait to get these programs up and running and funding out the door.

Second, the focus on prevention in the report is critical. From a cost perspective as well as in an effort to prevent the long-lasting trauma of homelessness, prevention is a smart investment. However, what qualifies households to access homelessness prevention services is often an open eviction case, and this is too late for many families. We should work to target prevention services upstream in the case of the most vulnerable families. Through Enterprise's Come Home NYC program, in which we connect homeless families with income to existing affordable housing units with connection to light touch services, we have learned that eviction prevention is needed as soon as a household demonstrates the inability to pay rent on time or at all. We urge the City to consider this kind of targeting.

Third, in the long term, we must continue to increase the supply of affordable housing. In the current tight housing market, there simply aren't enough units, especially those affordable to the lowest-income New Yorkers. In the meantime, we must ensure that homeless households are able to compete for units. Services that help identify and repair credit scores and housing court background issues would remove barriers to homeless families seeking housing.

Finally, I would also like to take this opportunity to highlight three programmatic issues that should be carefully considered as plans are implemented:

- 1) **Coordinated Assessment and Placement System (CAPS)** - We know housing is the solution to homelessness, but with limited resources and a spectrum of need, there is no one-size-fits-all solution. That's why New York City must have a Coordinated Assessment and Placement System (CAPS) to quickly match the right housing resources to the right household. CAPS would consist of a universal assessment tool to accurately determine the needs of all homeless households; a complete inventory of available housing for homeless households; and a matching tool to ensure that needs and resources are appropriately and quickly matched, and see where resources are lacking.
- 2) **Services for Households** - Supportive housing is an excellent model, and it effectively ends homelessness for those who need deep long-term support, which includes those who are chronically homeless, and are typically severely mentally ill and/or suffering from addiction. But all households, even those who don't require supportive housing, need some level of services. Developing a thoughtful aftercare program for all populations exiting homelessness will go a long way in keeping people stably housed and preventing shelter re-entry. Furthermore, investing in a system to connect all low-income residents of affordable housing to services will ensure that vulnerable families – who are often at risk of homelessness - are able to build assets and put themselves in a position to avoid shelter entry.
- 3) **Family Homelessness** - While the picture that may come to mind when we think about homelessness is often a single person on the street, families have been hit hard by the homelessness crisis. As we think about and invest in solutions to homelessness, we must find ways to better understand the causes of family homelessness as that will help inform the kinds of service and housing interventions that will be most effective.

Thank you, again, for the opportunity to testify on these important priorities. And thank you to the Committee for your efforts to ensure that all New Yorkers have access to a stable home and connection to opportunities.

**TESTIMONY FROM RAYSA S. RODRIGUEZ OF WIN TO THE  
NYC COUNCIL GENERAL WELFARE COMMITTEE  
OVERSIGHT HEARING: 90 DAY REVIEW**

**April 21, 2016**



**TESTIMONY FROM RAYSA S. RODRIGUEZ OF WIN TO THE  
NYC COUNCIL GENERAL WELFARE COMMITTEE**

**April 21, 2016**

My name is Raysa S. Rodriguez and I am the Vice President of Policy & Planning at Win (Women In Need, Inc.). I would like to thank the NYC Council's Committee on General Welfare for convening this oversight hearing on City's 90 day Review.

Every night more than 54,000 homeless men, women, and children reside in city-funded shelters. An alarming 80% of today's homeless are families with children under the age of 18. Children, the most vulnerable of those residents, account for over 40% of homeless individuals – nearly 24,000 children city-wide.

The City of New York has been a responsive and prolific provider of transitional housing for families, with the best record in the nation. For that, we are all grateful.

Win is the largest provider of shelter and supportive housing for families in NYC with over three decades of experience working with the City to house New York's homeless families. We are proud to partner with the City in providing nearly 4,500 individuals, including more than 2,600 children – with high quality housing and related services each night. Win operates over 1,400 units of family shelter, serving close to 10% of the City's homeless families. Win also offers housing with services to almost 240 special needs families exiting the shelter system, including families headed by single mothers who are in recovery, survivors of domestic violence or who have aged out of foster care.

Win commends the City for its continued efforts to improve conditions for homeless, and at-risk of being homeless, New Yorkers - including its commitment to a comprehensive 90 day review of the homeless system. Win supports the City's recommendations for systems change and the steps it has already begun to take to improve shelter conditions. We look forward to working with the City on implementing more reforms to better meet the needs of homeless families.

We appreciate the City reaching out to Win, and other nonprofits, during the 90 day review process to ensure the sector's voice would be heard. As a community of providers, we see day-in and day-out the not only the needs of the NYC's homeless population, but also the necessary systemic improvements to delivery more efficient and effective services.

The administration's series of comprehensive reforms laid out in its 90 day review demonstrates the administration's understanding of the need for multipronged efforts to solve the homelessness crisis; in order to truly break the cycle of homelessness, strategies from multiple sides are needed. The City's direction recognizes the factors that lead to families becoming homeless, what leads to persistent homelessness and what supports families need as they cycle out into permanent housing.

Moreover, Win also supports the new consolidated management structure overseeing all homeless services and believes it will lead to more efficient shelter operations, prevention services, and housing placements for homeless New Yorkers.

Win supports the many of steps that the administration has already taken during the course of the 90 day review including:

- Doubling the number of drop-in centers
- Creating a shelter repair scorecard to improve shelter conditions
- Implementing an enhanced shelter repair program
- Increasing security at all hotels that house homeless families and individuals
- Providing 24/7 security coverage at mental health shelters.
- Beginning enhancements of domestic violence services at shelters.
- Initiating a New York City Police Department (NYPD) shelter security review and retraining of Department of Homeless Services (DHS) peace officers.
- Committing to ending the cluster and commercial hotel programs to better meet the needs of homeless families.
- Implementing a plan to create 15,000 new units of supportive housing over the next 15 years.

Win can attest to the continued commitment of resources on City's behalf to improve conditions in shelter including security enhancements and capital improvements. These changes that the City has announced as part of its 90 day review process have been long overdue.

As we move forward in partnership with City to implement these significant changes to the system, Win also urges the City to consider further improvements in two key areas:

*Data Sharing:*

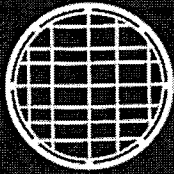
There is so much room for continued growth in data-driven practices across the homeless system. Win has made great stride in data mining and tracking of key outcomes to deliver services that are responsive to the real needs of our families. However, limitations persist. We recommend greater efforts to share CARES data and access to other City data sources for non-profit providers to bring forth greater system efficiencies through data-driven practices and improved outcomes for homeless New Yorkers.

*Enhanced and Expanded Services for Homeless Families:*

While there is a long list of reforms underway, Win continues to push for greater resources for Tier II family shelters to provide more high quality clinical and social services to homeless families in the system. In order to truly break the cycle of homelessness for families, we must address the core issues that lead to homelessness and repeated cycles of homelessness including trauma and violence, health and well-being, and skills that lead self-sufficiency and empowerment. Greater investments in

the complex and myriad service needs of families will ensure great housing stability, reduce the census by breaking the cycle of homelessness, and improve vitality of the City as a whole by bringing about cost-savings to the system.

In closing, I'd like to thank the City Council's General Welfare Committee for the opportunity to testify on this important matter. Win supports the City's Comprehensive Plans to improve the NYC homeless system, which include multifaceted strategies to improve shelter conditions, increase prevention, and gain efficiencies in service delivery through a new consolidated management structure. We look forward to continue our work with the City to implement these needed changes and to build on additional enhancements to meet the service needs of homeless families and improve their life outcomes. Thank you.



# SAFETY NET ACTIVISTS

Supported by the Safety Net Project at the Urban Justice Center

## **Testimony: An Examination of the Department of Homeless Services 90-day Review**

The Committee on General Welfare

April 21, 2016

My name is Wendy O'Shields and I want to thank you for the opportunity to present testimony today. I am a member of the Safety Net Activists.

As a DHS resident, I have witnessed DHS and their Nonprofit Vendor staffs break the Callahan Consent Decree and disregard the New York State Office of Temporary & Disability Assistance homelessness policies. I have also been subjected to ill-prepared Directors, Caseworkers, and support staff members.

While we support many of the reforms in the 90 day review, we believe that accountability for DHS officials and shelter staff is crucial. We propose the following measures to ensure accountability and proper implementation:

1. DHS should report to the City Council on a monthly basis regarding its progress with implementing this plan for reform. This will provide benchmarks of progress as DHS is revamped.
2. DHS and their DHS non-profit vendor shelters are in great need of higher quality staff. Directors and Caseworkers should have a Masters of Social Work with a New York State License. Support staff should have a Bachelor's degree or comparable work experience in social services. Existing staff should receive additional education and training to comply with these new standards.
3. The Department of Homeless Services currently has no meaningful or transparent compliance monitoring to ensure that they follow the law. The Comptroller's Office should partner with outside groups to monitor DHS's compliance with the Callahan Consent Decree and OTDA Regulations.
4. The new Interagency Homeless Accountability Council should include community-based organizations that work with the homeless and current or former DHS residents.

We ask that these measures be implemented by January 2017 at the latest.

I thank you greatly for listening to my suggestions for a better DHS!

4/20/16

Competent Authorities:

Please be advised that the City of New York Department of Homeless Service is breaking **THE CALLAHAN CONSENT DECREE LAW** for most shelter standards, many space requirements, and they appear to have zero compliance monitoring for their DHS Shelters and their DHS Nonprofit Vendor Shelters. I propose they are “Warehousing Homeless Human Beings” to maximize their profits off the backs of Homeless New Yorkers! Evidently, the chief concern of the DHS Shelter system not “Permanent Housing” for the Homeless but is packing as many live bodies into DHS Shelter spaces. DHS has exercised no forethought or concern for the health, safety, or “Permanently Housing” of the DHS Shelter Resident! This is criminal, amoral, and a constant drain on the City’s coffers!

Some of the DHS violations are answered below in all capitals.

Please investigate. Consider having an Architectural firm or General Contractor independent of City of New York contracts to measure for shelter standards, count the partitions, and count the showers and bathrooms per shelter as per the ratio by Callahan law. Please ask for an accounting of all other issues I have raised as per Callahan.

Wendy O’Shields

#### **THE CALLAHAN CONSENT DECREE LAW SHELTER STANDARDS**

2. The City defendants shall provide shelter at facilities operated in accordance with the standards set forth in this paragraph as soon as practicable and not later than September 1, 1981. The term “shelter facility” refers to the Keener Building, Camp LaGuardia, the Men’s Shelter and any other facility used by the City defendants to shelter homeless men. This paragraph does not apply to the Bowery lodging houses (Palace, Kenton, Union, Sunshine, Delevan and Stevenson) presently used by the City defendants to shelter homeless men (the “hotels”); if the City defendants choose to shelter homeless men in any additional Bowery lodging house, they will advise counsel for the plaintiffs and a good faith effort shall be made by plaintiffs and the City defendants to agree to operating standards for such facilities.

(a) Each resident shall receive a bed of a minimum of 30 inches in width, substantially constructed, in good repair an equipped with clean springs. **SOMETIMES.**

(b) Each bed shall be equipped with both a clean, comfortable, well-constructed mattress standard in size for the bed and a clean, comfortable pillow of average size. **NOT ALWAYS.**

(c) Each resident shall receive two clean sheets, a clean blanket, a clean pillow case, a clean towel, soap and toilet tissue. **SOMETIMES.**

A complete change of bed linens and towels will be made for each new resident and at least once a week and more often as needed on an individual basis. **NOT AT ALL ONCE A WEEK. AS NEEDED NO!**

(d) Each resident shall receive a lockable storage unit.

(e) Laundry services shall be available to each resident not less than twice a week. **NOT AT ALL TWICE A WEEK. ONCE A WEEK WHEN ALLOWED IF THE SCHEDULE PERMITS.**

- (f) A staff attendant to resident ratio of at least 2 per cent shall be maintained in each shelter facility at all times. NO!
- (g) A staff attendant trained in first aid shall be on duty in each shelter facility at all times. NOT AT ALL OR NOT ENOUGH.
- (h) A minimum of ten hours per week of group recreation shall be available for each resident at each shelter facility. NOT AT ALL OR NOT USUALLY.
- (i) Residents shall be permitted to leave and to return to shelter facilities at reasonable hours and without hindrance. NO! HOMELESS RESIDENTS ARE SITUATED SIMILARLY TO A WORK RELEASE PRISON PROGRAM.
- (j) Residents of shelter facilities shall be provided transportation (public or private) to enable them to return to the site where they applied for shelter. NO METROCARDS ARE NOT SUPPLIED DAILY TO RESIDENTS. OFTEN TIMES SHELTER STAFF THIEVES THE METROCARDS INTENDED FOR RESIDENTS.
- (k) Residents of shelter facilities shall be permitted to leave the facility by 7:00 a.m. if they so desire.
- (l) Residents shall be permitted to receive and send mail and other correspondence without interception or interference. RESIDENTS MAIL IS SOMETIMES MISSING OR OPENED.
- (m) The City defendants shall make a good faith effort to provide pay telephones for use by the residents at each shelter facility. The City defendants shall bear any reasonable cost for the installation and maintenance of such telephones. THE SHELTERS RECEIVE \$33.00 PER MONTH FROM HRA PER OPEN PUBLIC ASSISTANCE CASE PER HOMELESS RESIDENT FOR PHONE USAGE. USUALLY A HOMELESS RESIDENT IS NOT ALLOWED TO USE THE STAFF OFFICE PHONE. ALSO WHEN AN EXCEPTION IS MADE THERE IS NO PRIVACY TO HAVE YOUR CONVERSATION.

## **APPENDIX A**

### **SPACE REQUIREMENTS FOR SHELTERS FOR ADULTS**

#### **(7) Baths and Toilet Facilities**

There shall be a minimum of one toilet and one lavatory for each six residents and a minimum of one tub or shower for each ten residents. NO!

#### **(8) SLEEPING ROOMS**

- (i) In single occupancy sleeping rooms, a minimum of 80 square feet per resident shall be provided; NO!
- (ii) In sleeping rooms for two or more residents, a minimum of 60 square feet per resident shall be provided; NO!
- (iii) A minimum of 3 feet, which is included in the per resident minima, shall be maintained between beds and for aisles; SOMETIMES.
- (iv) Partitions separating sleeping areas from other areas shall be ceiling high and smoke tight; NO!
- (v) All bedrooms shall be:
- (a) above grade level;
  - (b) adequately lighted;
  - (c) adequately ventilated; NO!

### **COMPLIANCE MONITORING**

10. Defendant Krauskopf shall appoint qualified employees with no administrative responsibility for providing shelter to monitor defendants' shelter care program for men with respect to compliance with this decree. These employees shall visit each shelter facility, central intake center, satellite intake center and hotel at least twice a month and will submit to defendant Krauskopf a written report at least twice a month describing compliance or lack thereof with each provision of the decree. These reports shall be made available to plaintiffs' counsel upon reasonable notice. THERE DOES NOT APPEAR TO BE ANY COMPLIANCE MONITORING OR THE AGENCY CONDUCTING THE COMPLIANCE MONITORING IS CRIMINAL.

**THE CALLAHAN CONSENT DECREE LAW**  
**Establishing a Legal Right to Shelter for Homeless Individuals in New York City**

*Following is the complete text of the 1981 consent decree in Callahan v. Carey, the class action litigation brought by Coalition for the Homeless that established a legal right to shelter for homeless individuals in New York City. The Callahan litigation was filed in 1979 on behalf of homeless men in New York City, and argued that a right to shelter for the homeless existed under the New York State Constitution. The right to shelter was extended to homeless women by Eldredge v. Koch (1983), also brought by Coalition for the Homeless, and to homeless families with children by McCain v. Koch (1983), brought by the Legal Aid Society.*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index No. 42582/79

FINAL  
JUDGMENT  
BY CONSENT

---

Plaintiffs

ROBERT CALLAHAN, CLAYTON W. FOX, THOMAS DAMIAN ROIG, JAMES HAYES,  
JAMES SPELLMAN and PAULE E. TOOLE, on their own behalves and on behalf of all others similarly  
situated,

-against-

Defendants

HUGH L. CAREY, as Governor of the State  
of New York, BABARA BLUM, as Commissioner of the New York State Department of Social Service,  
EDWARD I. KOCH, as Mayor of the City of New York, JAMES A. KRAUSKOPF, as Commissioner of the  
New York City Human Resources Administration, and CALVIN REID, as Director of the Shelter Care Center  
for Men,

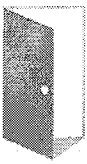


NYS OTDA Chapter 27 Homeless

<http://otda.ny.gov/programs/temporary-assistance/tasb.pdf>

Temporary Assistance Source Book

TASB CHAPTER 27 – HOMELESS 07/17/2015 Section A – General New York State Office of Temporary & Disability Assistance 27-1 CHAPTER 27: HOMELESS



coalition  
for the  
homeless

## **The Callahan Consent Decree**

### **Establishing a Legal Right to Shelter for Homeless Individuals in New York City**

*Following is the complete text of the 1981 consent decree in Callahan v. Carey, the class action litigation brought by Coalition for the Homeless that established a legal right to shelter for homeless individuals in New York City. The Callahan litigation was filed in 1979 on behalf of homeless men in New York City, and argued that a right to shelter for the homeless existed under the New York State Constitution. The right to shelter was extended to homeless women by Eldredge v. Koch (1983), also brought by Coalition for the Homeless, and to homeless families with children by McCain v. Koch (1983), brought by the Legal Aid Society.*

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SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK

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ROBERT CALLAHAN, CLAYTON W. FOX,  
THOMAS DAMIAN ROIG, JAMES HAYES,  
JAMES SPELLMAN and PAULE E. TOOLE,  
on their own behalves and on behalf  
of all others similarly situated,

Plaintiffs,

-against-

HUGH L. CAREY, as Governor of the State  
of New York, BABARA BLUM, as Commissioner  
of the New York State Department of Social  
Service, EDWARD I. KOCH, as Mayor of the  
City of New York, JAMES A. KRAUSKOPF, as  
Commissioner of the New York City Human  
Resources Administration, and CALVIN REID,  
as Director of the Shelter Care Center  
for Men,

Defendants.

---

Index No.  
42582/79

FINAL  
JUDGMENT  
BY CONSENT

Plaintiffs Robert Callahan, Clayton Fox and Thomas Roig, having brought this action on October 2, 1979 challenging the sufficiency and quality of shelter for homeless men in New York City, and plaintiffs Callahan, Fox, Roig, James Hayes, James Spellman and Paul Toole, having filed their Amended Complaint on March 31, 1980, and

defendants Hugh L. Carey, as Governor of the State of New York, and Barbara Blum, as Commissioner of the State of New York Department of Social Services (the "State defendants"), having filed their Amended Answer on January 19, 1981 therein denying the material allegations of the Amended Complaint, and defendants Edward Koch, as Mayor of the City of New York, Stanley Brezenoff, as Administrator of the New York City Human Resources Administration, and Calvin Reid, as director of the Shelter Care Center for Men (the "Men's Shelter") (the "City defendants"), having filed their Amended Answer on January 19, 1981 therein denying the material allegations of the Amended Complaint, and Plaintiffs and defendants by their respective attorneys, having consented to the entry of this Final Judgment without any final adjudication of any issue of fact or law herein and without this Final Judgment constituting any evidence or admission by any party hereto with respect to any such issue:

NOW, therefore, without final adjudication of any issue of fact or law herein and without this Final Judgment constituting any evidence or admission by any party hereto with respect to any issue, and upon consent of all parties, it is hereby

ORDERED, ADJUDGED and DECREED as follows:

#### Provision of Shelter

1. The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason to physical, mental or social dysfunction is in need of temporary shelter.

#### Shelter Standards

2. The City defendants shall provide shelter at facilities operated in accordance with the standards set forth in this paragraph as soon as practicable and not later than September 1, 1981. The term "shelter facility" refers to the Keener Building, Camp LaGuardia, the Men's Shelter and any other facility used by the City defendants to shelter homeless men. This paragraph does not apply to the Bowery lodging houses (Palace, Kenton, Union, Sunshine, Delevan and Stevenson) presently used by the City defendants to shelter homeless men (the "hotels"); if the City defendants choose to shelter homeless men in any additional Bowery lodging house, they will advise counsel for the plaintiffs and a good faith effort shall be made by plaintiffs and the City defendants to agree to operating standards for such facilities.

(a) Each resident shall receive a bed of a minimum of 30 inches in width, substantially constructed, in good repair and equipped with clean springs.

(b) Each bed shall be equipped with both a clean, comfortable, well-constructed mattress standard in size for the bed and a clean, comfortable pillow of average size.

(c) Each resident shall receive two clean sheets, a clean blanket, a clean pillow case, a clean towel, soap and toilet tissue. A complete change of bed linens and towels will be made for each new resident and at least once a week and more often as needed on an individual basis.

(d) Each resident shall receive a lockable storage unit.

(e) Laundry services shall be available to each resident not less than twice a week.

(f) A staff attendant to resident ratio of at least 2 per cent shall be maintained in each shelter facility at all times.

(g) A staff attendant trained in first aid shall be on duty in each shelter facility at all times.

(h) A minimum of ten hours per week of group recreation shall be available for each resident at each shelter facility.

(i) Residents shall be permitted to leave and to return to shelter facilities at reasonable hours and without hindrance.

(j) Residents of shelter facilities shall be provided transportation (public or private) to enable them to return to the site where they applied for shelter.

(k) Residents of shelter facilities shall be permitted to leave the facility by 7:00 a.m. if they so desire.

(l) Residents shall be permitted to receive and send mail and other correspondence without interception or interference.

(m) The City defendants shall make a good faith effort to provide pay telephones for use by the residents at each shelter facility. The City defendants shall bear any reasonable cost for the installation and maintenance of such telephones.

3. The capacity of shelter facilities shall be determined as follows:

(a) The capacity of newly constructed shelter facilities shall comply with the standards set forth in Appendix A, except in cases of emergency need as defined in Appendix B.

(b) The City defendants shall disclose to plaintiffs' counsel any plan to convert an existing structure to a shelter facility and the intended capacity for the facility at least 30 days in advance of the implementation or execution of any such conversion plan. A reasonable capacity for each such facility shall be established. The standards set forth in Appendix A shall be used as guidelines in determining whether the planned capacity of the City defendants is reasonable.

(c) Effective December 31, 1981, the capacity of the Keener Building shall not exceed \_\_\_\_\_ except in cases of emergency need as defined in Appendix B, in which case the maximum number of men who may be sheltered in the Keener Building is \_\_\_\_\_. Between the date of entry of this judgment and December 31, 1981, the capacity of the Keener Building shall not exceed\_\_\_\_\_.

(d) The capacity of Camp LaGuardia shall comply - by construction of new dormitory buildings - with the standards set forth in Appendix A, except in cases of emergency need as defined in Appendix B, as soon as practicable and not later than December 31, 1982, except that the individual rooms in the "Main Building" may be used as sleeping rooms for one person each. The construction start of such new dormitory buildings shall occur no later than March 1, 1982.

#### Bowery Lodging Houses

4. Hotels presently used by the City defendants shall meet the following standards at the time of entry of this judgment and the City defendants shall maintain such standards thereafter:

(a) Each resident shall receive a bed, a clean mattress, two clean sheets, one clean blanket, one clean pillow and one clean pillow case. A complete change of bed linens (sheets and pillow case) shall be made for each new resident and at least once a week and more often as needed on an individual basis.

(b) Each resident shall be supplied with a clean towel, soap and toilet issue. A clean towel shall be provided to each new resident and towels shall be changed at least once a week and more often as needed on an individual basis.

(c) There shall be two trained security guards in the Palace Hotel between the hours of 8:00 p.m. and 4:00 a.m. and one trained security guard between the hours of 4:00 p.m. and 8:00 p.m., and 4:00 a.m. to 8:00 a.m. There shall be one trained security guard in the Kenton Hotel between the hours of 4:00 p.m. and 8:00 a.m. These security guards shall file with the City defendants incident reports on any incidents of violence or attempted violence occurring in the hotels.

(d) Showers shall be available at the Men's Shelter beginning at 7 a.m. and signs advising hotel residents of that fact shall be posted at the front desk in each hotel and at the door of each bathroom in each hotel. Persons showering at the Men's Shelter shall be provided adequate supervision (including safeguarding of personal property), a clean towel, soap and, if requested, a delousing agent.

(e) A lockable storage unit of adequate size to store personal property shall be available either at the Men's Shelter or at the hotels for each man sheltered by the City defendants at hotels.

(f) Heat shall be maintained in accordance with New York City guidelines for rental residences.

(g) Cleanliness shall be maintained throughout the hotels at all times.

#### Intake Centers

5. The City defendants shall accept applications for shelter at the Men's Shelter, 8 East Third Street, New York, New York and at 529 Eighth Avenue, New York, New York (the "central intake center"). Applications for shelter shall be accepted at all times at the Men's Shelter, and applications for shelter shall be accepted at 529 Eighth Avenue between the hours of 5:00 p.m. and 1:00 a.m., seven days per week. The City defendants shall provide direct transportation to shelter pursuant to paragraph 1, supra. The 529 Eighth Avenue intake center, shall be opened as a central intake center not later than September 1, 1981.

6. The City defendants shall operate additional satellite intake centers on a 24-hour basis Monday through Friday at the following locations:

(a) Harlem Hospital Center, 506 Lenox Avenue, New York, New York;

(b) King County Hospital Center, 451 Clarkson Avenue, Brooklyn, New York;

(c) Lincoln Hospital, 234 East 149th Street, Bronx, New York; and

(d) Queens Hospital Center, 82-69 164th Street, Jamaica, New York.

Men seeking shelter at the satellite intake centers shall be provided adequate fare for public transportation and clear written directions to either (i) a shelter facility, or (ii) a central intake center - according to the preference of the person seeking shelter. The City defendants shall provide direct transportation from the satellite intake centers to a shelter facility to all men who appear so physically or mentally disabled that they are unable to reach a shelter facility by public transportation. Satellite intake centers shall be opened not later than September 1, 1981. It is understood that the above satellite intake centers shall be operated in conjunction with borough crisis centers. In the event that the borough crisis center program is terminated, the City defendants may, in their discretion, reduce the hours of operation of the satellite intake centers to between 5 p.m. and 1 a.m.

7. The City defendants shall accept applications for shelter at shelter facilities providing that such applicants have applied for and have been found eligible for shelter by the City defendants within six months of the time of application at a shelter facility. Shelter facilities shall also provide shelter for one night to any person who has not previously applied for shelter who seeks shelter at a shelter facility after 8:00 p.m.

### Community Participation

8. Each shelter facility, central intake center and satellite intake center, shall utilize the services of available community members to the maximum reasonable extent. These persons are not City employees or volunteers in a City sponsored program within the meaning of section 50(k) of the General Municipal Law and such persons shall execute statements to this effect.

### Information

9. The City defendants shall provide applicants for shelter with clear written information concerning other public assistance benefits to which they may be entitled at the time applicants apply for shelter.

### Compliance Monitoring

10. Defendant Krauskopf shall appoint qualified employees with no administrative responsibility for providing shelter to monitor defendants' shelter care program for men with respect to compliance with this decree.. These employees shall visit each shelter facility, central intake center, satellite intake center and hotel at least twice a month and will submit to defendant Krauskopf a written report at least twice a month describing compliance or lack thereof with each provision of the decree. These reports shall be made available to plaintiffs' counsel upon reasonable notice.

11. Plaintiffs' representatives shall have full access to all shelter facilities, central intake centers and satellite intake centers, and plaintiffs' counsel shall be provided access to any records relevant to the enforcement and monitoring of this decree.

12. Defendant Krauskopf shall deliver by hand each day to plaintiffs' counsel a statement listing:

- (a) The number of men who applied for shelter at each central intake center and at each satellite intake center;
- (b) The number of men who were provided shelter at each shelter facility or hotel;
- (c) The number of men who were denied shelter at each shelter facility, central intake center and satellite intake center and the reason for each such denial;
- (d) The number of men who were accepted for shelter at each central intake center and satellite intake center who did not reach a shelter facility; and
- (e) The number of men who were provided direct transportation from each satellite intake center to a shelter facility.

13. It is the intention of defendant Krauskopf to conduct daily inspections of the Palace Hotel and to deliver reports of such inspections each day to plaintiffs. It is also the intention of defendant Krauskopf to conduct inspections of the other hotels used by defendants to shelter homeless men not less than three times per week and to deliver reports of such inspections not less than three times a week to plaintiffs' counsel. A sample of the inspection report form to be used is attached hereto as Exhibit C.

#### No Waivers

14. Nothing in this judgment permits any person, not-for-profit corporation, charitable organization, or governmental entity or subdivision to operate a shelter, as defined in New York Code of Rules and Regulations, Title 18, § 485.2(C), in violation of the requirements of the New York Social Services Law, Title 18, of the New York Code of Rules and Regulations, or any other applicable law.

15. Nothing in this judgment should operate or be construed as res judicata or collateral estoppel so as to foreclose any signatory party from any claim or defense in any subsequent administrative or judicial proceeding.

16. Nothing in this judgment shall be deemed to authorize or to prevent the operation by the New York City Human Resources Administration of the Keener Building on Wards Island as a shelter or shelter facility after October 15, 1981, except in accord with a valid contract or agreement among the New York State Department of Social Services, the New York State Office of Mental Health and the New York City Human Resources Agency and with an operating certificate issued by the New York State Department of Social Services.

17. The Commissioner of the New York State Department of Social Services agrees to reimburse the New York City Human Resources Agency for the operation of a shelter facility or shelter facilities referred to in this judgment pursuant to New York Social Services Law 153, except if such shelter facility fails to comply with the requirements for shelters contained in the New York Social Services Law or the New York Code of Rules and Regulations, Title 18; provided that nothing in this judgment can or does obligate the Legislature of the State of New York to appropriate funds.

18. Nothing in this judgment shall prevent, limit or otherwise interfere with the authority of the Commissioner of the New York State Department of Social Services to enforce and carry out her



duties under the New York Social Services Law, Title 18, of the New York Code of Rules and Regulations, or any other applicable law.

Continuing Jurisdiction

19. Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction, modification, or termination of this entire judgment or of any applicable provisions thereof, for the enforcement of compliance therewith, and for the punishment of violations thereof.

New York, New York  
August 1981

## Appendix A

### Space Requirements for Shelters for Adults

- (1) Every facility shall have space for dining and leisure activities.
- (2) Sleeping areas shall not be considered as dining or leisure areas.
- (3) Space provided for dining shall be:
  - (i) at least 120 square feet in facilities with a certified bed capacity of less than 10 beds;
  - (ii) at least 12 square feet for each additional certified bed.
- (4) Space provided for leisure areas shall be:
  - (i) at least 120 square feet in facilities with a certified bed capacity of less than 10 beds.
  - (ii) at least 12 square feet per bed in facilities with a certified bed capacity of 10 or more beds
- (5) When not in use, dining space may be used, with written approval from the New York State Department of Social Services ("Department"), as leisure space.
- (6) An operator may request Department approval of a waiver to reduce the square footage requirements for dining and leisure space. A waiver shall be granted only upon demonstration by the operator that the food service and the program needs of residents can be met.
- (7) Baths and Toilet Facilities  
There shall be a minimum of one toilet and one lavatory for each six residents and a minimum of one tub or shower for each ten residents.
- (8) Sleeping Rooms
  - (i) In single occupancy sleeping rooms, a minimum of 80 square feet per resident shall be provided;
  - (ii) In sleeping rooms for two or more residents, a minimum of 60 square feet per resident shall be provided;
  - (iii) A minimum of 3 feet, which is included in the per resident minima, shall be maintained between beds and for aisles;
  - (iv) Partitions separating sleeping areas from other areas shall be ceiling high and smoke tight;
  - (v) All bedrooms shall be:
    - (a) above grade level;
    - (b) adequately lighted;
    - (c) adequately ventilated;

- (vi) light and ventilation for bedrooms shall be by means of windows in an outside wall;
- (vii) bedrooms shall open directly into exit corridors;
- (viii) bedrooms may not be used as a passageway, corridor or access to other bedrooms.

(9) Adequate storage space for cleaning supplies and equipment shall be provided.

## Appendix B

Short term emergency shelter may be provided to a number of persons in excess of the capacity of the facility provided that all of the following conditions are met:

- (1) Snow emergencies, excessive cold or other similar circumstances create an emergency need for additional shelter space;
- (2) The operator is able to meet the food and shelter needs of all persons in residence;
- (3) The facility remains in compliance with applicable local building, fire protection and health and sanitation codes;
- (4) The operator advises plaintiffs' counsel of the maximum number of persons to be cared for during an emergency situation in any facility as soon as possible after an emergency situation develops;
- (5) The operator provides shelter to additional persons no more than 30 days in any calendar year; and
- (6) The operator maintains records which document adherence to these conditions.



TESTIMONY  
New York City Council  
Committee on General Welfare  
Oversight Hearing: An Examination of the Department of  
Homeless Services 90-day Review  
Thursday, April 21, 2016

Submitted by  
Michelle Jackson  
Associate Director and General Counsel  
Human Services Council of New York

Good afternoon, Chairman Levin and members of the New York City Council Committee on General Welfare. I am Michelle Jackson, Associate Director and General Counsel of the Human Services Council of New York ("HSC"). Thank you for organizing this hearing and for allowing us to testify regarding the challenges facing homeless shelters in City contracting. We deeply appreciate your continued leadership and partnership in addressing these issues. As you know, the City relies heavily on nonprofit organizations to deliver essential supports to New Yorkers affected by homelessness. These supports uplift communities across the City by empowering individuals to reach their full potential. Unfortunately, these organizations are increasingly strained by unfunded, burdensome mandates and chronic underinvestment.

HSC commends the City for its comprehensive assessment of the quality and effectiveness of the homeless services delivery system. This evaluation is an important acknowledgement that there are systemic problems that must be addressed. We also greatly appreciate the amount of feedback solicited from nonprofit partners during the 90-day review process, and we are pleased that providers concerns and suggestions were incorporated into report. For example, targeting services and rental assistance for youth in DYCD shelters and clients with mental health needs cycling between jail and homelessness (recommendations 7 and 8), enhancing domestic violence services (recommendation 13), and rationalizing shelter provider rates (recommendation 22), will all be important in fashioning a new way forward. In addition, the recent increase in the maintenance and repair budget (from \$37 million to \$54 million) announced by Human Resources Administration Commissioner Steven Banks shows that the Administration is listening to providers' concerns.

At the same time, we have serious concerns regarding the City's treatment of its nonprofit partners across City agencies. Namely:

- Contracts with nonprofit providers do not cover the full cost of services, and in particular, indirect costs are restricted to levels that have no basis in reality;
- Late payment on contracts creates significant cash flow challenges for providers;

- Contracts do not contain cost escalation clauses, ensuring that providers lose more and more money as business costs and regulatory burdens grow; and
- Notwithstanding the fiscal difficulties created by City contracting practices, providers are subjected to ever more stringent mandates that compromise service delivery and even result in punitive action.

As you know, the HSC Commission to Examine Nonprofit Human Services Organization Closures recently released a report and recommendations on New York's nonprofit human services sector.<sup>1</sup> Propelled to action by the sudden collapse of one of the City's largest human services organizations, the Commission explored the root causes of instability in the State and City's social services delivery system. The report identified the conditions above, among others, as factors contributing to the current state of the sector. The Commission's recommendations include the "right-sizing" of contract funding, timely payment, and the streamlining of mandates. We urge the Council to:

- Fund a 2.5 percent increase on the other than personal service portion of all City human services contracts immediately;
- Undertake a thorough review of actual human services reimbursement rates to develop an adequate funding structure;
- Hold City agencies accountable for timely payment of providers;
- Apply the federal cost principles (discussed below) to all contracts and funding sources; and
- Working with providers, undertake a comprehensive review existing mandates and enact legislation to relieve burdens and increase transparency.

## The true price of services includes indirect costs.

For many New Yorkers, the shelter system is a stepping stone to obtaining stable housing. Adequate funding of existing services would allow the programs currently serving New York's 58,000 homeless individuals<sup>2</sup> to succeed in moving people out of shelters and into permanent housing with the supports they need to avoid homelessness in the future. Unfortunately, chronic underfunding of service contracts has prevented shelters from fulfilling their potential. Currently there simply is not enough money in the City budget to meet the growing demand for shelter. In fact, recommendation number 22 of the 90-day review report is "Rationalizing Shelter Provider Rates."

A particularly troublesome component of the funding structure has been indirect costs. Research shows that "[o]rganizations that build robust infrastructure—which includes sturdy information technology systems, financial systems, skills training, fundraising processes, and other essential overhead—are more likely to succeed than those that do not."<sup>3</sup> Accordingly, funding for legitimate costs such as building maintenance, technology upgrades, salaries, and benefits should be built into contracts for all human services providers rather than hastily disbursed in reaction to conditions resulting from triaging limited resources. Without investment in their infrastructure, organizations cannot:

- Acquire, maintain, or modernize mission-critical facilities and equipment;

<sup>1</sup> New York Nonprofits in the Aftermath of FECS: A Call to Action.

<sup>2</sup> Review of Homeless Service Agencies and Programs. April 11, 2016.

<sup>3</sup> Ann Goggins Gregory and Don Howard, "The Nonprofit Starvation Cycle", *Stanford Social Innovation Review*, Fall 2009.

- Harness the power of technology to realize efficiencies;
- Provide training for staff to ensure high-quality service delivery;
- Pay living wages and provide career ladder opportunities to attract and retain qualified staff;
- Invest in public policy discussion, strategic planning, or innovation to ensure sustainability; or
- Expand services to meet growing need as inequality becomes amplified.

Currently, Department of Homeless Services (“DHS”) contracts include an indirect cost rate of 8.5 percent, despite the fact that rent alone may account for more than 8.5 percent of costs. A 2008 study by the Bridgespan group found that actual non-profit overhead rates for non-profits ranged from 17 to 35 percent.<sup>4</sup>

Furthermore, neither the City nor the State has articulated a policy or plan for complying with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Award<sup>5</sup> issued by the federal Office of Management and Budget (“OMB”) in 2013<sup>6</sup> to shelter contracts. Under the cost principles, a City or State agency that issues subawards of federal dollars to a nonprofit organization must:

- Pay an organization’s negotiated federal indirect cost rate if there is one, or if the organization does not have a federal rate<sup>7</sup>
- Pay a *de minimis* rate of 10 percent of the organization’s modified total direct costs (MTDC);<sup>8</sup> or
- Negotiate for a rate *based on the federal cost principles*.<sup>9</sup>

It is the agency’s responsibility to “[e]nsure that every subaward is clearly identified to the subrecipient as a subaward.”<sup>10</sup> The agency must also provide information such as the name of the federal program, the CFDA number and name, the name of the federal awarding agency,

<sup>4</sup> W. Bedsworth, A. G. Gregory, and D. Howard, *Nonprofit Overhead Costs: Breaking the Vicious Cycle of Misleading Reporting, Unrealistic Expectations, and Pressure to Conform* (The Bridgespan Group, April 2008).

<sup>5</sup> 2 C.F.R. Part 200.

<sup>6</sup> OMB and the federal award-making agencies published a joint interim final rule implementing the final guidance on December 19, 2014 (at 79 Federal Register 75871).

<sup>7</sup> 2 C.F.R. § 200.331(a)(4).

<sup>8</sup> 2 C.F.R. § 200.414(f). We note that OMB’s use of the term *de minimis* for a rate that is higher than the rates in most City contracts is telling. “MTDC” is defined as:

all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subawards and subcontracts up to the first \$25,000 of each subaward or subcontract (regardless of the period of performance of the subawards and subcontracts under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward and subcontract in excess of \$25,000.

<sup>9</sup> 2 C.F.R. § 200.68.

<sup>9</sup> 2 C.F.R. § 200.331(a)(4). The nonprofit organization, not the government agency, may choose whether to accept the *de minimis* rate or negotiate.

<sup>10</sup> 2 C.F.R. § 200.331(a).

the amount of federal funds obligated by the award to the subrecipient, and the indirect cost rate for the Federal award (including if the *de minimis* rate is charged).<sup>11</sup>

At a minimum, both the City and the State should be in compliance with these indirect cost mandates as they pertain to federal funds. A better outcome would be the application of the federal cost principles to all City contracts. Not only would this reduce the City's administrative burden by eliminating the existence of multiple indirect cost rates for a single contract (in the case where a contract is supported by both federal and State or City funds), but it would better position providers to recruit and retain qualified staff, maintain safe, sanitary facilities, use technology to enhance their services, and ultimately move more New Yorkers into permanent housing.

A current example of misguided indirect cost principles is the recently released requests for proposals ("RFPs") for the CareerAdvance and YouthPathways initiatives. The addenda for both of these RFPs limit reimbursement of fringe expenses to 25 percent, notwithstanding the fact that the City fringe rate is significantly higher. Not only is this restriction unfair and inconsistent with recommendation 22, but it essentially sets providers up to fail. If providers can request a higher rate and the cap does not impact scoring, then providing a cap in the RFP is arbitrary and only confuses providers.

It is imperative that the true cost of providing shelter be determined. This determination must address not only the cost of effective programming, but also the cost of retaining the employees who have become experts in working within the shelter system and with individuals facing complex problems. Staff turnover creates its own set of challenges for shelter functioning as continuity of relationships is so critical individuals affected by homelessness. By denying shelters the ability to adequately reimburse their employees for their work or support them with adequate benefits, the City prohibits the human services sector from being a competitive job market driving the economy.

We call on the Council to work with City agencies and providers to determine the real cost of high-quality human services delivery. We also urge you to hold City agencies accountable for complying with the federal cost principles referenced above and to extend those principles to all sources of funding. We acknowledge that overhauling reimbursement rates will take time, however. For this reason, we request that the Council include one-time funding in the budget for "Supporting Human Services Nonprofit Operations." This amounts to a 2.5 percent increase on the other than personal service portion of all City human services contracts.

### City agencies must pay on time.

Exceedingly slow contracting processes and late payments undermine the financial stability of nonprofit human services providers, which in turn compromises their ability to deliver consistent, high-quality services. Unfortunately, late payment is a rule rather than an exception. In New York City, it can take up to nine months for a contract to be registered, and providers often begin service delivery long before receiving their first payment. In effect, nonprofits must be prepared to give agencies an interest-free loan if they want to do business with the City or State. To cope with late payment, some organizations draw on reserves or lines of credit, which have become a luxury in the current funding environment. HSC strongly advises the Council to hold City agencies accountable for paying providers in a timely manner.

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<sup>11</sup> *Id.*



Late payment has an outsized impact on chronically underfunded nonprofit organizations, forcing them to take stopgap measures such as drawing on reserves (a luxury in today's climate) or borrowing money. CAMBA, a multi-service, multi-site human services provider that serves more than 35,000 individuals and families annually, testified before the Council Committee on Contracts earlier this month that it spends more than \$350,000 per year on a line of credit to cope with late payment by government. In effect, CAMBA and similarly situated providers are subsidizing services that government is legally obligated to provide.

## Cost Escalation

Rising costs are a stubborn reality. In light of unrelenting increases in rent, as well as in the cost of labor, utilities, health care and other types of insurance, it is unreasonable to hold a provider to the same level of funding for the life of a multiyear contract. Many DHS contracts have a term of nine years or more, but like other human services contracts, they provide no cost escalation adjustment. A survey of shelter providers conducted by Homeless Services United ("HSU") revealed that organizations annually see increasing costs for insurance from 10 to 20 percent and utilities from 4 to 6 percent while their DHS reimbursement rates remain flat. The continued tension between ensuring that the increasing homeless population is sheltered and that those shelters are in good condition—the perennial tension between quantity and quality—is a result of chronic underfunding in organizations in a climate of increasing costs.

Human services agreements should include cost escalation clauses that accommodate increases in the cost of doing business and/or allow for the surrender of contracts when they become unsustainable due to unforeseen circumstances. Of course, the idea of cost *escalation* presupposes appropriate payment in the first place. The nonprofit human services sector suffers from cash flow problems and chronic underfunding largely because government contracts and philanthropic grants rarely cover operating costs—and with government, payment is often late and unpredictable. Contracts must fully cover indirect costs such as information technology, compliance, building maintenance, program evaluation, accounting, human resources, and employee training—and payments must be timely and reliable to avoid further destabilization of the sector.

## Regulatory burdens must be streamlined.

Shelters are held to safety and sanitation standards, as they should be, but as discussed above, their contracts do not cover the costs of meeting these standards. When a nonprofit scandal garners media attention, the tendency of government is to create more mandates rather than to examine what caused the scandal. As a result, nonprofits are subject to lengthy disclosure of sensitive, redundant, and in many cases irrelevant information through systems and forms such as VENDEX and the City's cost-of-living adjustment process.<sup>12</sup> They are threatened with contract revocation and shutdown, as we saw earlier this year, and their contract registration is delayed, as we saw last year. Of course, none of these punitive actions deters fraud or mismanagement. They certainly do not result in more or better housing. At the end of the day, the homeless are the ones being punished.

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<sup>12</sup> The implementation of last year's City cost-of-living adjustment ("COLA") has been slow and tedious. The COLA took effect on July 1, 2015, but most covered providers are still waiting for their increase. Additionally, the spreadsheet that providers were required to complete was time-consuming and confusing, and duplicious of information already reported pursuant to contracts. Furthermore, while the City took months to articulate an implementation plan, providers were given only eight days to complete and submit a "one-size-fits-all" form that did not fit all providers.

Audits are another example of mandates that arise from good intentions but disproportionately burden providers without deterring bad behavior. Large nonprofit organizations undergo *hundreds* of audits each year, and yet red flags still go unnoticed until irreparable damage has been done. At the same time, duplicative, unfunded mandates divert resources from program delivery and hamper investment in infrastructure and administration.

Performance-based contracts are yet another example of good intentions yielding bad results. These types of contracts sound ideal because they are intended to incentive positive service outcomes, but often they set organizations—particularly small ones—up for failure. The metrics are often completely untested, developed without any research or input from providers and bearing no relation to actual lessons learned. The funding structure rarely covers the cost of the work involved, and organizations are given no allowance for outcome tracking and compliance. Finally, most of the funding is severely restricted so that rather than rewarding optimal service outcomes, performance-based contracts in many cases create greater need for philanthropic dollars.

The City Council and the Administration must work with the human services sector to identify ineffective oversight processes and replace them with meaningful government oversight approaches that ensure that providers are financially and programmatically responsible.

## Rental Assistance

In the 90-day review report the City concedes that growing economic inequality is a marked contributor to the surge in homelessness. The City also acknowledges that the evisceration of rental assistance programs in 2011 has exacerbated the problem. As the HSC Commission noted in its report, these cuts have left shelters with the near impossible task of connecting individuals ineligible for the benefit to permanent housing in the time allotted in their contracts.

The 90-day report also addresses the need to expand rental assistance programs to certain populations, such as youth and those with chronic mental illness. These are important benefit expansions, but do not obviate the need for functioning shelters for the many individuals in danger of homelessness who are not eligible for rental assistance.

## Conclusion

The 90-day review is an important first step in identifying weaknesses in the shelter system and addressing their underlying causes. All human services could benefit from this type of comprehensive review. HSC emphasizes the financial and regulatory components of the review because, if unaddressed, they will continue to pose problems for the system in spite of other reforms. HSC urges the Council to provide additional funding for services in the short-run while working with providers to develop a long-term funding strategy that reflects the true cost of services and allows for adjustment over the course of a contract. We also stress the need for regulatory reform so that providers can commit fewer resources to checking boxes and more resources to helping New Yorkers get on their feet. We look forward to working with you to make these important changes.

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Testimony of

Stephanie Gendell, Esq.  
Associate Executive Director  
For Policy and Government Relations  
Citizens' Committee for Children

Before the

New York City Council  
General Welfare Committee

*Oversight Hearing: An Examination of the Department of Homeless Services' 90-Day Review*

April 21, 2016

Good afternoon. My name is Stephanie Gendell and I am the Associate Executive Director for Policy and Government Relations at Citizens' Committee for Children of New York (CCC). CCC is a 72-year-old independent, multi-issue child advocacy organization dedicated to ensuring every New York child is healthy, housed, educated and safe.

I would like to thank General Welfare Chair Stephen Levin and the members of the General Welfare Committee for holding today's oversight hearing on the Department of Homeless Services' 90-Day Review. CCC also appreciates the efforts the City Council has made to provide both meaningful oversight and assistance to address the homelessness crisis in New York City.

Given the historic levels of homelessness and the numerous challenges homeless children and their families have been facing, CCC also appreciates the de Blasio administration's attention to this issue. We hope that the 90-day review conducted and recommendations will ultimately help to prevent homelessness, improve the transition of homeless families to permanent housing, and ensure the safety and well-being of homeless children and their families.

We know that housing instability causes stress and trauma for families and children and that there historic numbers of children living in the shelter system. It is therefore critical that as a City we take measures to ensure the safety of these children and to ensure programs and services are available to address the needs of these vulnerable families.

The 90-day review came at a time of nearly unprecedented homelessness. As of April 18, 2016, there were over 12,000 families with nearly 23,000 children living in the DHS shelter system.<sup>1</sup> In total, there were 57,921 individuals in the DHS shelter system.<sup>2</sup> Several recent reports and investigations have documented what many advocates and homeless New Yorkers have known for some time—many of the shelter sites are not safe places for adults, let alone children.

According to the administration, the City's 90-day comprehensive operational review of NYC's homeless programs was to "ensure homeless services are delivered as efficiently and effectively as possible in order to prevent, reduce and manage homelessness." There are many parts of this newly released plan that we believe will benefit children and families and we look forward to seeing the recommendations funded and implemented.

Two key components of the plan include implementing an integrated management structure with DHS and HRA reporting to a single Commissioner of Social Services and creating an Interagency Homelessness Accountability Council reporting to the Deputy Mayor for Health and Human Services. We look forward to learning more about the new management structure and leadership, as this will be critical to success. In addition, we are very pleased with the creation of the Interagency Council and hope that this structure will help lead to strategic resolutions of the numerous interagency issues that impact homeless children, families and adults.

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<sup>1</sup> According to the Department of Homeless Services Daily Report, on April 18, 2016 there were 12,261 families with 22,805 children in the shelter system. <http://www1.nyc.gov/assets/dhs/downloads/pdf/dailyreport.pdf>

<sup>2</sup> Id.

There are two key issues that must form the backbone of efforts to address family homelessness: the availability of affordable housing and mitigating the impact of homelessness on children.

1) Affordable Housing:

As it relates to affordable housing, data has shown that median household income has not been able to keep up with median rent. This is particularly true in some of the City's struggling neighborhoods. For example, in University Heights in the Bronx, median monthly rent increased 14.3% from 2005 to 2014, while median income decreased 12%.<sup>3</sup>

Addressing the affordable housing crisis is critical to addressing homelessness. The City has begun to take steps, including the commitment to a new affordable housing plan and the creation of additional supportive housing. It is critical that the state and the city be partners in this effort and we urge the state to create a New York/NY IV plan to coordinate state and city efforts to increase supportive housing.

2) Impact of Family Homelessness on Children

The data and research on the experiences of homeless children paint a disturbing picture regarding the well-being of the record numbers of homeless children, even in the best of circumstances. Homelessness creates risks to the physical and emotional well-being and educational success of children.

For example, children experiencing homelessness have an increased risk of illness compared to children who are not homeless: they suffer from four times as many respiratory infections, five times as many gastrointestinal infections, and twice as many ear infections.<sup>4</sup> Additionally, they are four times as likely to suffer from asthma and have high rates of asthma-related hospitalizations.<sup>5</sup> Homeless children also suffer disproportionately from food insecurity, as they are twice as likely to go hungry as non-homeless children, and, due to these nutritional deficiencies they are at an increased risk of obesity.<sup>6</sup>

Being homeless has also been demonstrated to be harmful to children's emotional well-being. Homelessness causes traumatic disruptions in the lives of children, who, in addition to losing their homes, experience loss of their friends and community, sense of security, routines, possessions, and privacy.<sup>7</sup> Homelessness also makes families more vulnerable to other forms of trauma, such as witnessing violence, physical or sexual assault, and abrupt separation from family members.<sup>8</sup> As a result, homelessness increases a child's risk of experiencing mental illness. For example, half of school-age homeless children experience

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<sup>3</sup> Citizens' Committee for Children, Using KT Online to Understand Housing Instability in High-Risk Communities. March 7, 2016. <http://www.cccnewyork.org/blog/using-kt-online-to-understand-housing-instability-in-high-risk-communities/>

<sup>4</sup> The National Center on Family Homeless, The Characteristics and Needs of Families Experiencing Homelessness, Dec. 2011. Available at: <http://www.familyhomelessness.org/media/306.pdf>.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> The National Child Traumatic Stress Network, Facts on Trauma and Homeless Children, 2005, at page 2. Available at:

[http://www.nctsn.org/nctsn\\_assets/pdfs/promising\\_practices/Facts\\_on\\_Trauma\\_and\\_Homeless\\_Children.pdf](http://www.nctsn.org/nctsn_assets/pdfs/promising_practices/Facts_on_Trauma_and_Homeless_Children.pdf)

<sup>8</sup> *Id.*

anxiety, depression, or withdrawal, compared to 18 percent of children who are not homeless, and one in three homeless children ages eight and under suffers from a major mental disorder.<sup>9</sup>

The impact of homelessness can also be devastating to a child's education because it often causes disruptions that impact their attendance and academic performance. Nationally, only 77 percent of homeless children attend school regularly.<sup>10</sup> While the attendance rate for children in New York City shelters is higher, at 84.5 percent,<sup>11</sup> this is still insufficient to meet the Department of Education's 90 percent attendance requirement for promotion.<sup>12</sup> Additionally, homeless children are twice as likely to repeat a grade compared to non-homeless children.<sup>13</sup> Only 51.8% of families in the City's shelter system are placed in a shelter in the school district where the youngest child attends school.<sup>14</sup>

### Key Components of the City's Plan

The City's plan includes a number of key programmatic reforms that we were very pleased to see. These include:

#### Prevention:

- Expanding HomeBase staffing and services.
- Developing an intake model that builds on Homebase and enables families to obtain services within their borough rather than needing to go to PATH.
- Using data to proactively target prevention services for families at risk of becoming homeless.
- Targeting outreach to doubled-up families with school-aged children through a model where HRA and DOE will work together.
- Target services and rental assistance to youth in DYCD shelters. Expand eligibility criteria for the City's rental assistance programs to youth living in DYCD youth shelters who are at risk of entering DHS shelters.

#### Shelter safety:

- Deploying an NYPD management team to help DHS develop an action plan to upgrade shelter security.
- Expanding domestic violence services to Tier II family shelters.
- Implementing a more extensive reporting system for critical incidents in shelters.
- Phasing out the use of cluster sites and commercial hotels.
- Rationalizing shelter provider rates so that they have funds for maintenance.

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<sup>9</sup> *Id.*

<sup>10</sup> National Coalition for the Homeless, Education of Homeless Children and Youth, Sept. 2009, at page 1. Available at: <http://www.nationalhomeless.org/factsheets/education.pdf>

<sup>11</sup> New York City Mayor's Preliminary Management Report FY 2016, Department of Homeless Services, at 171. <http://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2016/dhs.pdf>.

<sup>12</sup> New York City Department of Education, Regulation of the Chancellor. Available at:

<http://schools.nyc.gov/NR/rdonlyres/DB08E4BD-DE50-4D96-87FF-9260B3C1AB4D/0/A501.pdf>

<sup>13</sup> The National Child Traumatic Stress Network, Facts on Trauma and Homeless Children, *supra*, note 9.

<sup>14</sup> New York City Mayor's Preliminary Management Report FY 2016, Department of Homeless Services, at 171. <http://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2016/dhs.pdf>.

- Expanding the shelter conditions complaint process through HRA's Infoline.

#### Rehousing:

- Developing a centralized reporting structure to promote move outs.
- Continuing to place 1,500 DHS families on the NYCHA waiting into vacancies. (Note: The City may want to consider increasing this number).
- Consolidating and streamlining the City's rental assistance programs. (We believe this will be very valuable given the sheer number of programs now available.)
- Implementing a more effective aftercare program.

We respectfully submit the following recommendations that we hope the administration will consider as it works to implement reforms to the City's homeless services system.

#### **1) Prevent Family Homelessness by Enhancing the Child Welfare Housing Subsidy**

The best way to reduce the number of families in the shelter system, and eliminate the trauma homelessness causes children, is to prevent families from becoming homeless in the first place. We appreciate the de Blasio administration's investment in prevention programs, including HomeBase, rental assistance programs and legal services to prevent eviction.

The City should also support legislation pending in the State Assembly, A7756A (Hevesi), which would increase the child welfare housing subsidy from \$300 to \$600 (which the City supports), extend the age from 21 to 24 for youth aging out, and ensure youth can have roommates and still receive subsidy. This would prevent homelessness at a fraction of the cost of shelter—these child welfare services are supported with 62% state funding and 38% local funding. CCC appreciates the City Council including their support for this legislation in their state legislative priorities.

#### **2) Expedite the elimination of cluster sites for children and their families:**

The expansion of cluster site shelters was an unfortunate result of New York City's record homelessness. Cluster sites provide less access to the services that help families move out of shelter faster. Unlike conventional Tier II shelters, which generally provide services such as case management and housing search assistance onsite, families in cluster site shelters often must obtain services offsite. This can pose additional obstacles for homeless families, especially for those who work long or irregular hours, or who must accompany their children on long commutes to their schools.

In addition, creating new cluster sites is an inefficient response to the City's increase in homelessness because it does not confront the underlying reasons behind the crisis, which is the high cost of housing in New York City relative to what low-income families can afford, and the lack of programs to assist homeless families in their moves out of the shelter system.

And most concerning, the information we have seen to date indicates that both the shelter conditions and the safety to children suffers when families are placed in cluster sites. In a March 2015 report, DOI reported that it inspected 25 Tier II shelters, hotels and cluster sites

and found 621 City issued violations.<sup>15</sup> They determined that cluster sites are in need of the most immediate action and were unsafe and unhealthy. Some of the violations include seeing a dead rat in an apartment where children live, roaches throughout buildings, garbage in the stairs and hallway, urine on the floor of an elevator, lax security, and lack of an onsite caseworker.”<sup>16</sup>

While the newly released plan includes phasing out cluster sites over the next three years, we urge the administration to expedite this timeline and ensure that these sites are safe in the meantime.

**3) Increase the Investment in Services that Keep Children Safe and Address Trauma**

Entering and exiting shelter is traumatic and stressful to both parents and their children. We encourage the City to invest in services that are targeted to families in shelter, aimed at reducing stress, addressing trauma, and thereby preventing abuse, neglect and mental health issues.

This will likely require the City to invest in additional family support programs, including child care, after-school, summer camp, mental health services and medical services for families in the shelter system.

This is important not only while families are in shelter but also when they leave shelter. For some parents, being in shelter for over a year provided the most housing stability that they have ever had. Leaving this community to live in perhaps a new community, with the stress of needing to pay rent and maintain housing, can be difficult for families and thus warrant additional preventive services.

**4) Ensure Homeless Children Have Access to Child Care**

The relatively new federal reauthorization of the Child Care Development Block Grant made being homeless a priority group for receiving subsidized child care. The federal government recognized the benefits to both the children and the parents that child care could provide for these families. We urge the City to invest resources into ensuring homeless children are enrolled in child care programs, particularly EarlyLearn, by using the same deliberate system it has put in place to ensure homeless 4-year olds are enrolled in prekindergarten.

**5) Be Transparent**

A key to successful implementation of the new management structure, programmatic enhances and services will be transparency. New Yorkers will need to be able to know which programs are successful, which need additional funding, what and how many critical incidents are still occurring, how shelter repairs are being addressed, etc. We urge the administration to be as transparent as possible.

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<sup>15</sup> New York City Department of Investigation Probe of Department of Homeless Services' Shelters for Families with Children Finds Serious Deficiencies, March 2015. Available at:

<http://www.nytimes.com/interactive/2015/03/12/nyregion/report-on-violations-in-homeless-shelters.html>

<sup>16</sup> *Id.*



**6) The State Must Play an Important Role**

Finally, it is critical that the State and the City are true partners in addressing the homelessness crisis. We are urging the state to create a New York/NY IV agreement, to be a partner in addressing shelter conditions, to approve the City's FEPS plan modifications, to pay a fair share for homeless prevention, shelter and rehousing services, and to increase the shelter allowance.

Thank you for the opportunity to testify.

## Alexander Horwitz: Testimony on HRA/DHS Restructure

Good morning. Thank you to the City Council, Committee Chair Levin, and the members for allowing me to testify on behalf of The Doe Fund. And I will express my gratitude by being brief today.

The Doe Fund endorses the city's 90-day review effort, the restructure of HRA and DHS under Commissioner banks, and we believe that many of the 64 points will help improve the way we serve New Yorkers in need.

But instead of getting into the minutiae of where we agree or disagree on each of these reforms, I'd like to talk about what a

change like this means in a larger context, from a provider's perspective.

For twenty-five years, as long as DHS has existed as a separate city agency, The Doe Fund has served men with long histories of homelessness and incarceration. We have conveyed tens of thousands of men back— from the streets, from prison cells— back to their communities, to their families...to productive, whole, working lives.

That's no small feat. We've accomplished it through a unique combination of services: paid work, economic opportunity, holistic social services, education. In order to make the promise we've made for almost thirty years— the promise that,

if you come to see us today, you can go to work today, we have had to work around and through some very high, very thick walls built around our city's services, agencies, and administrative bodies.

This review and restructure is the first time those walls— those silos of services— have come down— even an inch.

We believe that this change is a key first step in transforming the landscape of services for New Yorkers in need and a move towards what we know works: an integrated, holistic, continuum of care. One that doesn't just get people into housing, but restores their lives, their self-sufficiency; driving down homelessness, poverty, and recidivism, along the way.

Homelessness is not a disease, with a single cure. It is an outcome, with diverse and complex causes. Providing simply a roof over a person's head doesn't address the roots of the problem anymore than SNAP benefits address the roots of food insecurity. Are these important, ESSENTIAL emergency interventions? Of course they are.

Can a single agency, or a single benefit for that matter, truly uplift these lives and solve these problems fundamentally? No, they cannot.

We serve lives in transition. And lives in transition are difficult. They're messy. They're complicated. Most of all, they are

painful. A holistic approach is the only way forward. And I can assure everyone that the administrative barriers between services mean nothing to those on the receiving end of the help we are compelled— we are morally bound— to provide. They are only barriers.

I'd like to share just one example of how these separations have fueled this thirty year crisis, instead of solving it.

The city has had success in addressing family homelessness this year. In fact, those numbers have leveled, thank goodness. But the single adult population continues to rise.

Both groups are homeless. But that is where the similarities end.

One important driver for single adult homelessness which has not been discussed is incarceration. In fact, we believe— we know— that the same kind of lifelong economic deprivation that traditionally led to the streets, now leads to a prison cell for thousands and thousands of poor New Yorkers.

The State of New York estimates that some 2,000 men a year are paroled from correctional facilities into homelessness. INTO HOMELESSNESS.

They can't be served through mediation with landlords. They can't be warehoused into self-sufficiency. And this pipeline, one that takes young New Yorkers out of their neighborhoods, isolates them in a traumatic, violent criminal justice system, and spits them into the streets— must be addressed if we wish to stem this crisis for the current generation and for their children.

That will only be possible if we lower the walls between our city's services, agencies, and providers. This restructure is the first step towards exactly that.

And if we truly wish to end this crisis, once and for all, and stop the generational cycles of poverty, homelessness,



incarceration, and deprivation...our success depends entirely on how closely we're willing to work together: Government and citizen, representative and constituent, and agency to agency.

Thank you very much.

**Testimony to the General Welfare Committee, April 21, 2016**  
**Muzzy Rosenblatt, Executive Director, BRC**

Good morning,

My name is Muzzy Rosenblatt and I am the Executive Director of BRC, the Bowery Residents' Committee, one of New York City's largest and most effective nonprofits serving the needs of homeless individuals. Through a broad continuum of 27 programs, we provide men and women in crisis the opportunity to transform their lives and achieve their potential. BRC provides outreach to the unsheltered homeless in the subways, operates over 250 Safe Haven and Stabilization beds for the chronically homeless, has over 700 shelter beds, and manages over 500 units of supportive housing. In fiscal year 2015, our outreach teams made over 3,500 placements, and over 1,000 individuals left our transitional housing programs for more independent living. As a results-

driven organization, we look at data to evaluate what works, and we use the funds we receive wisely, efficiently and effectively to get results for the people we serve, and those that fund us to do so.

It is with this commitment to effectively serving our clients, our work and our City, that I appear today to applaud Mayor de Blasio for taking decisive action to address the needs of homeless New Yorkers. The reforms proposed by Commissioner Banks and Deputy Mayor Shorris and adopted by the Mayor, are significant and will bring needed reforms and enhancements to the shelter system. They recognize both the need for additional resources and the need for better management of how these resources and existing resources are deployed.

Notably, this plan invests in models that have proven effective. It expands Home Base prevention services to keep people out of shelter; increases Safe Haven capacity – an innovative and successful model to serve the unsheltered homeless that BRC created in 2006; provides more professional staff for shelters; and will create 15,000 units of permanent supportive housing. It also has a clear and needed focus on accountability. This strategy acknowledges that not all shelters and shelter providers are the same; there are great shelters run by great providers who are getting results, and shelters that are not great and not getting the job done. This plan demands that the quality of care, the safety of the environment, and the ability to perform be factors in determining whether or not someone is funded. Finally, it acknowledges the need to make the administrative systems that are critical to the

success of these efforts, streamlining processes such as how clients apply for housing, as well as making the procurement and budgeting process more rationale and efficient.

Of course, a plan of action is only as great as the general in whose charge it is placed, and I further applaud the mayor in his decision to place responsibility for the success of this effort in the hands of Steve Banks. Both he and I have spent over 25 years working to improve the City's services to homeless New Yorkers, first as legal adversaries, when he was with Legal Aid and I was with the City, and more recently as partners in service to our City's most vulnerable. I know that Steve Banks brings the necessary experience, wisdom, insight and tenacity to see this effort through with success.

For these reasons, I am confident that this comprehensive and integrated strategy will improve outcomes for the people and the City we serve.

Thank for your time, attention and concern.

Testimony of  
Coalition for the Homeless  
And  
The Legal Aid Society

On

Oversight: An Examination of the Department of Homeless Services 90-day Review

Presented before

The New York City Council  
Committee on General Welfare  
Committee on Public Safety

Giselle Routhier  
Policy Director  
Coalition for the Homeless

Joshua Goldfein  
Staff Attorney  
The Legal Aid Society  
Homeless Rights Project

April 21, 2016

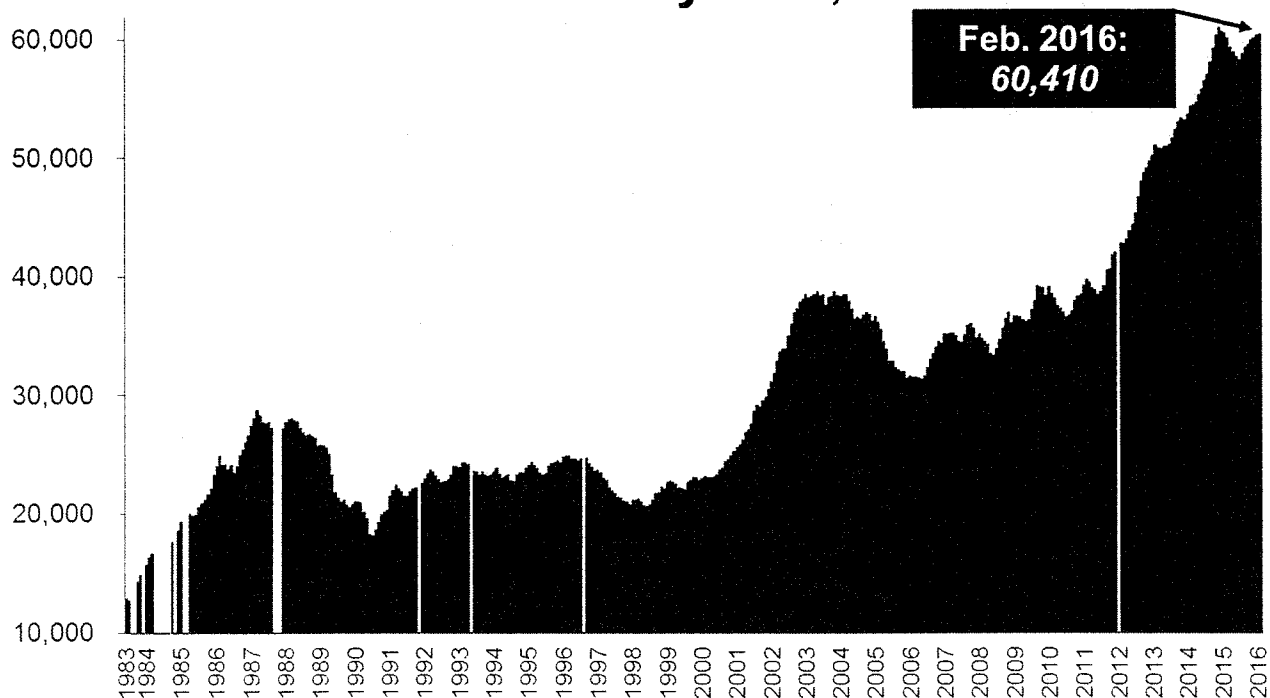
The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council Committee on General Welfare regarding the Department of Homeless Services 90-day review.

### **Background: The Homeless Shelter System in New York City**

Homelessness in New York City remains at near-record levels, with over 60,400 people sleeping each night in the City's municipal shelter system including nearly 24,000 children and a record 14,300 single adults. Between 2006 and 2014, the number of homeless men, women, and children increased by 93 percent, fueled by the removal of all permanent housing resources in 2011 and the ongoing affordable housing crisis. Following initial changes put in place by the de Blasio administration and a return to a focus on housing-based solutions, the state of homelessness over the past year has shown positive improvements in some areas and a need for further investment in others. Specifically, while a series of new rental assistance and eviction prevention subsidies have shown promise in leveling the catastrophic increases in homelessness among families with vulnerable children, the de Blasio administration's efforts to address the growing crisis for single adults and those living on the streets have, to date, been less successful.

The Mayor's recent announcement of system-wide changes to be made following a 90-day review of homeless services acknowledges that problems have plagued the shelter system for many years and affirms this administration's commitment to proven-effective solutions. The proposed changes focus on key areas of concern for many homeless New Yorkers, including homelessness prevention, shelter conditions and safety, and access to permanent affordable housing.

## **Number of Homeless People Each Night in the NYC Shelter System, 1983-2016**



Source: NYC Department of Homeless Services and Human Resources Administration and NYCStat shelter census reports



## **90-Day Review and Proposed Reforms**

Last week, the Mayor announced the results of the 90-day review of homeless service provision that was initiated in December. The results pointed to the need for reforms in many areas and proposed actions targeting both structural and programmatic deficiencies. The main structural change proposed will integrate management systems for DHS and HRA. This reform is intended to improve communication and streamline service delivery for homeless individuals and families who access benefits and services from both agencies. Additionally, the proposed Interagency Homelessness Accountability Council will bring in representatives from other key agencies, including NYCHA and HPD, who play a vital role in providing permanent housing resources for homeless families and individuals.

Programmatic reforms include changes to prevention services, street homeless outreach, shelter conditions, and rehousing programs. Many of these reforms will address significant obstacles experienced by homeless New Yorkers over the past several years, with particular emphasis on shelter safety and greater access to permanent affordable housing.

A few important changes should be noted specifically:

- Aligning eligibility procedures for adult families with those for families with children will remove excessive bureaucratic barriers adult families too often face when attempting to access life-saving shelter, as many have disabilities.
- Rescinding the requirement that children of applicant families be physically present at PATH for multiple intake-related appointments is a significant step in the right direction and will help homeless youngsters avoid missing an inordinate amount of school. However, removing children from school even for the family's initial application interview (which typically takes several hours) is unnecessary. We strongly urge the City to remove that barrier as well.
- The City has also proposed joint task forces with the State to help address myriad concerns regarding discharges from prisons and jails to shelter – as well as improving mental health service delivery for every homeless person in our city. We believe the improved communication and better-quality services resulting from these efforts will prove critical to addressing major systemic problems which have plagued the single adult shelters for literally decades. We urge the State to work cooperatively with the City in these efforts.

Despite the historic and wide-ranging effect of these proposed reforms, there are still actions the City can take to improve upon the work it has begun. As Coalition for the Homeless noted in its most recent State of the Homeless Report (released last week), housing-based solutions are the cornerstone to ending this unprecedented crisis and absolutely MUST be our top priority. The good news is that family homelessness in NYC has begun to level off – thanks to the administration's sensible utilization of NYCHA public housing units for homeless families. Building upon this recent success, it is imperative that the administration increase the NYCHA public housing allotment directed towards homeless families from 1,500 to 2,500 units per year, and in addition, make 2,500 placements utilizing Section 8 and HPD units in the coming Fiscal Year.

To address homelessness among single adults, – which is not only at record rates, but unlike the trend in family homelessness, continues to increase monthly – the City must work to open additional units of supportive housing as quickly as possible. Specifically, bringing online several hundred scattered site supportive housing units, will allow us to make quick progress in permanently ending the suffering of homeless men and women with profound psychiatric and physical impairments – those bedding down tonight in congregate shelters, as well as those languishing on our streets.

We also need to highlight that budget bills released following Governor Cuomo’s stirring State of the State address do not reflect the urgency of his words. Most troubling, there is scant detail accompanying the Governor’s budget bills, which lock in funding for the State’s share of housing for our mentally-ill neighbors. Put simply, it appears that we may be forced to wait three long years before a single unit of newly-funded supportive housing units from New York State are built and opened to ameliorate the suffering we see each day on our city’s streets. Governor Cuomo must designate significant resources immediately to underwrite scattered site units of supportive housing and must move with all due speed to reach closure on the MOU with the New York State legislature, which he specifically stipulated in relevant budget bills.

We commend the de Blasio administration for taking these long-awaited steps critical to ending the nightmare of homelessness among New Yorkers by enacting a more compassionate, humane, and – perhaps most important – effective service delivery system for our neighbors in greatest need. We look forward to continuing to advocate for the speedy implementation of these goals in the coming months.

Thank you for the opportunity to testify and we look forward to working with the Council towards our mutual effort to end homelessness in New York City.

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### **About the Coalition and The Legal Aid Society**

**Coalition for the Homeless:** Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which now continues past its third decade. The Coalition also protects the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term solutions and include: supportive housing for families and individuals living with AIDS; job-training for homeless and formerly-homeless women; and permanent housing for formerly-homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition’s mobile soup kitchen distributes over 900 nutritious meals each night to homeless and hungry New Yorkers across the streets of Manhattan and the Bronx. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs,

assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms and money for medications and groceries.

The Coalition was founded around the effort to bring the landmark litigation on behalf of homeless men and women in Callahan v. Carey and Eldredge v. Koch and remains a plaintiff in these now consolidated cases. In 1981 the City and State entered into a consent decree in Callahan through which they agreed that, “The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter.” The Eldredge case extended this legal requirement to homeless single women. The Callahan consent decree and the Eldredge case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless adults.

The Legal Aid Society: The Legal Aid Society, the nation’s oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal and juvenile rights matters, while also fighting for legal reform.

The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 1,100 lawyers, working with some 800 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society’s legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society’s Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society’s unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society’s law reform representation for clients benefits more than 1.7 million low-income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the Callahan and Eldredge cases. The Legal Aid Society is also counsel in the McCain/Boston litigation in which a final judgment requires the provision of lawful shelter to homeless families.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 4-21-16

(PLEASE PRINT)

Name: TERRY GRACE

Address: 530 E 76<sup>TH</sup> ST NY 10021

I represent: ST. JAMES' / MADISON AVE SHELTER

Address: 921 MAD. AVE NYC 10021

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

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Name: Catherine Trapani

Address: \_\_\_\_\_

I represent: New Destiny Housing

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 4/21/16

(PLEASE PRINT)

Name: James Butler (L E FSA)

Address: 45 E 126<sup>TH</sup> ST. NY, NY 10038

I represent: Life Experience and Faith Sharing

Address: 45 E 126<sup>TH</sup> ST NY, NY

Please complete this card and return to the Sergeant-at-Arms

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THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Giselle Pouthier & Josh Goldfein

Address: \_\_\_\_\_

I represent: Coalition for the Homeless & Legal Aid

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

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Name: Doug Apple

Address: \_\_\_\_\_

I represent: Samahon Village

Address: \_\_\_\_\_

**THE COUNCIL  
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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Muzzy Rosenblatt

Address: \_\_\_\_\_

I represent: Bowery Residents Committee

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sally Greenspan

Address: 1 Whitehall St

I represent: Enterprise Community Partners

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Wendy O'Shields

Address: 78 Catherine Street NY, NY 10038

I represent: Safety Net Activists

Address: 46 Rector Street NY, NY 1004

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 4/21/2016

(PLEASE PRINT)

Name: Joan Montbach

Address: \_\_\_\_\_

I represent: Homeless Services United

Address: 446 West 33<sup>rd</sup> Street

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THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michelle Jackson

Address: \_\_\_\_\_

I represent: Human Services Council

Address: 130 East 59th Street NYC NY

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THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Deborah Dickerson

Address: 9327 Kings Highway

I represent: Safety Net Activist

Address: 40 Rector St, N.Y.C.

**THE COUNCIL  
THE CITY OF NEW YORK**

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I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Alexander Horowitz

Address: 737 E 84th St

I represent: The Doe Fund

Address: 732 E 84th St

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THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Stephane Gendell

Address: \_\_\_\_\_

I represent: Citizens' Committee for Children

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Commissioner Steven Banks

Address: \_\_\_\_\_

I represent: DSC / HRA / DHS

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 04/21/16

(PLEASE PRINT)

Name: Rajsa Rodriguez

Address: \_\_\_\_\_

I represent: Women In Need (WIN)

Address: 90-day review

Please complete this card and return to the Sergeant-at-Arms