



Legislation Text

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Int. No. 1529

By Council Members Vacca, Johnson, and Salamanca (at the request of the Bronx Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to the phase-out of existing cluster sites

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-317 to read as follows:

§ 21-317 Cluster sites phase-out. a. For the purposes of this section, the following terms have the following meanings:

Cluster site. The term “cluster site” means an individual unit, which is being utilized as shelter for a homeless family, within a private building.

Homeless family. The term “homeless family” means a family containing adults and children under the age of 21 residing in a shelter.

Shelter. The term “shelter” means a building, or individual units within a building, being utilized by the department or a provider under contract or similar agreement with the department to provide temporary emergency housing.

b. The department shall develop a plan to phase-out the use of cluster sites in operation as of the date of the local law that added this section. Such plan shall establish metrics to assess whether existing cluster sites should (i) be converted for use as permanent housing for the homeless family residing in the cluster site, or another homeless family, (ii) be converted to a stand-alone shelter for homeless families, or (iii) no longer be used by the department as shelter or as permanent housing for a homeless family. No later than September 1,

2017, the department shall submit to the Council and post on its website the metrics used to develop the plan to phase-out the use of cluster sites as shelter. Such metrics shall include, but not be limited to the following: (i) the condition of the cluster site, (ii) whether the owner of the building and the provider under contract or similar agreement with the department to operate the cluster sites within such building have cooperated with the department in maintaining the cluster sites, (iii) whether the cluster site is rent regulated, and (iv) whether the homeless families residing in the cluster sites have expressed an interest in remaining in the cluster site as tenants.

c. The department shall submit to the speaker of the council and post on its website quarterly reports on the progress of phasing-out cluster sites in operation as of the date of the local law that added this section. The first such report shall be posted no later than 30 days following the end of the calendar quarter covering October 1, 2017 to December 31, 2017, and all subsequent reports shall be due 30 days following the last day of each succeeding calendar quarter, until such time that no such cluster sites are in operation. The information in such reports shall be disaggregated by each building that contains a cluster site unit. If any information required pursuant to this section varies by cluster site within the same building, such information shall be further disaggregated by cluster site or groups of cluster sites within such building. Such reports shall include but not be limited to the following information:

1. The number of cluster sites in the building and the total number of units in the building.
2. The owner of the building and the provider under contract or similar agreement with the department to operate the cluster sites within such building.
3. The number of times the building was inspected by the department, the department of housing preservation and development, the department of buildings or the fire department during the reporting period.
4. Whether any legal actions were initiated against the owner of the building or provider operating the cluster sites within such building.
5. Whether any repairs were made pursuant to section 21-2125 and whether the department recouped

the costs of such repairs.

6. Whether the department changed the provider under contract or similar agreement with the department operating the cluster site and the reason for such change.

7. The plan for the use of the cluster sites within the building, including the month and year the department projects such cluster sites will completely be phased-out and the goal for such cluster sites, including whether such cluster sites will (i) be converted for use as permanent housing for the family residing in the cluster site, or another homeless family, (ii) be converted to a stand-alone shelter for homeless families, or (iii) no longer be used by the department as shelter or as permanent housing for a homeless family.

8. When a cluster site is phased-out during the reporting period, the date such cluster site was no longer under contract or similar agreement with the department and whether such cluster site was (i) converted for use as permanent housing for the family residing in the cluster site, or another homeless family, (ii) converted to a stand-alone shelter for homeless families, or (iii) no longer used by the department as shelter or as permanent housing for a homeless family.

d. If the department enters into a new contract or similar agreement for a cluster site not in operation on the date of the local law that added this section, the department shall notify the speaker of the council no later than 10 days following the date the department enters into a contract or similar agreement for the operation of the cluster site. The department shall submit to the speaker of the council and post on its website the following information regarding the cluster site:

1. An analysis of the current shelter capacity, including why other types of shelter are insufficient to meet the needs of the shelter census.

2. The steps the department took to ensure that such cluster sites are suitable for a homeless family prior to entering into the contract or similar agreement.

3. The information required pursuant to subdivision c of this section. Such information shall be reported quarterly until such time that no such cluster sites are in operation.

§ 2. This local law takes effect immediately.

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