

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON GENERAL WELFARE

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April 15, 2008

Start: 1:19pm

Recess: 4:35pm

HELD AT: Council Chambers
City Hall

B E F O R E:
ANNABEL PALMA
Chairperson

COUNCIL MEMBERS:
Gale A. Brewer
Thomas White, Jr.
Brad S. Lander
Stephen T. Levin
Ydanis A. Rodriguez
James G. Van Bramer

A P P E A R A N C E S (CONTINUED)

Robert Hess
Commissioner
Department of Homeless Services

Robert Doar
Commissioner
Human Resource Administration

Steven Banks
Attorney-in-Chief
The Legal Aid Society

Anya Maddow-Zimet
The Legal Aid Society

K. N.
Client
The Legal Aid Society

Christy Parque
Executive Director
Homeless Services United

Erin Feely-Nahem
Executive Director
New York City Coalition of Domestic Violence
Residential Providers

Yarrow Regan
Community Voices Heard

Stephanie Gendell
Associate Executive Director, Policy & Public Affairs
Citizens' Committee for Children of New York

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2 CHAIRPERSON PALMA: Good afternoon,
3 everyone and welcome to the oversight of the DHS
4 Advantage New York and HomeBase Programs General
5 Welfare Committee. I am Council Member Annabel
6 Palma, Chair of the General Welfare Committee.

7 I'd like to welcome Commissioner
8 Robert Hess, from the Department of Homeless
9 Services, and Commissioner Robert Doar from the
10 Human Resource Administration, and all the other
11 interested parties who are here today.

12 I'd like to start today by thanking
13 the staff who prepared today's hearing, Migna
14 Taveras, Molly Murphy, Staff of the General
15 Welfare Committee, Crystal Coston, from the
16 Finance Division, and Brendan Shaney [phonetic]
17 from the Policy Division.

18 The Committee planned this hearing
19 to get updated information from DHS about the
20 Advantage New York HomeBase programs. These
21 programs were rolled out in 2007. They provided
22 rental subsidies to Advantage New York clients, to
23 help them move from shelters into permanent
24 housing. Clients are eligible for Advantage if
25 they are working, if they have child welfare cases

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2 with Administration for Children's Services, if
3 they are on fixed incomes such as SSI, or if they
4 are domestic violence survivors. The Advantage
5 program replaced the flawed Housing Subsidy Plus
6 program. In 2007 the Committee held a hearing to
7 examine DHS plans for Advantage, and recognized
8 some positive things. For example, Advantage is
9 not tied to people's public assistance cases, and
10 DHS matched savings that people were able to
11 accrue during their time in Advantage.

12 However, the Council also had
13 concerns about how effective the program would be
14 in keeping people in stable and permanent housing,
15 how realistic it is that participants will be able
16 to live independently within two years. Were
17 people who were employed able to keep their jobs
18 in this fragile economy? How many people were
19 truly able to save money and how much? How many
20 Advantage participants have returned to shelter,
21 if any? In addition, because Advantage relies
22 heavily on Section 8 vouchers, what would happen
23 to the program without their availability?
24 Finally, HomeBase is meant to provide crucial
25 supports in helping Advantage clients transition

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2 from the program to independent living, yet the
3 Committee has heard repeated concerns that
4 specific services HomeBase provides are unclear or
5 people can't access them.

6 In short, we wanted to understand
7 how effective the Advantage Program truly is,
8 especially because homelessness has risen to
9 record highs in the last few years. Just a couple
10 of days ago we learned that the Department of
11 Homeless Services is proposing to significantly
12 change the way Advantage operates. So we are now
13 faced with a new set of questions. Under the new
14 plan, the children and fixed income programs will
15 be eliminated, and that's of huge concern to us.

16 And everyone who will eventually
17 end up participating--everyone will eventually end
18 up participating in one program. People with
19 income who qualify for a subsidy must be working
20 at least 20 hours per week and will pay 30% of
21 their income towards rent in their first year. To
22 be eligible for a second year, people must be
23 working 35 hours per week, and will have to pay
24 50% of their rent, or 30% of their gross income,
25 whichever is higher. The savings component of the

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2 program has dropped out entirely. While we have
3 concerns about the original Advantage program, and
4 expected that DHS would have to make revisions
5 because of the loss of Section 8 vouchers, DHS's
6 new plan increases those concerns greatly.

7 The new income contributions are
8 unrealistic, given that people in shelter have
9 limited resources and that jobs in today's economy
10 are few and far between. It is hard to imagine
11 how the new advantage program will help anyone
12 sustain permanent housing. Instead, I am
13 concerned that the numbers of homeless will
14 continue to rise, because they may cycle back in
15 after two years. In addition, we learn that DHS
16 plans to reinstitute the requirement that homeless
17 families with children pay for shelter. People
18 without a home have extremely limited resources,
19 and they need to keep every penny in order to move
20 out of shelter and into permanent housing. It is
21 hard to imagine how charging homeless families
22 rent for shelter is going to help them become
23 self-sufficient, and I am confident that the
24 administration will be able to shed some light on
25 these new proposals. And I'm looking forward to

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2 working with the Department of Homeless Services
3 and this administration to make sure that we're
4 actually helping folks become self-sufficient.

5 Today we will question DHS about
6 all these concerns, and about the Agency's vision
7 for new programs, including what they based their
8 decisions on. I now welcome Commissioner Hess and
9 Commissioner Doar for their testimony. But before
10 you begin, let me recognized the members of this
11 committee. Council Member Ydanis Rodriguez, from
12 Manhattan; and Council Member Brad Lander from the
13 Bronx--from Brooklyn. I adopted him. I've
14 adopted you to the Bronx, from Brooklyn. Thank
15 you, and Commissioners, you may start your
16 testimony.

17 ROBERT HESS: Good afternoon,
18 Chairwoman Palma and members of the Committee. I
19 am Robert Hess, Commissioner for the Department of
20 Homeless Services, and I am pleased to be here
21 today with my colleague, Human Resources
22 Commissioner Robert Doar. Thank you for the
23 opportunity to testify before you about
24 modifications to our Advantage New York Program
25 and to update you on our HomeBase program and the

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2 services we provide to HomeBase clients and the
3 community at large.

4 In 2007, the New York State Office
5 of Temporary and Disability Assistance authorized
6 DHS to create an Advantage New York pilot program
7 to invest in homeless families and individuals by
8 giving them the rent support they need to move
9 towards independence.

10 Advantage New York provided a
11 strong motivation to work, while empowering
12 clients to move from shelter back to the
13 community. The two-year pilot concluded in late
14 2009, and since then we have been evaluating our
15 data to build on the successes of and further
16 enhance the program. We're pleased to report that
17 the results have been promising. Since the
18 program's inception, advantage has helped more
19 than 18,000 households exit shelter and return to
20 the community. Currently DHS continues to serve
21 14,580 active participants in our advantage
22 program.

23 In 2009, one family Advantage Lease
24 was signed every 15 minutes of the business day,
25 for an average of 136 family lease signings per

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2 week. In 2010, the Department is experiencing
3 even greater family lease signings from shelter,
4 averaging over 175 per week for the past month,
5 with a peak of 199 leases being signed the week
6 ending March 26th of 2010, a record. Today more
7 families than ever are moving from shelter back
8 into the community and homes of their own, which
9 is the best possible outcome for all involved.

10 Just as importantly, many advantage
11 participants have defied the common wisdom that
12 homeless families cannot obtain or maintain
13 employment. More than 80% of the Work Advantage
14 participants demonstrated strong employment
15 records during the first year, and qualified for a
16 second year in the program. For those who were
17 able but unwilling to work under the previous
18 program structure, it presented a missed
19 opportunity to enhance their skill set, build
20 savings and move further toward the path to self-
21 sufficiency. The conclusion of the two-year pilot
22 program has given the City an opportunity to make
23 what has already been a very promising program
24 even better. Consequently, we will expand and
25 strengthen the Advantage program's focus on

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2 employment with new work requirements and related
3 rules that will go into effect July 1st of 2010,
4 pending State approval.

5 Following two years of a pilot in
6 which the Work Advantage program proved to be the
7 most effective model, Advantage New York will
8 continue to help families and individuals
9 transition from temporary emergency shelter back
10 to self-sufficiency through a focus on employment.
11 As is currently the case, the revised Advantage
12 New York program will offer one or two years of
13 rental assistance to households in need as they
14 exit the shelter system and return to their
15 communities. Supporting our objective to decrease
16 the clients' overall length of stay in shelter,
17 Advantage New York will now be available to
18 families and individuals who have been in shelter
19 for at least 60 days. We believe that this is an
20 improvement to the previous 90-day requirement of
21 the current Advantage program, which will provide
22 clients the opportunity to move even more quickly
23 into a home of their own.

24 The City will continue to
25 supplement rent contributions in an effort to

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2 foster independence and responsibility in clients.
3 Beginning July 1st, however, the majority of
4 Advantage clients will be required to engage in
5 work or work-related activities fully time as a
6 condition to receiving a rental subsidy.
7 Eligibility requirements for the revised program
8 are as follows.

9 Clients entering year one of the
10 Advantage program will be required to be employed
11 for at least 20 hours per week, and participate in
12 an additional 15 hours per week of housing search
13 or HRA approved work activities. Clients will
14 also be required to contribute 30% of their gross
15 monthly income toward rent during the first year
16 of participation in the program.

17 For year two, the subsidy will be
18 available for those who are employed 35 hours per
19 week and remain compliant with program rules. The
20 revised program has raised the income threshold as
21 well, to where clients must continue to have
22 income that is less than 200% of the federal
23 poverty level. This is a big improvement over the
24 previous program, which set the cap at 150% of the
25 poverty level.

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2 During the second year,
3 participants will be required to contribute the
4 greater of half of their monthly rent or 30% of
5 their income toward housing costs. While the new
6 work requirements are critical in enabling clients
7 to be self-sufficient, we also recognize that a
8 small number of households are unable to work due
9 to disability. To be eligible for the Advantage
10 New York, these families must also be in shelter
11 for at least 60 days, with all adult members who
12 are unable to work either receiving SSI, SSDI or
13 federal disability benefits, or needed at home as
14 a caregiver to a disabled family member as
15 determined by HRA.

16 Advantage New York clients will
17 continue to have access to citywide prevention
18 services through HRA job centers and diversion
19 units, DHS after care services, legal service
20 providers and community based HomeBase programs,
21 funded by HDS. While on Advantage, tenants can
22 access services and information on a full range of
23 issues in a way that best suits their needs and
24 preferences.

25 First and foremost, an Advantage

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2 tenant can call 311 and be directed to the
3 community based provider or government agency that
4 can most effectively address their inquiry.

5 Families can also walk in to their local job
6 center or call their community HomeBase or legal
7 services provider to make an appointment for
8 benefits screening, job readiness, job search
9 assistance, legal advice and counsel, landlord
10 mediation services, information about tenants'
11 rights and responsibility and renewed assistance.

12 DHS has also created an aftercare
13 helpline that answers tenants' questions regarding
14 Advantage, directs tenants to helpful resources
15 and makes community referrals. In addition, DHS
16 sends tenants a quarterly newsletter highlighting
17 program guidelines and helpful resources.

18 When the Advantage program ends,
19 tenants can continue to access HomeBase, our legal
20 service providers for employment support, legal
21 assistance, applications, and for FEPS program,
22 and short term financial assistance and arrears.
23 DHS and HRA have also worked closely with housing
24 court administrators to plan for an upcoming
25 Advantage training for judges and staff, and to

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2 establish service referral procedures for
3 advantage tenants. Advantage leases require that
4 landlords inform DHS when commencing an eviction
5 proceeding, and DHS proactively conducts outreach
6 to those tenants at risk of eviction, and provides
7 services and legal referrals.

8 While for some families
9 homelessness is a short term setback that is
10 quickly remedied, for others the road to long term
11 housing stability is longer and requires varying
12 levels of support at the many critical points
13 along the way. When we began to expand our
14 prevention services in 2004, DHS did not have
15 aftercare services for former shelter clients.
16 One of the lessons we've learned over the past six
17 years is that homelessness prevention services
18 need to incorporate aftercare, and also that
19 aftercare cannot come in a one-size fits all
20 approach. We enhance the city's homelessness
21 prevention network to make certain that at-risk
22 families are accessing the full range of benefits
23 that help ensure housing stability in the long
24 term.

25 After care services need to be

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2 available not only on demand of those tenants who
3 are actively seeking such services, but also as a
4 safety net integrated into the community, the
5 courts and the shelter door, front door, for those
6 who do not reach out for assistance prior to
7 making it to the shelter front door.

8 For example, although some families
9 at high risk for shelter entry require intensive
10 case work and short term financial assistance
11 offered by HomeBase, the resource has also
12 expanded its reach by providing housing and
13 benefits advice through individual sessions or
14 group activities. Also, Advantage families can
15 attend financial literacy workshops, childcare
16 fares, tax preparation sessions and benefits
17 screenings. HomeBase works closely with other
18 community organizations and city agencies that
19 offer services and goods that can serve as
20 outreach and engagement tools, drawing families to
21 our program.

22 During this fiscal year, HomeBase
23 has already enrolled over 1,000 Advantage tenants.
24 Since opening for business last August, the DHS
25 after care help line has assisted over 20,000

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2 callers, 70% of whom have been Advantage clients.

3 I wanted to update you about the
4 implementation of our flex fund to assist the
5 2,589 households who lost their Section 8 vouchers
6 this winter. At a hearing last month before this
7 Committee, DHS was pleased to announce the
8 creation of the flex fund, seeded with \$1 million
9 of HPRP funding. On March 4th, DHS mailed
10 outreach letters to the 2,589 families who lost
11 their Section 8 vouchers, and directed them to
12 call HomeBase if they were in need of assistance.
13 To date, a total of \$22,226 from the \$1 million
14 flex fund has been spent on rent arrears or
15 utility payments for 13 of those revoked Section 8
16 voucher holders. Two of the clients were DHS Work
17 Advantage clients, five were clients from the
18 community and six were clients known to DHS. In
19 addition, 25 of the 2,589 households have entered
20 the shelter system to date. This fund is
21 available at our HomeBase offices to assist
22 clients who find themselves in difficult times and
23 in need of assistance due to unique circumstances.

24 When anyone from NYCHA's Section 8
25 affected list calls HomeBase, they will be

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2 assessed and served according to their risk of
3 homelessness and available resources. Many
4 callers will likely qualify for the family
5 eviction prevention supplement or FEPs. They will
6 be referred to HRA to apply, and invited to call
7 back if any issues arise. HomeBase will also
8 assist those who do not qualify for FEPs with
9 services such as budgeting and accessing public
10 benefits, advice and coordination with HRA
11 regarding one shot payments, maximizing household
12 income through employment or higher wage
13 employment, and reducing household housing
14 expenses by finding roommates and other methods.
15 In addition, those who are at eminent risk of
16 homelessness and can stabilize their housing
17 situation through a short term subsidy, will
18 receive financial assistance. DHS will continue
19 to monitor the overall level of funding and the
20 citywide demand.

21 DHS will also continue to provide
22 this committee with regular updates on the use of
23 the flex funds to assist clients affected by the
24 Section 8 voucher situation, including the number
25 of such clients served by the fund. As I

1
2 previously stated, thus far less than one percent
3 have entered shelter.

4 Despite our best efforts, we know
5 from experience and the findings of researchers
6 that some families will return to shelter. While
7 a certain level of recidivism is to be expected,
8 historically about 30% over ten years, we have
9 continually enhanced our services at the shelter
10 front door to address this demand. HRA diversion
11 workers successfully help thousands of families
12 return to housing each year, and have nearly
13 doubled their presence at our family intake center
14 in the past several years.

15 DHS has also posted social workers
16 from Paths Community Resource Room to help bridge
17 Advantage families back to the community through
18 services and community linkages. We will continue
19 to monitor this data as we work to enhance
20 integrate a flexible safety net.

21 The flex fund is one way we're
22 using HPRP funds to prevent homelessness. But let
23 me update you on some of our other efforts. As
24 you know, we've set aside approximately half of
25 our HPRP funds for prevention programs, funds we

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2 expect to have exhausted by next summer. First
3 anti-eviction legal services are widely recognized
4 as a valuable tool to prevent homelessness. So
5 far this year, DHS funded community based legal
6 providers have provided over 2,900 households with
7 legal advice and representation. Also, because of
8 HPRP funds, they have been able to serve single
9 adults for the first time. Similarly, our sister
10 agency, DOHMH, has funded legal service providers
11 who have served 458 HIV-positive households at
12 risk of homelessness.

13 Second, HPRP funds have been
14 allocated--have allowed us to continue to expand
15 our HomeBase homelessness prevention programs.
16 Since July 2009 through the end of March, HomeBase
17 has served over 5,000 households. Of this number,
18 3,000 were enrolled for case management, and 2,000
19 received housing advice and referrals to community
20 and public resources. Of all the households
21 served, well over 90% have avoided homelessness
22 and remained in the community.

23 Federal HPRP prevention dollars
24 must be targeted to families who would have
25 entered the shelter but for homelessness

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2 prevention services. HomeBase providers use
3 specific data from DHS, and over five years of on
4 the ground experience, to assess and serve those
5 who come to their door. Once clients are found
6 eligible, HomeBase is able to leverage the City's
7 substantial prevention focus Tans (phonetic)
8 dollars, for subsidy and arrears payments to
9 assist them. I fact, in order to serve as many
10 families as possible, the funding for casework
11 services is much larger than the HomeBase
12 financial assistance pool. That said, so far this
13 year, HomeBase has granted over \$2 million of
14 financial assistance providing short term rental
15 assistance as well as assistance with other
16 housing costs. For example, Ms. W called 311 just
17 last week. She is employed, but has had a very
18 difficult time of paying her rent of \$1,394, and
19 is sending a very high percentage of her earnings
20 to her landlord. She had received a Section 8
21 voucher, but had the voucher revoked in December.
22 Ms. W will be working with CAMBA Workforce
23 Development Program to find a higher paying, more
24 stable job, and consequently increase her ability
25 to afford her rent in the long term. In addition,

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2 Ms. W will also participate in CAMBA's Going On My
3 Own program, which will provide her with money and
4 household management skills that will help prevent
5 reentry into the shelter system. HomeBase will
6 offer up to six months of financial assistance to
7 supplement her rent payments, and help her fulfill
8 the requirements of her current lease. If she
9 cannot afford her rent after participating in the
10 program, CAMBA will help her relocate to an
11 apartment with lower rent.

12 Thousands of individuals and
13 families like Ms. W are successfully served each
14 year by our homeless prevention programs,
15 demonstrating that we are willing and able to work
16 together with our community partners to meet the
17 needs of families in these challenging times. I
18 am grateful to have a partner like Commissioner
19 Doar, who will update you next on policy changes
20 involving the contribution requirements for
21 households seeking temporary shelter.

22 I am confident that the
23 enhancements that we have made to the advantage
24 program will best assist our clients in returning
25 to our communities and preparing them for the

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2 challenges of independent living during these
3 difficult economic times. I look forward to
4 working with members of this Committee and your
5 fellow colleagues in the City Council, as we
6 continue to move forward in our efforts to
7 reducing homelessness, and encouraging self-
8 sufficiency in New York City. Thank you for the
9 opportunity to testify before you today.

10 CHAIRPERSON PALMA: Thank you,
11 Commissioner. Before we hear Commissioner Doar's
12 testimony let me just recognize Council Member Tom
13 White, Council Member Stephen Levin, Council
14 Member Gale Brewer and Council Member Jimmy Van
15 Bramer. Thank you.

16 ROBERT DOAR: Good afternoon
17 Chairwoman Palma and members of the General
18 Welfare Committee. I am pleased to be here today
19 with my colleague, Robert Hess. Commissioner Hess
20 and I work very closely together to help the
21 residents of the City's shelter system.

22 As you know, the Human Resources
23 Administration is charged with the administration
24 of key public benefits, such as cash assistance,
25 food stamps and Medicaid. We also administer

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2 programs that provide needed support to some of
3 our most vulnerable citizens. This includes
4 eviction prevention, specialized emergency housing
5 assistance and training and employment support. I
6 want to take a moment to briefly explain these
7 services in order to illustrate the depth of
8 knowledge and range of experience our staff and
9 managers bring to bear on the upcoming policy
10 changes in the DHS shelter system.

11 Our Homeless Diversion Unit, in
12 operation since 1992, is in every HRA job center
13 in the City, in housing courts in all five
14 boroughs, at Path and at the Bellevue Adult Family
15 Shelter, to help low-income individuals avoid
16 eviction and or reconnect them to their former
17 housing. With eviction being a key element in
18 approximately 50% of referrals to our adult
19 protective services program, we have APS staff in
20 housing court in all boroughs but Staten Island,
21 to assist those courts and where needed petitions
22 for guardians ad litem on behalf of our clients.

23 To prevent evictions, the APS
24 financial management unit acts as representative
25 payee for approximately 2,300 particularly

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2 vulnerable clients, making sure their federal
3 social security benefit is used to pay rent and
4 utilities every month. We also oversee the City's
5 domestic violence shelter system of 50 shelters
6 that serve more than 3,000 individuals a day.

7 To support the employment needs of
8 homeless cash assistance recipients who face
9 particular barriers to employment, HRA has
10 developed a specialized approach. HRA primarily
11 services residents of DHS shelters from its East
12 River Job Center. This allows for a closer
13 working relationship between HRA Job Center Staff
14 and DHS staff to jointly address the needs of
15 clients. This approach has proven successful, and
16 in fact, the East River Job Center has the highest
17 number of job placements of all HRA centers. This
18 calendar year alone, from January 1st until the
19 end of last month, this jobs center has documented
20 more than 2,000 placements.

21 DHS and HRA have also developed a
22 specialized outreach to these families by pairing
23 our Back to Work vendors directly with shelters.
24 Through resources provided by these Back to Work
25 vendors, shelter candidates are referred to

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2 appropriate job openings, prepared for offsite
3 short term training and are provided with follow
4 up after referral and job placement. These
5 efforts, combined with our longstanding experience
6 in administering public benefits for the City,
7 place HRA in an ideal role to assist DHS by having
8 an expanded role in the implementation of the
9 client income contribution requirement for shelter
10 residents who have earned income.

11 As Commissioner Hess mentioned, the
12 City intends to institute an income contribution
13 requirement for families with income in the family
14 shelter system, as mandated in State law and
15 regulations. Initially we approached the State
16 Office of Temporary and Disability Assistance to
17 hone our approach under State law and to include
18 client contributions to restricted savings
19 accounts. OTDA informed us our approach was not
20 consistent with State law, and that we are
21 required to follow the official State approach, as
22 we do already in the domestic violence shelter
23 system.

24 To assist in the development of a
25 successful contribution program, DHS and HRA have

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2 worked together to address the programmatic
3 challenges of implementing the income contribution
4 requirement. First, I want to take a step back
5 and provide a context to the term family shelter
6 system.

7 Much credit is due Commissioner
8 Hess for his accomplishments in transforming this
9 system, making sure that children and families get
10 the support they need in shelter, resulting in
11 record placements back into the community. While
12 in shelter, each family has their own unit, and
13 almost all have access to cooking facilities.
14 Many have common areas and recreation space.
15 Through DHS contracted non-profit entities, they
16 also have access to social services. DHS has
17 calculated that the average length of stay in the
18 family shelter system is currently eight and a
19 half months and the average cost of shelter is
20 \$100 a day, \$3,000 a month or \$36,000 a year.

21 Many of the families in this system
22 are also eligible and receive cash assistance,
23 Medicaid, food stamps, childcare and other
24 government supports. For a family of three, the
25 monthly average food stamp benefit is

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2 approximately \$394. Transitional childcare,
3 monthly, is \$1,200 dollars. Cash assistance is
4 \$321. And the average monthly cost for Medicaid
5 coverage is \$1,356. If they have earned income,
6 they will likely qualify for the federal, state
7 and City refundable earned income tax credit, and
8 potentially the federal and Empire State tax
9 credit and New York City Childcare Credit, which
10 are also refundable. For example, at the minimum,
11 a mother of two children, earning \$13,195 per
12 year, would receive approximately \$2,790 or \$233
13 per month in food stamp benefits, and \$6,507 in
14 EITC benefits, more than \$4,800 in federal EITC,
15 more than \$1,400 in state EITC and more than \$240
16 in City EITC. This is an additional \$9,303 in
17 income.

18 I want to be very clear, that this
19 income contribution requirement applies to a very
20 small percentage of the family shelter systems.
21 Those with no income are not being asked to
22 contribute. Those families with very minimal
23 income are also not being asked to contribute.
24 This requirement is only likely to apply to
25 approximately 15% of shelter clients, those who

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2 have employment income over a certain level,
3 depending on family size, but approximately \$9,000
4 a year for a family of three. Under the state
5 formula, a significant percentage of income that
6 falls below the poverty line is not factored into
7 the contribution calculation. As a result, in
8 many cases, those with incomes below the poverty
9 line may pay only a modest percentage of income
10 towards shelter costs. As income rises above the
11 poverty line, the contribution as a percentage of
12 income increases.

13 For example, the family I just
14 described, who has more than \$1,300 in annual
15 earnings and \$9,303 in government benefits, would
16 pay \$120 per month. They're being asked to
17 contribute a significantly lower percentage of
18 their income towards housing costs than most New
19 Yorkers pay. In fact, between shelter costs and
20 adding in just the food stamp and the EITC
21 benefits as described in the above example, this
22 family is receiving at least \$45,000 a year in
23 government provided benefits, while being required
24 to contribute slightly more than \$1,400 annually
25 towards shelter.

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2 To be clear, the contribution
3 requirement will not interfere with a family's
4 ability to move out of shelter. While the
5 required contribution is a modest amount, the City
6 pays moving expense, broker fees and rental
7 deposits for shelter clients. As an example, for
8 an apartment with a monthly rent of \$1,070, the
9 City will pay the first month's rent, one month
10 security deposit and one month rent towards
11 broker's fee, equaling \$3,210, plus moving costs
12 that average \$800, for a total of approximately
13 \$4,000.

14 As Commissioner Hess has testified,
15 the program will also pay ongoing rental costs for
16 eligible families under the Advantage program.
17 Families who go to work are provided with
18 substantial assistance to exit the shelter system,
19 and the income contribution is not a barrier to
20 their leaving shelter. All Path families will be
21 given information that notifies them of the
22 contribution requirement for eligible families
23 with income. Those families with income entering
24 the shelter system will receive material from HRA
25 explaining the contribution. Monthly invoices

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2 will be sent directly to the clients in the
3 shelter, and they will be required to start making
4 monthly contributions at the beginning of the
5 second month after entering shelter. Presently,
6 through this process, community providers will be
7 alleviated of the burden of collecting the income
8 contribution, and therefore will be held harmless
9 from amounts uncollected.

10 Families subject to the requirement
11 can contest the amount of contribution required
12 through OTDA--through the OTDA fair hearing
13 process. Clients who refuse to contribute will be
14 subject to a sanction on a case by case basis, in
15 accordance with the Department of Homeless
16 Services Independent Living Plan. However, if
17 they ultimately do not comply with their
18 requirement, HRA will take its responsibility to
19 hold clients accountable seriously, and will reach
20 out directly to them to seek the contribution.

21 Before closing, I do want to
22 reiterate the importance of this requirement on
23 moving families towards self-sufficiency and out
24 of shelter. It is one of the fundamental tenets
25 of public assistance, that those receiving

1
2 assistance have the same responsibility towards
3 their own self-sufficiency, whether they are in
4 their communities or in the shelter. Thank you
5 and I look forward to your questions.

6 CHAIRPERSON PALMA: Thank you,
7 Commissioner for your testimony. I have a couple
8 of questions, as do my colleagues. So I'll start
9 with Commissioner Hess. In your testimony, you
10 said DHS helped 18,000 households more into
11 housing with Advantage, and you continue to serve
12 14,580 people. I'm trying to understand if this
13 means that 3,420 are no longer receiving the
14 subsidy?

15 ROBERT HESS: That's correct.

16 CHAIRPERSON PALMA: Are they still
17 housed in the same apartments? Are they not
18 requiring any other...?

19 ROBERT HESS: Chairwoman, once they
20 have exhausted their benefit, we would not know
21 whether they've stayed in the same apartment or
22 moved to a different location. The only time we
23 would come in contact with them would be for the
24 small percentage that might sadly find their way
25 back to the shelter system.

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2 CHAIRPERSON PALMA: I'm trying to
3 figure out if we're tracking these folks. In your
4 testimony you also mentioned the hotline. Would
5 that be a place where these folks would be
6 calling?

7 ROBERT HESS: We certainly get a
8 percentage of folks that have exhausted their
9 Advantage benefits that may go to HomeBase or call
10 the helpline. And we are generally able to assist
11 them in one way or another, and every
12 circumstance, as you know, is very unique, and we
13 have to deal with unique circumstances.

14 CHAIRPERSON PALMA: Right.

15 ROBERT HESS: But very few,
16 relatively small percentage, of the Advantage
17 clients have returned to shelter.

18 CHAIRPERSON PALMA: So because
19 there's no real tracking mechanism for these over
20 3,000 people; we wouldn't know if they're still in
21 the same jobs, we would just have to wait.

22 ROBERT HESS: No. The only time
23 that we track the jobs is at renewal. And so when
24 they're moving towards the end of the first year,
25 we receive certain information from them to know

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2 whether they're working or not, and if they are
3 working, how many hours they're working and what
4 their current wages are. And so, all those
5 numbers have been very promising at the end of the
6 first year. But since the benefit is exhausted
7 after two years, we don't have any way to stay in
8 touch with them and collect similar data in the
9 out years.

10 CHAIRPERSON PALMA: And--

11 ROBERT HESS: (Interposing) Mr.
12 Doar may have--

13 ROBERT DOAR: (Interposing) Could I
14 just add? The fact that they are no longer in the
15 Advantage program does not necessarily mean that
16 they are not receiving food stamp benefits perhaps
17 or earned income tax credit--

18 CHAIRPERSON PALMA: (Interposing)
19 That was going to be my next question.

20 ROBERT DOAR: --or public health
21 insurance. So the theory of the Advantage program
22 was it was a way for folks to get stabilized in
23 the community, to develop earnings history, so
24 that they could then retain the housing without
25 the ongoing assistance of a rental assistance

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2 program after the second year. So to the extent
3 that we haven't seen them back in the shelter
4 system and we don't have--then it seems to me they
5 might be knitting together those various other
6 aspects of public assistance, plus earnings, and
7 are moving forward and staying further away from
8 the homeless system.

9 CHAIRPERSON PALMA: so when they go
10 to HRA they may be asked, or they may disclose
11 that they were in Advantage and then they--

12 ROBERT DOAR: (Interposing) well,
13 that may come up. If it's after Advantage it
14 wouldn't be necessary for them to tell us that.
15 If it's during Advantage, I think in calculating
16 the rent situation or in evaluating their public
17 assistance situation, it might come up. But when
18 you talk about whether there was a connection to
19 the families necessarily, while there's not a DHS
20 or Homeless Services connection, which I think we
21 like--

22 ROBERT HESS: (Interposing) We're
23 happy about that.

24 ROBERT DOAR: --there may be an
25 ongoing public assistance relationship that HRA

1
2 has, either through public health insurance or
3 food stamps or... and then of course there is the
4 Earned Income Tax Credit which hopefully they are
5 applying for and receiving.

6 CHAIRPERSON PALMA: But HRA
7 wouldn't have a clear number or clear answer, if I
8 may, if the 3,420-so people are actually...

9 ROBERT DOAR: Well, one of the
10 issues we want to tackle going forward is
11 evaluating the Advantage program post assistance.
12 So we've not done a study that looked at public
13 assistance received post-Advantage. It's a good
14 suggestion. It's something we should look at.

15 CHAIRPERSON PALMA: I'm glad that
16 you think it's a good suggestion. So I think we
17 should get together and talk about it and see how
18 we can implement it.

19 ROBERT DOAR: Yes, we should,
20 Chairwoman.

21 CHAIRPERSON PALMA: Commissioner,
22 of the 80% of the Work Advantage participants, who
23 you stated demonstrated strong employment records
24 during the first year, I just want to get a better
25 understanding of what that actually means.

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2 ROBERT HESS: What it means,
3 Chairwoman, is at the end of the first year,
4 during the renewal process, we were able to
5 determine that over 80% of our family head of
6 households were still working--which I think is
7 remarkable, frankly having looked at the results
8 of employment training programs in many cities for
9 many years. I've never seen any program achieve
10 this level of job retention at the end of a year,
11 even during these very difficult economic times
12 we've seen over 30 hours a week still being
13 worked. And if memory serves me correctly, the
14 average wages are between \$9.00 and \$10.00 an
15 hour. Modest, but again, that's during a very
16 difficult economic time. Hours and wages have
17 still gone up just a little bit.

18 CHAIRPERSON PALMA: And do we know
19 if there are any other benefits attached to these
20 wages? Is it just simply income or does it come
21 with a benefit--

22 ROBERT HESS: (Interposing) No,
23 sadly, we don't know whether that might include
24 things like health insurance or dental insurance
25 or pension plans or those kinds of things. We,

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2 frankly, did not ask those questions at
3 recertification. At recertification we were
4 trying to determine were the families still
5 working and were they trying to grow their hours
6 and grow their income in a way that if we gave
7 them a second year of the benefit, that by the end
8 of the second year they might be able to piece
9 together the benefits they might be entitled to
10 and their wages in a way that would help them
11 remain in the community and not need to reenter
12 the shelter system.

13 CHAIRPERSON PALMA: And the
14 participants in year one of the new Advantage New
15 York program will, you said, will have to
16 participate in the 15 hour housing searches or HRA
17 work related activities. Again, you know, what
18 does that exactly mean? Because if someone is
19 already in an apartment, what constitutes housing
20 searches for them?

21 ROBERT HESS: Well, no, I think the
22 housing search component was mean to mean that
23 once someone was working 20 hours a week, at
24 minimum, and then spending up to 15 hours a week
25 on a housing search or other work-related

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2 activities, as determined by HRA, that that person
3 would then qualify for the advantage voucher going
4 forward.

5 CHAIRPERSON PALMA: As to move out
6 of the shelter.

7 ROBERT HESS: And so the housing
8 search component would be limited only to the time
9 they're in shelter.

10 CHAIRPERSON PALMA: Okay.

11 ROBERT HESS: Once they have the
12 voucher, until they've found the apartment that
13 ultimately they will move to and will become their
14 home.

15 CHAIRPERSON PALMA: And the HRA
16 working activities, that would mean working with
17 the programs that are already set up through HRA
18 to connect them--

19 ROBERT DOAR: (Interposing) Yes.
20 And it's work, that they have employment. And the
21 incentive to get and retain employment is quite
22 strong, given the value of the housing assistance.
23 I think that's one of the reasons why Commissioner
24 Hess could credit a high rate of employment over
25 other types of programs, because the benefit from

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2 staying working is a quite substantial assistance
3 in their housing payments.

4 CHAIRPERSON PALMA: Commissioner
5 Doar, I'm curious to know, when folks that are
6 eligible for the Advantage go through your working
7 programs, what is--you know, what are--the jobs,
8 are they readily available? What industry?

9 ROBERT DOAR: In the past year, as
10 I testified at previous times, we've talked about
11 this, in the past year we achieved about 75,000
12 total placements in employment last year, which
13 was about the same as we achieved in the previous
14 year. And we have quite a lot of, a high degree
15 of placements from folks who are in the job center
16 that is assigned to the DHS shelter system. So
17 for DHS placements alone, in 2009 we did 8,500.
18 In 2008 we did 7,000. In 2007 we did 5,100. So
19 we have a targeted specialized job center that has
20 very--because they are related to the DHS system
21 and they are interested in Advantage, they have
22 clients that are very focused on getting into
23 employment, and as a result they have.

24 Now you asked about the quality of
25 jobs, we're talking about \$8 an hour jobs.

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2 They're not high wage jobs, but we have found luck
3 in the health services business, in the retail
4 business and in social services and education.
5 Those have been the areas where we've had the most
6 luck, which is also indicated in the Citywide jobs
7 numbers. Those are areas that have not been as
8 badly hit by the recession. And in six-month
9 retentions have remained over 70% and 12-month
10 retentions have remained over 65%. So--

11 ROBERT HESS: (Interposing) Those
12 are citywide numbers?

13 ROBERT DOAR: I think those numbers
14 are specifically for the East River population.
15 So, and again, we at HRA sort of deal with the
16 economy that we're dealt with and the jobs that we
17 can find. But then we're very focused on helping
18 people remain attached to other work supports,
19 like public health insurance and food stamps,
20 childcare subsidies and the Earned Income Tax
21 Credit. So, it's the total value of that package
22 that allows someone to remain in work. And then
23 you add the housing assistance, and stay in their
24 apartments.

25 CHAIRPERSON PALMA: And for those

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2 clients who do not possess the skills to be able
3 to, you know, move into an \$8, \$9, \$10 an hour job
4 because they require certain skills, is going to
5 school or a training program or workforce
6 development center considered as part of the work
7 activity?

8 ROBERT DOAR: We require a minimum
9 of 20 hours of employment, and then they can get
10 up to the 35 hours using the other kinds of
11 activities that you talk about. But the
12 expectation is a minimum of some employment, of 20
13 hours. And then at renewal it's 35 hours of
14 employment.

15 And as you know, Councilwoman,
16 there was a lot of talk in welfare policies, that
17 folks applying for public assistance really
18 weren't able or capable of securing jobs and
19 staying in jobs. And our experience in HRA, or
20 their experience, has been actually that they are
21 and they've done better than anyone thought they
22 would.

23 CHAIRPERSON PALMA: Commissioner
24 Hess, I want to ask, do you have a sense of the
25 clients in Advantage program, what their current

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2 rents on an average may be?

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ROBERT HESS: The current rent on an average is about \$1,000 a month, a little more than that.

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CHAIRPERSON PALMA: And do we know, in which neighborhoods do the majority of the clients of Advantage New York, like are residing?

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ROBERT HESS: Not by neighborhood, Councilwoman. I will tell you that they're literally all over the five boroughs, fewer in Manhattan I would suspect. I would say Brooklyn and the Bronx probably have the largest share, but a significant number in Queens and a growing number in Staten Island.

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CHAIRPERSON PALMA: Do you think that's something that the Department in the future can look at in terms of, like, breaking down to get a better sense of where the majority of--

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ROBERT HESS: (Interposing) Yeah, I think we have some better data on that, that we can share with you, and I'd be happy to do that. I'm--sadly it's not in my head.

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CHAIRPERSON PALMA: I wouldn't expect it to be, but I welcome you sharing it with

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2 the Committee or myself.

3 ROBERT HESS: Happy to do that.

4 CHAIRPERSON PALMA: And in terms of
5 the client contribution program, we understand
6 that the City suggested the alternative
7 contribution program to the State that would
8 include a savings component, but the State
9 rejected it. Does that mean that the City agrees
10 that putting Earned Income towards savings is more
11 productive than paying for shelter costs?

12 ROBERT HESS: I think what it
13 means, Councilwoman, is that we are open to some
14 discussion and hope to have some productive
15 discussion with the State legislature on this
16 subject. I would like to think that, you know,
17 reasonable minds having some more discussion on
18 this subject could be productive.

19 CHAIRPERSON PALMA: And I know that
20 last year we tried to--when I say we, you know,
21 the administration tried to implement sort of
22 doing the client contribution program and had to
23 pull back because of certain concerns, one being
24 that the clients weren't properly notified. So
25 I'm just wondering, you know, this time moving

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2 forward, how are the clients being notified? How
3 are the formulas being worked that, you know,
4 which will determine how people make their
5 contributions? How will the contributions be
6 collected? Would it solely be on the HRA part--

7 ROBERT DOAR: (Interposing) We have
8 looked at the issues of the last time and we feel
9 strongly that we are able to make the correct
10 calculations, provide the appropriate
11 notification. And then the one significant change
12 from what we intended to do in the past in
13 complying with this state requirement was that we
14 were--we've now changed the responsibility for
15 collecting from the providers of the shelter
16 system, and shifted it to HRA. And we think that
17 will make the process go more smoothly.

18 ROBERT HESS: I think the other
19 thing to note, Councilwoman, is this has been
20 announced this week, but I think we've said that
21 we would anticipate whatever we roll out to roll
22 out in the fall. So there is a fair amount of
23 time to prepare for properly the mechanics.

24 CHAIRPERSON PALMA: Commissioner
25 Doar, I think almost towards the end of your

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2 testimony you mentioned that HRA would do whatever
3 needs to be done to collect the contributions if
4 any client is not in compliance. What does that
5 mean? I mean I know that if, you know, if I don't
6 pay rent to my landlord, I'll eventually face
7 eviction. Is that, you know...?

8 ROBERT DOAR: Well, there are two
9 issues there. One is that there's a sort of
10 client responsibility requirement in the DHS
11 system, and Commissioner Hess is more appropriate
12 to address that system. And then there is our
13 efforts to collect, and they would involve letters
14 and notices and perhaps visits. And we feel that
15 given the amount of the--and we're talking about
16 people with income--and people's desire to comply.
17 I mean people, when they're told a rule is a rule,
18 they generally comply. So we're hopeful that that
19 will be the extent of what we need to do. We're
20 not envisioning anything beyond a lot of
21 notification and reaching out and talking to
22 clients, plus the responsibilities that are
23 inherent with being in the shelter system.

24 ROBERT HESS: With respect to
25 client responsibility, Councilwoman, as I thought

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2 about this, it seems to me that we first have to
3 recognize that any client contribution plan, given
4 the minimal or very modest incomes of families in
5 shelter, probably at least 80% of families in
6 shelter will never have to pay anything. So I
7 think that's the first piece.

8 The second piece is, we're then
9 narrowing in on, you know, somewhere between 15
10 and 20% of families that have pretty significant
11 income that would be asked to pay a portion of
12 their shelter cost. Now under that scenario, to
13 the extent--I agree with Commissioner Doar. Most
14 people will play by the rules and do what they
15 need to do. If they're not paying, I don't view
16 it as kind of like an eviction proceeding that a
17 landlord might view it as a relationship with a
18 tenant. I would view it more as kind of
19 symptomatic of something else that might be going
20 on within that family unit. And I would think
21 that from a social work and casework perspective,
22 we would have to view it that way and dig a little
23 deeper and better understand kind of what's going
24 on there and how can we help prepare that family
25 for success and help them deal with whatever those

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2 issues are. And that would have to be done, I
3 think, on a very case by case basis. And so that
4 would be my expectation as to how we would deal
5 with that situation, should it occur at some point
6 in time in the future.

7 ROBERT DOAR: And I would also add
8 that the practice of paying or making a
9 contribution or taking dollars out of your income
10 and contributing towards rent is one of the
11 practices that someone needs in order to live in
12 the community outside of the shelter system. And
13 we're trying to inculcate that habit and that
14 practice. Because that's what's going to happen
15 even in the Advantage program that provides
16 subsidies; they're going to have to make a
17 contribution, which actually may be greater. So
18 it's getting in the practice and establishing the
19 expectation that the basis for success comes from
20 personal initiative, in this case, at least the
21 start; and then we'll help.

22 CHAIRPERSON PALMA: Implementing
23 this contribution program now. I'm wondering; is
24 there going to be any cost savings to the City at
25 all through this implementation?

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2 ROBERT DOAR: It's minimal, and
3 it's not the reason why we're interested in doing
4 it. It's not going to solve our budget
5 difficulties. I will assure you of that. And to
6 the extent that it's still a requirement, it will
7 allow us to avoid potential fiscal sanctions from
8 the state for not doing something that other
9 counties are doing.

10 ROBERT HESS: And I would point out
11 that we have already been penalized the amount of
12 \$2.4 million by the State for not implementing the
13 program up until now. \$2.4 million, that would be
14 very helpful for a State legislator to get back
15 for us. And so we have already incurred
16 significant penalties as a result of our delay in
17 implementation.

18 CHAIRPERSON PALMA: Commissioner,
19 when you say that families earning a significant
20 amount of income, significant amount being the
21 same amount that Commissioner Doar mentioned in
22 his testimony, of anyone earning \$9,000 or more?

23 ROBERT HESS: I believe that a
24 family of three, for example, a family of three
25 that is earning \$10,000 would have a contribution

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2 of something like \$36 a month. And then obviously
3 as folks earn more the contribution is greater.
4 Frankly, we have very few people living in the
5 shelter system that have, you know, significant
6 income.

7 CHAIRPERSON PALMA: I probably have
8 a couple of more questions, but I want to give my
9 colleges the opportunity to ask some questions.
10 Council Member Van Bramer?

11 COUNCIL MEMBER VAN BRAMER: Thank
12 you, Madam Chair, and thank you, Commissioners.
13 Commissioner Doar, there's a line in your
14 testimony that, with all due respect, struck me as
15 a little unfair. And that is folks through this
16 program would be asked to contribute a
17 significantly lower percentage of their income
18 towards housing costs than most New Yorkers. But
19 of course, we also know that most New Yorkers are
20 not in the shelter system. And so I think
21 comparing those who, for whatever tragic
22 circumstances in their lives, have found
23 themselves in the shelter system to those of us
24 who are lucky enough not to be is completely
25 unfair. And, you know, it's a bit of apples and

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oranges.

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What I think is the case, and you can certainly correct me if I'm wrong, is many people who find themselves in the shelter system have had significant traumatic events in their lives, whether it be domestic violence issues or substance abuse. And to have come to the system, for the most part, means they're the most vulnerable among us. Would you agree with..?

ROBERT HESS: I would actually, Councilman, say to you that in my experience, the number one reason that anyone enters the shelter system is because they lack the economic means to pay their bills in the community. And I would suggest that many New Yorkers and in fact many Americans have other issues as well, but if they have the economic means, then their substance abuse or their mental health difficulties or their tragic involvement in domestic violence situations does not cause them to enter a shelter system. What causes them to enter a shelter system, generally, in my opinion and experience, is a lack of economic means.

COUNCIL MEMBER VAN BRAMER: Sure.

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2 But I would argue that those things are all
3 related. And you don't simply get to be in a
4 situation where you don't have money, you know,
5 for no reasons. Often those things are related.
6 And someone comes to that place having experienced
7 a range of things in their lives that render them
8 without funds and without the ability to pay rent
9 and those sorts of things. So I just wanted to
10 say that, and say that what you deem a pretty
11 significant income, which you said in your
12 testimony, I think you said it was, you know
13 \$10,000 for a family of three.

14 ROBERT HESS: I think what I was
15 trying to address, Council Member, is that the
16 vast majority, the overwhelming majority of
17 families in our shelter system, have little or no
18 income. And that \$10,000 would be on the
19 significant side given the very, very little
20 income that most families in the shelter system
21 have. That said, I would never suggest that
22 \$10,000 in income is the kind of income that we
23 would hope families would have or wish families
24 would have, or would pay the bills in New York
25 City.

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2 ROBERT DOAR: And all I was saying,
3 with regard to this issue of the issues that bring
4 people to the shelter system, is that those issues
5 that you talked about may be a factor, but this
6 policy is applied to those who are working, that
7 have--whatever those issues were, they were still
8 able to retain and keep a job and to have earning.

9 And then the other factor is, the
10 resources available to them to get through their
11 daily life is more than just the income from
12 earnings. There's also the Earned Income Tax
13 Credit and the Food Stamp benefits, childcare
14 subsidies and the refundable tax credits I
15 mentioned. So that's all we're trying to say; is
16 again for those with no income and facing those
17 problems and as a result have no income and no
18 earnings, we're not charging. There's no charge.
19 But if you have earnings and then as a result of
20 those earnings you also have other resources, we
21 think that you should get in the practice of
22 contributing towards the cost of your shelter some
23 amount.

24 COUNCIL MEMBER VAN BRAMER: Sure.
25 I mean, I think, you know a lot of the folks, and

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I certainly know some folks who have been in the shelter system, you know, at one time were in rental apartments and paying their rent just like the rest of us who are renters. And then for various reasons, unfortunately, got into a position where that changed and ultimately found themselves in the shelter system. And of course the goal is then to transition them back out of the system where they'll be paying rent again. And you know, I think again at this point where people have sort of hit, you know, rock bottom and are in need of a lot of the supportive services that you are providing, that allowing them to keep and hopefully save the very limited income that they do have seems like a better way of transitioning them to a better place where once they're lucky enough to get permanent housing, they'd be able to have a little bit of money for their families and for their children. You know, \$10,000, \$13,000 for a mother and three or four children is a very, very small amount of money to live with.

And I guess I wanted to talk a little bit about if they're unable to pay or they

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2 don't pay, it seems to me particularly cruel if
3 after having been homeless or having found
4 shelter, and if they're not able to pay this rent,
5 that somehow you would be evicted from a shelter
6 and returned to the very status that got you there
7 in the first place. And I know there will be
8 review processes that you all have to work out,
9 but is that how it would work? And doesn't that
10 strike you as counterproductive?

11 ROBERT HESS: I think, and as I
12 tried to explain earlier, my personal view on this
13 is that most people will comply with the rules.
14 For those that don't, my first reaction to that is
15 it's not like we would address a landlord tenant
16 situation and send a letter and go to court and
17 create an eviction. It's to me symptomatic of
18 something else that might be going on within that
19 family, and I think we have to approach it from
20 that perspective and have our caseworkers approach
21 it from that perspective and try to better
22 understand kind of what's going on and why that
23 decision is being made, and how we can assist the
24 family get to a better place.

25 COUNCIL MEMBER VAN BRAMER: And I

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2 think that's great, and I think having the
3 holistic approach, you know, is terrific. But if
4 at the end of the day they don't pay their \$36,
5 \$72, \$120, will you move to evict them from their
6 shelter?

7 ROBERT HESS: Every case will be
8 unique. We'll approach every case on its own
9 merits. We probably will have some cases where
10 somebody may not pay and they may move out. And
11 they certainly will be entitled to do that as
12 well. Is it possible that there will be a case
13 that despite all of our best efforts and despite
14 all of the best casework and social work that we
15 can do, and all of the support that we can
16 provide, that someone has so disregarded this and
17 other shelter requirements, that we may end up
18 going down the client responsibility path? Yes,
19 it's possible. Do I expect that that would happen
20 in many cases? No, I don't.

21 COUNCIL MEMBER VAN BRAMER: So in
22 those few cases that it does, then they're
23 returned to the streets?

24 ROBERT HESS: Well, I don't know
25 that that's true at all. That's not been the

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majority of the cases that we've taken to client responsibility on the single adult side--have not ended up with that outcome. And in fact in some cases, just the fact of moving to sanction someone and they may then have legal representation, and that whole process creates a dialogue and discussion that often, I think, ends up in a resolution of the problem before an administrative law judge makes a determination.

And so, again, I think every case will be different and every case will have to be handled on its own merits.

COUNCIL MEMBER VAN BRAMER: All right. You know I have great respect for the work that you both do, and obviously you have a level of expertise in these issues that I don't possess, but you know, but I do think that charging those in shelters rent is something that seems to me, you know, counter-intuitive and something that is not, along with a whole host of other services that you provide which I think are helpful in transitioning families to permanent housing, you know, this is definitely not one of them, in my opinion. And I certainly hope that over the next

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2 several months, obviously you have until the fall
3 when you possibly might implement this, that we
4 can come up with better solutions. Thank you.

5 ROBERT HESS: Thank you.

6 CHAIRPERSON PALMA: Thank you,
7 Council Member. Council Member White, followed by
8 Council Member Rodriguez, Lander and Brewer.

9 COUNCIL MEMBER WHITE: Thank you
10 very much, Madam Chairperson. What I'd like to
11 ask is, the 2,500 individuals or families who lost
12 Section 8, what actually happened to them?

13 ROBERT HESS: They are--most,
14 Councilman, remain housed. We've sent letters to
15 all of them, saying if their housing situation is
16 at-risk, that they should call us and that we will
17 provide what assistance we can through HomeBase
18 and through the vast array of resources available
19 at HRA and Legal Services, contracts that we
20 support and all the rest.

21 We do know that 25 of those 2,582 I
22 think, have ended up in the shelter system, and
23 we're working to re-house those individuals as
24 quickly as we can. The balance, of the balance, I
25 think we've had about 100 that have come into

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2 HomeBase--about 100 have come into HomeBase so
3 far. And 13 of them have actually accessed some
4 supportive funding from the flex fund that we have
5 created specifically for this purpose. And so
6 that's where we are today.

7 We'll continue to collect data
8 specific to those 2,582 families and report back
9 to this committee on a regular basis as to the
10 number of those 2,500 folks or families that have
11 come to us in need of support and what the
12 outcomes have been.

13 COUNCIL MEMBER WHITE: Okay.

14 Commissioner Dare [phonetic]?

15 ROBERT DOAR: Doar.

16 COUNCIL MEMBER WHITE: Doar. In
17 relationship to the eviction prevention and
18 emergency housing assistance program, do you think
19 any of the individuals who received cancellation
20 of their Section 8 came over to HRA?

21 ROBERT DOAR: Well, my
22 understanding of the voucher revocation was, was
23 that these were pending vouchers to get
24 apartments; they were not vouchers that were
25 allowing them to afford the apartments they were

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currently in. Is that the--

[Crosstalk]

ROBERT DOAR: --the originally 2,500 was--and so to the extent that they faced a housing crisis where whatever rental situation that they had in their situation led them to face an eviction potential, the availability of our eviction protection services, whether in the housing courts or at HRA offices was there, and they could have taken advantage of it. I have not received reports of the number of those particular cases.

COUNCIL MEMBER WHITE: Okay. Well, I can cite a number that have come to my office, and they were on Section 8, and they called NYCHA asking for direction, and NYCHA said don't call us, we don't do that anymore, and hung up the phone. And I hear the testimony of responsibility about how certain systems are set up. It all sounds good, but in practice it's not working that way.

I also had someone come to my office who said that they were on the HRA, and-- no, shelter. That they were given apartments, \$80

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2 a day. I said--this was what was told to me, it
3 doesn't make it true--\$80 a day on a lot of these
4 apartments that are high-rises going up, that they
5 have been allowed to live in those apartments that
6 are priced at \$500,000 and above, for \$80 a day,
7 in order that the landlord and the owner of these
8 buildings, did not lose money entirely because
9 they couldn't sell or rent the apartments. Do we
10 have people in the shelter system living in some
11 of these high-rise apartment buildings as
12 families?

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ROBERT HESS: We have--Councilman,
we will be happy to follow up with your office and
get the specifics of what you were told and
investigate that. I can tell you that we do have
a handful of failed condo buildings that have been
offered to us at relatively modest cost, given the
sale price or the rents that were anticipated when
these properties were built. And that a couple of
them, we are using as shelter. And frankly, I
think it's a good temporary use of buildings that,
but for our use, would be remaining vacant during
these difficult economic times. And so, we're not
paying more for them than we would pay for any

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2 other building that was offered to us. Our
3 families are doing very well in those buildings.
4 I was a little concerned that we might see
5 families, you know, staying a little longer in
6 those units than perhaps other units that we have
7 to offer, but that has not been the case. We
8 watch that very closely.

9 And so, yes, there are a handful of
10 failed condo units across the City that have been
11 offered to us at, you know, our standard cost.
12 And we're using several of them, and I think it's
13 a good temporary use of vacant--but for our use
14 would be vacant properties.

15 COUNCIL MEMBER WHITE: So, the
16 answer is yes.

17 ROBERT HESS: Yes.

18 COUNCIL MEMBER WHITE: Okay.

19 ROBERT HESS: I don't know about
20 your specific inquiry--

21 COUNCIL MEMBER WHITE:
22 [Interposing] Not specifically.

23 ROBERT HESS: But generally, the
24 answer is yes.

25 COUNCIL MEMBER WHITE: Okay, so.

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Madam Chair? Can we get a list of those

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apartments, those buildings that are being used by

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DHS and do a price comparison?

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CHAIRPERSON PALMA: You're

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requesting for the Department of Homeless Services

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to provide the Committee--

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COUNCIL MEMBER WHITE:

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[Interposing] Yes.

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CHAIRPERSON PALMA: Yes.

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COUNCIL MEMBER WHITE: Can we have

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that, sir?

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ROBERT HESS: We can certainly

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provide that general information to the Committee,

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yes.

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COUNCIL MEMBER WHITE: Okay. The

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reason why I'm want to know, now I'm going to get

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back to the modest amount of money that a family

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of three or four, if they're working, when they

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reach a certain point they have to pay \$30, \$50,

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\$100. And there seems to be, until I take a look

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at it, something to look at in terms of someone

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living in condo, who may be working, what would

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they pay as opposed to a person living in a

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shelter, making X amount of dollars?

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2 ROBERT HESS: Council Member, the
3 failed condo buildings that--the few failed condo
4 buildings that we're utilizing, we're utilizing as
5 shelter. And so they are shelters that have the
6 full range of services and supports that all of
7 our facilities have. And so, you know, in that
8 respect they're not different than our other
9 shelters in the system.

10 COUNCIL MEMBER WHITE: No, you have
11 designated them as shelters.

12 ROBERT HESS: Yes.

13 COUNCIL MEMBER WHITE: I understand
14 that. But the amenities of those particular
15 buildings are not the same kind of amenities that
16 you have in all the shelters, is what I'm saying.
17 Am I correct?

18 ROBERT HESS: That's fair.

19 COUNCIL MEMBER WHITE: Okay. So
20 that's why I was just asking that question. But
21 I'm very much concerned about the gap between the
22 people who no longer have Section 8, the people
23 who have a limited stay on the Advantage program,
24 and the gap between your agency and your agency,
25 in terms of you don't know how many, because you

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2 do not keep track of that, of how many people that
3 were dropped from him that came over to you. You
4 said that you don't ask that question, I believe
5 you said.

6 ROBERT DOAR: But I do know that we
7 do significant efforts in eviction protection
8 services, and we do significant interest in rental
9 assistance and arrears payments; and I can report
10 that to you. We can gather a report on the amount
11 of work that we do every day in an effort to help
12 people retain their housing. And I'm proud of
13 that work, and I think it's good work. And I
14 think it's helping people stay out of the shelters
15 and retain their homes. So I do know that. Now
16 how many of them are this particular population?
17 We'll see what data we can find. But we are not--
18 we are available to them, just as we are available
19 to others that face housing difficulties.

20 COUNCIL MEMBER WHITE: I understand
21 that, and you've answered my question. And--not
22 having that information, I would strongly suggest
23 that that be part of the intake questionnaire of
24 individuals seeking assistance, so that that could
25 be one of the questions. And you would

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automatically have that information on hand in the future.

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ROBERT DOAR: We will look into seeing if that's possible.

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COUNCIL MEMBER WHITE: Thank you very much. Due to the fact that I have two meetings at the same time, this meeting and the Environmental Protection over at 250 Broadway, I'd like to thank the Chairperson for allowing me to go, and my colleagues. I'd like to thank you for your testimony. I have to leave now.

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ROBERT HESS: Thank you.

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CHAIRPERSON PALMA: Thank you, Council Member. Commissioner, just quickly before Council Member Rodriguez asks questions, in terms of--has it ever been discussed or explored, the possibilities of these apartments that Council Member White raised, in terms of making them permanent housing to some folks?

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ROBERT HESS: Yeah.

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CHAIRPERSON PALMA: And, I mean, I understand the whole--where these apartments are, the magnitude, the money it took to build these apartments; but I'm a strong believer that these

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apartments are sitting there vacant and they will probably sit there vacant for many more years to come, and so--

ROBERT HESS: [Interposing] It's a good question, Chairwoman. That's always our first approach. If we can find a building, a failed condo that's vacant, that the landlord would accept as an Advantage apartment building, we would offer it to Advantage clients first, because we would prefer it to be permanent housing. But in the cases where a landlord will not agree to that, but offers us the building in a way that makes sense for shelter, we have to seriously consider those buildings; we are using a number of them. But permanent housing is always our first and best use if we can convince a landlord to allow us to do that.

CHAIRPERSON PALMA: Thank you.
Council Member Rodriguez.

COUNCIL MEMBER RODRIGUEZ: Thank you, Commissioner. How much is the budget reduction that the City has proposed by the administration that you will have for the 2010-2011 for the Homeless Services?

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2 ROBERT HESS: In Homeless Services,
3 all of our capacity is legally mandated and
4 therefore is funded. So whatever our capacity
5 needs are, our capacity needs will be funded and
6 we will meet the demand.

7 COUNCIL MEMBER RODRIGUEZ: So, in
8 the administration proposed in the budget for
9 2010-2011, there is not any cut on Homeless
10 Services?

11 ROBERT HESS: As you recall from
12 the budget hearing, this happens every year at the
13 budget hearing, in the original budget, our
14 capacity needs are never fully recognized in the
15 original budget proposal. And that's true this
16 year as well. So although it looks like in the
17 budget that there's been a reduction, it's only
18 because, as in every other year, our full capacity
19 needs have not been recognized in the budget.
20 But, because we live in a city with a right to
21 shelter, we will receive the funding that we need
22 to provide the housing resources necessary to
23 shelter everyone that comes to us. And so our
24 shelter will be adjusted as necessary to make that
25 happen.

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2 COUNCIL MEMBER RODRIGUEZ: Another
3 question. If this policy is in place, how much
4 money are you planning to raise?

5 ROBERT HESS: You mean from the...?

6 COUNCIL MEMBER RODRIGUEZ: From the
7 homeless paying for the rents.

8 ROBERT HESS: Well the way that
9 works actually, and Commissioner Doar will correct
10 me if I get this wrong, my sense is that there's
11 no real savings to us, that the reason for the
12 State mandate is the State then kind of takes that
13 money off of our reimbursement.

14 ROBERT DOAR: Yes, that's correct.

15 ROBERT HESS: I don't know that
16 there's any cash windfall to the City.

17 ROBERT DOAR: It's all settled in
18 the claim between the City and the State. But we
19 have to; we are supposed to account for the effort
20 to collect.

21 COUNCIL MEMBER RODRIGUEZ: So this
22 initiative has nothing to do with the
23 administration trying to find a different way of
24 how to raise money to balance the budget?

25 ROBERT HESS: There have been some

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2 that have tried to characterize it that way, but
3 that's not true.

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5 COUNCIL MEMBER RODRIGUEZ: And how
6 many homeless is it that we have in the City?

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8 ROBERT HESS: Sadly, last night we
9 housed just about 37,000 men, women and children
10 in our shelter system.

11

12 COUNCIL MEMBER RODRIGUEZ: And from
13 the number of homeless that will have to pay rent,
14 what percentage are children--or what percent of
15 the families that also have children?

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17 ROBERT HESS: So we think that when
18 we start the program, if we start it as we've
19 outlined it, that between 15% and 20% of our
20 families will need to make a contribution. And
21 last night we had about--I'm looking for the... how
22 many? 7,500 families, and so 15% if I--I'll do
23 the rough math, please forgive me, I think would
24 be about 1,000 of the 7,500 families would have
25 some contribution under the current plan.

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27 COUNCIL MEMBER RODRIGUEZ: And
28 Commissioner, you said that a family of three--how
29 much is the income you said, the average, they
30 have?

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2 ROBERT DOAR: There are various
3 scenarios. But a family of three, for instance,
4 was making \$7.25 an hour and working part time,
5 say 25 hours; they would have \$7,500 in gross
6 earnings. They'd get \$3,100 in food stamp
7 benefits. They would receive transitional
8 childcare and Medicaid support for their health
9 insurance coverage. They would be eligible for
10 \$4,400 in the Earned Income Tax Credit benefits.
11 And, that family I just described, because they
12 fall below the minimum income requirement on
13 earnings in the program we're implementing would
14 pay nothing.

15 But a family that say, same wage,
16 working full time, now is making \$13,000 a year,
17 they would get \$27,000 in food stamp benefits.
18 They'd be covered by Medicaid, they'd have
19 childcare. They'd get an EITC benefit of \$6,500.
20 So their total, sort of cash, or spendable income,
21 would be more than \$22,000. And they'd pay \$120.

22 So then, you go another way. \$10
23 an hour, working full time, they're earnings are
24 now \$18,200. They're still eligible for food
25 stamp benefits of more than \$2,000 a year, still

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2 eligible for Medicaid coverage. They still get an
3 EITC of more than \$5,800. So they also have cash,
4 disposable dollars in their pocket. And their
5 contribution would be \$368, monthly. So, it
6 varies by income level. And when we look at it we
7 think it's fair to look at it in the entire
8 picture, the entire picture, not just of earnings
9 but of supports that are tied to low income
10 earners. And that's not even factoring into
11 account the \$36,000 a year cost in shelter costs.

12 COUNCIL MEMBER RODRIGUEZ: I just
13 would like to end saying that even a family making
14 \$45,000 a year, we all--when we combine all the
15 services that they get, extra income, they are
16 struggling to survive. And I've got to tell you
17 that in this City, especially like in the working
18 class community, living with a \$45,000 or \$60,000
19 when people pay their rents and they have to spend
20 for services that they need for their children and
21 any other school expenses, any other medical
22 expenses that they also have--I believe that this
23 could be a good initiative, probably for a new
24 administration. After four years, I would say
25 probably we're going to be in a better economic

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time, but I believe that as we are also looking at ways of how we incentive our economy, I don't think that this is a good initiative right now.

ROBERT DOAR: Well, Councilman the family that you described, making that income, you're absolutely right. They are struggling in New York City; it's a tough place to live at those incomes. But that family is not actually likely to be in the shelter system. I mean that kind of income is not very frequent.

COUNCIL MEMBER RODRIGUEZ: I'm sorry, this is my last thing. I agree with you, that they are not the same as living in shelter. But you know what? I'm pretty sure that those families, they don't have the money to have their child going to one of the programs; the family can't have the child in Chelsea Piers in sports, in cultural programs. They don't have the money to bring the children to movies. They don't have the money to bring their children to see a play on Broadway. They don't. Thank you.

COUNCIL MEMBER LANDER: Thanks, Madam Chair, and thanks Commissioners Hess and Doar for being here with us today. My six year

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2 old daughter, Rose, and I, are reading the
3 American Girl doll series of books. We're working
4 our way through the series, and we're currently
5 reading about a girl named Kit, whose family lives
6 in the Great Depression. And the father has lost
7 his job, he was a salesman. And they've had to
8 take in boarders; they've gone on relief, and you
9 know, they're within inches of losing their home;
10 they can't pay their electric bill, you know. And
11 so, in the recent chapters, they've been doing
12 everything they possibly can to scrimp and save.
13 Kit, who is eight or nine, has gone to work.
14 She's volunteering to get some little income from
15 her uncle; they're gardening the front and back,
16 everything they can possibly do to scrimp and save
17 every penny to pay that next electricity bill, to
18 pay the mortgage in their case, every penny. So
19 it's all about what they're doing to save to
20 prevent themselves from being homeless.

21 So last night, I said to my
22 daughter Rose, Mayor Bloomberg is proposing that
23 homeless people have to pay rent in the shelter
24 system. And she said, Daddy, that makes no sense;
25 they have to be saving, right? Kit's family is

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2 saving; they are saving every penny they possibly
3 can for their housing. And I guess, before I get
4 to some numbers, my simple question for you is,
5 isn't she right? Shouldn't we be encouraging
6 every one of those families to save every penny
7 they can, and not take money that they're earning
8 working for jobs that pay \$7.25 an hour to give to
9 either the City or the State?

10 ROBERT DOAR: I would hate,
11 Councilman, I would just hate to ever disagree
12 with your daughter. I want to be clear about
13 that--

14 COUNCIL MEMBER LANDER:
15 [Interposing] So help me explain to her why she's
16 wrong and you're right?

17 ROBERT DOAR: --or in any way imply
18 that she does not have, you know, brilliant
19 thinking on these issues.

20 COUNCIL MEMBER LANDER: I'm not
21 sure that's brilliance.

22 ROBERT DOAR: But, the family you
23 described, first of all, is in a different period,
24 in a different time set, and a different array of
25 government assistance program. And what they are

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2 doing, the family you described, is trying to
3 address their issues. And that's what we're
4 trying to do with the income contribution as well,
5 is to try to get folks in the habit of making a
6 contribution from themselves to support their
7 housing. That's one.

8 COUNCIL MEMBER LANDER: So why
9 wouldn't that be better as a savings contribution
10 towards future housing expense?

11 ROBERT DOAR: And two; we did
12 propose, we asked the State, we are interested in
13 a savings component. But that was not accepted as
14 a possible way of doing it. So we're open to
15 discussion about a savings component, but I do
16 want to just say that we're trying to encourage--
17 we found at HRA that if we encourage and require
18 personal responsibility and then support that, it
19 happens. And that's what this contribution
20 requirement is about.

21 ROBERT HESS: So Councilman, I
22 think, I think that it would really be very, very
23 helpful, very helpful, if I could have the
24 opportunity to spend a little time with your
25 daughter before the next hearing. I think it

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would much better prepare us--

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COUNCIL MEMBER LANDER:

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[Interposing] I think it might be helpful too.

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ROBERT HESS: --for the hearing.

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That said, what Commissioner Doar said is correct.

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Our initial request to the State included a

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savings component. We've said a couple times

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today that we are open to and look forward to a

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discussion with our State legislators about how we

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might move forward with something that included a

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savings component. In the meantime, I think we

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can't lose sight of the fact that we have been

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fined \$2.4 million. I mean, that's real.

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COUNCIL MEMBER LANDER: So if there

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were an arrangement with our State legislators and

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our governor, where there was no fine for the

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City, where you were allowed to set up some

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savings contribution, hopefully a match savings

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contribution program of some kind that could be

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used toward housing expenses when people move out

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of the shelter, and that included the State

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resources that are needed for the shelter system,

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would you agree, as part of that agreement, to

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take off the table charging people rent for being

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2 homeless?

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COUNCIL MEMBER LANDER: Okay.

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Well--

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ROBERT DOAR: [Interposing] I

should also say that until the law changes, we

can't take it off the table. So they would need

to change the law.

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COUNCIL MEMBER LANDER: I'm in

favor of changing the law, as Senator Squadron and

Assemblyman Wright have introduced, to change the

law so that the City is not allowed to charge rent

for homelessness. If that can be worked out in a

way that involves a match savings program, I think

that would be fantastic. And if you guys could

help contribute to that--

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ROBERT HESS: [Interposing] But

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Councilman, to be fair--

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2 COUNCIL MEMBER LANDER: --outcome,
3 and help the governor come to that as well, I
4 think that would be great.

5 ROBERT HESS: Councilman, to be
6 fair, there is no bill out there now that includes
7 a savings component. We offered the idea up. It
8 seems to be beginning to get some traction. We
9 are open to that discussion. I think some
10 discussions may have already started, and we're
11 certainly looking forward to continuing that
12 process.

13 But, to Commissioner Doar's point,
14 until the State law is different than it is today,
15 we're faced with the reality of today.

16 COUNCIL MEMBER LANDER: Okay,
17 that's helpful. I mean I think we'd be glad, I
18 don't want to speak for any others, I'm glad to--
19 we stood out this morning on the steps with
20 Senator Squadron; I talked to Assemblyman Wright
21 yesterday. My sense is they also want to reach a
22 situation that works for everyone. And I think if
23 we could reach a solution that took off the table
24 rent for homelessness and instead moved to a
25 savings contribution program, and have the State

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2 stop fining us, that that would be a good place to
3 end this discussion. I would be glad to take this
4 back to them.

5 ROBERT HESS: I hope we include in
6 any discussion the State returning the \$2.4
7 million it took them.

8 COUNCIL MEMBER LANDER: I'm for
9 every penny we can get from the State, that's for
10 sure.

11 ROBERT DOAR: So are we.

12 COUNCIL MEMBER LANDER: Okay, thank
13 you. Just a couple of questions on the details,
14 then I'll--I have a few more actually on Advantage
15 and on the Section 8 families, but let me finish
16 on the rent for shelter and then I'll yield to
17 Gale, and then come back and ask those second time
18 around.

19 I just want to--I have to say that
20 I find the throwing around of public benefit
21 numbers in order to inflate income a little
22 mystifying. So for this family earning \$13,195,
23 and you get them up to \$45,000, how much of that
24 is Medicaid?

25 ROBERT DOAR: The value of

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2 Medicaid--the cost of Medicaid for health
3 insurance for that family is \$16,272.

4 COUNCIL MEMBER LANDER: Okay. So
5 that's a lot of money; that's more than they're
6 making. That's of no use to--I mean it's good
7 they have health insurance--

8 ROBERT DOAR: [Interposing] It's
9 not disposable income.

10 COUNCIL MEMBER LANDER: right. But
11 I mean it's not...

12 ROBERT DOAR: It isn't. Yeah.

13 COUNCIL MEMBER LANDER: And how
14 much is childcare assistance?

15 ROBERT DOAR: \$9,900.

16 COUNCIL MEMBER LANDER: Okay.
17 Again, an important subsidy and I'm glad it's
18 being provided. But it seems to me that the
19 fundamental, and I agree entirely with what
20 Commissioner Hess said, the reason that folks are
21 in the shelter system is because there's a
22 mismatch between their income and the cost of
23 rent. Right? And so to me that's the thing to be
24 looking at. How much can a family afford to be
25 spending on rent? So, you know, somebody earning

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2 \$13,195, if you take 30% of their income, they can
3 afford about \$300 in rent, which is why they're in
4 the shelter. So if our goal is to get them back
5 in an apartment, I still don't get how we're
6 helping them get back in an apartment by keeping
7 some of their money?

8 ROBERT DOAR: Well, I think we're
9 establishing a pattern of personal responsibility,
10 and I think that the issue you describe with
11 regard to the cost of rent, that's still going to
12 be there when they leave the shelter. I don't see
13 any hope for that tomorrow. We want people to
14 understand that there is an aspect of affording
15 your rent that is part of their own contribution.

16 COUNCIL MEMBER LANDER: I would say
17 that if that family is really, if that mother,
18 assuming it's a mother, is working 35 hours a week
19 for \$7.25 an hour, boy she is illustrating
20 responsibility. So she's in the shelter because
21 she could not find a place to live for \$300 a
22 month in the City of New York, not because there's
23 a bad pattern of personal responsibility in play.

24 And let me go to then the \$25,000
25 family. This is the one I really need some help

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on. The Times--you haven't spoken to this--but yesterday's Times article says that a family earning \$25,000 would be asked to pay \$926 a month. And by my calculation, that's 44% of their income. That 30% of that family's income, what we would charge them on Section 8, is \$625. Again, they'd have a hard time finding an apartment in New York for \$625, even earning \$25,000. But I think--maybe The Times was mistaken--but you're going to charge them \$926 or 44% of their income.

ROBERT DOAR: That is what the State law requires. And we also in our discussions with the State asked if we could vary to a flat rate that would avoid that kind of payment in that circumstance, and that's also outside of the parameters of the statute. So I think that quotation is correct, and it is what is done, or applied in shelter situations around the State. Not in New York City, because we don't do it. But that's--

COUNCIL MEMBER LANDER:
[Interposing] Don't you think it's wrong, though, to charge them 44% of their income for rent?

ROBERT DOAR: We asked the State if

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2 we could do it a different way. We're under
3 negotiations with the State with regard to
4 changing the legislation, and I'll leave it at
5 that.

6 COUNCIL MEMBER LANDER: Okay.
7 Thank you. All right. And my final question on
8 rent for shelter just comes back to this final
9 question on what happens if somebody doesn't and
10 you move through a process of conversation. And I
11 guess I've been wondering whether, and again, I
12 hope this never happens. I hope we reach an
13 agreement that we never wind up charging rent for
14 shelter, so we never have to move the legal
15 process through. But if we do, understanding that
16 you don't want to see it as a housing court
17 process, would you still agree to give shelter
18 eviction notices to both households and to Legal
19 Aid or some legal representative to make sure that
20 their rights are protected in that process?

21 ROBERT HESS: We have a rather
22 rigorous process. And I believe that there is a
23 variety of information on the--as I recall the
24 back of certain of our forms that give people
25 options to call if they seek representation, and

1
2 that's fine. And so, again, I don't see evicting
3 people like a landlord tenant arrangement. What I
4 see is a symptomatic issue that we'll do our best
5 to resolve. But at the end of the date, if you
6 take it out through the old processes, is there a
7 possibility of a sanction? In, I suspect,
8 relatively few cases, that is possible. As they
9 get before - - fair hearing and along the way, is
10 there an opportunity to be represented? And the
11 answer is yes.

12 COUNCIL MEMBER LANDER: I'll close
13 by saying, respectfully, if you don't want to--if
14 you want to charge them rent I think you ought to
15 step up to the responsibilities, the legal
16 responsibilities, of being a landlord. And if you
17 don't want to treat it as a landlord tenant
18 situation, then you shouldn't charge them rent.
19 So, thank you for coming again. I'll yield to
20 Gale. I have a few more questions on Advantage,
21 which I appreciate all the details you provided
22 and would like to ask some more specifics about in
23 a minute.

24 CHAIRPERSON PALMA: Thank you,
25 Council Member. Council Member Brewer?

1

2

COUNCIL MEMBER BREWER: Thank you.

3

I know that you're both tired of this issue of

4

contributions for rent, but it makes everybody so

5

crazy. And I would venture to say, I happen to

6

know that half the people in the Mayor's office

7

think it's insane; and I bet half of your staff

8

thinks it's insane, if not everybody. In fact, I

9

know most of your staff, and they think it's

10

insane. So my question is you're negotiating

11

something. And I understand that we can't know

12

the negotiations. And I assume by the fall we

13

won't be having these conversations and there will

14

be a change. But when Michelle Goldstein was head

15

of your legislative office, she wrote a memo in

16

opposition to this concept. Now, is Micah Lasher,

17

the new Michelle Goldstein, writing a program in

18

support of bills that would move the State from

19

this insane idea to savings accounts? Is that

20

something that you have actually put your stamp of

21

approval on?

22

This is a piece of paper that says

23

we are opposed to the Wright Squadron legislation.

24

ROBERT DOAR: Yes.

25

COUNCIL MEMBER BREWER: But what

1

2

you're saying is, we are now trying to negotiate something that is different than this crazy idea?

3

4

ROBERT DOAR: Do you want to take

5

that?

6

ROBERT HESS: We are open to

7

discussions.

8

COUNCIL MEMBER BREWER: I got that

9

part.

10

ROBERT HESS: We will continue the

11

discussions.

12

COUNCIL MEMBER BREWER: I got that

13

part.

14

ROBERT HESS: They will end in a, I

15

hope, a favorable resolution that all parties can

16

stand behind. And at that point in time, the

17

City's position will be well documented.

18

ROBERT DOAR: But the position that

19

you have in front of you is the position of the

20

City at this time.

21

COUNCIL MEMBER BREWER: Okay, but

22

it could change.

23

ROBERT HESS: Yes.

24

COUNCIL MEMBER BREWER: And I will

25

Email Micah tonight and tell him to change his

1
2 position. The other question--since I have his
3 home email.

4 The other question I have is
5 regarding the numbers of people who come through
6 the system who might be members of the NYCHA
7 community, in other words living in NYCHA housing
8 now and end up in your system. I mention that, I
9 know it's not something that's specifically on the
10 agenda, but that's a group of people that we're
11 trying really hard to keep out of the DHS system.

12 ROBERT HESS: Yes.

13 COUNCIL MEMBER BREWER: So I'm just
14 wondering, how that fits in to all of this, if you
15 know how many?

16 ROBERT HESS: I do not. We would
17 have to--we'll look into that and have to get back
18 to you.

19 COUNCIL MEMBER BREWER: Okay.

20 ROBERT HESS: I can tell you that
21 you're right. There historically has been, you
22 know, a significant number of folks that sadly
23 have come from the public housing into the shelter
24 system for a variety of reasons. And you're
25 right, that everything we can do to minimize that

1
2 is obviously in the best interests of the families
3 and our best interests.

4 COUNCIL MEMBER BREWER: Okay. The
5 other--I know that Council Member Lander talked
6 about Medicaid, which is not income, childcare
7 which is not--the broker's fees. How many--you
8 mentioned that as part of what is the package.
9 But I'm wondering, do many of the persons who are
10 leaving shelter to go to permanent housing,
11 hopefully, do they have to pay a broker fee, or
12 are you in direct contact with the owners and
13 that's not necessarily something that is really a
14 part of that package?

15 ROBERT HESS: It's a combination.
16 In many cases we do receive apartments through
17 brokers, and we do pay the brokers' fees for the
18 families.

19 COUNCIL MEMBER BREWER: Okay. When
20 it's given such a large number as what the
21 families get as a reason why they need to be
22 paying into some kind of rent, it does seem to me
23 that it's a bit of an exaggeration. Because I
24 know a lot of families that the owner and DHS are
25 in negotiation and there isn't a broker's fee, so

1

2 I'll just throw that out.

3 ROBERT HESS: To the extent that
4 there is no broker's fee, then obviously none is
5 paid. But to the extent that there is a broker's
6 fee, we do pay it on behalf of the family.

7 COUNCIL MEMBER BREWER: Okay. And
8 then I think you mentioned in your testimony, I
9 think it was, you know, a small number of families
10 are coming back--not many, you're working really
11 hard with HomeBase and other opportunities to not
12 return. I think it was 25--some number like 25.

13 ROBERT HESS: 25 out of the 2,582.

14 COUNCIL MEMBER BREWER: Correct.
15 Okay. So, what in the future do you think you
16 need to do to try to get that number to zero?
17 Because obviously one family is one family too
18 many.

19 ROBERT HESS: A great question.
20 And, you know, we think that we've got a pretty
21 strong array of potential services between
22 HomeBase and HRA and Legal Services and all the
23 rest. However, for this specific group we also
24 created the flex fund of \$1 million to be able to
25 support families that lost their vouchers, that

1
2 are about to become homeless, if none of the other
3 existing systems' funding streams can support
4 them. And so we created yet another one to kind
5 of catch, kind of a final safety net. It's been
6 used modestly so far, but it's early. Right? We
7 only sent the letters out to the 2,582 what, a
8 month ago? But, you know, we've received contact
9 from about 100 of those families. 13 of them have
10 actually received funding out of the flex fund,
11 because they did have a unique situation that
12 other funding sources couldn't support them with.
13 So we used the flex fund for that purpose and will
14 continue to do that.

15 COUNCIL MEMBER BREWER: Now one of
16 the great aspects of HRA are the staff who work in
17 the One Shot office. They are phenomenal. We
18 talk to them all day long, and they are
19 responsive, and they work as hard as they can.
20 You always need a third party there, obviously, in
21 order to get a One Shot. So is the fact that some
22 families don't have a third party when they're
23 about to be evicted a challenge in terms of
24 keeping them in their homes? Because I do think
25 that some of the folks who end up in the shelter

1
2 system are--HRA has done everything possible to
3 keep them out of the shelter system, to keep them
4 in their apartment, but the lack of that third
5 party is sometimes a challenge--in other words
6 there's nobody to guarantee the rent into the
7 future. And I mention that because if some of
8 this flex fund or other kinds of funding can be
9 used as a third party, I don't know.

10 ROBERT HESS: Do you have a little
11 experience on this personally, Council Member?

12 COUNCIL MEMBER BREWER: I know one
13 person, but there's about ten every day that we
14 try to work with HRA on.

15 ROBERT DOAR: Well, I appreciate
16 your compliments to my staff. The two leaders of
17 that unit, Mark and Rick, are here--

18 COUNCIL MEMBER BREWER:
19 [Interposing] We love them.

20 ROBERT DOAR: --they are great
21 public servants.

22 COUNCIL MEMBER BREWER: They
23 certainly are.

24 ROBERT DOAR: And with regard to
25 the third party, I'll look into that.

1

COUNCIL MEMBER BREWER: Okay.

2

Well, that's something that does actually
contribute greatly to Mr. Hess's client base.

3

4

5

ROBERT DOAR: Contributes greatly?

6

COUNCIL MEMBER BREWER: Yes.

7

Because many people do not have a third party--

8

ROBERT DOAR: [Interposing] Oh, I

9

see. I see.

10

COUNCIL MEMBER BREWER: --in order

11

to keep them in their homes. Because as you know,

12

I pay a lot of those third parties, so I know.

13

ROBERT DOAR: Yes, got it.

14

COUNCIL MEMBER BREWER: My final

15

question is, the numbers of people, maybe we've

16

discussed this, who are finishing up Advantage.

17

And I guess what you're saying is their solution

18

to not being able to have the funding for rent is

19

to try to work with HomeBase. And that's a great

20

suggestion. So the 73--which we all have

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memorized--the \$73.4 million which you say people

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have spent, you know, ten times over, is that

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money--how long is that money going to last to

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continue this supportive atmosphere? People

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sometimes have challenging situations with

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HomeBase, but they do they best they can. How long is that money going to last?

ROBERT HESS: At the current rate of spending, Councilwoman, I would project or forecast that that \$70 plus million will be expended by the end of next summer.

COUNCIL MEMBER BREWER: End of 2011 summer.

ROBERT HESS: That's correct.

COUNCIL MEMBER BREWER: And we don't know what's going to happen after that?

ROBERT HESS: Well, we're actively engaged in working with our congressional delegation. We had hope that there might be some additional funding in the Jobs Bill, and that seems to have been derailed in the United States Senate. We're continuing to work on that. We would like to see, under the Hearth Act, some additional prevention funding added as an additional appropriation to the next McKinney Round. And so we're working actively on that. You know, it's too early to tell what our level of success will be. But I think it's absolutely certain by the end of next summer our stimulus

1

2 money will be expended.

3

COUNCIL MEMBER BREWER: Okay.

4

Thank you very much. And I would urge you, please

5

figure out a solution to this really challenging

6

contribution that absolutely does not make sense.

7

Thank you very much.

8

CHAIRPERSON PALMA: Thank you,

9

Council Member. Commissioner Doar, a question on

10

the 1.3 PEG from last year. As a result--that PEG

11

was in the budget as a result of the

12

implementation of the client contribution--oh, I'm

13

sorry. It's DHS's PEG. I just confused you.

14

ROBERT DOAR: Oh. Sorry.

15

CHAIRPERSON PALMA: You should have

16

seen the look on your face. You've got to look at

17

2:00 in the morning, when you see that--the look

18

on your face was like, what? I'm so sorry.

19

Commissioner, the PEG, the \$1.3

20

million PEG. We've heard that we don't expect the

21

savings as a result to the new implementation.

22

I'm just wondering, is DHS going to offer an

23

alternative PEG or what's going to happen?

24

ROBERT HESS: It hasn't come up

25

before now. We may have just alerted OMB, so by

1

2 the time I get back to the office I might have to
3 deal with that.

4

CHAIRPERSON PALMA: Okay.

5

6 ROBERT HESS: Thank you, Madam
7 Chair. It hasn't come up as of now.

8

9 CHAIRPERSON PALMA: So I helped
10 OMB; okay. I'm glad it hasn't come up. So we
11 shouldn't have OMB--

12

13 ROBERT HESS: [Interposing] Molly
14 gave you that question. Ask her not to do that
15 again.

16

17 CHAIRPERSON PALMA: Some quick
18 questions on short term rental assistance. Under
19 what circumstances is short term rental assistance
20 provided, and like, who is eligible? I don't know
21 if you answered that.

22

23 ROBERT HESS: Yeah, the short term
24 rental assistance component of the current
25 Advantage package, we have not requested to
26 extend. So we don't see that as part of the new
27 Advantage program, largely because it was very,
28 very rarely used. We could get you the exact
29 numbers.

30

CHAIRPERSON PALMA: Yeah.

1
2 ROBERT HESS: But, you remember
3 initially it was the first part of the Advantage
4 program that we rolled out. And the first summer
5 I think we had 300 or 400 families that had moved
6 out on short term Advantage. Since then, once the
7 full array of Advantage programs were rolled out,
8 I think that almost no one took us up on the offer
9 of the short term Advantage. And so we did not
10 request to continue that moving forward.

11 CHAIRPERSON PALMA: But under the
12 HomeBase program.

13 ROBERT HESS: Oh, the HomeBase
14 program. Under HomeBase, to the extent that there
15 is a plan for a family to be able to afford the
16 rent after a period of time--I think the example
17 that I gave in the testimony, Ms. W, is one of
18 those situations where she has a number of months
19 to go in her current lease and we're working with
20 her in a variety of ways to be able to increase
21 her income. And we'll provide her a financial
22 short term subsidy to get to the end of the lease.
23 And then if she has a plan where she can afford
24 the current rent in place, if not, we'll help her
25 find another apartment at a lower rent, that she

1
2 will be able to meet her ongoing obligations.
3 Under that kind of scenario, we will provide a
4 short term rental subsidy, and we are, through
5 HomeBase. I'm sorry? So far, we have spent about
6 \$2 million this fiscal year in that kind of
7 assistance.

8 CHAIRPERSON PALMA: So, you would
9 say, you know, maybe cap that--if someone needs
10 help up to six months, but not going over the six
11 months?

12 ROBERT HESS: It's case by case.
13 It can go longer than six months. I don't think
14 it often does.

15 CHAIRPERSON PALMA: Okay. And the
16 HRP funds being used for the rental subsidies--

17 ROBERT HESS: [Interposing] Yes.

18 CHAIRPERSON PALMA: These are the
19 only funds that are being used for that? There
20 are no other funds?

21 ROBERT HESS: No, it's a mixture.
22 You know, HUD had an opportunity to really use the
23 stimulus money in a very flexible way. Sadly--
24 we're grateful for the money and very appreciative
25 that we're able to use it the way we're able to

1
2 use it--but it did come with a fair amount of
3 strings attached and reporting requirements and
4 regulation associated with it. And so we have to
5 kind of blend money and figure out what we can
6 appropriately spend the stimulus money on. And if
7 we make expenditures that don't fit exactly into
8 that kind of box, then we have to use other funds
9 that are appropriate for whatever that
10 expenditures is. So it gets a little complicated,
11 but the answer is that the bulk of our prevention
12 activities are currently funded using stimulus
13 dollars.

14 CHAIRPERSON PALMA: Okay. And then
15 one last request I have is, can DHS partner up
16 with HRA to conduct a data match for any of the
17 clients who are using the eviction prevention
18 services and HomeBase services after the two-year
19 program mark has come to an end?

20 ROBERT HESS: We can certainly look
21 at that.

22 ROBERT DOAR: Right.

23 ROBERT HESS: We're happy to
24 provide data and work with HRA. I will say that
25 in my experience, the relationship between DHS and

1
2 HRA has grown by leaps and bounds over the last
3 number of years. And really it's daily
4 communication and daily coordination between the
5 agency in a way that I think we can be proud of.
6 So these kinds of requests are fairly routine now,
7 whereas once they may not have been.

8 CHAIRPERSON PALMA: Great.

9 COUNCIL MEMBER LANDER: Thank you.
10 I want to ask a few questions about the proposed
11 changes to Advantage. So, first--and some of this
12 is as a result of taking a look at the Advantage
13 report that you guys produced in March 2009, so
14 maybe there's more updated data, but that's what
15 we were able to have. And you mentioned this
16 earlier. I think your median Advantage
17 participant is working 32 hours per week.

18 ROBERT HESS: It actually dropped a
19 little bit in the last year from I think 32 to
20 about 30.

21 COUNCIL MEMBER LANDER: But the new
22 requirements would require that people work 35
23 hours a week. So does that mean essentially that
24 half of current Advantage participants would be
25 ineligible or violating the rules of the program?

1
2 ROBERT HESS: No, the current
3 advantage participants, as we see it, will
4 continue under essentially the same rules that
5 they're under now. When the program starts, we
6 think July 1st, the new participants would have to
7 be working at least 20 hours a week when they
8 leave shelter, and at the renewal point, which
9 would be a year out, would have to be at the 35
10 hour mark.

11 COUNCIL MEMBER LANDER: I mean,
12 don't you think they're working the number of
13 hours they can get from their employers, and it's
14 their employers that are setting their hours more
15 than it's their choice to work? You know, so many
16 employers, unfortunately, keep people at or below
17 35 to deny them benefits, a whole range of
18 reasons. So if people are working, you know, as
19 full time a set of hours that they can get from
20 their employers, you know, which your numbers
21 suggest they are, but falling short of 35--I guess
22 I'd ask you to look again at whether it really
23 makes sense to require 35 even in that second year
24 for a cutoff. They're not the one setting their
25 own hours, so.

1
2 ROBERT HESS: I think we won't know
3 until we set out the expectation and we measure
4 the results.

5 COUNCIL MEMBER LANDER: You think
6 it's the expectation--I mean you think they're
7 setting their own hours, sufficient that if they
8 want to work 35 they could get it.

9 ROBERT HESS: I don't have an
10 opinion on what people are currently doing. We
11 know what the facts are in terms of the number of
12 hours that they're working and the wages and so
13 forth. And we know that they've made great
14 progress from when they left shelter. And we
15 think that's very promising.

16 ROBERT DOAR: And it's a work based
17 program that intends to incentivize and require
18 work so that at the end of the second year they
19 can afford the rent that they are going to have to
20 pay. And to that extent, the more work they're
21 doing, the greater their income and the greater
22 their ability to afford that rent.

23 COUNCIL MEMBER LANDER: Although
24 there's a big difference between an incentive
25 based program and the one that says if you aren't

1
2 working 35 hours, then you're not eligible for the
3 program entirely; and even if your employer
4 systematically keeps people at 30, 32, 33 hours,
5 you're out of luck. So I guess I'd ask you to
6 take that into consideration and figure it out
7 before you wind up cutting people off who are
8 working just as many hours as they can possibly
9 get.

10 The same report said that basically
11 of the Advantage universe, only 19% met Work
12 Advantage requirements, and then another 17% met
13 Children Advantage or Fixed Advantage. And so I
14 want to understand the universe of people who are
15 being essentially moved into these work
16 requirements and what you think they're doing
17 today and why you believe the new program will
18 make them able to work where they aren't now?

19 ROBERT DOAR: Well on the Fixed
20 Advantage, the issue was there were children--
21 household members who were not on SSI, who could
22 work, and were not being required to work in order
23 to achieve the benefit. And we felt that we ought
24 to--they're able to work, they're not on SSI,
25 they're not being required at home to care for an

1
2 SSI child or family member, we ought to require
3 the--to tie the program more to work and the
4 importance of work. And so that was one
5 requirement. And the Children's, it was also our
6 determination that the mere existence of an ACS
7 case did not necessarily mean that the adults in
8 the household were not able to work and couldn't
9 work and weren't working. And so we felt that we
10 ought to, again, make the program as tied to the
11 importance of employment as possible. And that's
12 why both those changes were made. And there are
13 some--I don't know the numbers off the top of my
14 head, perhaps Mr. Hess does, but there are cases
15 that were once eligible for one or the other of
16 those two, and now will only be eligible if they
17 achieve the work expectation.

18 COUNCIL MEMBER LANDER: And what
19 about someone who, you know, with an adult who is
20 able to work, but has another member of their
21 household who requires a very high level of care
22 or assistance, even if that--

23 ROBERT DOAR: [Interposing] I think
24 there is an exception with regard to--that we have
25 already an HRA policy--if the need is such that

1
2 they are required at home, we could allow that to
3 stay in fixed.

4 COUNCIL MEMBER LANDER: You make
5 that decision, it's at your discretion where--

6 ROBERT DOAR: [Interposing] It's in
7 HRA. The program will be set up so that the
8 achievement of the work requirements is at HRA,
9 for HRA to evaluate.

10 COUNCIL MEMBER LANDER: And then I
11 have a question about the new way of--the rent
12 contribution is going to be calculated, especially
13 in the second year, this 30% of income, or 50% of
14 rent, whichever is higher. I mean, do I have that
15 right? So that if 50% of their income--if 50% of
16 the rent is greater than 30% of the income, it
17 doesn't matter what percent of income it is,
18 that's what the requirement would be.

19 ROBERT HESS: Yes.

20 COUNCIL MEMBER LANDER: Okay. This
21 brings me back to my concern about the mismatch
22 between rent and income. Because you said earlier
23 the average rent for Advantage folks is \$1,000 a
24 month or more or less, right?

25 ROBERT HESS: Yes.

1
2 COUNCIL MEMBER LANDER: But that
3 the average income of the families, at least as I
4 have it, is about \$1,300 a month.

5 ROBERT DOAR: Yes.

6 COUNCIL MEMBER LANDER: So in that
7 second year, I mean even for the average family,
8 not somebody who is paying a particularly high
9 amount of rent, they're going to be required to
10 pay \$500 a month for their rent, you know, which
11 is, I don't know, probably closing in on 40, 40
12 plus percent of their income.

13 ROBERT DOAR: The expectation of
14 the program and of the State regulatory framework
15 that we're in is that it's a short term program.
16 This is not a lifetime commitment to pay the
17 difference between their income and their rental
18 obligation. So we are trying to make it clear,
19 you know, we are concerned about the cliff at the
20 end of two years. So we're trying to make it
21 clear that clients who receive the benefit need to
22 work and or receive other, you know, maybe other
23 contributors to the rent in the household, so they
24 can afford the rent on a go-forward basis.

25 COUNCIL MEMBER LANDER: Okay. I

1
2 mean again, that feels to me like it implies that
3 the reason that they're going to be homeless is a
4 lack of responsibility as opposed to a lack of
5 ability to afford the rent. I mean, certainly
6 that family--and let's talk about after the cliff.
7 This is not a problem of your making or their
8 making. So they reach the end of two years.
9 They're still making \$1,300 a month, and now
10 they're supposed to pay \$1,000 a month for rent,
11 right? I mean that's what would naturally happen
12 in the average case here. It's impossible. It's
13 not a question of personal responsibility. They
14 can't pay \$1,000 a month out of \$1,300 income.

15 ROBERT DOAR: There are limitations
16 to the extent to which we can create a City funded
17 or State funded rental assistance program. There
18 are limitations to what we can do and what we can
19 afford, and we have to acknowledge that. So we're
20 trying to target it and require expectations that
21 will allow us to be short term in nature.
22 Otherwise, this program will swamp us completely.

23 COUNCIL MEMBER LANDER: I'm just
24 afraid that's what's actually going to happen,
25 even if we hope it won't. It was my understanding

1
2 that obviously one goal was for that exact family
3 that I'm talking about, that let's say they're
4 working with HomeBase, they're doing everything
5 they can, but they can't get a better job.
6 They're making that \$1,300 a month. You've helped
7 them find a \$1,000 a month apartment. That's the
8 average case. That's, as I understand it, the
9 exact, typical case. It's not an outlier. We're
10 in trouble if that's the Advantage caseload and we
11 don't have a Section 8 certificates at the end of
12 that two-year period. So this is not--and leaving
13 aside whether the changes are good or bad or
14 whether the policy is good or bad, if that's the
15 typical advantage case, aren't we in fact headed,
16 as a City, for a cliff when the HPRP funds run out
17 and we don't have any more Section 8 certificates?

18 ROBERT DOAR: That's one of the
19 reasons why we wanted to make a change and make it
20 more focused on work requirements and more
21 targeted, as opposed to leaving it the way it
22 currently is, which is the similar circumstances
23 you're describing. That's true today. And I also
24 should point out that both in the previously
25 existing Jiggetts program and in family eviction

1
2 protection program, where we do make an effort to
3 help people stay in apartments that may not be
4 exactly commensurate with their income, but that
5 has not--once they get settled and transitioned--
6 that not has resulted in people remaining in those
7 programs year after year, after year, after year.
8 They do find other resources, perhaps find other
9 housing, and they do not necessarily come back to
10 the shelter. And we have that same hope and
11 expectation here.

12 COUNCIL MEMBER LANDER: And I hope
13 you're right and I'm wrong. But I'm just looking
14 at the typical--the information that you've given
15 us, and it leads me to be very afraid for what
16 will happen at the end of this time. When I first
17 asked these questions of Commissioner Hess a few
18 months ago, it was my understanding that there
19 would be some Section 8 certificates to help us
20 out of that, but that's seems like an entirely
21 unrealistic expectation now. Boy, I hope you're
22 right, but it seems to me that we're going to be
23 very likely back here with a significant new
24 problem.

25 But let me ask Commissioner Hess a

1
2 couple of more questions then, and let you off the
3 hook for a minute. Just, my final questions are
4 back on this question of the revoked Section 8s,
5 and I appreciate you're giving us an update on the
6 flex fund, and I'm glad a few people have been
7 able to take advantage of that.

8 It's my understanding that DHS was
9 willing to do what this Council had asked you to
10 look into last time, and is considering doing
11 legislatively, which is to refer people to NYCHA,
12 so that they would be top priority on the NYCHA
13 waiting list, which is fully within the DHS power,
14 but that NYCHA doesn't want you to, essentially.
15 And I'm concerned about a lack of coordination
16 between DHS and NYCHA, which I think runs the risk
17 of being much worse, again, if they decide to just
18 yank another 10,000--if it's fully within their
19 power, without consulting with you to pull 10,000
20 Section 8 certificates, you're going to have a lot
21 of families at your door.

22 ROBERT HESS: It appears that the
23 situation at NYCHA with respect to Section 8
24 generally is still a little fluid. I know that
25 they outlined some kind of worst case scenario

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2 that they might have to go through. I think
3 they're still grappling with that. I don't think
4 that the issue of the 2,582 lost voucher holders
5 has been completely resolved. I'm not aware that
6 anything has been taken completely off the table
7 at this point. I think it's still a fairly fluid
8 situation. And so, we have a lot of dialogue with
9 NYCHA. We will continue to have that dialogue.
10 This is an issue that the administration remains
11 concerned about. I think we all want to figure
12 out how to get the Section 8 spigot turned back on
13 as soon as possible. I haven't heard anyone
14 opposed to that.

15 COUNCIL MEMBER LANDER: 100%.

16 ROBERT HESS: And so, I think we'll
17 all work toward that ultimate goal. But it feels
18 to me like NYCHA is still kind of reviewing their
19 internal situation and the impact that this is
20 really having and what's going to be necessary.
21 But again, I'm not aware of anything that's been
22 taken off the table as a discussion item.

23 COUNCIL MEMBER LANDER: I
24 appreciate that. I would just urge you, I think
25 it's in the DHS's interest as well, and all of our

1
2 interests in preventing homelessness, to use every
3 possible resource as smartly as we can.

4 ROBERT HESS: Oh, no question.

5 COUNCIL MEMBER LANDER: And
6 inasmuch as to some extent NYCHA has created that
7 problem with the Section 8 pipeline, the resource
8 that they have of public housing units for some of
9 those 2,500 to be able to move into, which doesn't
10 cost anybody any extra money, so we can focus what
11 extra resources we come up with--whether those are
12 HPRP or whatever is necessary--to make sure that
13 we don't wind up evicting another 10,000 families
14 by yanking their Section 8 certificates.

15 And I guess the last thing I would-
16 -just, my final question is, I appreciate all the-
17 -I'm one of those people who is a big believer in
18 homelessness prevention. And I think the new
19 prevention programs and HomeBase programs you've
20 put in place are a very good step toward that. At
21 the same time, if we're really at risk as a result
22 of a temporary shortfall on the Section 8 side of
23 the ledger, which will go down as there's
24 attrition and they'll go back to a reasonable
25 point of view, and a one-time infusion of cash is

1
2 what's needed to prevent as many as 10,000
3 families becoming homeless, it seems to me that
4 would quickly rise up our priority list for how to
5 use our homelessness prevention funds. And so I'm
6 just eager that DHS and NYCHA really figure out
7 how to do this. I appreciate the fact that there
8 was DHS openness to make those referrals. And I
9 hope you'll help work with us to make sure that
10 NYCHA is also helping us to avoid a mass
11 homelessness crisis.

12 ROBERT HESS: We'll continue to do
13 everything we can to avoid any New Yorker from
14 experiencing homelessness.

15 CHAIRPERSON PALMA: Thank you,
16 Council Member. Commissioner, the domestic
17 violence survivors who are part of the Advantage
18 program. I know the rules for them are after 42
19 days in shelter, then they're eligible for the
20 subsidy. Are any of the rules that they fall
21 under, are they going to change?

22 ROBERT DOAR: Under the proposal
23 that we have before the State we have remained--
24 that the shorter timeframe has remained in place
25 from the 60-day requirement in the DHS system to

1
2 the 42-day requirement in the domestic violence,
3 in recognition of the shorter timeframe for the
4 stay in the domestic violence shelter generally.
5 But we have also imposed the work requirement that
6 is in existence in Work Advantage here as well.
7 Where before domestic violence residents of our
8 shelter system were not required to meet the work
9 requirement before being given the voucher and
10 being found an apartment, we're now going to say
11 we need to meet that 20-hour requirement before
12 the voucher will be issued. And many residents of
13 the domestic violence shelter are working and have
14 achieved the work requirement after they've left
15 the shelter. And we have belief that they will be
16 able to do that with this more stringent
17 requirement.

18 CHAIRPERSON PALMA: Okay. Thank
19 you. I want to thank both commissioners for your
20 time and, you know, the work that you have done
21 around HRA and DHS. They're not easy issues to
22 deal with, and we recognize that. And you know,
23 we're here to work with you. And I'm confident
24 that at the end of the day, you know, echoing the
25 words of Council Member Brewer, I hope not to be

1
2 talking about this issue in the fall and that
3 we've actually, you know, have pushed the State to
4 come up with a resolution that is going to be
5 beneficial to New Yorkers as a whole. So thank
6 you so much for your time.

7 ROBERT HESS: Thank you, Chairman.

8 ROBERT DOAR: Thank you.

9 CHAIRPERSON PALMA: Our next panel
10 is Steve Banks and the client he is going to have
11 testify before us. Thank you.

12 [Pause]

13 CHAIRPERSON PALMA: That's fine. I
14 mean, there's not that many people. Okay.

15 [Pause]

16 COUNCIL MEMBER BREWER: Oh, that's
17 why they're doing it. Yeah, yeah. It makes
18 sense.

19 [Pause]

20 CHAIRPERSON PALMA: Thank you,
21 Steve. And you may begin.

22 STEVE BANKS: Thank you very much
23 for having us testify today. You have testimony
24 in the record from the Legal Aid Society and
25 testimony from one of our clients, [phonetic] who

1
2 is here to testify with us today. And I'm up here
3 a well with Anya Maddow-Zimet from the Legal Aid
4 Society. Let me introduce K. N. to you, and let
5 her begin the testimony.

6 With me today is K. N., who like
7 thousands of other New Yorkers in Advantage
8 program apartments face evictions, because the
9 program as currently constituted will not enable
10 her family to remain in her apartment. Ms. K. N.
11 is a survivor of domestic violence who became
12 homeless because the Administration for Children's
13 Services told her that her apartment was not big
14 enough to accommodate her nieces and her nephews,
15 all of whom have special needs, that she had to
16 take in, when their mother was unable to care for
17 them.

18 She eventually found a new
19 apartment through the Children's Advantage
20 Program, which the City announced this week it
21 will discontinue. But her family has now reached
22 the City's imposed two-year time limit for the
23 program, and Ms. K. N. has no other way to pay her
24 rent, and the HomeBase program has also proved
25 unable to help her. I think that her testimony

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2 will illuminate some of the issues that were very
3 cogently presented by the questions of the
4 Committee. And then following her testimony we're
5 happy to both answer questions and make some
6 generalized comments. Thank you very much, and we
7 appreciate your sensitivity in allowing us to
8 present the testimony in this way.

9 K. N.: Good afternoon, everyone.

10 I am a survivor of domestic violence and a
11 participant in the Advantage program. I do not
12 want to use my real name, because I do not want my
13 batterer to find me; but you can call me

14 I became disabled in 2006 when I
15 injured my back while working as a home health
16 aide. I have been unable to work since, and have
17 difficulty doing basic daily tasks. I also suffer
18 from high blood pressure and chronic back pain.
19 For the last two years I have lived in an
20 Advantage apartment with my daughter, two nieces
21 and two nephews.

22 I became homeless in 2007. I had
23 to move out of my apartment at that time in order
24 to take custody of my nieces and nephews. The
25 City's Administration for Children's Services,

1
2 ACS, had removed them from the custody of their
3 mother, my sister, after my six-year-old niece was
4 left at home, alone, with her siblings and
5 accidentally started a fire in the home by putting
6 a blanket over a space heater to keep warm,
7 because she was cold.

8 After contacting every family
9 member who I thought could take the children in,
10 because my apartment was too small, everyone said
11 no, they could not take them in. My sister asked
12 me if I would care for the children until she got
13 herself together. Because I did not want my
14 nieces and nephews to go into foster care, I
15 decided to take them into my home. However, after
16 three months, ACS said that my apartment was too
17 small, and that if I wanted to keep my nieces and
18 nephews, I would have to leave my apartment and
19 enter a homeless shelter.

20 Of course I did not want to leave
21 my own apartment where I had lived with my
22 daughter for four years and go into a shelter.
23 But I knew that my nieces and nephews had no one
24 else who would take care of them, and I was not
25 willing to let them go into foster care. All four

1
2 of them have special needs and they were clearly
3 traumatized by years of abuse. For the children
4 to be the ages they were, 15, 14, 12 and 6, they
5 did not have the basic skills that a child of ages
6 1 through 5 has. I felt like after all they had--
7 sorry. I felt like after all they had been
8 through I could not just abandon them or trust
9 that they would be taken care of in foster care,
10 so I did what ACS said, left my own apartment and
11 entered a homeless shelter in March 2007. After a
12 few months of living with my nieces and nephews,
13 they trusted me enough to tell me that my--I hate
14 this part--my niece had been sexually abused by
15 their mother's boyfriend.

16 [Pause]

17 K. N.: I contacted ACS and the
18 police, and the boyfriend was put in jail. The
19 children's mother was charged with abuse and
20 neglect in both family court and criminal court.
21 She is on parole and has supervised visits with
22 her children, once a week.

23 My family and I resided in a
24 homeless shelter from March 2007 until January
25 2008. This was one of the worst experiences of

1
2 mine and their lives, the children's lives. I
3 pray never to go back into a shelter. The shelter
4 where we were placed was a one-bedroom, even
5 smaller than the two-bedroom apartment from which
6 ACS had told us to leave, with horrible
7 conditions. The apartment was infested with
8 roaches and rats. The windows could not be left
9 open because rats would come in through the
10 window. When we would come home at night, we
11 would find rats on our bed. One of the first
12 days--on the first day that we got there, the
13 supervisor showed me how it was possible to break
14 open my front door using a credit card.

15 We were robbed seven times during
16 our stay there. When I complained to the
17 management company, I was told that I had to learn
18 to take the good with the bad. I decided I would
19 take the good. During the time that I was in the
20 shelter, I was certified for the Children's
21 Advantage program, and told to find an apartment
22 for \$1,316 for my family of six.

23 It was not easy, but we found a
24 place to live. We moved in to our own apartment
25 on Staten Island in January 2008. My shelter

1
2 worker told me that the Advantage program would
3 pay my rent for one year, and during that time I
4 would be certified for Section 8. However, within
5 the year I had not received anything from Section
6 8. I went in person to the Section 8 office with
7 my caseworker, my New York - - household to check
8 on the status of my application. When I got there
9 I was told that I had been denied Section 8
10 because my daughter had been arrested for a fight
11 when she was school, high school. I did not
12 understand why this would have any effect on my
13 Section 8 application, because she was a minor at
14 that time, and all charges against her had been
15 dropped.

16 I never received any written
17 notification that I had been denied Section 8, and
18 would never had known if I hadn't gone in person.
19 I was told that I would have to fill out a new
20 Section 8 application and would have to start the
21 process over again. The Section 8 worker told me
22 to send in a new application, which I did
23 immediately. However, I never received any
24 response on my new Section 8 application either.
25 The Advantage program continued to pay my rent for

1
2 a second year. After two years in my apartment, I
3 expected to receive a Section 8 voucher, but I
4 still have not been certified for Section 8 to
5 date.

6 I contacted 311 to complain about
7 Section 8 and was given a complaint number. I was
8 contacted a few days later by DHS and was told
9 that I would be receiving a letter in the mail
10 telling me that my Advantage subsidy would be
11 extended. To date, I have never received any
12 letter. My advantage voucher expired in December
13 2009 and my landlord told me that he was raising
14 the rent to \$1,500. Since my Advantage voucher
15 expired four months ago, I have no way to pay the
16 rent. My family's only income is my disability
17 money and my family's SSI, the total of which is
18 only slightly higher than our monthly rent. Since
19 I have taken my nieces and nephews into my home, I
20 have been struggling to financially support them.
21 For the first time in my life I took out credit
22 cards to pay my bills and buy food, since the food
23 stamps that I get are not enough to last until the
24 end of the month. Now I am in debt.

25 My landlord recently served me with

1
2 a notice saying that I have to move out by today,
3 April 15th, 2010, or he will evict me. He also
4 told me that he sold the house to someone else,
5 and that the new owner would be moving into my
6 apartment and I have to leave. He said if I just
7 leave I would not owe him anything. He told me
8 this after I asked him to give me a legal notice
9 of eviction.

10 I was told that I should go to a
11 HomeBase office in my neighborhood to see if they
12 could help me. However when someone from my
13 church and I contacted them to explain my
14 situation, they said that there was a list that
15 had everyone that was waiting for a Section 8
16 voucher. They said that because my name was not
17 on the list, I would not receive an extension on
18 my rental subsidy. They told me to try Project
19 Hospitality, and to look for a two-bedroom
20 apartment. They said they could only help me if I
21 was able to pay the rent going forward, and even
22 if I applied for a One Shot deal, they would
23 require the same thing. Other than that, there
24 was nothing they could do to help me.

25 Because of her conviction, my

1
2 sister is not going to be able to get custody of
3 my nieces and nephews again, at least not any time
4 soon. Last weekend, she suffered a heart attack
5 at age 39, and a shunt was placed into her heart.
6 She and I discussed me adopting the children. I
7 am absolutely terrified that my family and I will
8 be evicted and will have to go back into a
9 shelter. I am constantly stressed thinking about
10 how I will pay my rent and keep my family in my
11 home. I am trying to keep my blood pressure from
12 rising again. Over the last year I have been
13 hospitalized four times because of my blood
14 pressure and my chronic back pain. However, I
15 know I have to stay healthy and positive, because
16 I am the only person my nieces and nephews can
17 rely on. I cannot even think about making my
18 nieces and nephews, who have already been through
19 so much trauma, go back into a shelter.

20 I plan to continue to support and
21 fight for these children, but I cannot do it
22 alone. Advantage and HomeBase programs do not
23 have any answers for me, and I am wondering what
24 we can do next. I am asking you to please help me
25 to help them. I need an apartment or house that

1
2 will accommodate my family. Please help us. No
3 one should have to live in a shelter that is not
4 fit to live in. The shelters of New York need so
5 much improvement, and someone who really cares
6 about the needs of the people who are in need.

7 I was given a vision - - of a place
8 called K. N. Haven's House, which is a place of
9 safety. I believe that God gave these children to
10 me to keep them safe, and that is what I'm going
11 to do. I love my nieces and nephews, and I want
12 the best for them. So please help us and anyone
13 else who has been put in the same situation that
14 we have. Thank you and God bless you.

15 CHAIRPERSON PALMA: K. N., thank
16 you so much for your courage and your testimony.
17 You know, it's not easy coming out and, you know,
18 giving your life story. And so we appreciate you
19 sharing what you've been through with us,
20 especially, you know, what you have to endure.

21 I wish I had the answers for you.
22 Unfortunately, we're trying to figure out a
23 solution on how we can best work as government to,
24 you know, continue to provide the truth and
25 resources to families like yours to, you know,

1
2 help them to continue to stay in permanent housing
3 and continue to move forward.

4 I want to ask you, when you reached
5 out to the HomeBase program, did they speak about
6 the rental subsidy program?

7 K. N.: No, they were talking about
8 the Section 8 and the Advantage voucher.

9 CHAIRPERSON PALMA: Right now your
10 rent is in arrears.

11 K. N.: Yes.

12 CHAIRPERSON PALMA: And they didn't
13 tell you, you can apply for a rental arrears?

14 K. N.: They said to me that if I'm
15 not able to pay the rent on an ongoing basis that
16 they could not help me, which I cannot afford to
17 pay the rent on an ongoing basis, because my rent
18 is more than my income.

19 CHAIRPERSON PALMA: Okay. Do you
20 have any...? Okay, Council Member Brewer has a
21 question for you.

22 COUNCIL MEMBER BREWER: It's a
23 question for the wonderful person who has
24 testified, and also for Steve Banks. I guess my
25 real question is, do you hit this insanity of one

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2 agency, in this case ACS, not understanding that
3 they should talk to DHS before they make an insane
4 assessment that somebody--I mean I know that we're
5 always stuck in the situation of you don't have
6 enough bedrooms, so therefore you can't bring in
7 the foster children. I've heard that a million
8 times. Of course, many of us live in one bedroom
9 and our kids go to Ivy League schools and
10 everybody's just fine. So it's always been a
11 crazy, crazy discussion. I assume that your
12 client had an apartment, lived in a neighborhood
13 where people knew her, loved her, and I can see
14 she's incredibly articulate. So what in the world
15 is ACS thinking? So I'm just wondering if that is
16 something Legal Aid has had to deal with in the
17 past, in the future, just that one aspect of two
18 agencies not talking to each other?

19 K. N.: That's a good question.
20 The best way I can answer is that, yes, I lived in
21 a community and everyone loved me. Actually, I
22 lived in Georgia and I came here to take care of
23 the children, because no one else would. As far
24 as ACS, I really believe that ACS, Human Resources
25 and all the other agencies don't talk to one

1
2 another, because I even applied for Human
3 Resources Public Assistance, and was denied that
4 also. And so, in answer to that question, no,
5 they don't help each other. And they didn't help
6 me.

7 STEVE BANKS: I think all too often
8 Ms. K. N.'s case illustrates the problem of
9 communication. Frequently we have a situation on
10 the other side where there really is a dangerous
11 situation and ACS has made a determination that
12 the housing is improper, and they communicate that
13 to DHS, and DHS in the eligibility process ignores
14 it and says you can continue to live there. Here
15 was an example where a family, like many families
16 in the City, are kind of caught up in the alphabet
17 soup of City agencies not necessarily working
18 together.

19 But it's not necessarily so that
20 communication would have helped. Communication
21 only may have resulted in one agency saying you
22 must do this, and another agency saying, no, no,
23 you can't, which is all too often what's happening
24 to our clients.

25 COUNCIL MEMBER BREWER: Thank you.

COUNCIL MEMBER LANDER: Ms. K. N.,

I also want to thank you for the courage to come out and testify. And Steve, I guess I'd like to ask you--the one challenge here, so for K. N. it seems like a long term rental subsidy is needed. A work program isn't going to work. But for right now we don't have any Section 8 certificates to give out. You know, as you well know, we're over. We've given out a couple of thousand more than we can. You know, have you guys thought about what sort of program the City could put in place that would help address situations like the one we're talking about in a way that--obviously the City can't create an open-ended, you know, long term rental subsidy program given the cost. So how do you think we should approach this problem?

STEVE BANKS: Sure. I appreciate-- first of all, we appreciate certainly the interest of this committee and certainly the leadership of the Chair, and also Council Member Lander and Brewer. You've been longstanding, before you were on the Council, while you're on the Council, people have focused on these issues. And we greatly appreciate that.

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2 You've got our testimony for the
3 record, which highlights a number of concerns we
4 have about the City's plans, which really--your
5 questions we couldn't put it any better, frankly,
6 than your questions to the Commissioners. You
7 really laid out what the underlying problem is
8 here, which is that we have programs that are
9 proposed by the City that assume that the economy
10 is not the current economy, and assume the housing
11 market is not the current housing market.

12 And we're in a period of extreme
13 economic distress, the worst since the Great
14 Depression. We have high housing costs, high
15 unemployment, and our solution--and record
16 homelessness. And our solution is to say we're
17 going to have a program that assumes that people
18 can find jobs that pay enough to pay rent on
19 apartments. And there's something wrong with
20 that. I think that it really--Council Member
21 Lander, your question really is to the heart of
22 this, which is a program that assumes we're in
23 boom economic times is not going to address the
24 problems of K. N. and other families that we
25 represent.

1
2 But what is going to address their
3 problems is to look at this for what it is, which
4 is there's a short term problem with respect to
5 the Section 8 supply and that it will work itself
6 out over time, and what can we do in the short
7 term to avoid thousands of families--the 10,000
8 that have now been told that their Section 8
9 certificates may be pulled from them, they're in
10 place and in housing; the 2,500 families that were
11 told--that had Section 8 packages but then have
12 had those pulled from them; the families like Ms.
13 K. N., who were going to get a Section 8
14 certificate to make that apartment that they were
15 moved into on the theory that they were going to
16 get Section 8, because it would not be affordable
17 on an ongoing basis--those thousands of families.
18 Nobody wants to see all of those families converge
19 upon the shelter system because they have no other
20 place to go but to shelter.

21 You've heard Ms. K. N. speak
22 eloquently, aside from the public policy issues,
23 the human cost for her kids and so many thousands
24 of other kids coming in to the system. So, I know
25 you've analyzed the testimony we presented at the

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2 prior hearing regarding Section 8, there are short
3 term steps that can be taken to extend Advantage,
4 keep these families in place, while the federal,
5 state and local governments work for a more long
6 term solution. Instead what we've created is the
7 potential for 10,000 families with Section 8 to be
8 homeless. We have to have a policy that gives
9 them some type of assistance until there are
10 enough Section 8 type of certificates reissued to
11 keep them in place. The 2,500 families that we
12 know of, they have to be stabilized too. That's
13 an Advantage cost as well. The families like Ms.
14 K. N., who are sort of hanging there in a sort of
15 state of limbo in eviction zone, that they're
16 going to get evicted over time. Yes, these things
17 cost money, but they cost far less than the
18 shelter cost of continuing to expand the shelter
19 system.

20 When the City first said, we're
21 going to delink homelessness from Priority for
22 Public Housing, there were about 2,000 fewer
23 families in the shelter system. They said at that
24 time, and we were in this room, they said at that
25 time that they had to do that to create a

1
2 disincentive for families seeking shelter. And
3 we've got more families seeking shelter since that
4 time, even before the economic downturn.

5 In January 2010, we had 150
6 families seeking shelter beyond the number of
7 families that sought shelter the January before.
8 1,544 families. Yes, it's great that we can
9 shelter families as they seek shelter, but what an
10 indication of the great need out there. So rather
11 than say, oh, the City could never possibly have
12 an open-ended subsidy program, as some might have
13 said, one has to look at this for the short term
14 crisis it is, in order to try to keep the crisis
15 from becoming worse. If we think it's going to
16 cost money to extend Advantage, imagine what it's
17 going to cost if every few months we're going to
18 continue to have these increases in families
19 seeking shelter at tremendous public expense, and
20 tremendous trauma for the families that are
21 involved.

22 The second policy that I just want
23 to briefly touch on is the shelter for rent
24 policy. I feel like with Council Member Brewer,
25 if it's May it must be the City's going to

1
2 implement the rent charging plan. And at some
3 point, this program has got to end. I think it's
4 unfortunate that--I appreciate some of the
5 forthright answers from the City Commissioners
6 that they're actually open to some discussion.
7 But it is unfortunate, a lot of the public
8 discourse that makes the City out to be an
9 innocent here, when the City asked for the
10 issuance of the regulation and has been vigorously
11 opposing a legislative solution, which could have
12 averted the fine that seems to be at the root of
13 all this. And I would hope that in the
14 legislative process the support from the Council
15 has been critical, and Assembly Member Wright and
16 Senator Squadron have been tremendous leaders on
17 this issue. We would hope that this issue can be
18 dealt with.

19 A question was asked though, what
20 would happen if it's not? And families would be
21 subject to sanctions. And I think eventually that
22 was the answer that you got. And what has
23 happened with the sanctions on the single adult
24 side is indicative of what might happen here. In
25 the first 70 or so cases, the Legal Aid Society,

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2 together with the Coalition for the Homeless
3 provided representation--the Coalition advocacy,
4 the Legal Aid Society, legal representation. In
5 all but one case, those individuals were not
6 removed from the shelter system. In the one case
7 in which the individual was removed, eventually we
8 were able to get the person housing. But in
9 almost all those cases the individuals had mental
10 health issues that rendered them unwilling as
11 opposed to unable to comply. And the fortunate
12 thing there, is by court order, the Legal Aid
13 Society is provided with notices of sanctions in
14 the single adult litigation. In the families
15 area, although there is now a permanent injunction
16 requiring the provision of shelter, there is no
17 court order requiring that families with children
18 who are about to be sanctioned would have their
19 notices sent to The Legal Aid Society. It's very
20 nice to say on a piece of paper there's an
21 indication you can call any legal services
22 organization and get help. But I must say, when
23 that was argued before the New York State Court of
24 Appeals last May, when the City tried to get out
25 of the court order in the singles case, the Court

1
2 of Appeals saw it for what it was--detached from
3 the reality of what families, like Ms. K. N., may
4 go through in terms of the importance of coming
5 immediately and providing legal intervention to
6 keep a family from ending up on the streets, which
7 would certainly be the case that doesn't make any
8 sense at all.

9 Lastly, there was a lot of
10 discussion about how the economy has been such
11 that tremendous numbers of families have been able
12 to retain their employment and pay the rent, even
13 as you said, Council Member Lander, that you've
14 got the typical case earning \$1,300 with \$1,000
15 rent, and miraculously that family has been able
16 to keep their apartment. We would urge you, and
17 we know you will, to really ask for the kind of
18 data that shows whether or not those families are
19 really employed and what it is that they're really
20 earning. There was a very forthright answer given
21 by Commissioner Hess, that they didn't know what
22 happened to the families that were no longer in
23 the program. And I think, unfortunately, what we
24 do know, that the families that are still employed
25 are in their housing, if they're employed at a

1
2 level that allows them to keep their housing. But
3 we also know, from common sense, is that if you
4 don't have enough money to pay the rent, you're
5 not going to keep your housing, you're going to
6 end up in the shelter system.

7 In fact, a Freedom of Information
8 Law request by the Legal Aid Society will tell you
9 that at around the time the families began to hit
10 the two-year max in the Advantage program, that
11 the City has begun to receive substantial numbers
12 of reapplications from Advantage families, 1,000
13 families who had--1,000 applications from families
14 that had Advantage. What the City's data doesn't
15 show is how many of those were unduplicated
16 families. And your request for information may
17 have greater luck than ours, to be able to sort
18 out exactly how many families are coming back in,
19 requesting shelter, by month, from Advantage
20 apartments--which would tell a quite different
21 story than has been told in the past, and I think
22 would amplify what Ms. K. N. has said about the
23 reality that she is facing right now.

24 It was also said that a lot of
25 families were leaving welfare because they're able

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2 to find jobs in the areas of health, education and
3 social services. I recommend anyone who thinks
4 that those will be fruitful areas for further
5 employment to read the State budget and look at
6 the massive cuts in each of those areas. And we
7 cannot expect the kind of jobs that one might
8 think to be available in those areas.

9 Last but not least, HomeBase was a
10 terrific program in that it focused on prevention.
11 But unfortunately, the workers in HomeBase have
12 been diverted to provide services to families
13 without kids in hotels, in order to replace City
14 workers who were laid off in the last round of
15 budget cuts. And this has, on the one hand, kept
16 services going for the families in those
17 circumstances, but greatly limited what the
18 HomeBase programs can actually do. And I think
19 that that has had a negative impact on the ability
20 to prevent homelessness. I'm happy to take
21 questions or leave where we are.

22 CHAIRPERSON PALMA: Thank you,
23 Steve, for always keeping us informed of what's
24 going on out there. I want to again thank K. N.
25 for your testimony for the courage to come and

1
2 share your story with us. And I believe that, you
3 know, God did put you in the lives of your nieces
4 and nephews, and you will prevail. You are
5 surrounded by people who will help you find a way
6 and make sure that you and your family will get
7 permanent housing and a place to live.

8 STEVE BANKS: Thank you. Ms. K. N.
9 asked me if she could just make one other comment.

10 CHAIRPERSON PALMA: Okay.

11 MS. K. N.: I have a question. I
12 sat here today and I listened to a lot of the
13 comments that were made today about the Advantage
14 program and charging people who are in shelter
15 rent. My question is, people have come into the
16 shelter because--for various reasons. I went into
17 the shelter not for any of those reasons. I went
18 in because the children needed help, and so I
19 willingly went in to a shelter. Now, if I had to
20 pay rent and I couldn't pay the rent in the
21 shelter, I was hoping that the question would have
22 been answered, but I saw that they were avoiding
23 the answer. No one really answered it to my
24 satisfaction. What actually happens to those
25 people in the shelter? If there's 37,000 people

1
2 who are homeless, look at what just happened to
3 the people in that hospital that lost their jobs.
4 I perceive that it's going to be more than 37,000
5 people homeless, coming in to the shelter. So if
6 they have to pay rent and they can't afford it,
7 where do they go? The very system that they came
8 to for help to seek solace will now put them back
9 into the streets. Do they start the procedure
10 back over again? That's my question.

11 CHAIRPERSON PALMA: And those are
12 the answers we are also trying to get, K. N., the
13 question to what is going to happen to those folks
14 that are going to be affected by the
15 implementation of this rule, and how do we prevent
16 them from--you know, I've been using this quote I
17 have this new quote I have. How do we prevent
18 them from becoming homeless to the second power?
19 You know? Homeless two times. Because you've
20 heard the members say people who have become
21 homeless, they go into the shelter because they
22 can't afford to pay the rent, and you know, we're
23 sort of hitting them again with another barrier.
24 So we're not going to rest until we get our
25 answers to the questions we're asking. So I thank

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2 you for raising the question again.

3 STEVE BANKS: We appreciate your
4 oversight of these very important issues. Thank
5 you.

6 CHAIRPERSON PALMA: Okay. So our
7 next panel is Christy Parque from Homeless
8 Services United and Erin Feely-Nahem from New York
9 City Coalition of Domestic Violence Providers.

10 [Pause]

11 CHRISTY PARQUE: I actually don't--
12 I'm going to be submitting written testimony
13 afterwards. Thank you.

14 [Pause]

15 CHRISTY PARQUE: Hi. Good
16 afternoon. My name is Christy Parque. I'm the
17 Executive Director of Homeless Services United.
18 We are a coalition of the non-profit contractor
19 providers that provide the shelter, drop in
20 centers, outreach, prevention services, HomeBase
21 as well. I just want to say first of all, thank
22 you for calling these hearings. They are very
23 timely. Thank you, as always, for your
24 leadership, both in the Chair position, but also
25 in the past. And also, we want to acknowledge the

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2 rest of the Council members that were here and
3 asked very good questions, and also the time that
4 DHS and HRA took to answer your questions.

5 I'm going just take the time today
6 just to bring up some areas of concern that we
7 have as providers, who ultimately when the new
8 policies happen, we're the ones that are
9 responsible for how these policies will actually
10 be implemented. And we have, I think, a unique
11 perspective that we're also looking at the impact
12 on our client, but also how does the system as a
13 whole run, because we're the ones that are running
14 the system.

15 So, just a couple of things. I
16 want to go first to the changes I Advantage. And
17 one of the suggestions that, after speaking with
18 our--we have about 55 members, and speaking to
19 many of our members over the past few days, one of
20 our concerns that though there was--we were heard
21 about the fact that the time in shelter
22 requirement, it was 90 days to get Advantage;
23 they've recognized and honored our request that
24 they would try to bring it down to 60 days. We'd
25 request that actually that would be even shorter,

1
2 and maybe on par with Domestic Violence Advantage
3 program, just, I think also for clarity of the
4 program.

5 A couple of--just an overview of
6 how the system works and just to go back
7 historically. Every time there is a change to how
8 the system is operated, even a positive change
9 like when the Advantage vouchers were first made
10 available, we see a lag in when people move out,
11 mostly because there is a communication error.
12 There is a coordination between various State
13 agencies that don't always coordinate the flow of
14 information as well as the could be; but also, in
15 this case, when Advantage was first rolled out
16 there was a communication that needed to be made
17 to the landlords. And that's a really vital
18 communication connection that has to be in place.

19 And so DHS has recognized in the
20 past that when these vouchers were made available
21 that there was a six month lag in move outs, and
22 it took that much time to build the confidence of
23 the landlords and the brokers for them to really
24 understand that this is a program, this is good
25 for them, it's good for the City, good for the

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2 neighbors and also good for the clients. So,
3 we're very concerned on every time there is a
4 change there is a real lag on how information gets
5 conveyed, but also the impact on the system, so
6 that we would ask that there be consideration
7 given to that when we're looking how shelters are
8 held responsible for meeting performance targets.
9 And I know that this is not a budget hearing, but
10 it also has an impact on how services are
11 delivered. And again, every time you have a
12 change, ultimately that change is responsibly
13 implemented by our very dedicated non-profit
14 providers; but what's going to happen is we are
15 seeing an economy that is very, very difficult.
16 And even though the Commissioner has just
17 testified earlier that the City has a right to
18 shelter, shelters will be made available, or
19 shelters will be made available for those who
20 present in need--the very real fact, as you know,
21 is that during the budget process the shelters
22 last year took a budget cut, and we are slated to
23 take another budget cut.

24 And we are under very strong
25 performance contracts. And so when a system

1
2 changes such as this, and the length of stay
3 increases, and move outs slow down, that means we
4 cannot make our performance targets. And the
5 dollar amount of us not making our performance
6 targets isn't what we're focusing on. What those
7 dollars equal are our ability to provide services.
8 It's not looking at our budgets as a bottom line
9 or a dollar figure; but we translate those into
10 how do we increase our housing services; how do we
11 provide more case management to help those
12 families, this increased need that we're seeing in
13 the city, so that every time we have these
14 changes, we get financially penalized because of
15 such high performance targets.

16 So, I would ask that as new systems
17 be put in place that performance targets be
18 considered either held flat or put on hold so that
19 both the systems, the clients and even the City
20 agencies have a chance to understand the system
21 and allow the system to catch up to the any new
22 changes that are promoted, whether it be good or
23 bad changes, it doesn't matter whoever's
24 perspective it is on it; it doesn't matter. Any
25 change affects how the system flows. And so that

1
2 is one of our biggest concerns, is that as we know
3 more and more people are coming in, record high
4 numbers, there's less opportunity for people to
5 move out. We have people struggling who had
6 Section 8 vouchers. So now we're going to have
7 this perfect storm of people who can't get out of
8 the shelter, have no place to go and our shelter
9 services to address their needs are being cut.
10 And, you know, we want to make sure that our very
11 experienced non-profit contractor providers have
12 all the services and supports they need in place
13 to address the needs of their clients.

14 I think similarly that touches upon
15 our concern about HomeBase. We think that
16 HomeBase is a fantastic program. And if you look
17 at how that was originally designed, it's a
18 fantastic idea. You bring the services to the
19 community where they're most needed. However, at
20 this point because of such an immense need in the
21 City with people presenting as homeless, folks
22 are--at least staffing levels--are really pointed
23 much more towards people who are being housed in
24 basically hotel shelters. And the folks in
25 HomeBase are now really focusing their efforts on

1
2 that. And what's happening at this point is that
3 the people in the community who really need those
4 services, it's difficult for the HomeBase
5 providers to use what little resources they have
6 to actually target towards those people. And our
7 concern is that those people are going to
8 eventually end up knocking on the door if we don't
9 do something.

10 And similarly, to underscore the
11 need for something like HomeBase, the City did a
12 fantastic job. They identified the areas where
13 those communities were in need. However, we're
14 concerned about how the budget gets baselined for
15 the City budget for HomeBase. That we think it's
16 a fantastic use of stimulus money. We think it's
17 important to preserve this program. We laud the
18 City on figuring out a way to meet that budget
19 gap. However, we encourage the City Council in
20 the upcoming budget negotiations to figure out a
21 way to give them further support and keep them
22 permanently in the budget so they can also do what
23 they were originally designed to do, which is to
24 help the people in the community, as well as
25 targeting the resources for the people who have

1
2 already reached, as people are unfortunately using
3 the phrase, the cliff. They've already reached
4 that cliff. Let's try and help people before they
5 get to that edge.

6 On the income contribution, again,
7 we want to recognize again that we were heard
8 about holding the shelters harmless; that it is
9 not in the interest of the client shelter
10 relationship to have the shelters be responsible
11 for collecting funds from clients. And we thank,
12 you know, both the State and the City for
13 recognizing that's a role that, again, we should
14 not be responsible for having. However, we are
15 looking again at how the system works. And what
16 we do know is that at any given time, HRA has
17 about 30% of folks on sanction status because of,
18 frequently, because of bureaucratic errors. And
19 what happens is then shelter staff are required to
20 give additional support to clients, either
21 accompanying them or making a lot of advocacy
22 efforts to get those resolved, so that folks can
23 get out of the shelter, they can get their PA case
24 opened, the sanction removed, they can get their
25 Advantage vouchers, they can get ready to do their

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2 lease signing and move back into the community and
3 begin regaining their life, control of their life
4 again.

5 However, we are very concerned that
6 with a component that involves client contribution
7 that there will be further errors, bureaucratic
8 errors, or further collection errors that will
9 result in many more folks being sanctioned, public
10 assistance sanctioned, because they have not been
11 able to, you know, get the system in place.

12 So we--you know, please take all
13 the time they need. Take all the time you need to
14 get this right, because we can't afford to have
15 what happened last year.

16 One of the areas too that, again,
17 speaking to the system, that we have concerns
18 about, is that if we are responsible for operating
19 the system on a day to day basis with our clients,
20 if the system is not clear, if it's not perceived
21 as being a fair system or transparent, for
22 example, how the formula is designed, it will be
23 very difficult to have clients become complaint if
24 we ourselves don't understand it, and if the
25 agencies don't understand it, that's not enough

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2 for us. It has to be a system that's clear,
3 transparent and not perceived as punitive, but as
4 something that will really, truly help folks.

5 So we really ask and encourage that
6 the State and the City take a chance and talk to
7 the providers, talk to the people who would
8 actually have to implement this, talk to the
9 clients, and rethink this policy. Because we, as
10 we've testified before you, that we think it's--we
11 don't support this policy, mostly at this point
12 because we don't think it could be implemented
13 well, and the formula has never been clear or
14 transparent.

15 Finally, I want to say, you know,
16 we are those--I represent those agencies that help
17 get those 18,000 people moved out of the shelter,
18 and I am proud to represent those folks. We want
19 to make sure that whatever Advantage program we're
20 responsible for administering, that's something we
21 can all as a City can be proud of, something that
22 says to New York City, you know, you needed help,
23 we gave you the help. Let's make sure we develop
24 a system that will really, truly end homelessness
25 for the family and not create an increase in

1
2 recidivism. And particularly we're concerned
3 about what would happen in the second year with
4 these folks, especially given that many of them
5 don't have GEDs, and the likelihood that they
6 would even make \$10 to \$12 an hour--it is very
7 unlikely that that would be the average person.
8 So, we have many concerns. And this will be
9 implemented based on an average or a dollar wage
10 that we feel is unrealistic for people in their
11 second year to actually keep that up and keep
12 paying their rent and be able to maintain their
13 level of housing situation without having to
14 return to shelter.

15 So, our testimony will include many
16 more of these points, but again, we want to say
17 thank you again for your support. And, you know,
18 we're grateful that this is an opportunity, we
19 believe, for HRA, DHS, OTDA, the City Council, the
20 State and the Senate to sit down and work with us
21 to come up with real solutions to homelessness.
22 Because overall, that's not just the mission of
23 Homeless Services United, it's the mission of all
24 of the 55 agencies I represent. So, thank you.

25 ERIN FEELY-NAHEM: Good afternoon

1
2 and thank you for staying and hearing us. My name
3 is Erin Feely-Nahem, and I offer this testimony on
4 behalf of the New York City Coalition of Domestic
5 Violence Residential Providers, an organization
6 that represents all of New York City's licensed,
7 non-profit domestic violence shelters, which
8 provide thousands of battered individuals and
9 children every year.

10 Thank you for holding this hearing
11 today on the Advantage programs and allowing us to
12 testify as to how the proposed changes to the
13 program will affect domestic violence victims, a
14 group that comprises about 30% of New York City's
15 homeless families. The families who we do serve
16 in the HRA shelter system are unique. They come
17 into our shelter for safety first and foremost, a
18 violence-free environment for their families.

19 How many times have you heard
20 someone ask why a domestic violence survivor
21 doesn't just leave an abusive relationship? What
22 is usually a very complicated nuance answer to
23 that question--she's worried, she'll lose custody
24 of her children, she's scared the abuser will
25 retaliate, she has no economic resources--is now a

1
2 very simple one: there's no place to go. We know
3 statistically that more of the deaths and
4 escalation of domestic violence happen when a
5 woman tries to leave and then has to return home.
6 So, it's a perfect example.

7 And the point on the system not
8 being put together properly is also a good point.
9 It does allow--these changes in the different
10 housing subsidies does delay the process. People
11 don't know what the subsidy is. Landlords don't
12 understand it. And HRA does not have an outreach
13 program, unlike DHS. We don't have people who go
14 out to landlords, give us leasings. Yet, we have
15 a very short period of time to work with our
16 women.

17 In an already very challenging
18 housing environment, with the loss of Section 8
19 vouchers this year, the City is now threatening to
20 eliminate a program referred to as HRA Advantage
21 with a Domestic Violence exception, which is one
22 of the only remaining permanent housing options
23 for families exiting domestic violence shelters.
24 This program helps survivors of domestic violence
25 stabilize their families in an apartment where

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2 they can heal, develop independence, and utilize
3 any necessary support services for six months
4 before being required to secure employment. This
5 is particularly important for our population,
6 because there are so many things that a woman has
7 to do. First of all, the courage it takes to
8 leave your situation, your family, your home, your
9 neighborhood is amazing. I mean, to give up
10 everything and not be able to return home is
11 something that takes a lot of courage. Then you
12 have to look at the fact, she needs to transfer
13 all services. She can no longer use her family to
14 take care of the children. She can no longer go
15 to the PA center, she has to transfer her
16 children, get a new daycare, transfer her
17 children's schools, medical--there are court
18 dates. If she's applying for PA, as you
19 mentioned, there is many mistakes in the PA system
20 where they will close the case erroneously and
21 she'll have to reapply. This is all within the
22 135 day system that that we have.

23 A story, Marta's story exemplifies
24 the success of the Domestic Violence Advantage
25 Program. Marta is a 31-year old woman who has a

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2 ninth grade education and is the mother of two
3 boys, ages 11 and 13. The older child required
4 special education for developmental and vision
5 delays. Marta entered domestic violence shelter
6 after a man she was dating started abusing her and
7 threatened to kill her. After 42 days in shelter,
8 Marta became eligible for HRA advantage. She was
9 very motivated and wanted to have a safe place for
10 herself and two children. Marta was able to move
11 out of shelter into an Advantage apartment. Six
12 months later, Marta called to speak to her former
13 shelter caseworker. She reported that she was
14 doing well and had found a steady job cleaning
15 apartments. She was happy that her children were
16 safe and settled, and that her special needs child
17 was properly evaluated and receiving the education
18 and services that he needed in, once again, a new
19 school. Marta described feeling safe and content
20 for the first time in a long time.

21 Now again, this is the third time
22 that these children will have to move into a new
23 school, a new system. If the woman finds the
24 services she needs around the shelter, she's still
25 going to have to transfer them again once she gets

1
2 to permanent housing, which takes more time. So
3 how is she supposed to find a job so quickly?

4 The standard image of domestic
5 violence, that it consists of occasional punches
6 and outbursts of rage, that's it. But that's not
7 an accurate picture. Abusers use whatever power
8 they have to control their partners and victims
9 are prevented from obtaining independence through
10 variety of escalating coercive tactics, ranging
11 from threats to physical, sexual and economic and
12 legal abuses. Abusers often destroy their
13 victim's credit, maliciously report child abuse,
14 steal documents needed for employment and subject
15 their victims to physical and sexual violence for
16 every step towards freedom that they try to take.
17 Victims are punished for attempting to work, or
18 not allowed to keep their paychecks if they work,
19 prevented from going to school, learning English
20 and making friends or business contacts.

21 We have a case where the woman was
22 kept totally isolated while the man handled all of
23 the social responsibilities. She became sick, and
24 he continued to use that as a way why no one else
25 would want her, continued to get her pregnant, but

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2 handled every social situation so that she was
3 totally isolated. He took the phone out. She
4 didn't have any contact with her mother or with
5 her family. He was her only means of any
6 socialization.

7 Because of this, victims are often
8 force to rely on public services when they first
9 emerge from these relationships. Such services,
10 in particular stable affordable housing, are
11 absolutely crucial to someone fleeing a violent
12 partner. Without HRA advantage, domestic violence
13 shelter residence would be left with Work
14 Advantage, the program designed for homeless
15 shelter residents. To be eligible for Work
16 Advantage, an individual must have held a job
17 continuously for a period of at least one month.
18 For a DV victim, that means finding a job by their
19 12th day in order to be eligible for the Advantage
20 certificate on the 42nd day. They've agreed now
21 to give us our 42 days back. But if you look at
22 it, to have to find a job on the first day, while
23 you still have to apply for PA, change services,
24 go to court, get your order of protection, three
25 different appointments for PA, transfer your

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2 children's school, find whatever services your
3 child may need if they need extra services. And
4 then you're left with 93 days to find an
5 apartment.

6 While they're in our shelters,
7 because it's a highly enriched shelter service,
8 it's a provider of a lot of services, they're also
9 expected to go to case management, counseling, DV
10 support group, parenting group. We have
11 nutrition, we have computer program Tuesdays and
12 Thursdays, plus they're generally asked to go back
13 to work. So when are they supposed to find the
14 time to do all this, plus go to court, and go to
15 PA and get daycare?

16 All right. Also, domestic violence
17 shelter residents often lack a high school diploma
18 or prior work experience. This, coupled with the
19 task of recovering from years of isolation and
20 trauma, applying for PA, attending court
21 appointments, transferring services to a safe
22 area, usually render it impossible for them to
23 locate employment within the 135 days they are
24 permitted to stay in the domestic violence
25 shelter.

1
2 If they do not obtain housing in
3 this timeframe, far less than the allotted
4 homeless shelter stay, they are left with few
5 options: entering the homeless shelter system, or
6 returning to the abuser.

7 Domestic violence is incredibly
8 expensive. In 2008, for example, New York City
9 Police Officers responded to 234,988 domestic
10 violence incidents, well over 600 a day. An
11 estimated 80% of juvenile offenders have
12 backgrounds with domestic violence. As mentioned
13 earlier, 30% of New York City's homeless
14 population consists of domestic violence victims.
15 This City must pay to house them in the homeless
16 shelter every time they try to flee the abusers.
17 Victims utilize the City's emergency rooms. They
18 may end up with chronic health problems. If they
19 have no income, the City foots the bill. So
20 really, which is cheaper, to get them permanent
21 housing or to continue to keep them in the shelter
22 system? Or have them recycled back into the
23 homeless system--which they tried to say they
24 don't have the stats. That's because they don't
25 want to keep the stats.

1
2 Having a safe apartment in which to
3 rebuild can go a long way towards breaking the
4 expensive cycle of abuse. Given sufficient time
5 for healing, evaluating options, obtaining medical
6 care and other services, most domestic violence
7 survivors, like Marta, will make strides in their
8 journey towards independence. Families should not
9 have to choose between being homeless and being
10 abused; but that is exactly what they will be
11 forced to do with the elimination of housing
12 programs.

13 Financially as well as morally it
14 makes more sense to maintain programs that take
15 into account the additional barriers that victims
16 face in achieving independence. They provide
17 survivors with the opportunity they need to become
18 self-sufficient. And they ultimately save the
19 City money, because in the long run, as they keep
20 these families out of shelter and the emergency--
21 because in the long run they keep them out of
22 shelter and in the emergency rooms.

23 CHAIRPERSON PALMA: Thank you so
24 much.

25 ERIN FEELY-NAHEM: Sorry, I sort of

1
2 re-ended that. You know, you would never have
3 found where I was by looking at it.

4 CHAIRPERSON PALMA: That's okay.
5 For your testimony and for your continuing, you
6 know, advocacy in the field of homelessness and
7 domestic violence. And we appreciate all the
8 information that you give us and arm us with in
9 order to prepare for these types of hearings, and
10 to continue to look at ways on how the City and
11 government can change policies to fit the needs of
12 New Yorkers. I really appreciate your partnership
13 in these issues. So thank you for your testimony.

14 ERIN FEELY-NAHEM: We really
15 appreciate yours.

16 CHAIRPERSON PALMA: Thanks.

17 ERIN FEELY-NAHEM: Because we've
18 written letters to everybody, and we're hoping
19 that you're our next best bet.

20 CHAIRPERSON PALMA: Thank you. Our
21 next panel is Yarrow Regan, Community Voices
22 Heard; Stephanie Gendell from Citizens' Committee
23 for Children.

24 [Pause]

25 STEPHANIE GENDELL: Good afternoon.

1
2 I'm Stephanie Gendell, the Associate Executive
3 Director at Citizens' Committee for Children.
4 Given the time, I'm going to be as brief as
5 possible. For obvious reasons we are opposed to
6 paying rent for live in shelter, for the reasons
7 that have already been discussed today. And we
8 are also concerned about the changing payment
9 structure for Advantage, for the reasons most
10 notably brought out by Council Member Lander,
11 where the numbers just don't add up and make
12 sense.

13 But what I want to focus on is the
14 elimination of the Children's Advantage Program
15 and how that impacts families who are reunifying
16 from foster care. For the children that we're
17 talking about and the families, they've been in
18 foster care and in the homeless service systems,
19 so these are probably the most vulnerable families
20 we have in New York City. The children who
21 reunify from foster care have been separated from
22 their parents and have been living somewhere else.
23 And when they return to them, they return into a
24 homeless shelter. And then, if they're young
25 children and their parents need to work to comply

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2 with Work Advantage, these children will then have
3 to get placed with some other stranger for most of
4 the day in a new childcare arrangement, through a
5 new voucher through the Administration for
6 Children's Services, which already doesn't have
7 enough money to pay for childcare. So it just
8 doesn't make sense from a family perspective or
9 from a financial perspective.

10 We are concerned that when the
11 determination is made about whether the family
12 works, there is no child welfare determination;
13 it's just a disability determination. So no one
14 is looking at whether this will impact the
15 attachments that need to be reformed between the
16 parent and the child due to the foster care
17 relationship that had happened previously. And
18 so, there are only a couple options that could
19 happen here. One is that it's a success and it
20 works and we pay for childcare. But the other
21 options are that the family ends up either staying
22 in shelter or coming back to shelter, or the child
23 ends up coming back into foster care, all of which
24 are more damaging for the family and much more
25 expensive for this City. So, for all of those

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2 reasons, we're really concerned about the
3 dissolution of the Children's Advantage Program
4 and hope to work with the Council on protecting
5 it. Thank you.

6 YARROW REGAN: So, my name is--
7 that's it? Hi, my name is Yarrow Regan. Thank
8 you for remaining here after everyone else has
9 fled. I'm from Community Voices Heard.

10 On Thursday, April 6th, 2010, I
11 attended a meeting regarding Section 8 vouchers at
12 the Economic Justice and Social Justice Network.
13 I had been approved for NYCHA Section 8 voucher in
14 April 2008, and had not yet been given my voucher
15 number. I originally applied for Section 8 in
16 October of 1994. In March of 2007, I was told by
17 NYCHA that I would be one of the first people to
18 get their voucher. To date this has not happened.

19 At the meeting, a social worker
20 stood up and said with great conviction that
21 homeless people and those in danger of becoming
22 homeless should go to the HomeBase program, and
23 that was how they would get housing and housing
24 vouchers. My ears perked up, as I am living in a
25 vermin-infested--that means rats--illegal boarding

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2 house. In early March, my landlord informed me
3 that he is in the process of selling the house. I
4 could be homeless again, as I was illegally
5 evicted twice in 2009.

6 Three weeks ago, not far from my
7 home a man was stabbed to death. Illegal drugs
8 are sold openly; music is broadcasted until 3:00
9 or 4:00 a.m. each day. This is not a good
10 neighborhood to live in. I have been turned down
11 for many apartments. As to date, I have not been
12 given my NYCHA Section 8 voucher yet.

13 On April 6th, 2010, at around 3:00,
14 I called the Bronx Works, formerly Citizens'
15 Advice Bureau HomeBase program at 1130 Grand
16 Concourse, Bronx. I was told that I am not
17 eligible for the program, as I am not currently in
18 housing court. I spoke with Wandi Paredes
19 [phonetic]. I asked her what the application
20 process is, and if I could get the denial in
21 writing. She told me to come in to their
22 location, next to the Bronx Housing Court, Mondays
23 through Thursdays from 9:00 a.m. to 1:00 p.m. I
24 went there Monday, April 12th at about 12:40 a.m.
25 I was told by Vicky, the receptionist, that the

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2 cutoff is seven people, that they reached their
3 quota for the day. You should have been here at
4 8:00 in the morning, and besides, this isn't your
5 district office, you have to go to District 7.

6 I told her that I had spoken at
7 length with Ms. Paredes and had been prescreened
8 over the telephone. I wanted to know if I could
9 get the denial in writing. Vicky, the
10 receptionist, put me on the phone with Wandi
11 Paredes. She then told me I could come back on
12 Thursday, today, but suggested that I go to the
13 other location in my district the same day, April
14 12th. I reminded her that we had spoken and that
15 she was going to give me the denial in writing.
16 Every HomeBase has different prescreening methods;
17 you have to go to that one.

18 I was told to go to Help, 1780
19 Grand Concourse, Bronx. I requested car fare.
20 They told me they don't do that, however, they did
21 have a phone available to call the district office
22 that they wanted me to go to. When I spoke to a
23 young man there, he could not give me travel
24 directions. I asked what subway stop it was near
25 and how far it was from the subway. He said he

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2 had no idea and could not tell me, but to come in
3 to be prescreened and I would be given another
4 appointment anyway.

5 I took the bus. When I got off the
6 bus, I saw the D train stop at 175th Street was
7 right next to the entrance of Help. This scared
8 me, and I was worried that I was not going to get
9 any assistance, if this was an indication of their
10 professionalism and commitment to homeless New
11 Yorkers. If they couldn't get the travel
12 directions straight, how would they navigate the
13 voucher applications process?

14 No one else was in the waiting
15 room, which surprised me, as so many people are
16 homeless now and in need of help. I meet such
17 people every single day in addition to myself.
18 The very pleasant young lady behind the desk told
19 me that they don't do that anymore, refer people
20 to vouchers. We only do eviction prevention with
21 back rent grants if you are in housing court. I
22 asked when they stopped getting referrals from the
23 shelters. I was told on December 31st, 2009. I
24 explained that I needed my denial in writing, so
25 she told me to sit and wait.

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2 There was a manila folder with
3 apartments for rent scrawled in handwriting and a
4 Xeroxed newspaper ad for Flatbush Garden
5 Apartments taped to the wall. This was
6 discouraging and depressing.

7 I met with a young lady who had me
8 fill out an application. She told me that she is
9 a new trainee, has been training to three weeks.
10 The office was deadly quiet, except for a staff
11 member, who excitedly spoke on the phone about
12 ordering her graduation gown. They had me fill
13 out an application and asked me routine questions.
14 The young lady checked the DHS database to see if
15 Ms. Paredes had entered me in there--she had not.

16 The staff member got her
17 supervisor, Mr. Larry Hardison. He began
18 questioning me, asking me if I had family members
19 who could help me. And when I informed him that I
20 did not, he asked me if I could increase my
21 income, then would ask if I would go into a
22 shelter as Larry Hardison claimed that they only
23 took referrals from the shelter. This was more
24 conflicting information, as the receptionist told
25 me that they no longer referred people from the

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2 shelters. How about moving into another room, he
3 asked me. I said, why would I do that? I need an
4 apartment. I asked him if this is the same agency
5 that owns the building on 13th Street, since I had
6 applied for an apartment there. He claimed he
7 knew nothing about any apartment buildings.

8 Sorry. This was discouraging. He
9 claimed that he did not have the map that Bronx
10 Works had given me. He asked me if he could
11 photocopy it. Of course I said yes. But why
12 would I, someone in danger of becoming homeless,
13 and coming in off the street, provide a City
14 agency with information? I told the young lady
15 that it was probably on their website, and with my
16 assistance she found it online and printed it out.
17 Mr. Hardison came back and requested my ID and
18 proof of address. I gave it to him. I asked him
19 what the maximum limit for eviction prevention
20 grants was, and he couldn't tell me. He asked me
21 for an emergency contact, which I gave him. The
22 young lady had very little knowledge of housing
23 court procedures and the eviction process. She
24 said she had to ask her supervisor.

25 This was discouraging, that I knew

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2 more than the paid staff. I asked Mr. Hardison
3 about the Fixed Income Advantage Voucher. He said
4 he didn't know anything about that. Ms. Paredes
5 had indicated that I might be eligible for it.
6 They finally printed out a denial letter, with no
7 end date, alleging that my case is pending. If
8 this is anything like the NYCHA Section 8 voucher
9 that is pending, it seems like I could drop dead
10 before any housing assistance is given to me.

11 It appears that the entire
12 operation is a waste of money, unprofessional and
13 not effective in preventing eviction. I question
14 their verbal statements regarding who is eligible
15 for their programs. Where is any of that criteria
16 in writing? I am concerned that once this
17 horrible vermin-infested boarding house is sold, I
18 will have no recourse but to sleep on the subway
19 or street. If this is the case, HomeBase will
20 have been successful in creating yet another
21 homeless New Yorker. I am very upset about this,
22 as New York is my home. For better or worse, the
23 boarding house is a roof over my head.

24 I am told a huge amount of stimulus
25 money is poured into HomeBase. Where is that

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2 money going? I have not benefitted from this
3 program and doubt that I ever will.

4 CHAIRPERSON PALMA: Thank you for
5 your testimony. From the questions that were
6 raised here today, you know, we're still trying to
7 get many answers that go--you know, many answers
8 to the questions that still go unanswered.

9 Hopefully we can continue to ask the
10 administration to give us some concrete numbers on
11 how these programs are helping people like
12 yourself. I tell you that this Council and this--
13 you know, the Council Members are committed to
14 making sure that--are committed to helping lift
15 New Yorkers out of poverty and into permanent
16 housing. And I know that I won't stop as long as
17 I am in the position that I am, to make sure that
18 these programs are really working to benefit
19 homeless New Yorkers and New Yorkers as a whole.
20 So thank you for coming--

21 YARROW REGAN: [Interposing] May I
22 be permitted to say one thing?

23 CHAIRPERSON PALMA: Yes, you may.

24 YARROW REGAN: Well, I heard Mr.
25 Hess's testimony, and I feel like there's a

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2 reality gap between what he's stating and what's
3 really happening. And I would like to suggest
4 that the Council send more people like myself to
5 apply for this program, to see what's happening in
6 reality. Because there's some--you know, Mr. Hess
7 is not the person who is applying for HomeBase,
8 but he has some distorted illusion of what is
9 actually happening.

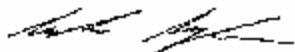
10 CHAIRPERSON PALMA: Right. We need
11 to definitely get a sense of how many people are
12 actually applying and not getting the services
13 that the program was intended to deliver. So, I
14 thank you for your recommendation. And again,
15 thank you for your testimony.

16 YARROW REGAN: Thank you very much.

17 CHAIRPERSON PALMA: This hearing is
18 now adjourned.

C E R T I F I C A T E

I, Erika Swyler, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature _____

Date April 27, 2010 _____