

**Testimony of Molly Park, First Deputy Commissioner,  
Department of Homeless Services (DHS)-  
New York City Department of Social Services (DSS)**

**Before the New York City Council, Committee on General Welfare  
Oversight Hearing: The CityFHEPS Rental Assistance Program  
January 18, 2023**

Good afternoon, I want to thank Deputy Speaker Ayala and the members of the General Welfare Committee for holding today's hearing, and for the opportunity to testify about the New York City Families Homelessness and Eviction Prevention Services program, known as CityFHEPS. CityFHEPS is a rental assistance supplement to help individuals and families find and keep housing. It is administered by the Department of Social Services (DSS), which includes both the Department of Homeless Services (DHS) and the Human Resources Administration (HRA).

My name is Molly Park, and I am First Deputy Commissioner at DHS. I am joined by Bruce Jordan, Chief Homelessness Prevention Officer at HRA and Sara Zuiderveen, Senior Advisor for Housing and Homelessness at DSS.

I would like to begin my testimony by thanking our Commissioner, Gary P. Jenkins, DSS-HRA-DHS frontline staff members and providers who work tirelessly every day to uphold the critical mission of providing services to New Yorkers who need them the most.

Over the last decades, New York City has seen significant decreases in rent stabilized housing and in turn has become less and less affordable for the average New Yorker. In the ten years between 2005 and 2015, household rents in the city increased by 18.4%, while at the same time incomes failed to keep pace, increasing only by 4.8%. Looking at housing supply, between 1994 and 2012, the city suffered a net loss of about 150,000 rent-stabilized units. As a result, by 2015, the city had insufficient housing for millions of low-income New Yorkers.

Our frontline staff, case managers, and housing specialists are focused on helping vulnerable New Yorkers achieve long-term stability. Recognizing that there is no one-size-fits-all solution, our staff works closely with each client, on a case-by-case basis, to help address barriers specific to their circumstances, and connect them to suitable rental assistance and housing solutions.

HRA's rental assistance programs are a critical component of the Administration's overall strategy to connect individuals experiencing homeless or housing instability to permanency. In 2018, HRA streamlined City funded rental assistance programs for households in or at risk of

going into shelter. Seven unique programs were consolidated into CityFHEPS, making it easier for landlords and clients alike.

To be eligible for CityFHEPS in the community, households must have a gross income at or below 200% of the federal poverty level, and have a household member who is a veteran, receives Pathway Home and meets the shelter eligibility criteria, or was referred by a CityFHEPS qualifying program. Additionally, households facing eviction or who were evicted in the past year and include someone who lived in DHS shelter, has an active Adult Protective Services (APS) case, or is seeking to preserve tenancy in a rent-controlled apartment using CityFHEPS may also be eligible in the community.

Many families and individuals in shelter are also eligible for CityFHEPS. Households must be under 200% of Federal Poverty Level, receive Cash Assistance if eligible, and be working or senior or disabled. In addition, veterans and those living in a shelter which is slated to close can also qualify. There are detailed fact sheets on the HRA website that lay out eligibility in great detail.

The streamlining of rental assistance programs has resulted in more landlords and brokers opening doors for neighbors in need. Since CityFHEPS was created in the fall of 2018, over 26,000 households have enrolled in the program.

The mission of DSS-DHS continues to be to prevent homelessness whenever possible, address street homelessness, provide safe temporary shelter and connect New Yorkers experiencing homelessness to suitable permanent housing. This mission is carried out with care and compassion for each client and their circumstances. Our staff and providers employ many innovative strategies - including CityFHEPS - to help individuals who are in temporary shelter to successfully transition to permanency. And we are always looking for ways to improve the program.

## **How are we changing CityFHEPS?**

Recently, Mayor Adams announced in the City's housing plan, "Housing Our Neighbors: A Blueprint for Housing and Homelessness," that the City has transformed its approach to housing New Yorkers. In alignment with this transformative approach, DSS/HRA held a public hearing on January 10, 2023, to propose changes to the CityFHEPS rules to expand the eligibility criteria for rental subsidies and to reduce administrative burdens.

Specifically, the proposed rules would:

- Make single adults eligible when they are earning minimum wage and working full-time, even if their income is slightly higher than 200 percent of the federal poverty level.
- Reduce the monthly contribution by CityFHEPS tenants who move into single-room occupancy units from 30 percent of their income to a maximum of \$50 per month.
- Reduce the number of hours that families are required to work to become eligible for CityFHEPS from 30 to 14 hours per week.

- Create an option for CityFHEPS voucher-holders who choose to secure an apartment that rents above the CityFHEPS maximum to use a voucher by paying up to 40 percent of their income.
- Expand SSI eligibility for CityFHEPS families from only an adult in the household to any household member, such as a child.
- Change the maximum room rental rate so it can be set at the discretion of the Commissioner, in consultation with OMB.

## **Moveouts**

DSS is deeply committed to supporting New Yorkers in need. When an eligible family or individual enters shelter, DHS provider staff start on day one to work with them to identify a permanent housing plan, including CityFHEPS, Emergency Housing Vouchers (EHV), or other housing options. DHS encourages households to apply for every resource for which they are eligible, and Housing Specialists work with clients to assemble documents and search for apartments. Households may be pursuing multiple housing options and subsidies at one time, and the time that it takes an individual or family may vary. Because we believe that there is always room for improvement, DSS continues to work diligently to improve processes, tackle barriers, and to streamline the move out process for everyone. Thanks to the robust array of subsidies available, and the dedicated work of Housing Specialists, DSS-DHS moves more than 200 households each week into subsidized placements.

As of September 2022, more than 26,000 (26,283) households, comprised of 55,000 (55,896) New Yorkers, were able to secure housing via CityFHEPS, and the City continues to invest City dollars – most recently by increasing rents to the federal Fair Market value (FMR) - to further level the playing field for vulnerable New Yorkers.

In closing, since its creation, CityFHEPS has been an important instrument to streamline the voucher process and help those in need achieve housing security. To date 26,000 households have benefited from CityFHEPS and with the new improvements championed by this administration we seek to reduce administrative burdens and increase eligibility for CityFHEPS. We believe that this can only have a positive effect, increasing and speeding up shelter moveouts. We look forward to working with the Council to support New Yorkers' need for more affordable housing and housing security.

Thank you again for the opportunity to testify today about the work DSS-HRA-DHS and our providers are doing to support New Yorkers to stay in or secure housing. We look forward to answering any questions you may have.



THE CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
BRAD LANDER

**Testimony of New York City Comptroller Brad Lander before the General Welfare  
Regarding CityFHEPS Expansion**

January 18, 2023

Good afternoon and thank you to Deputy Speaker Diana Ayala and members of the General Welfare Committee for holding this hearing on the proposal to expand eligibility and simplify the administrative process for the City Fighting Homelessness and Eviction Prevention Supplement program (CityFHEPS). Our office testified last week during the Human Resources Administration's rule committee hearing to express our support for the Mayor Adams' proposed CityFHEPS reforms and our recommendations to improve the program further.

With 69,000 individuals sleeping in New York City shelters,<sup>1</sup> 3,400 more sleeping on the streets and in the subway,<sup>2</sup> and thousands of asylum seekers in need of shelter arriving to our sanctuary city every week, our homelessness crisis has reached unprecedented levels, presenting a heavy burden on our shelter system. The need for expanding and accelerating the distribution of rental assistance to low-income New Yorkers has never been more urgent than it is today.

As a member of City Council, I was proud to co-sponsor Local Law 71 of 2021 which raised the value of CityFHEPS vouchers to meet rising rental prices.<sup>3</sup> I support the Adams Administration's decision to expand eligibility for individuals and families whose income is slightly higher than 200% of the poverty level, reduce the work requirement from 30 to 14 hours per week, and include children with disabilities, as well as adults, as SSI eligible recipients of CityFHEPs. By expanding eligibility, the City will be able to move more people from shelters into permanent housing more quickly.

In solidarity with New York City's housing and homeless advocates including the Legal Aid Society, VOCAL-NY, Community Service Society, Citizens' Committee for Children of New York and others, I also urge the Administration to include undocumented immigrants in its CityFHEPS eligibility expansion. Although the Department of Homeless Services does not track the number of undocumented immigrants in its care, we know that immigrant New Yorkers, especially undocumented immigrants, were disproportionately represented in COVID-related deaths, hospitalization, and job loss, leaving many families unable to pay for basic necessities like food and rent.<sup>4</sup> As a result, many immigrant individuals and families face great risk of eviction and will have nowhere to go but the streets or shelter. When the federal government failed to provide pandemic relief to undocumented immigrants, New York State and City lawmakers stepped up by creating the \$2.1 billion Excluded Workers Fund and allocating \$10 million in childcare subsidies for undocumented immigrants and families.<sup>5</sup> We know that there are creative avenues to provide financial assistance, including housing vouchers, to undocumented families, because we've done it before. Let's continue to support our foreign-born neighbors in need, regardless of their status.

Finally, it has become common knowledge that source of income discrimination is rampant among housing voucher recipients. Although it is a violation of New York City Human Rights Law, landlords continue to deny affordable housing to low-income New Yorkers with rental assistance vouchers with impunity. This has contributed to the growing length of stay of individuals and families in shelter, up to 855 days in 2022.<sup>67</sup> To ensure that CityFHEPS reform is successful, the City must go after landlords who are violating the law. However, this is not feasible if agencies responsible for enforcement are not adequately staffed or resourced. According to my office's December vacancy report, the Commission on Human Rights, the agency charged with enforcing the source of income discrimination law, has a 28% vacancy rate.<sup>8</sup> The Administration must prioritize filling these positions immediately to reduce the average length of stay in shelters, ensure that CityFHEPS recipients are rapidly rehoused, and put struggling New Yorkers on the path to safety and stability.

Thank you again for the opportunity to submit testimony.

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<sup>1</sup> DHS Daily Report, *NYC Open Data*, last updated January 16, 2023,

<https://data.cityofnewyork.us/Social-Services/DHS-Daily-Report/k46n-sa2m>.

<sup>2</sup> "Mayor's Management Report," *Mayor's Office of Operations*, September 2022,

[https://www.nyc.gov/assets/operations/downloads/pdf/mmr2022/2022\\_mmr.pdf](https://www.nyc.gov/assets/operations/downloads/pdf/mmr2022/2022_mmr.pdf).

<sup>3</sup> Int 0146-2018, *New York City Council*, Enacted June 27, 2021,

<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3331786&GUID=2888B24C-E4CF-420E-96B9-2A5DF9B1995B&Options=ID|Text|&Search=int+146-c>.

<sup>4</sup> "Fact Sheet: COVID-19 Health and Economic Impacts on Immigrant Communities," *Mayor's Office of Immigrant Affairs*, July 2020, <https://www1.nyc.gov/assets/immigrants/downloads/pdf/covid-immigrant-fact-sheet-20200731.pdf>.

<sup>5</sup> COVID-19 Recovery Center: Excluded Workers Fund, *Office of the New York City Comptroller*,

<https://comptroller.nyc.gov/services/for-the-public/covid-19-recovery-center/english/excluded-workers-fund/>.

<sup>6</sup> "Mayor's Management Report," *Mayor's Office of Operations*, September 2022.

<sup>7</sup> "Mayor Adams Rolls out 'Promise NYC' to Provide Childcare Assistance to Low-Income Families with Undocumented Children for First Time Ever," *Office of the New York City Mayor*, December 14, 2022, <https://www.nyc.gov/office-of-the-mayor/news/909-22/mayor-adams-rolls-out-promise-nyc-provide-childcare-assistance-low-income-families-with>.

<sup>8</sup> "Title Vacant Addressing Critical Vacancies in NYC Government Agencies," *Office of the New York City Comptroller*, December 6, 2022, <https://comptroller.nyc.gov/reports/title-vacant/>.

**Testimony of Women in Need (WIN) on Oversight: The CityFHEPS Rental Assistance Program  
before the General Welfare Committee of the New York City Council  
January 18th, 2023**

Good afternoon, Chair Ayala, and members of the General Welfare Committee. My name is Dr. Henry Love, and I am the Vice President of Policy and Planning at Win Inc. Currently, Win is the nation's largest provider of shelter and services to families with children experiencing homelessness. We operate 14 shelters and nearly 600 supportive housing units across the five boroughs. Currently, more than 6,600 people call Win "home" every night, including 3,600 children — in total, we house over 14 percent of homeless families with children in New York City. Thank you for the opportunity to testify today. I am here in support of the legislation and resolution being heard today to reform the CityFHEPS voucher program and to urge the City to act on a variety of administrative issues that are preventing eligible families from using the voucher to move out of shelter and into permanent housing. When vouchers are accessed and utilized, they have the potential to stabilize low-income households struggling to pay rent and to provide those in shelter with a path to permanent housing. In the last year, our trained program staff worked to move just over 840 families out of shelter and into permanent homes. Rental assistance programs like CityFHEPS have been key to this success, and we thank the City Council for their contributions in turning this voucher into an essential tool in preventing and ending homelessness. Responding to calls from families experiencing homelessness and organizations like Win, City Council passed the groundbreaking Intro. No. 146, which increased the value of CityFHEPS vouchers and expanded access to thousands of apartments that were previously out of reach. In the five months after the voucher amounts increased, Win's CityFHEPS placements were 79 percent higher compared to the months immediately before, and 40 percent higher compared to the previous year. We are further encouraged by and in support of the pre-considered bills and resolution being heard today.

Foremost, we are delighted to support a bill that would end the 90-day rule, the arbitrary and antiquated criterion that families must reside in shelter for 90 days before becoming eligible to apply for a CityFHEPS rental assistance voucher. This legislation, being introduced by Chair Ayala, Councilmembers Sanchez, Bottcher, Won, Hanif, and Public Advocate Williams, can prevent families from experiencing unnecessary trauma associated with prolonged homelessness and save the City thousands of dollars a month.<sup>1</sup> *The current wait period imposed by the 90-day rule is costing the city more than \$10,500 per family.* This requirement is unduly imposing homelessness on families ready to move out, and the system is buckling under the strain. Across Win's family shelters, there is a 1% vacancy rate. Addressing this paternalistic rule is paramount as the city grapples with an ever-growing influx of immigrants, many of whom are wrongly ineligible for any form of rental assistance, it is even more critical to pass this legislation and move CityFHEPS-eligible families out of the system.

It is also critical that all families in shelter have the resources they need to move out into homes of their own. Currently, most migrant families are blocked from using any rental

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<sup>1</sup>Ella Ceron, "NYC Mayor Urged to Abolish 90-Day Shelter Rule Amid Migrant Influx," *Bloomberg* November 20, 2022 <https://www.bloomberg.com/news/articles/2022-09-20/new-york-mayor-eric-adams-is-pressured-to-abolishhomeless-shelter-rule?leadSource=uverify%20wall>



assistance due to their immigration status. That is why we support the intent of the resolution from Councilmembers Sanchez and Hanif, which calls on the state legislature to enact legislation that would provide NYC with the authority to expand CityFHEPS to all New Yorkers, regardless of their immigration status. Migrant families and children, the majority of whom are under the age of 5, come to New York City to seek shelter and refuge after experiencing unthinkable hardships. In a recent survey and interview series we did with our migrant families, we heard stories of starvation, violence, and persecution. Unfortunately, these accounts resemble countless other stories, and people continue to flee their homes by the thousands to save their lives and find a better future for their children. While New York City shelters have welcomed more than 26,000 individuals from the most recent influx of migrants, we anticipate that even more will arrive in the coming year, and years following; as this has become our new normal. This is not accounting for the thousands of immigrant families who were already in shelters, unable to move out with rental assistance and becoming long-term stayers, sometimes remaining in shelter for over five years. Presently, these vulnerable families and children are ineligible for rental assistance vouchers, a denial that is exacerbating the capacity crisis and trapping migrant families in transitional housing shelters. Although we agree that the state can and must do more, we believe that the city has the authority to act unilaterally and should expand CityFHEPS eligibility to migrant families regardless of their immigration status.

To further counter the capacity crisis, the City should pass the bill under pre-consideration that would remove the employment requirement for CityFHEPS eligibility and change the income limit from 200% of the federal poverty line to 50% of Area Median Income (AMI). Work should not be a precondition for housing and eliminating this requirement will significantly expand the number of people in shelter eligible for vouchers, creating an exit path for more people and alleviating pressure on the system. Further, eliminating the work requirement will undoubtedly improve the experience of homeless parents, who have the added challenge of living in shelter and complying with the various rules and regulations imposed there, while balancing a job with other responsibilities such as childcare and education. Imposing an income limit on the program makes sense, but the current limit of 200% of the federal poverty line is too low. Changing the standard to 50% of AMI sets a more reasonable income standard in the extremely expensive New York City market. However, we would like to see the language amended slightly to “households earning up to 50% AMI shall be eligible for rental assistance” to ensure that income limits are not set lower than the 50% AMI point. Additionally, the bill under pre-consideration that would expand the criteria of CityFHEPS eligibility to include families at risk of becoming homeless would help keep families in their homes, preventing them from entering shelter in the first place. Becoming homeless is a trauma and the City can and should save families that trauma by extending the assistance they need to stay in their homes permanently through CityFHEPS.

We thank City Council for proposing these reforms and hope to see all the legislation being heard swiftly passed. Nevertheless, there are other outstanding changes that must be made to make the voucher work better for New Yorkers experiencing homelessness. The Department of Social Services (DSS) has the power to eliminate persistent administrative problems with the housing process, making CityFHEPS an easier option for both potential tenants and landlords — and we urge it to do so. At Win, clients and staff frequently voice that administrative challenges are among the biggest roadblocks to utilizing rental assistance, even after the increase in the

value of CityFHEPS. As such, based on the experiences of Win staff working to help families find housing and leave shelter, we have identified administrative roadblocks in the CityFHEPS process and are offering common-sense solutions here for DSS to implement.

At Win we are on the frontlines and understand that the CityFHEPS voucher is a complicated and work-intensive program to operate, but current delays can cause an eligible family to remain in shelter for many additional weeks, if not months. Therefore, we suggest widespread investment in the voucher program and additional modernization efforts. Win strongly encourages DSS to decrease its staff to review applications for CityFHEPS. Especially with the recently announced reforms and an expected increase in eligible families, DSS should hire additional employees and invest in its current rental assistance voucher teams. To improve communication and reduce redundancies, DSS should also assign each application to a single staff member, who is accountable for overseeing the application from start to finish. Currently, packages are reviewed by different DSS staff, which often leads to packages being flagged with a single error and returned. To avoid a lengthy back and forth, DSS should link each application to a single, accountable staff member and have them review the package in its entirety.

Additionally, throughout the entire process, there should be more transparency for tenants, landlords, and social services staff. DSS should create a client and provider-facing portal that clearly indicates where an application is in the process and allows applicants to upload missing or corrected documents in real time, rather than forcing them to start the approval process anew every time there is a small error or omission. For one family that worked with a Win Housing Coordinator, the apartment preclearance package was rejected because the landlord's name on the deed and on the lease did not match due to a typo. Therefore, the Housing Coordinator had to redo all the work she had done and resubmit the preclearance package, delaying the family's move out by about two weeks. "It may not seem like a lot of time," she told us, "But for a family living in shelter, and often times also dealing with mental health issues, it is." Additionally, these delays can cost the City an estimated \$1,628. Instead, a central online portal for shelter staff, clients, and landlords to submit documents could relieve this bureaucratic bottleneck. Perhaps, the ACCESS HRA website and free mobile app could host this online CityFHEPS portal. Currently, shelter staff who are assisting CityFHEPS applicants are often forced to file new paperwork and send multiple emails each time there is an issue with an application, but an online platform to resubmit this work and communicate with staff would lead to a faster voucher review process and a decreased workload all around. Finally, to ensure families and landlords have the support they need, the CityFHEPS customer service line should be expanded to assist both landlords and families with the voucher. As it now stands, landlords frequently become frustrated with the lack of ability to communicate with DSS about vouchers. Instead, setting up a phone line for landlords could improve confidence in the CityFHEPS program and deter source of income discrimination.

Within the rules and exemptions of CityFHEPS, Win also urges the Administration to eliminate the Utility Allowance Deduction and the Rent Reasonableness Standard. The policy of deducting the utility allowance from the overall CityFHEPS amount decreases the value of the subsidy, often leading applicants to narrowly miss out on apartments. In the current housing market, every dollar matters, which is why we are calling on DSS to stop requiring that a portion of CityFHEPS funds be used on utilities. Instead, Win believes the utility policy should be that tenants can rent units that cost the total voucher amount, regardless of whether utilities are

included. This change would be akin to the Section 8 program rules and push the City closer to parity with this program. Likewise, with the Rent Reasonableness Standard, despite an apartment's rent being at or below a family's voucher amount, a family can still lose out on housing because the City does not believe the rent is "reasonable" compared to other equivalent apartments in the area. This policy creates a separate and confusing standard for rent amounts, which are often lower than the maximum rents allowed under the voucher. We are calling for the rent reasonableness requirement to be eliminated, as it causes significant and unnecessary harm to voucher holders by shrinking the pool of apartments available to them.

Once a CityFHEPS application passes review and a family is finally ready to move into their home with the voucher, further delays can occur because of the city's reliance on outdated systems for rental payments. Although DSS has indicated that it should take about seven days for rental assistance checks to be delivered to landlords, it often takes much longer. A major source of this delay is the requirement that payments must be made by physical checks, even though electronic transfer is a technology that landlords use regularly and have come to expect from tenants in 2023. We therefore urge the City Council to pass and enact Intro 704. The legislation, introduced by councilmember Abreu, provides a commonsense solution to this problem by amending the City's administrative code to require that the Human Resources Administration (HRA) provide landlords the option to accept rental assistance payments via an electronic transfer. Without this change, the current paper check process causes extensive and unnecessary delays as well as logistical hardships for DSS and shelter providers whose staff are already stretched thin. For families at risk of being evicted and becoming homeless, these holdups can cost them their home and force them into shelter. For those already in shelter, families and children can be forced to stay in their shelter for weeks longer than necessary because of this archaic paper check payment process.

Finally, as the City seeks to modernize the CityFHEPS voucher and make the move-out process more efficient, we would like to see reform that ultimately reduces the CityFHEPS application turnaround time to a maximum of 30 days, including the preclearance, inspection, packet preparation, packet approval, and issuance of payments. As it stands, there is no set standard for how long it should take to complete an application from start to finish. Instead, the City should put in place the aforementioned recommendations and increase staffing to be able to adhere to a strict 30-day turnaround time.

Every additional day in shelter deprives a family of time they could be spending in their own home, and CityFHEPS delays have very real repercussions for homeless families and their children. Holdups in the housing process can result in unnecessary trauma for families and excessive expenses for the City. In the past fiscal year, families with children in shelter already spent an average of 534 days there before moving out.<sup>2</sup> While staff at organizations like Win work to provide intentional and trauma-informed care to all clients in shelter, the perilous experience of homelessness has an inherent impact on families and children. The stress of experiencing

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<sup>2</sup> Jeanmarie Evely, "NYC's Homeless Shelter Population Ballooned in 2022. How Will Leaders Address the Crisis This Year?" *CityLimits* January 17, 2023. [https://citylimits.org/2023/01/17/nycs-homeless-shelter-population-ballooned-in-2022-how-will-leaders-address-the-crisis-this-year/?mc\\_cid=2a90c2ff88&mc\\_eid=ef2de08f11](https://citylimits.org/2023/01/17/nycs-homeless-shelter-population-ballooned-in-2022-how-will-leaders-address-the-crisis-this-year/?mc_cid=2a90c2ff88&mc_eid=ef2de08f11)

homelessness can cause or exacerbate anxiety, depression, and other mental health issues.<sup>3</sup> For children, especially, the impact can be profound. Children experiencing homelessness are more likely to have poor physical and mental health and are at heightened risk for intimate partner violence, addiction, and depression.<sup>4</sup> Attendance rates for students living in shelter are almost 11 percent lower than their permanently housed peers.<sup>5</sup> Homelessness also takes a significant toll on the City as a whole. *The average daily cost to house a family in New York City Shelter is \$188, while CityFHEPS vouchers cost just \$72 daily, a savings of \$116 per day or nearly 62 percent.*<sup>6</sup> For every week that a voucher eligible family remains in shelter as opposed to moving into an apartment with CityFHEPS, it costs the city \$814, equaling \$42,328 a year per family. For New York City, optimizing the CityFHEPS voucher program is both just and economical.

Ultimately, CityFHEPS is a vital tool in the fight to end homelessness in New York, but changes are necessary for it to work as effectively as families living in shelters need it to. Win stands in support of the pre-considered legislation and resolution, and we look forward to the City addressing additional concerns. In many cases, minor administrative changes can have a huge impact on the voucher's overall effectiveness, and we hope you will support the reform we recommend. We have the power, and responsibility, to eliminate these remaining issues and, in doing so, make CityFHEPS New York City's solution to homelessness.

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<sup>3</sup> "Mental Health," *Ruff Institute of Global Homelessness*. 2017 <https://ighhub.org/understanding-homelessness/causes-intersections/mental-health#:~:text=Homelessness%2C%20in%20turn%2C%20amplifies%20poor,depression%2C%20sleeplessness%20and%20substance%20use>.

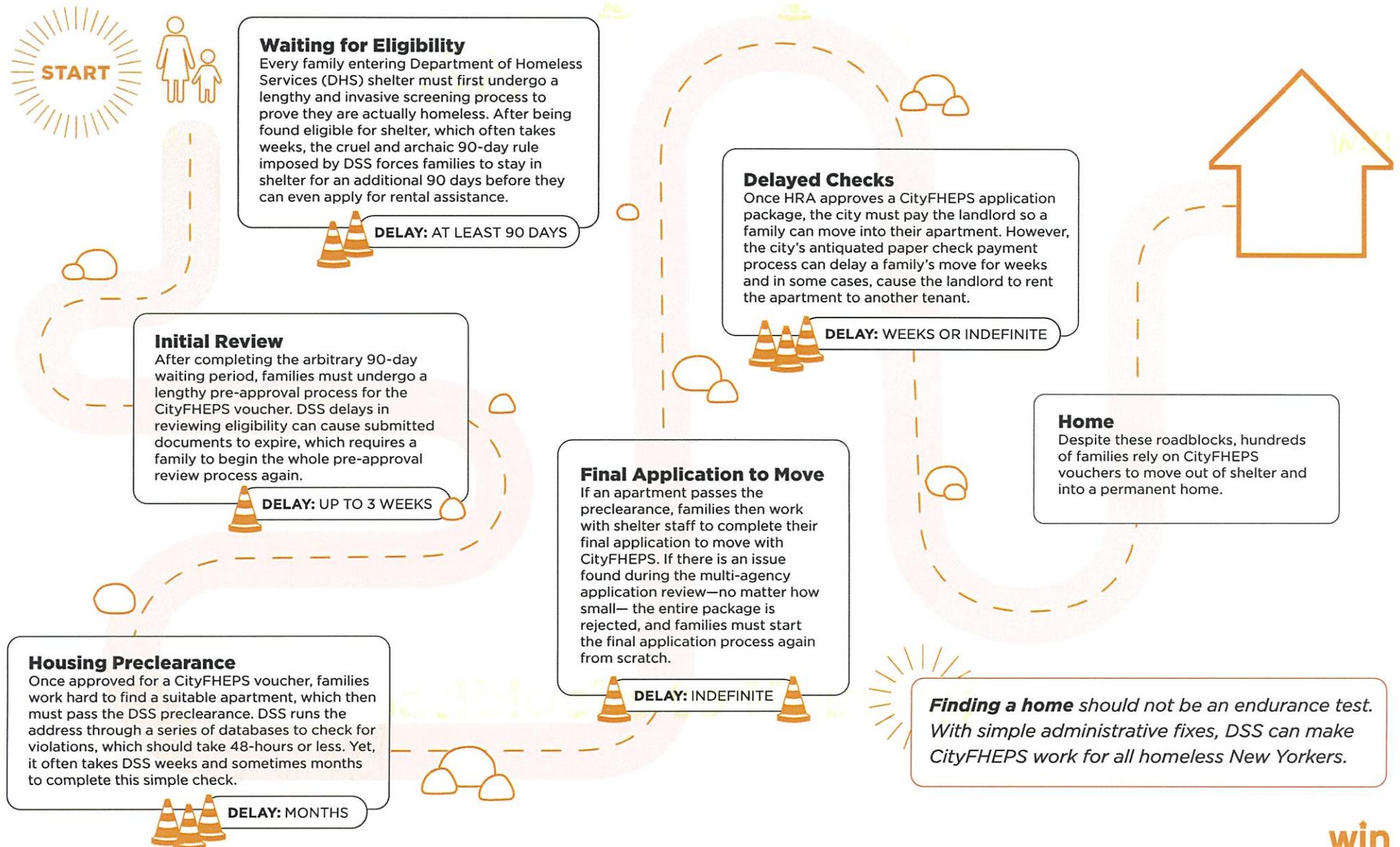
<sup>4</sup> "No Longer Hidden: The Health And Well Being of Homeless High School Students," *Institute for Children, Policy & Homelessness* October 31, 2019. <https://www.icphusa.org/reports/>

<sup>5</sup> "Still Disconnected: Persistently Low Attendance Rates for Students in Shelter," *Advocates for Children of New York* May 18, 2022. [https://www.advocatesforchildren.org/sites/default/files/library/still\\_disconnected.pdf?pt=1](https://www.advocatesforchildren.org/sites/default/files/library/still_disconnected.pdf?pt=1)

<sup>6</sup> Ella Ceron, "NYC Mayor Urged to Abolish 90-Day Shelter Rule Amid Migrant Influx," *Bloomberg* November 20, 2022 <https://www.bloomberg.com/news/articles/2022-09-20/new-york-mayor-eric-adams-is-pressured-to-abolishhomeless-shelter-rule?leadSource=verify%20wall>

# CityFHEPS Roadblocks to Housing

Last year, the typical family living in shelter spent 17 months there before moving into permanent housing. Bureaucratic barriers in the CityFHEPS housing voucher program are a major contributor to this delay, forcing families to remain homeless and costing the city thousands of dollars. **The New York City Department of Social Services (DSS) can and must change the CityFHEPS voucher to address these issues.**



## ELIMINATE THE 90-DAY RULE

# Move Families Out of Shelter Now

The New York City shelter census is growing at an alarming rate, and too many New Yorkers remain stuck in shelter due to solvable administrative issues and illogical rules related to New York City's rental assistance voucher, CityFHEPS. In particular, the archaic and cruel "90-day rule," which requires families to remain in shelter for an arbitrary 90 days before they can even apply for rental assistance forces families to stay in shelter months longer than they need to, unnecessarily costing the city thousands of dollars per family per month, while prolonging an already traumatic experience.

### Why eliminating the 90-day rule is necessary

Mayor Adams recently stated that due to an influx of asylum seekers, the city's shelter systems is "nearing its breaking point".<sup>i</sup> Yet, the 90-day rule remains in place, blocking a critical path out of shelter for New Yorkers for months, needlessly exacerbating this capacity crisis. Eliminating this illogical rule would allow providers to start helping homeless New Yorkers apply for—and find—permanent housing faster.

As the city grapples with an ever-growing influx of immigrants, many of whom are wrongly ineligible for any form of rental assistance, it is even more critical to prioritize moving families who are eligible for vouchers out of the system. By repealing the 90-day rule, the city can immediately help increase shelter capacity.

Win along with more than 40 other groups is calling for this senseless rule to be eliminated.

### Benefits of eliminating the 90-day rule

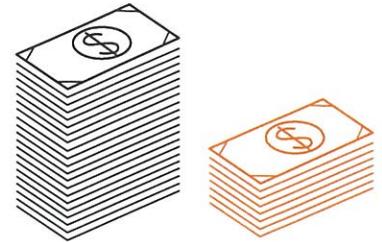
The sooner families can start looking for housing, the sooner they can move out of shelter, which is especially true in New York City's extremely competitive housing market. For families at Win, who typically have young children under the age of 6, the average length of stay in shelter is 16 months. By eliminating the 90-day rule, families in shelter could start looking for housing on Day One, rather than waiting months to even begin their search. Although some have argued that eliminating the 90-day rule will lead to an influx of families seeking shelter to get a voucher, the same argument was proven false when the CityFHEPS voucher amounts were increased under Intro 146. Ensuring that families can move out of shelter as quickly as possible will both help alleviate the shelter capacity crisis and save the city money.

In fact, moving families out of shelter and into permanent housing is much more cost effective for the city—even when vouchers are involved. The average daily cost to house a family in New York City Shelter is \$188, while CityFHEPS vouchers cost just \$72 daily, a savings of \$116 per day or nearly 62 percent.<sup>ii</sup> For every week that a CityFHEPS eligible family remains in shelter as opposed to moving into an apartment, it costs the city \$814. By forcing families to stay in shelter three months longer than necessary, the arbitrary 90-day rule, costs the city at least \$10,500 per homeless family.

Eliminating the 90-day rule is a commonsense reform that will help families move out of shelter faster, while also saving the city a substantial amount of money.

# \$10,500

The wait period imposed by the 90-day rule is costing the city more than **\$10,500** per family.



**AVERAGE  
DAILY COST  
OF SHELTER**

**AVERAGE  
DAILY COST  
OF CITYFHEPS**

The average daily cost to house a family in New York City Shelter is **\$188**, while CityFHEPS vouchers cost just **\$72** daily.

# \$116

Housing a family with CityFHEPS, as opposed to in a shelter, saves the city **\$116** per day.

- i. Newman, Andy. (2022) Adams Wants to Reassess a Shelter System 'Nearing Its Breaking Point.' *The New York Times*. <https://www.nytimes.com/2022/09/14/nyregion/homeless-shelters-nyc-adams.html>
- ii. Ceron, Ella. (2022) NYC Mayor Urged to Abolish 90-Day Shelter Rule Amid Migrant Influx. *Bloomberg* <https://www.bloomberg.com/news/articles/2022-09-20/new-york-mayor-eric-adams-is-pressured-to-abolish-homeless-shelter-rule?leadSource=verify%20wall>



ANHD  
50 Broad Street, Suite 1402  
New York, NY 10004  
Tel: (212) 747-1117

## **Testimony Before the New York City Committee on General Welfare Regarding the CityFHEPS rental assistance program**

January 18, 2023

Thank you to Committee Chair Ayala and members of the Committee on General Welfare for hearing these bills and resolutions on expanding and improving the CityFHEPS program.

### **About the Association for Neighborhood and Housing Development (ANHD)**

ANHD is one of the City's leading policy, advocacy, technical assistance, and capacity-building organizations. We maintain a membership of 80+ neighborhood-based and city-wide nonprofit organizations that have affordable housing and/or equitable economic development as a central component of their mission. We bridge the power and impact of our member groups to build community power and ensure the right to affordable housing and thriving, equitable neighborhoods for all New Yorkers. We value justice, equity and opportunity, and we believe in the importance of movement building that centers marginalized communities in our work. We believe housing justice is economic justice is racial justice.

### **Improving and Expanding the CityFHEPS program**

As we all know, New York City's homelessness crisis continues unabated, with over 60,000 people in the shelter system, and thousands more on the streets or in precarious situations. Since the expiration of the eviction moratorium on January 15, 2022, there have been 4,105 residential evictions in New York City by court ordered marshals, and eviction cases are continuing to flood the courts.<sup>1</sup> Now more than ever, we must ensure that subsidies such as CityFHEPS vouchers are accessible and useable by all New Yorkers who are homeless or at risk of becoming homeless.

CityFHEPS vouchers provide a crucial subsidy to help New Yorkers access permanent housing. However, unnecessarily narrow eligibility requirements mean the program fails to serve many of those most in need of vouchers, and puts others through unnecessary evictions and long shelter stays. In particular, the city is forgoing an opportunity to use CityFHEPS to support undocumented New Yorkers who are barred from accessing federal Section 8 vouchers. Meanwhile, those who are eligible face excessive administrative hurdles and rampant discrimination when trying to get and then use their vouchers. The CityFHEPS program is already an important part of NYC's safety net and a tool in the fight end homelessness, but it must be expanded and improved.

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<sup>1</sup> [NYC Eviction Crisis Monitor](#)

**Int. 878**

ANHD strongly supports Int. 878. Requiring a shelter stay as a precondition to receiving a voucher causes unnecessary delays to people accessing permanent housing, increases crowding in shelters, and adds layers of bureaucracy.

**Int. 894**

ANHD strongly supports Int. 894. All New Yorkers experiencing homelessness should be able to access vouchers that help them secure safe and permanent housing regardless of their employment situation. Work requirements are counterproductive, excluding from assistance many of those who most need it.

**Int. 893**

ANHD supports Int. 893. Preventing evictions is one of the best ways to prevent homelessness. A system that requires people to become homeless in order to access a voucher rather than allowing them to access that same voucher to stay in their home in the first place makes no sense. According to the most recently available Housing Vacancy Survey, the vacancy rate for apartments renting for less than \$1,500 per month was less than 1%.<sup>2</sup> Finding a new affordable apartment is an extremely difficult task, especially given the lack of enforcement of the City's laws against source of income discrimination. Expanding eligibility and easing paperwork requirements to use vouchers to prevent eviction will help to prevent families from becoming homeless, while also reducing costs by preventing expensive shelter stays.

Again, we appreciate the Council's work to improve and expand the City's voucher assistance, and we urge the passage of these bills, along with extending access to CityFHEPS vouchers to undocumented households.

Thank you for the opportunity to testify. If you have any questions or for more information, please contact Emily Goldstein at [emily.g@anhd.org](mailto:emily.g@anhd.org).

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<sup>2</sup> [2021 New York City Housing and Vacancy Survey Selected Initial Findings](#)



**Testimony of Samantha Kahn  
Policy & Advocacy Manager  
Care For the Homeless**

**Provided to the New York City Council  
General Welfare Committee  
January 18, 2022**

I would like to thank Deputy Speaker and Chair Ayala and all members of the General Welfare Committee for holding today's oversight hearing on the CityFHEPS rental assistance program.

Care For the Homeless has 38 years of experience providing medical and behavioral health services exclusively to people experiencing homelessness in New York City. We operate 27 federally qualified community health centers in all five boroughs. Our service sites are co-located at facilities operated by other non-profits that include shelters for single adults and families, assessment centers, soup kitchens and drop-in centers. Additionally, our community-based health center model brings services directly to neighborhoods where the need is most significant. Both models reduce barriers unhoused New Yorkers regularly face in navigating a complex health care system by increasing access to high-quality, patient centered, primary health and behavioral health services. We also operate three transitional housing residences, two shelters located in the Bronx and midtown Manhattan and a safe haven in the Bronx. In these programs our goal is to end the episode of homelessness for our consumers and help them obtain stable and permanent housing.

For the past year we have been working as part of the *Homes Can't Wait* Coalition to address issues that both voucher holders and staff members encounter when attempting to access, navigate and/or utilize the CityFHEPS voucher. As a service provider, it is imperative that our staff do not encounter administrative burdens that significantly hinder our ability to help clients exit the shelter system and find stable housing. We appreciate the pieces of legislation being discussed today that address many aspects about the accessibility and effectiveness of the CityFHEPS rental assistance voucher program and we will offer some suggested edits in the comments below. Overall, we do propose expanding the definition of a "Rental Assistance Voucher" to include households experiencing housing instability or at risk of entering shelter.

We also commend the Administration for starting to take important steps to improve the effectiveness of the CityFHEPS voucher and for committing to fixing long-standing issues within the program. However, a variety of important concerns remain to be addressed that would provide critical improvements. The following are several immediate changes that would make a significant impact on the accessibility and reliability of the CityFHEPS voucher program.

**Eliminate the 90-day eligibility rule to qualify for housing vouchers.** We support the elimination of the 90-day rule, sponsored by Deputy Speaker Diana Ayala, which would speed up the process of getting New Yorkers out of the shelter system, where the average length of stay is 534 days for a family with

children. This means that households upon entering the shelter system would immediately begin the process of navigating the myriad requirements to obtain a housing voucher and secure housing while also reducing the average stay in shelter. Any budgetary impact of this policy would quickly dissipate with the cost savings of reducing the number of days that households reside in shelters, which costs between \$3,000 and \$10,000 per month per household, not to mention the positive health impacts of reducing the trauma of experiencing homelessness for prolonged periods.

**Expand eligibility to undocumented residents in NYC who have no other possible avenue to obtain life-saving housing subsidies.** The recent influx of asylum seekers has exposed the long-standing challenges non-citizens and immigrants face in our city. There is a clear and urgent need for New York City leaders to implement policy and program changes that mitigate the housing crisis for this vulnerable population. Many homeless New Yorkers have been stuck in the shelter system for years, and sometimes decades, because of the lack of housing assistance for undocumented residents. We strongly support the resolution sponsored by Council members Pierina Ana Sanchez and Shahana K Hanif that calls on the state to pass legislation expanding eligibility for CityFHEPS to non-citizen households. **We suggest that the language be changed to specifically support the State's adoption of A.10510 / S.9416 which would grant localities discretion to extend housing benefits to non-citizens regardless of status.**

**Eliminate the Utility Allowance Deduction.** The utility allowance decreases the value of CityFHEPS vouchers, causing applicants to just narrowly miss opportunities to secure apartments. Many voucher holders have secured apartments at the CityFHEPS rent levels, only to find out that the apartment is \$30 or \$50 too high after the utility allowance is deducted. This deduction, which makes a significant difference in the apartment search process, keeps voucher holders in shelter. We call on the administration to eliminate the utilities deduction or at least ensure parity with the Section 8 voucher program.

**Commit significant resources to hire additional DSS staff to improve capacity and ensure New Yorkers experiencing homelessness are moved into housing quickly.** The administration has signaled that this a priority for them, but the information we are receiving about the budget does not align with the goals of increasing staff in these critical roles. According to an analysis by the New York Housing Conference<sup>1</sup>, the Mayor's preliminary budget proposes significant cuts to DHS and HRA staffing – with 107 positions (5%) cut from DHS and 773 (6%) cut from HRA. Vacancies also remain a major problem – with 148 vacancies (8%) at DHS and 1,746 vacancies (14%) at HRA. Staffing shortages and cuts will mean continued delays getting benefits and finding housing for people at risk of or already experiencing homelessness. At HRA, the staffing shortage means much slower processing of one-shot assistance, City FHEPS packets, and other public assistance benefits. This leaves people at risk of homelessness, rent arrears piling up, and staying in shelter longer than necessary.

Our staff reports that there have been some improvements to the application processes in the last year, but there remain inefficiencies in the processing of CityFHEPS applications that are likely due to staff shortages. For example, the process of initially submitting the application has varied. Our housing specialists report that on average only about half will get processed without having to follow up and for those that do require follow up they are asked to submit more up to date documents due to the time lapse between submission and review, which unnecessarily delays a client's application. They also

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<sup>1</sup> <https://thenyh.org/2023/01/13/mayor-eric-adamss-preliminary-fy2024-budget-spared-hpd-affects-service-agencies/>

continue to experience different responses from staff when reviewing the applications and each reviewer looks for different things. So, the applications keep coming back for corrections. It seems that the workflow needs to be streamlined for every stage of the application process so there is a clear standard for reviewing them. Regarding payments, our staff have noticed a longer wait time to receive checks, which is likely attributed to understaffing.

The process for applying and utilizing the housing voucher is contingent on a responsive staff and any delays in the process prolongs the episode of housing instability for the voucher holder. Many administrative issues would be addressed promptly with adequate and well-trained staff members.

**Increase transparency on the overall application process through clear electronic tracking.** The processes for obtaining a CityFHEPS voucher and leasing an apartment are opaque, particularly for those currently residing in shelter and for the shelter staff who are assisting them. Voucher holders do not have information regarding the steps in the process and are unable to make sure their apartment applications are moving forward. The City should allow staff and voucher holders to track the status of their CityFHEPS voucher and apartment application via an electronic portal.

**Commit to a 30-day maximum turnaround from finding an apartment to approval to ensure that voucher holders can retain permanent housing prospects.** Many voucher holders lose apartments due to the lengthy bureaucratic process that must be completed before an apartment can be approved and checks can be cut. The City must expedite CityFHEPS applications to ensure that voucher holders do not lose the limited housing opportunities that they are able to secure, especially given how difficult it is to lock in an apartment amidst rampant source of income discrimination and rising rents.

We urge the administration to implement the important changes outlined today to the reforms already announced for the CityFHEPS voucher program to ensure that the city maximizes the potential of this important resource for households experiencing housing instability, or at risk of entering shelter. It is imperative that we make the CityFHEPS voucher program as effective as possible in the fight to prevent and end homelessness.

Thank you for the opportunity to testify today. If you have any questions, please reach out to [skahn@cfhnyc.org](mailto:skahn@cfhnyc.org).



**Testimony Provided to the New York City Council Committee on General Welfare  
Oversight Hearing: The CityFHEPS Rental Assistance Program.**

**Juan Diaz  
Policy Associate at Citizens' Committee for Children  
January 18th, 2022**

Thank you, Chair Ayala, and members of the City Council Committee on General Welfare for holding today's oversight hearing.

My name is Juan Diaz, and I am a Policy and Advocacy Associate at Citizens' Committee for Children, a multi-issue children's advocacy organization dedicated to ensuring that every New York child is healthy, housed, educated, and safe.

Since 1945, Citizens' Committee for Children of New York has served as an independent, multi-issue child advocacy organization dedicated to ensuring that every New York child is healthy, housed, educated, and safe. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce. We document the facts, engage, and mobilize New Yorkers, and advocate for policy, budget, and legislative solutions that improve child and family well-being.

CCC is also a Steering Committee member of the Family Homelessness Coalition, a coalition of 20 organizations representing service and housing providers and children's advocacy organizations united by the goal of launching a coordinated, collaborative, multi-agency effort focused on preventing family homelessness, improving the well-being of children and families in shelters, and supporting the long-term housing stability of families with children who leave shelter.

Since the end of the eviction of moratorium in January 2022, more than 4,400 households have been evicted by City Marshals<sup>i</sup>, while last week the DHS shelter population surpassed 70,000.<sup>ii</sup> Moreover, rising rent costs that disproportionately affect families of color<sup>iii</sup>, the 40-year high inflation rate,<sup>iv</sup> and the multiple administrative and eligibility barriers that prevent access for CityFHEPS assistance<sup>v</sup> are serious concerns that call for immediate government reform.

The Mayor's FY 24 preliminary budget calls for PEGs across social services agencies.<sup>vi</sup> Advocates are deeply concerned about proposed staff reductions, given that families throughout the city are already unable to access cash assistance, food support, and housing assistance in a timely manner due to understaffing at HRA. **We urge the City Council to not only oppose staffing reductions, but to advocate that the city provide the resources and support necessary to fill existing vacancies quickly.**

Today's timely oversight hearing confirms that the CityFHEPS housing voucher program is among the best solutions to mitigate the current housing crisis, both for families residing in city shelters and those facing homelessness in the community.

**Importantly, we urge the City Administration, and the Human Resources Administration specifically, to remove several restrictions that prevent families with children from accessing CityFHEPS housing assistance:**

- A key strategy for improving families with children's access to CityFHEPS housing eligibility is to eliminate or modify the 90-day shelter stay rule that requires individuals and families to be in shelter for 90 days before becoming eligible for CityFHEPS. To this end, CCC strongly supports Int 0878 (Sanchez, Ayala, Hanif, Bottcher & Won), a law that would eliminate the 90-day waiting period. We urge you to continue your support for eliminating this illogical and costly administrative rule.
- We strongly support Intro 0124 (Salamanca Jr.), which will support families in DHS shelters by requiring HRA to designate housing specialists within all temporary shelters and to submit an annual report on housing specialists. Advocates and shelter residents have expressed concerns over the lack of housing specialists to help them find apartments and to inspect apartments in a timely manner.
- Expand CityFHEPS eligibility to families and individuals that enter city shelters through pathways other than just DHS. This should include HPD, domestic violence and runaway youth, who currently are ineligible for CityFHEPS unless they enter the system through DHS. While in the DHS shelter system, individuals and families staying in shelters other than DHS must remain 90 days before they qualify for CityFHEPS assistance. This unnecessary use of City resources could be allocated to supporting families to find suitable housing.

**Many families with children in low-income communities do not qualify for CityFHEPS eligibility due to other eligibility and program restrictions. Therefore, CCC supports the following reforms:**

- Intro 2864 (Sanchez) Would permit accepting a rent-demand letter from landlords instead of a housing court eviction to qualify for CityFHEPS. This eligibility requirement was temporarily implemented during the pandemic, and it helped many families prevent eviction. This change should be made permanent.
- Intro 2862 (Ayala) Would remove the requirement that individuals must have had a shelter stay before qualifying for CityFHEPS. Residing in shelters can create a harmful environment for children and affects their educational development, among other areas. Additionally, providing CityFHEPS assistance while in the community instead of requiring shelter entry would save the City hundreds of millions of dollars.
- Increase funding for Homebase prevention and aftercare services in the community, to help families retain their CityFHEPS vouchers and to apply for those who are at risk of eviction. Homebase providers assist families with CityFHEPS renewals, rental arrears, rent portion adjustment, and transfer requests. As such, they are vital resources of housing and financial support for low-income communities. Additionally, the city should enhance Homebase rental arrears assistance funding to help prevent shelter entry for families with children.
- Expand CityFHEPS eligibility to undocumented families. A recent CCC housing data analysis report found that immigrant households faced higher rates of overcrowding, rent burden and housing instability compared to the overall New York City population.<sup>vii</sup> Currently, only children with a valid social security number qualify. This leaves mixed-status families at a disadvantage as their CityFHEPS voucher only covers a portion of the rent.

- Expand CityFHEPS income eligibility criteria to mirror Section 8 at 50% Area Median Income (AMI) instead of 200% FPL (Federal Poverty Level). Many one and two person households earn too much to currently qualify for a CityFHEPS voucher, but not enough to pay rent, leaving them in constant risk of eviction.

**Reducing delays in CityFHEPS approvals and move-ins could significantly reduce families suffering when they are struggling with housing instability. Far too many families with children face income discrimination due to the delays created by CityFHEPS paperwork, inspections, and check disbursement.<sup>viii</sup>**

- As many advocates have recommended, HRA and DSS should train their staff handling CityFHEPS packages to review an entire CityFHEPS package for mistakes before sending it back to Homebase and shelters providers for corrections. The current process creates confusion among case workers, landlords and brokers, leading to families losing opportunities to relocate in a timely manner.
- Improve the lines of communication between shelter and Homebase staff with DSS and HRA by including a telephone option to discuss issues with submitted CityFHEPS packages. The current main communication line is emails that are often not answered or lost.
- Reduce the amount of paperwork required for CityFHEPS approvals. The current amount of paperwork creates a lengthy process with repetitive information that puts families at risk of losing opportunities to relocate to suitable housing.

Thank you for the chance to testify and for advocating for improving the access and delivery of CityFHEPS housing vouchers.

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<sup>i</sup> City Marshalls evictions since January 2022. Retrieved from: <https://gothamist.com/news/nyc-eviction-rate-continues-to-rise-since-ban-was-lifted-as-homelessness-surges>

<sup>ii</sup> January 17<sup>th</sup> DHS shelters population. Retrieved from: [https://citylimits.org/2023/01/17/nycs-homeless-shelter-population-ballooned-in-2022-how-will-leaders-address-the-crisis-this-year/?mc\\_cid=b643bc4a55&mc\\_eid=dc3c006b3b](https://citylimits.org/2023/01/17/nycs-homeless-shelter-population-ballooned-in-2022-how-will-leaders-address-the-crisis-this-year/?mc_cid=b643bc4a55&mc_eid=dc3c006b3b)

<sup>iii</sup> Rising rent in NYC disproportionately affects families of color. Retrieved from: [https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Good\\_Cause\\_for\\_Alarm\\_V3.pdf](https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Good_Cause_for_Alarm_V3.pdf)

<sup>iv</sup> USA 40-year high inflation rate. Retrieved from: <https://time.com/nextadvisor/in-the-news/rising-inflation-rising-prices-how-to-plan/>

<sup>v</sup> CityFHEPS administrative barriers. Retrieved from: <https://citylimits.org/2022/01/31/administrative-obstacles-jam-up-moving-process-for-nyc-shelter-residents/>

<sup>vi</sup> NYC Mayor FY preliminary budget summary. Retrieved from: <https://www.nyc.gov/office-of-the-mayor/news/028-23/mayor-adams-releases-preliminary-budget-fiscal-year-2024#/0>

<sup>vii</sup> CCC Housing Security in NYC: What the Most Recent Census Data Tell Us. Retrieved from: <https://cccnewyork.org/data-publications/housing-security-in-nyc-2021/>

<sup>viii</sup> CityFHEPS administrative and paperwork delays. Retrieved from: <https://citylimits.org/2022/01/31/administrative-obstacles-jam-up-moving-process-for-nyc-shelter-residents/>



Testimony by

Coalition for Homeless Youth

on

Oversight: The City Family Homelessness and Eviction Prevention Supplement (CityFHEPS) Rental Assistance Program

Submitted to

The New York City Council's Committee on General Welfare

By

Jamie Powlovich  
Executive Director  
Coalition for Homeless Youth

Verbal Testimony Given: January 18, 2023  
Written Testimony Submitted: January 20, 2023

## Introduction

Jamie Powlovich (she/her), the Executive Director of the Coalition for Homeless Youth (CHY), welcomes the opportunity to submit written testimony for the General Welfare Committee City Family Homelessness and Eviction Prevention Supplement (CityFHEPS) Rental Assistance Program Oversight Hearing.

This written testimony is in addition to the verbal testimony that was given, at the hearing, and closely mirrors testimony that we previously submitted for the December 15<sup>th</sup>, 2022, General Welfare Hearing. We are limiting our testimony to amplifying the need to ensure that youth in the Department for Youth and Community Development (DYCD), Runaway and Homeless Youth (RHY) programs and youth transition out of care under the Administration for Children Services (ACS) get access to CityFHEPS voucher funded by the Department of Social Services (DSS) Human Resources Administration (HRA), without being required to enter a Department of Homeless Services (DHS) shelter.

## **Background**

### Who are Runaway and Homeless Youth?

RHY are generally defined as unaccompanied young people who have run away or been forced to leave home and now reside in temporary situations, places not otherwise intended for habitation, or emergency shelters. The federal Runaway and Homeless Youth Act defines the population as being between 12-24 years of age. As of April 2017, New York State redefined RHY to be anyone under the age of 25 years<sup>1</sup>.

On a single night in 2022, 3,594 unaccompanied and parenting youth under age 25 were counted as experiencing homelessness in the NYC Point in Time (PIT) count.<sup>2</sup> In NYC Fiscal Year 2022, 3,027 RHY, were served in DYCD RHY residential programs, including 329 minors.<sup>3</sup> Another 28,119 RHY received non-residential services at a DYCD RHY drop-in center or through street-outreach<sup>4</sup>. In 2021, DHS reported a total of 4,051 unaccompanied or parenting youth between the ages of 18 and 25 entering either single adult or family shelters,<sup>5</sup> and the Department of Education (DOE) reported that during the 2019-2020 school year, almost 7,500 unaccompanied youth experiencing homelessness attended NYC public schools.<sup>6</sup>

Like all other segments of NYC's homeless population, RHY experience harm that disproportionately impacts their health and creates roadblocks to long-term wellness. This is more recently detailed in "*Opportunity Starts with a Home: New York City's Plan to Prevent and End Youth Homelessness (OSH)*."<sup>7</sup> The myriad of harms that confront RHY, include: increased mental health problems and trauma, substance use, exposure to victimization and criminal activity, and unsafe sex practices.<sup>8</sup> Youth of color and LGBTQ/TGNC youth are also vastly overrepresented in the RHY population<sup>9</sup>.

### Why must we focus on housing?

Since modern homelessness began in the late 1970s, homeless youth have faced the reality that the city does not provide enough age-appropriate shelter and largely leaves them out of access to permanent housing options. Under the previous administration some improvements were made in addressing the needs of RHY, however, the harsh reality is that there are still nowhere near enough resources provided

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<sup>1</sup> <https://www.nysenate.gov/legislation/laws/EXC/A19-H>

<sup>2</sup> [https://files.hudexchange.info/reports/published/CoC\\_PopSub\\_CoC\\_NY-600-2022\\_NY\\_2022.pdf](https://files.hudexchange.info/reports/published/CoC_PopSub_CoC_NY-600-2022_NY_2022.pdf)

<sup>3</sup> [https://www1.nyc.gov/assets/dycd/downloads/pdf/FY22\\_LL86\\_RHY\\_Demographics-and-Services\\_Report-final.pdf](https://www1.nyc.gov/assets/dycd/downloads/pdf/FY22_LL86_RHY_Demographics-and-Services_Report-final.pdf)

<sup>4</sup> Ibid

<sup>5</sup> <https://www1.nyc.gov/assets/home/downloads/pdf/press-releases/2022/NYC-Community-Plan-DIGITAL.pdf>

<sup>6</sup> Ibid

<sup>7</sup> Ibid

<sup>8</sup> Ibid

<sup>9</sup> Ibid

by the city to meet the needs of its homeless youth and young adults. The lack of a right to youth shelter (for all youth), the relatively small number of beds in the DYCD RHY continuum, as well as the marginal number of age-specific beds in the DHS system, all present major system-gaps that too many young people fall through.

The lack of almost any available subsidized exit from DYCD facilities – partially a result of the historic ping-ponging of responsibility for homeless youth between City agencies, which has meant that those relying on the DYCD programs are typically left out of permanent housing options. This leaves the City’s homeless young people often circling in-and-out of DYCD programs, sometimes ending up in the DHS shelter-system or domestic violence shelters operated by the Human Resources Administration (HRA), and often ending up on the streets as homeless adults.

In a study completed by the Center for Innovation through Data Intelligence (CIDI) that looked at outcomes for youth in the Administration for Children’s Services (ACS), DHS and DYCD systems between 2008 and 2013, analysts found that “Having a subsidized exit substantially reduced the likelihood of both future system use and being a high service user in all models—by about two-thirds and 85%, respectively.”<sup>10</sup> Access to subsidies is a life-changing matter. Currently, homeless youth relying on homeless youth services (DYCD) are one of the only homeless sub-populations in New York City that has been left with virtually no option for permanent housing to help them exit homelessness. And although youth in DYCD programs currently have access to a set allocation of Emergency Housing Vouchers (EHV), and a small number of CityFHEPS pilot vouchers, neither is permanent. Youth relying on DYCD’s homeless youth programs currently have no ongoing access to local housing subsidies like CityFHEPS. These young people do not receive any priority access to NYCHA units, or priority access to non-EHV Section 8 subsidies. Youth eligible for supportive housing also face significant barriers to accessing a unit, and there has been ongoing difficulty ensuring fair access to supportive housing interviews and acceptance for homeless young people, particularly those with serious and persistent mental illness. The latter issue is not solely a result of the dearth of available supportive housing, but also a result of referral decisions made by City agencies and cherry-picking/creaming at the provider-level.

In NYC Fiscal Year 2022, less than 6% of youth exited a DYCD RHY residential program into their own apartment or supportive housing,<sup>11</sup> compared to 39% being discharged back into another homeless situation.<sup>12</sup> For many homeless youth this is preventable if the City turns its attention their way. We believe that if RHY had subsidized permanency option available to them in DYCD facilities, there’s good reason to believe they may never enter the DHS or HRA systems. This makes the need for access to vouchers not only important as a means for RHY to exit homelessness all together, but also supports DHS’s goal of preventing people from entering their system.

It is clear that housing support is needed.

## **CityFHEPS**

### Current Issue Facing DYCD and ACS Youth

Despite many broken promises, youth experiencing homelessness in the DYCD-funded RHY programs, as well as youth transitioning out of care with the ACS still DO NOT have equal access to CityFHEPS vouchers.

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<sup>10</sup> <https://www1.nyc.gov/assets/cidi/downloads/pdfs/housing-trajectories-of-transitionage-youth.pdf>

<sup>11</sup> [https://www1.nyc.gov/assets/dycd/downloads/pdf/FY22\\_LL86\\_RHY\\_Demographics-and-Services\\_Report-final.pdf](https://www1.nyc.gov/assets/dycd/downloads/pdf/FY22_LL86_RHY_Demographics-and-Services_Report-final.pdf)

<sup>12</sup> Ibid

On November 23, 2021, New York City Council passed two groundbreaking pieces of legislation, intros 2405-A<sup>13</sup> and 148-B.<sup>14</sup> In April of this year Local Laws 170 and 157 went into effect making youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care eligible for CityFHEPS vouchers without having to first enter DHS shelters. For runaway and homeless youth specifically, this was celebrated as a significant victory by the council and the community.<sup>15</sup>

Unfortunately, we have been informed that DSS/DHS is not moving forward with what CHY believes is required under the laws -- meaning that DYCD-RHY and ACS youth would get access to CityFHEPS vouchers without having to enter DHS shelter, and that they would be awarded the same HRA-funded vouchers that individuals in the DHS and HRA shelters get. DSS/DHS is instead going to continue to force young people into the DHS shelter system before they can access vouchers – even if they are otherwise eligible. More specifically their interpretation is that:

1. The legislation allows for time in DYCD-RHY programs or ACS to count towards the 90-day requirement, but that the youth would have to still enter DHS shelter to be awarded a voucher. This is the exact opposite of the intent of the legislation when we fought for it to be passed. Also, if true, it would mean that all the legislation would be doing, at least for RHY, would be to solidify a process already happening through an 2019 MOU.<sup>16</sup>
2. That the phrase "Subject to appropriation..." in the laws means that in order for RHY or ACS youth to access vouchers directly, ACS/DYCD would need to advocate for funding with OMB to cover the cost of administering vouchers to their respective populations. During the negotiation process with the admin prior to the bills aging, the admin insisted on including this language, despite concerns being raised that what is now happening, would happen. At that time, we were assured by the admin that it was boilerplate language that was included on many pieces of legislation implicating entitlement programs, and that it DID NOT indicate their intent to not fully implement the provisions of the legislation.

Let us be clear. Youth in the RHY system are homeless. PERIOD. And by the City requiring them to move from one shelter system to another to access a way out of homelessness is not only cruel, but it also makes no sense. At a time when the DHS shelter census is at an all-time high, why is the administration forcing young people into the DHS system unnecessarily?

DSS's interpretation of the laws is not only a slap in the face to the youth, programs and advocates that fought for these bills to be passed, but it is also another clear example of how in New York City homelessness = DHS, when in fact homelessness is a traumatic experience that far too many people endure in this city, and we believe resources should be based solely on that lived experience and not the system that you enter.

Since the city initially promised youth experiencing homelessness in the DYCD RHY system access to vouchers in 2016, 8,102 youth have been discharged from the youth shelter system into another homeless shelter or situation<sup>17</sup>, that we know of. That is over 8,000 missed opportunities the City had to change the outcome for a youth experiencing homelessness, and they failed.

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<sup>13</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5146237&GUID=1A2F9094-0130-46E0-9C4A-D9A5AC55F8A5&Options=ID>

<sup>14</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3331970&GUID=FFD262A3-0EF3-4E53-819A-4FD46EECEF43&Options=&Search=>

<sup>15</sup> <https://www.thecity.nyc/2021/11/23/22799621/homeless-youth-get-on-fast-track-to-housing-with-new-council-bills>

<sup>16</sup> <https://www.documentcloud.org/documents/20785760-dhs-hra-dycd-cityfheps-mou>

<sup>17</sup> Data pulled from Department of Youth & Community Development Local Law 86 reports for Fiscal Years 2017-2022. Reports can be found here: <https://www.nyc.gov/site/dycd/about/news-and-media/reports-plans.page>

### Recommendation

The Department of Social Services (DSS) needs to uphold Local Laws 157<sup>18</sup> and 170<sup>19</sup> of 2022 as the community and council intended, and grant youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care, who are otherwise eligible, access to HRA-funded CityFHEPS vouchers without forcing them to enter a DHS shelter.

*For questions please contact:*

**Jamie Powlovich**

Coalition for Homeless Youth, [jamie@nychy.org](mailto:jamie@nychy.org), (347) 779-2352

### The Coalition for Homeless Youth

Founded in 1978 as the Empire State Coalition of Youth and Family Services, The Coalition for Homeless Youth (CHY) is a consortium of 65 agencies whose mission is, as a membership organization, to use its collective voice to promote the safety, health, and future of runaway, homeless and street involved youth through advocacy, authentic collaboration with youth and young adults (YYA) with lived expertise and training and technical assistance.

CHY is primarily an advocacy organization, leveraging the expertise and experience of its membership as well as YYA with the lived experience of homelessness to shape the landscape for runaway and homeless youth across New York State. This is achieved by increasing public awareness, coalition building, policy work and public advocacy campaigns for pertinent legislation and funding. Notably, in 2015, CHY was instrumental in the advocacy efforts that resulted in the doubling of the State budget for runaway and homeless youth services. CHY's advocacy also contributed to the development of NYS statutory and regulatory changes that became effective in 2018, permitting localities across the State to extend length of stay and increase age of youth served by RHY programs in their communities. Most recently, we passed state legislation this session that will grant decisionally capable runaway and homeless minors the ability to consent to their own health care, including gender-affirming care. As well as NYC legislation that we maintain gives both homeless youth and youth aging out of foster care access to city-sponsored housing vouchers.

An additional area of focus for CHY is the strengthening of service delivery for runaway and homeless youth, primarily through the provision of specialized trainings and technical support. Until 2019, CHY held the state contract to provide annual web-based trainings, on diverse topic areas, to providers across the state, reaching hundreds of professionals working with homeless and runaway youth. Since 2019, CHY has continued to provide training and technical assistance on a smaller scale due to funding restrictions; however, resuming this service remains a top priority for our membership.

Lastly, and most importantly, as a coalition and voice for a community that is often overlooked, underrepresented and under-resourced, CHY prides itself on ensuring that the majority of our staff have the lived experience of youth homelessness. Our commitment to giving power to those with lived experience is also prioritized through our support of the New York City Youth Action Board (YAB), as well as our annual Youth Advocacy Fellowship Program and new Homeless Youth Peer Navigation Pilot. These initiatives not only expand the way that CHY is authentically collaborating with YYA who have the lived experience of homelessness, but it also awards us the ability to work together with YYA, to give them the tools and supports needed so that they can effectively create change.

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<sup>18</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5146237&GUID=1A2F9094-0130-46E0-9C4A-D9A5AC55F8A5&Options=ID>

<sup>19</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3331970&GUID=FFD262A3-0EF3-4E53-819A-4FD46EECEF43&Options=&Search=>



## **Testimony to the New York City Council**

### **Committee on General Welfare**

**January 18, 2022**

Good afternoon. My name is Jayne Bigelsen, and I am the Vice President of Advocacy at Covenant House New York, where we serve youth experiencing homelessness, ages 16 to 24. I would like to thank the Committee on General Welfare, and Chairperson Diana Ayala for the opportunity to testify today.

Covenant House New York (CHNY) is the nation's largest, non-profit adolescent care agency serving youth experiencing homelessness. During this past year, CHNY served over 1,500 young people. Our youth are primarily people of color and over a third of our youth have spent time in the foster care system. We provide young people with food, shelter, clothing, medical care, mental health and substance abuse services, legal services, high school equivalency classes and other educational programs, and job-training programs. All of these services help young people overcome the trauma of abuse, homelessness, and exploitation and move toward stability and success.

CHNY has testified previously about the need for young people in the runaway and homeless youth system (RHY) to have the same access to City FHEPS vouchers as clients in New York City's adult homeless services system. Housing vouchers, such as City FHEPS, are an incredibly important tool in the fight against poverty and homelessness. It is simply illogical and unjust that whether someone has access to financial assistance for permanent housing is dependent on which city homeless system they received services from. For these reasons, we were beyond grateful for former City Council Member Stephen Levin's leadership in the fight to ensure that both time spent in RHY shelters would count towards the time period of homelessness required for City FHEPS vouchers and that youth would be able to access these vouchers through the services they are currently receiving in the DYCD continuum of care. The RHY community celebrated when Local Laws [157](#) and [170](#) of 2022 were passed which addressed both of the aforementioned needs for young people either in the RHY system or transitioning out of ACS care.



We were hugely disappointed by the rollback of this law which is in direct contradiction of its original intent that the RHY community actively advocated for in myriad of meetings and hearings. We are again left to ask why a young person who has succeeded in RHY Transitional Housing and Rapid Rehousing programs should have to be discharged from programs which are tailored specifically to their developmental needs, only to be sent to an adult homeless shelter for a lengthy wait for these vouchers. Our young people frequently find the adult homeless system frightening and unresponsive to their unique developmental needs. Young people can spend several years in the RHY system building up their vocational and educational skills and improving their medical and mental health until they reach the point where they are ready to live on their own. Why would NYC ever want to force young people who are thriving in an RHY program to make the traumatic move back to homelessness in order to have access to long-term housing?

The Department of Social Services (DSS) must uphold Local Laws [157](#) and [170](#) of 2022 as the community and council intended, and grant youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care, who are otherwise eligible, access to HRA-funded City FHEPS vouchers without forcing them to enter a DHS shelter.

Thank you for the opportunity to submit written testimony.

Jayne Bigelsen  
[jbigelsen@covenanthouse.org](mailto:jbigelsen@covenanthouse.org)



## **Testimony to the New York City Council**

### **Committee on General Welfare**

**January 18, 2023**

Good afternoon. My name is Michelle Maynard, and I am the Real Estate Coordinator at Covenant House New York, where we serve youth experiencing homelessness, ages 16 to 24. I would like to thank the Committee on General Welfare, and Chairperson Diana Ayala for the opportunity to testify today.

Covenant House New York (CHNY) is the nation's largest, non-profit adolescent care agency serving youth experiencing homelessness. During this past year, CHNY served over 1,500 young people. Our youth are primarily people of color and over a third of our youth have spent time in the foster care system. We provide young people with food, shelter, clothing, medical care, mental health and substance abuse services, legal services, high school equivalency classes and other educational/job-training programs. All of these services help young people overcome the trauma of abuse, homelessness, and exploitation and move toward stability and success.

At CHNY, I am responsible for locating housing for our young people who have successfully completed our Transitional Housing (TH) Programs which often take up to two years, as well as our Rapid Rehousing programs (RRH.) In TH, our young people grow in both educational and vocational arenas, save money, receive necessary medical and mental health care and gain new skills, including how to budget and cook for themselves. After two years in these programs, a majority of our young people are thriving and ready to embrace adulthood and independence.

That's where my job comes in. I help young people who are now ready to live on their own take that first big step toward independence by finding them their own apartment. But even for youth who did everything right in their TH program and saved significant money, the housing market in NYC makes independent living financially out of reach for most of our young people. We, therefore, often use the Rapid Rehousing Program (RRH) where the federal government gives us funding to find and pay for a young person's apartment with the understanding that the young person will assume all responsibility for the rent in two years. However, even when a young person excels in RHH, they are still unlikely to be able to afford housing in NYC. The best option for a youth to be able to stay in their RRH apartment when it's time for them to assume responsibility for the lease is for them to obtain a housing voucher. Sadly, these are in short supply.

We were grateful that for a period of time, there was a pilot program which offered CityFHEPS vouchers for youth in DYCD funded programs. However, that program is ending and was extremely limited with only 50 vouchers across all RHY programs, which left most youth seeking vouchers empty-handed. A City FHEPS voucher would allow a youth, who has successfully been through a CHNY TH and/or RHH program, the ability to take over their rent



and stay in their home. We cannot overemphasize the importance of enabling a youth, who has most often needed to move from home to home during childhood, to have a permanent place they can call their own. But we need access to vouchers like City FHEPS to make that happen.

The housing team at CHNY celebrated when we found out about the passage of Local Laws [157](#) and [170](#) of 2022 which intended to allow young people to obtain CityFHEPS vouchers directly from providers in the RHY system like Covenant House. To find out just a few weeks ago that NYC doesn't intend to honor the original intention of these laws, was devastating. Forcing a stably housed youth to leave their home and enter the adult system if they want access to a CityFHEPS voucher is cruel and ineffectual.

Let me be clear, I love my job, and nothing makes me happier than seeing the smile on the face of a young person who has experienced homelessness when they find a safe, stable long-term place to stay. But it is painful for me to have to tell young people, who have been working hard and have succeeded in their case plan goals, that the money they saved during their time in RRH is most likely not enough to afford rent in NYC. Frequently, youth respond by pleading for a housing voucher. My heart breaks every time a youth asks me for a voucher, and I have no choice but to explain that only people in DHS shelters have access to CityFHEPS vouchers. These are young people who may have been stably housed with us for years and are thriving in their work and community. Why would the city require a journey from the trauma of homelessness to stable housing and back again to homelessness in order to have access to a voucher?

We are respectfully asking the City to honor the full intent of Local Laws [157](#) and [170](#) of 2022 by providing equal access to youth in the RHY system to CityFheps vouchers as adults in the DHS system.

Thank you for this opportunity to testify today.

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**Homeless Services United's Written Testimony Submitted to  
The NYC Committee on General Welfare Oversight Hearing on January 18<sup>th</sup>, 2023  
on the CityFHEPS Rental Assistance Program**

My name is Eric Lee and I'm the director of policy and planning at Homeless Services United. Homeless Services United (HSU) is a coalition representing mission-driven, homeless service providers in New York City. HSU advocates for expansion of affordable housing and prevention services and for immediate access to safe, decent, emergency and transitional housing, outreach and drop-in services for homeless New Yorkers. Thank you, Deputy Speaker Ayala and members of the General Welfare Committee, for allowing me to testify today.

HSU is grateful to Deputy Speaker Ayala and members of the Council for your continued leadership expanding access to permanent housing to all New Yorkers. Through your steadfast commitment, CityFHEPS vouchers have become a viable tool to preserve and attain permanent housing for thousands of New Yorkers. Homeless Services United and our members stand ready to work with the Council and Administration to further improve access to this critical housing resource for families and individuals living within the community, in shelter, or on the streets.

**Access to the CityFHEPS voucher must be improved in two ways to ensure more households can access assistance prior to avoid homelessness and shorten the length of time experiencing homelessness:**

- 1. Empower and fund DHS and HRA to immediately fill vacancies AND bolster their headcount to quickly process CityFHEPS and rental assistance applications, public benefits applications, and paperwork, conduct interviews, and issue rent checks.**
- 2. Expand eligibility to the CityFHEPS voucher to keep more people stably housed, avert entry into shelter, and quickly rehouse people in shelter and served by homeless programs**

**Historic Staffing Vacancies at HRA and DHS are Preventing access to CityFHEPS**

As the General Welfare Committee's December 15<sup>th</sup>, 2022, hearing substantiated, HRA has significant staffing deficiencies for frontline staff responsible for processing Public Assistance (PA) applications and rental assistance at the Public Benefits Access Centers (formerly known as HRA Job Centers).

**Households are becoming homeless or kept in shelter longer than necessary simply because there are just not enough NYC HRA workers to conduct interviews and process paperwork.**

**HSU's Public Benefits Access Centers do not have sufficient staff to quickly process Public Assistance applications and CityFHEPS recertifications, FHEPS applications and modifications, manually index client documentation, or conduct phone interviews. As a result, applicants are seeing their Public Assistance applications denied or cases closed, One-Shot Deals denied, their CityFHEPS voucher payments stop, and households at risk of eviction or currently homeless unable to access a CityFHEPS**



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**or FHEPS voucher.** The City and the Administration should consider taking **extraordinary measures including implementing waivers and other means to bypass routine hiring processes to immediately fill these vacancies as well as hire additional staff sufficient to work through the current backlog of cases and documents and process the higher number of new applications and renewals.** New Yorkers are being harmed by the City's inability to provide critical benefits and housing resources which they are eligible to receive.

### **Insufficient HRA staff at HRA Centers conducting Public Assistance (PA) interviews is delaying access to CityFHEPS**

Prevention and shelter providers both report clients are either not receiving a PA phone interview within the allotted 7-business day timeframe or any call whatsoever from HRA, which results in their Case Assistance case being rejected for **“Failure to Keep/Complete Interview: No Schedule Appointment”**. **This was the number one reason given why Cash Assistance cases were rejected by HRA, accounting for 17,557 out of 50,917 total rejections for April through June of this year.**<sup>1</sup> This lack of Public Assistance telephone interviews does not just affect on-going Cash Assistance applicants. Tenants applying for a One-Shot Deal also must complete a Public Assistance telephone interview, and households cannot apply for rental assistance including FHEPS or CityFHEPS without a Public Assistance case open. **Public Assistance phone interviews should be on-demand, like SNAP interviews, and HRA should hire enough staff to be able to meet that expansion of service delivery.**

Households who are not eligible for Public Assistance have a particularly hard time accessing CityFHEPS because of these delays with PA telephone interviews. Non-PA eligible households must get a Public Assistance case opened in “Single Issue” Status, which automatically closes within 30 days- during which the client must receive a telephone interview, HRA approve the CityFHEPS application, and issue payment. But delays with the interviews mean there's even less time for the approval and payment issuance to occur before the SI case closes, **forcing the client to have to go back to HRA to reapply for another Single Issuance and start the process all over again.** Even worse, HRA may not always tell the provider or applicant that the Single Issuance closed and that they need to reapply, wasting even more time.

In the meantime, a landlord may pull an apartment offer and lease to another tenant rather than waiting for HRA to complete the arduous process forcing apartment seekers to start all over resulting in duplicative efforts to identify and link people to apartments.

### **HRA paperwork processing backlog is causing households to fall into rental arrears and housing crisis**

Providers report that HRA's Rap Renewal Unit is not processing CityFHEPS renewal paperwork which clients submitted in a timely manner, resulting in vouchers expiring and otherwise stable households

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<sup>1</sup> <https://www.nyc.gov/assets/hra/downloads/pdf/news/11168-170/fy22q4/2022-Apr-Jun-CA-4-Case-Rejections-by-Council-District.pdf>



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falling into rental arrears because the rent payments stop. Homebase providers could then spend months trying to resolve these cases with HRA to restore CityFHEPS and get the arrears paid.

In addition to CityFHEPS renewals, HRA has a backlog of documentation submitted by clients which must be manually matched to their respective cases. When this supportive documentation is not quickly attributed to the right case, the household's application would appear still incomplete in HRA's system—leading to repeated requests for “missing” documentation, and can result in denials for public benefits, One-Shot Deals, and CityFHEPS applications. Additional staffing is needed to work through the current document indexing backlog, as HRA did during the backlog last summer. To help avoid erroneous denials due to delays indexing supportive documentation, **HRA should begin issuing receipts for all uploaded documents to establish proof for applicants which documents were submitted already.**

### **HRA Vacancies are slowing the issuance of CityFHEPS rent checks**

**Homebase and DHS shelters are now reporting delays with HRA issuing CityFHEPS checks both for households at risk of losing their home and trying to use a voucher to exit shelter.** While the administration testified that the average time from initial application submission to check issuance is 17 to 21 days, we are hearing from both prevention and shelter providers that check turnaround times have increased since December, with one shelter provider seeing a wait time of up to six weeks. HRA is unable to process new CityFHEPS “to move” checks for Homebase cases within the time afforded by the one-month hold incentive paid to landlords. Homebase staff that are already stretched thin must then devote precious time to issuing additional one-month incentives to keep the landlord from walking away from the deal.

The Office of Court Administration (OCA) just opened a new Part in Manhattan's Housing Court to more quickly work through housing court cases on the docket. Right To Counsel providers are already at capacity and struggling to keep up with the pace set by OCA, and these delays accessing One-Shot Deals and CityFHEPS vouchers prevents legal services and Homebase providers from resolving and closing cases and helping more households.

Delays from HRA Benefit Centers are having a ripple effect for tenants to be able to get help from Homebase providers. Without HRA being able to process their benefits and rental assistance applications and paperwork in a timely manner, cases are churning through Benefits Centers, taking precious time for households in crisis and multiple applications and follow-ups by applicants and Homebase staff to finally get things approved. These delays also indirectly impact other tenants' ability to access Homebase services, as Homebase staff must spend more time following up with HRA to resolve a case, time which could have been spent assisting other households.

**Homebase providers need additional resources to improve access to CityFHEPS vouchers in-community.** It would not be fair to say that if not for HRA delays, Homebase would be in a good position to meet the current need. Currently Homebase programs are also struggling with high vacancy rates and staff turnover, including more than 50% turnover at one program. Faced with overwhelming need and limited staff, Homebases are prioritizing households at immediate risk of eviction including



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those that received Marshall's notices and giving appointments to less urgent cases which could be weeks or even over a month away. To meet the current need, possible options to reduce wait times and expand services include redesigning Homebase RFPs to expand staff and right-size compensation rates to address vacancies and turnover, opening additional Homebase locations within higher needs communities, or creating new community-based programs or distinct units within Homebase programs which solely focus on in-community rental voucher assistance.

**HRA should implement an online status tracker within ACCESSHRA for voucher holders.** The administration's announcement of a new DHS unit to provide voucher holders and landlords with status updates is a positive step, HSU and fellow advocates from the Homes Can't Wait Campaign asked the administration to provide an electronic real time tracker for voucher holders to see the status of where their CityFHEPS application is within the process. Adding this functionality within the ACCESSHRA portal would allow for one unified location to see both their housing voucher status and public benefits.

### **Expanding CityFHEPS eligibility to assist more households experiencing housing instability or homelessness.**

In conjunction with sufficient funding and resources to efficiently administer the rental assistance program, the City could widen eligibility to strengthen the voucher's effectiveness as an eviction prevention and shelter diversion tool, as well as reduce the DHS shelter census by helping more households secure permanent housing.

To align housing vouchers more closely households currently experiencing homelessness regardless of which City agency they receive touch, HSU recommends changing CityFHEPS eligibility under the CityFHEPS rule **§ 10-04 (a) (8) from households currently experiencing homelessness to everyone receiving services at "City-administered facilities" as defined in Local Law 79 of 2022.**<sup>2</sup>

**HSU also recommends that the CityFHEPS rule §10-01 (oo) revise the definition of "Street Homeless" to read "individuals who are receiving case management services from a provider under contract or similar agreement with any city, state or federal agency to provide street outreach services to homeless individuals on the streets, including those that are sheltering in a safe haven, stabilization bed, or drop-in center."**

DHS Street outreach providers are only one of many outreach providers who interact with young people and adults experiencing unsheltered homelessness in New York City. Others include: DYCD funded outreach providers, OMH Safe Options Support (SOS) outreach providers, federally funded outreach

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<sup>2</sup> Local Law 79 of 2022 defines "City-administered facilities" as "hotels, shelters, *stabilization beds, safe havens, veterans' shelters, faith-based centers, short-term reentry housing, overnight drop-in centers* and other accommodations or associated services, managed by or provided under contract or similar agreement with any city agency, provided to individuals or families who need temporary emergency housing or assistance finding or maintaining stable housing."



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providers, Port Authority, MTA and others. Young people and adults experiencing street homelessness should not be deemed ineligible for CityFHEPS because they sought support from non-DHS outreach staff.

**HSU also strongly recommends removing the “rent reasonableness” test which erodes the buying power of the voucher.** This test harmed New Yorkers when initially implemented, causing households to lose permanent housing opportunities with rents equal to or lower than the Fair Market Rent. Regardless of whether the agency will be able to improve their formula, its very existence creates ambiguity for voucher holders and landlords, whether an apartment that falls within FMR rent levels would actually be acceptable for the program. Reimplementation of this opaque test will result in voucher holders and rehousing staff stumbling in the dark to find a unit the administration deems “reasonable” and will result in more households unable to avoid shelter and slower and fewer move outs from shelter.

**HSU supports Int. 229-2022 to not deduct the cost of utilities from the maximum value of the CityFHEPS voucher with the suggestion that tenants receive a utility credit off their portion of the rent for utilities consistent with Section 8 rules.** Tenants whose rental portion is calculated at less than the utility allowance should receive a utility assistance payment (“UAP”) in the same manner as Section 8 renters. As currently implemented, the cost of utilities erodes the purchasing power of the voucher while also not aligning with Section 8, which was the administration’s stated intention of including utilities within the rent calculation.

***Homeless Services United supports the intent of the following preconsidered bills proposed today and offers the following recommendations to further strengthen them:***

**T2023-2862:** HSU supports the intent of this bill to prohibit requiring an individual or family to enter shelter to qualify for a CityFHEPS voucher and recommends the legislation enumerate the elimination of the 90 day shelter residency requirement and which populations specifically do not need to enter shelter to gain access to a CityFHEPS voucher.

The bill should explicitly eliminate both the 90-day shelter stay requirement and end DHS’ current assertion that homeless young people in Foster Care and the Runaway and Homeless Youth System must enter DHS shelter to access a CityFHEPS voucher. By providing vouchers to clients served by “City-administered facilities”, as defined by Local Law 79 of 2022, the City could provide direct access of CityFHEPS vouchers to households experiencing homelessness in New York City, regardless of whether they were served by DHS or another City agency.

**T2023-2863:** HSU supports the intent of this bill to remove mandatory work requirements and increase the maximum gross income limit for CityFHEPS from 200% of the Federal Poverty Limit to 50% of the Area Median Income but recommends affirmatively describing who shall qualify for rental assistance based on their income levels.

While HSU appreciated the administration’s proposed change to lower the weekly hourly work requirement of 30 to 14 hours, we feel the work requirement should be eliminated from the CityFHEPS



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program to embrace a housing-first approach to shorten the time spent homeless in New York City. With regards to income limits, we recommend changing the proposed bill language from “an applicant who earns *more than* 50 percent of the area median income...*shall not* be eligible for a rental assistance voucher” to “applicants earning *up to* 50 percent of the area median income *shall be* eligible for a rental assistance voucher”, to ensure that specific income bands are granted access to CityFHEPS in alignment with Section 8.

**T2023-2864: HSU supports a permanent change to accept a verified rent demand letter in place of requiring an active housing court proceeding. We also recommend removing the shelter history requirement. However, we caution against removing eligible categories that qualify for CityFHEPS in-community.**

As demonstrated during the pandemic, a verified rent demand letter is sufficient proof to show a household is at risk of housing instability. Households should not be forced to become further destabilized to be able to access eviction prevention resources, and permanently implementing this change would further upstream CityFHEPS as a preventative tool to stabilize housing.

The City should also remove the shelter history requirement to qualify for a CityFHEPS voucher when not currently experiencing homelessness. Households should not be forced to first become homeless and more vulnerable before they are able to access permanent housing. By providing rental assistance to households prior to becoming homeless, the City can avoid further traumatizing and destabilizing households and improve long-term outcomes.

HSU would *not* be in favor of language that would seek to remove CityFHEPS eligibility considerations for households currently residing in rent-controlled apartments, in receipt of Adult Protective Services, or a community guardianship program unless the prior DHS shelter history requirement was also removed. As written, eliminating these reasons for eligibility would further narrow the already limited eligibility for persons facing eviction in the community to only those with a DHS shelter history and rent demand or eviction rather than allowing others equally vulnerable to displacement to also qualify.

As this bill focuses on CityFHEPS for households not currently experiencing homelessness, the definition for rental assistance voucher should be expanded to include households at risk of housing instability and homelessness.

**T2023-2865: HSU supports this resolution to the State Legislature to enact legislation authorizing New York City to expand CityFHEPS eligibility to households regardless of their immigration status.**

**A.10510 (Rosenthal) / S.9416 (Kavanagh)** would extend housing benefits to non-citizens regardless of immigration status, enconcing New York City’s ability to extend CityFHEPS eligibility irrespective of status, and HSU support the City’s efforts to support and draw attention to this important legislation and the need for New York City to explicitly state that households regardless of their immigration status can qualify for CityFHEPS vouchers. Immigrant households have some of the longest lengths of stay within DHS shelters, and through granting access to CityFHEPS the City can ensure our newest New Yorkers can thrive as new neighbors.



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New York City is facing a confluence of challenges which is testing the strength of the City's homeless services and eviction prevention safety net, but through key investments in critical staff responsible for administering public benefits and housing resources, and expanding access to rental assistance to households based on their need rather than which City agency serves them, the CityFHEPS program can reduce the number of people at risk of homelessness as well as affect a marked reduction in the number of households in experiencing homelessness on the streets and in shelter. Thank you for the opportunity to testify today. If you have any questions, please contact me at [elee@hsunited.org](mailto:elee@hsunited.org)



## **Testimony of the Family Homelessness Coalition**

**For the New York City Council  
Committee on General Welfare**

### **Oversight - The CityFHEPS Rental Assistance Program**

**January 18<sup>th</sup>, 2023**

On behalf of the Family Homelessness Coalition, we would like to thank Chair Ayala for the opportunity to testify on the CityFHEPS rental assistance program and much needed changes to the program.

The Family Homelessness Coalition (FHC) is comprised of New Yorkers who have experienced homelessness and 20 organizations, representing service providers, supportive and affordable housing providers, and children's advocacy organizations, united by the goal of ending family homelessness. We are collectively focused on advancing budget, legislative, and programmatic proposals that prevent family homelessness, improve the well-being of children and families in shelters, and support the long-term housing and social-economic stability of families with children who leave shelter.

We are deeply concerned about proposed staff reductions, given that families throughout the city are already unable to access safety net and housing assistance in a timely manner due to understaffing at HRA. We urge the City Council to not only oppose staffing reductions, but to advocate that the city provide the resources and support necessary to fill existing vacancies quickly.

We are supportive of the intent of all the bills to broaden the eligibility requirements of CityFHEPS. FHC believes strongly in upstream prevention, meaning we need to foster greater housing stability before people fall through the cracks and arrive at a crisis point, such as entering shelter. We must make a valuable resource like CityFHEPS available to households who need it without forcing them to become destitute first.

Intro 878 would make the important change of not requiring an applicant to have lived in shelter as a precondition to receive a rental assistance voucher. We would like to express our gratitude to Council Member Ayala for introducing this legislation, which responds to FHC's calls to eliminate the 90-day shelter stay requirement, and goes a step further to expand eligibility requirements. Families experiencing eviction in the community face the difficult decision to enter DHS shelters, this disrupts children education attendance and affects their performance. If

enacted, the administration will reduce shelter census, lengths of stay, and costs, while improving child and family wellbeing.

Intro 894 would remove the current requirement that an individual or family demonstrate they are employed to become eligible for a CityFHEPS rental assistance voucher, another necessary change. Work requirements are burdensome and there are myriad reasons why someone who is seeking a CityFHEPS voucher may not be employed. If one is experiencing housing instability, it is likely extremely difficult to maintain consistent employment. If one is caring for children, or elderly or sick family members, it may also be difficult to work full time. We request though that this bill clarify that people making up to 50% area median income shall be eligible for rental assistance.

At the onset of the Covid pandemic, New York City made the important change of eliminating the housing court requirement to qualify for CityFHEPS and allowing people to be eligible by showing verified rent demand. This was a temporary change that should be made permanently, and Intro 893 does that. We should not force low-income New Yorkers to go through the traumatizing and costly eviction process before they are able to access rental assistance, and instead, we should prevent eviction further upstream in the process.

FHC also supports expanding CityFHEPS eligibility for undocumented families. Recent housing [data analysis from Citizens' Committee for Children](#) unveiled the higher rates of overcrowding, rent burden, and housing instability facing immigrant led households compared to the overall New York City population.

Thank you for your time and we look forward to our continue partnership to ensure that all families with young children have a stable and affordable home.



**Fostering Youth Success Alliance - Children's Aid**  
**Prepared for Submission to the NYC Council General Welfare Committee**  
**Oversight Hearing on The CityFHEPS Rental Assistance Program**  
**Wednesday, January 18, 2023**

This testimony is being submitted on behalf of the Fostering Youth Success Alliance (FYSA). We would like to thank Chair Diana Ayala and the honorable members of the Committee on General Welfare for the opportunity to present testimony about the availability of CityFHEPS vouchers for youth with a foster care background.

FYSA is a statewide advocacy group that promotes responsive policy and programs to improve the socioeconomic, physical, and mental health, housing, and educational outcomes for youth in and aging out of foster care. The alliance is comprised of concerned foster care providers, activists, and youth who are committed to securing stabilizing supports that empower youth across New York to overcome barriers and excel in life. FYSA is housed at and managed by Children's Aid, a multi-service human services organization located in New York City.

FYSA centers our advocacy around the issues and concerns that young people with a foster care background directly tell us are most pressing in their lives. One of the most common concerns young people raise is the need for stable housing as they transition out of foster care. Housing is a vital necessity in establishing independence when young people are discharged from the foster care system. However, we know that in New York City it is incredibly difficult to access affordable housing for your average New Yorker. For young people exiting foster care, it is even more challenging to navigate this process as they do not have the support of their same-age counterparts

While many young people in their early twenties rely on the support of parents or family, young people aging out of foster care do not have the same safety net. This makes transition-age youth far more vulnerable to homelessness. Nationally, 1 in 5 youth who age out of foster care will become homeless. In New York specifically, as many as 25% of young people surveyed shared that they're either facing or fearing housing insecurity. These statistics make clear the urgent need for greater investment in a diversified portfolio of quality, affordable housing options for young adults aging out of foster care, many of

whom have never known the comfort and security of a safe, dependable place to call home.

One such investment towards making affordable housing an attainable reality for transition-age youth is the CityFHEPS rental assistance program. In 2021, advocates supporting both youth with a foster care background and runaway homeless youth celebrated the passage of two pieces of legislation, intros 2405-A and 148-B, that simplified access to CityFHEPS vouchers for these two groups of young people. In April of 2022, Local Laws 170 and 157 went into effect, and we believed they would make youth transitioning out of ACS care, as well as youth experiencing homelessness in the DYCD-funded RHY programs eligible for CityFHEPS vouchers without having to first enter Department of Homeless Services (DHS) shelters.

For youth with a foster care background, Local Law 157 specified that for young people currently or formerly in care, any 90 days spent in foster care during the previous two years, would take the place of the need to spend 90 days in a DHS shelter. As long as young people with a foster care background met all other CityFHEPS voucher eligibility criteria, they would be able to apply for this assistance through the general procedure and without the need for the Administration for Children Services (ACS) to advocate for a specific allotment to serve their population.

However, the Department of Social Services (DSS) does not share this interpretation of the law. Under the current DSS interpretation of the laws, transition-age youth and youth experiencing homelessness in the DYCD-funded RHY programs, will not have equal access to CityFHEPS vouchers. Under DSS's interpretation, young people can only access CityFHEPS vouchers specifically allocated to ACS or DYCD for these specific groups of young people. This is something that has previously happened under pilot programs prior to the passage of these Local Laws.

During FYSA's 2022 annual New York City Foster Youth Shadow Day several young people shared their concern that more support is needed as youth transition out of foster care. Several of these concerns were specifically in regard to housing. One youth participant stated that... "there are not sufficient and safe housing options for young people." Another shared that, " ...when youth do have vouchers they can be difficult to navigate." Young people very clearly voiced their needs for easier access to housing and Local Laws 157 and 170 represented a step in this direction. However, the current DSS interpretation represents a step away from what young people have shared as their needs. It creates an

additional and unnecessary barrier for young people to navigate as they transition out of care.

We strongly urge, the Department of Social Services (DSS) to uphold Local Laws 157 and 170 of 2022 as the community and council intended, and grant youth transitioning out of ACS care, as well as youth experiencing homelessness in the DYCD-funded RHY programs, who are otherwise eligible, access to HRA-funded CityFHEPS vouchers without requiring them to first enter a DHS shelter. Upholding this legislation as intended opens up a pathway to support both young people with a foster care background and youth experiencing homelessness in DYCD-funded RHY programs to not just survive, but to thrive.

Thank you again for the opportunity to submit testimony. If you have any questions about this testimony, please contact [FYSA@childrensaidnyc.org](mailto:FYSA@childrensaidnyc.org).

Send to: [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov)

Submitted Virtual Testimony of Good Shepherd Services  
Before the New York City Council Committee on General Welfare

Submitted by  
**Annie Minguez Garcia, Vice President of Government and Community Relations**  
Good Shepherd Services

January 18, 2023

**Thank you, Chair / Deputy Speaker Ayala and the Council Members of the Committee on General Welfare for the opportunity to testify.**

**My name is Annie Minguez Garcia and I am the Vice President of Government and Community Relations at Good Shepherd Services.**

**Good Shepherd Services is both a Foster Care and Runaway Homeless Youth provider. Good Shepherd also operates a youth supportive housing program in East Harlem.**

Guided by social and racial justice, Good Shepherd Services (GSS) partners and grows with communities so that all NYC children, youth, and families succeed and thrive. We provide quality, effective services that deepen connections between family members, within schools, and among neighbors. We work closely with community leaders to advocate, both locally and nationally, on behalf of our participants to make New York City a better place to live and work.

**My testimony today will focus on the importance of having clarity from the Administration on their interpretation of these new laws given that, should this interpretation stand, youth will be forced to enter the adult system to qualify for these vouchers. These bills disrupted a cycle of inequity, where for years these two populations had not been equally prioritized for the scarce housing resources in New York City and should be upheld.**

**In 2021, I joined my colleagues in the Coalition for Homeless Youth in advocating to expand CityFHEPS eligibility for runaway and homeless youth (RHY) ([Intro 2405-A](#)) and youth transitioning out of foster care ([Intro 0148-A](#)) by counting their time spent in Department of Youth and Community Development (DYCD) programs and the Administration of Children Services (ACS) programs toward the 90-day shelter requirement. Our goal in advocating for these bills in 2021 was simple, that as a city, we should meet the needs of all youth needing shelter and housing in our city.**

**It is our understanding that ACS's and DYCD's interpretation of the law is consistent with ours - meaning that DYCD-RHY and ACS youth would get access to CityFHEPS vouchers without having to enter the Department of Homeless Services (DHS) shelter, and that they would be awarded the same Department of Social Services DSS-administered (funded) vouchers that individuals have access to from Department of Social Services (DSS) / Human Resources Administration (HRA). Unfortunately, DSS/DHS's interpretation of the laws is different. The Coalition for Homeless Youth was told by DHS counsel that, because of this interagency disagreement, the legislation was reviewed by the City Law Department, who issued an advisement of sorts that essentially ignores the Council's intentions when passing these laws.**

**For the record, the DYCD and ACS CityFHEPS pilot the Administration referenced earlier that provided agencies with 50 CityFHEPS vouchers, were already in place when these bills were approved by the Council. The goal of these laws was to allow future youth (once the pilot ended) to have access to CityFHEPS without being required to enter the adult shelter system.**

**The City's adult shelter system is overwhelmed with a record number of homeless individuals entering shelter so to require vulnerable youth to enter the adult homeless shelter system to access a voucher the law already states they are eligible for, is deplorable and creates an unnecessarily bureaucratic hurdle for young people already experiencing a challenging transition. I urge the Council to get the clarity needed to ensure youth in need of these vouchers are able to access them without any further delay.**

**Thank you again for the opportunity to testify. I can answer any questions you may have at this time.**



**Testimony:** Rachel Braunstein, Director of Policy, Her Justice

**Hearing:** City Council Committee on General Welfare, Oversight hearing on CityFHEPS Rental Assistance Program

**Date:** January 18, 2023

Thank you, Chair Ayala and the Committee on General Welfare for the opportunity to submit testimony on the critical matter of housing stability for New Yorkers in need through the CityFHEPS rental assistance program. For 29 years, Her Justice has stood with women living in poverty in New York City by recruiting and mentoring volunteer lawyers to provide free legal help to address individual and systemic legal barriers in the areas of family, matrimonial and immigration law. The COVID-19 pandemic highlighted how Her Justice clients and women like them are the backbone of our communities, serving on the frontlines as essential workers and carrying the brunt of the pandemic's economic burden. At the same time, they faced heightened rates of intimate partner violence and unemployment, and increased caregiving responsibilities. The solutions to some of our clients' most pressing and life-altering concerns – money to care for their children, safety from abuse and the right to work legally in the U.S. – are administered by a civil justice system that buckled during the pandemic. Even in the best of times, navigating the civil justice system required stability in the basic essentials of life. In these challenging times, fundamental stability including in housing is even more critical for our clients' ability to pursue their legal rights. We are grateful for the City Council and the Committee's long-standing focus on these issues, and for support from the Council that allows Her Justice to provide direct representation to and skilled advocacy on behalf of women living in poverty.

### **Organizational Background**

Through our “pro bono first” model, Her Justice pairs thousands of well-trained and resourced pro bono attorneys from the City's premiere law firms with women who have urgent legal needs. This approach has enabled us to assist tens of thousands of women over the years, far more than we could have reached relying exclusively on direct service. In 2022, Her Justice provided a range of legal help to more than 5,300 women and their children in the areas of family, matrimonial and immigration law. By matching more women with lawyers by their side in a system historically designed to have indigent people navigate it alone, we ensure their voices and concerns are heard and we begin to break down systemic barriers to access to justice. And we provide holistic social services to support our clients and their legal needs. These services aim to create a safe space for clients to begin the process of healing from their traumas and to empower them to reclaim their voices and life narratives. We pair our client services with policy and advocacy work to advance systemic reform, through independent efforts and in partnership with peer organizations and coalitions. Our policy work is informed by the lived experience of our clients – women living in poverty, whose livelihood and well-being are often determined by the civil justice system. That civil justice system is often invisible to those outside of it, which makes a focus on reforming this system that much more essential for our clients and all who depend on it.

### **Women Living in Poverty Depend on the Civil Justice System for Economic Stability**

Among the clients Her Justice serves, 90% are women of color, 80% are survivors of domestic violence and more than half are immigrants. Over one-third of our clients do not speak English, which means they are effectively precluded from the legal system if language resources are not



available. These women – and many New Yorkers like them – depend on equitable and efficient access to the civil justice system for critical legal relief that can transform their lives.

**Survivors of domestic violence.** Civil legal services are critical for survivors of domestic violence. The effects of domestic violence in a survivor’s life are pervasive. For many, fleeing domestic violence may lead to their first engagement with the legal system by participating in the criminal justice system as a witness or seeking a civil court order of protection to address the violence they have suffered. It is less well-known that domestic violence survivors need to access the civil courts for other kinds of relief as well. Domestic violence survivors need child and spousal support orders from Family Court to become financially secure and remain free from abuse. They need orders of custody and, when it is safe for children, orders of visitation that minimize survivors’ contact with the abuser. Married survivors need to protect their rights to a fair share of any assets accumulated in the marriage in a Supreme Court divorce litigation. Immigrant survivors need assistance with applications for legal status, along with applications for legal authorization to work in the U.S., otherwise known as an Employment Authorization Document (“EAD”), which provide a pathway to stability for them and their families.

**Immigrants.** The COVID-19 pandemic shed new light on the role that immigrant workers play in the U.S., with immigrants being overrepresented in frontline occupations and many undocumented immigrants in the labor force being classified as essential throughout the pandemic. Yet many work without the legal protections that would match the value of their contributions to the economy. Her Justice is particularly concerned about the delays our clients face in obtaining legal work authorization. The pandemic, combined with chronic under-resourcing of adjudications systems within USCIS cause processing delays that sometimes last five years or more, during which time our clients do not have any immigration relief whatsoever – not even a work permit to support their families. These delays can lead to our clients’ continued employment in unsafe work conditions at wages too low to support their families, and to instability in housing and even safety from intimate partner violence. Moreover, our undocumented clients whose immigration applications are pending for years and who do not yet have employment authorization are ineligible for unemployment insurance benefits. Her Justice continues to advocate for reforms such as the enhancement of resources for the USCIS to address adjudications backlogs and changes to related policies so that clients’ livelihood and eligibility for benefits are protected at a time they need this most.

### **Immigrants and Survivors of Domestic Violence Need Stable Housing**

New York City housing programs fall short for survivors of domestic violence, immigrants, and indigent women without children. Many of these programs have eligibility requirements that exclude those without children or with adult children. Without access to housing options and a lack of individual income, these women are forced to remain in dangerous and unstable living situations, many for months or years given long waiting periods and delays in getting assistance. These programs are completely closed to families who lack immigration documentation. This forces them to seek illegal or unsafe housing situations which can have tragic consequences as was seen in the aftermath of Hurricane Irene. If there is a family member who is a U.S. citizen, the rental relief these housing programs offer will only include this individual and not the entire family unit. This makes finding adequate housing for these families even more difficult.

Given the importance of obtaining legal work authorization for undocumented immigrants, and particularly for immigrant survivors of gender-based violence, Her Justice engaged in a qualitative research project through interviews of our clients to study the impact of this issue on our clients’ lives, including in housing stability. In 2018 and 2019, Her Justice conducted interviews with 21



undocumented immigrant clients who are also survivors of intimate partner or gender-based violence. We sought to learn more about their experiences with and without legal work authorization. In 2022, we conducted a new round of interviews with 10 clients to understand the additional issues immigrants faced during the pandemic. In the interviews, we asked why having work authorization was important to clients and what life was like with or without work authorization in terms of their housing situation, employment, income, access to government services, interactions with the criminal legal system, and the psychological impact it had on them and their family. Her Justice has not yet published the final report from this project, but preliminary analysis confirms that the interviews provide important learnings from individuals affected by these systems, including as to the need for stable housing.

Our analysis of the 2018 interviews revealed that half of the clients moved into domestic violence shelters to escape their abusers, where, pursuant to City shelter rules, they could remain for up to six months. After six months elapsed, these participants were required to search for alternate housing. However, without work authorization to secure reliable income, this was extremely challenging. All the participants either returned to their abusive partners or transferred to homeless or family shelters where some participants reported they did not feel safe. Another participant reported that she and her baby had an allergic reaction to being bitten by roaches, due to the filthy conditions in the shelter. The living conditions for clients in other types of housing were also dire. One client was able to rent a single room in a building, which she shared with her children and some other family members.

In the 2022 interviews, eight out of ten clients said the pandemic negatively affected their housing situation and some were forced to move because of the job loss and financial issues caused by the pandemic. One client had to move out of state into her adult child's house, two clients moved with their children into other family members' homes, and two ended up in shelters with their children. Another Her Justice client named Ashley\* was working as a home health aide when the pandemic made it impossible to do her job. When she could resume working and her five-year-old son resumed in-person schooling, her work schedule was repeatedly disrupted when her son was sent home for remote learning – sometimes for an entire week – each time someone in his class tested positive for COVID-19. During the first two years of the pandemic, Ashley and her son lived in a two-bedroom apartment they rented in a house. The house provided a spacious place for her son – who has special needs – to play, but it became dangerous when the owner allowed several men to move in and these men openly displayed their guns in the house. After one of these men assaulted Ashley, she and her son moved into a one-bedroom basement apartment where she pays \$1,500 a month in rent. In July 2022, Ashley told Her Justice that she was still recovering from the financial impact of the pandemic and was looking for affordable and safe housing. She was also hoping for the chance to save more money for her and her son's future.

Even clients whose housing situation remained the same during the pandemic reported living in difficult conditions. For example, one client named Amala\* shared a room with her daughter in a friend's house where they had been living on and off for many years. She was eager to have her own place but said the voucher she was given would not cover the rent for a one bedroom apartment and she was told that she is ineligible for other housing programs, like Section 8, because she is an undocumented immigrant. Amala said she is hoping to find space in shelter for herself and her daughter but was having trouble finding any availability.

We look forward to publishing the qualitative data gathered through these interviews and highlighting how housing is fundamental to safety and stability for women like our clients and their families.



## **Without Stable Housing Women Living in Poverty are Challenged in Pursuing Civil Legal Needs**

As Her Justice and our pro bono partners fight for our clients' rights in Family Court and Supreme Court matrimonial cases and pursue immigration relief on their behalf, our clients are often fighting for basic stability in their housing and other facets of life. Participating in Family Court and divorce cases is challenging given the complexity of those courts and ways in which they are inaccessible to many individuals, for example, because of inadequate translation of information or interpretation of in-court proceedings for English language learners, or opaque financial disclosure requirements. There are often rampant delays, with families getting five or ten minutes in court and then waiting months for another appearance in the case. Yet for New Yorkers who are fighting to obtain or maintain stability as to essential needs such as housing, participating in civil court cases is that much more difficult. Consider the divorcing client who must remain in the marital home with her abusive spouse because she cannot afford a new home or access housing programs or public benefits. Or an immigrant family faced with rental arrears and rising utility expenses without eligibility for public benefits and housing programs that account for their entire family and their needs. Clients like these can sometimes be faced with the impossible choice of pushing forward in Family Court or a divorce case to resolve critical issues or abandon those cases while they fight for their families' survival. With a more accessible and robust CityFHEPS program, Her Justice clients and other New Yorkers would have greater access to stable housing and be better able to participate in seeking needed legal relief in other civil law areas to achieve overall economic stability for themselves and their families.

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We hope that this testimony serves to render more visible the wide-ranging needs of women and families living in poverty in New York City and the connection between their housing stability and overall economic stability through access to the civil justice system. We thank the City Council and the Committee for the support for women living in poverty in New York City, and for your partnership on policy reform to benefit all New Yorkers. We look forward to continuing to work together to improve the delivery of justice to all.

Respectfully,

Rachel L. Braunstein, Esq.  
Director of Policy, Her Justice  
rbraunstein@herjustice.org

\*Names have been changed to protect clients' privacy.



## New York City Council Committee on General Welfare

January 18<sup>th</sup>, 2023 at 1:00 pm

Testimony of Caroline Iosso, Senior Policy Advocate

Homes for the Homeless

My name is Caroline Iosso and I am the Senior Policy Associate at Homes for the Homeless (HFH). Thank you for the opportunity to share testimony on behalf of the over 600 families with children who reside in our shelters, for many of whom the CityFHEPS voucher is a critical lifeline to exit shelter.

HFH is a nonprofit organization that provides NYC families experiencing homelessness with more than just a place to sleep. On any given day over 600 families with 700 children ages 0 to 18 reside in safe, clean, shelters—our family residences. These family residences provide a host of services focused on HFH's three pillars: education, employment, and social services designed to meet the immediate and ongoing needs of both parents and children. In addition, many HFH programs are also available to neighbors in the communities near our family residences. Our goal is for families who move on from HFH family residences to achieve family and housing stability.

One way that families are able to achieve housing stability is through the use of the CityFHEPS rental voucher. Between November 1<sup>st</sup>, 2021 and October 31<sup>st</sup>, 2022, nearly one quarter of subsidized exits from HFH shelters were made with a CityFHEPS voucher, helping dozens of families move out of shelter and into a home.<sup>i</sup>

However, there are some barriers to usage of the CityFHEPS voucher that can make it difficult for families to use it.

1. **Lengthy Periods of Conditional Status:** Being in conditional status – or not having yet been found eligible for shelter by the Department of Homeless Services' staff at PATH – precludes families from accessing several assistance programs to exit shelter, including CityFHEPS. In 2022, we found that nearly 25% of families in HFH shelters are conditional at any given time. Furthermore, instead of the purported 10-day period of conditional status while PATH investigates their case, we found that families are languishing in conditional status for months, with 85% of clients waiting longer than 10 days in conditional status. Families waited for eligibility in conditional status for a median of 40 days.<sup>ii</sup> This period of waiting is frustrating,

confusing, and, ultimately, hinders a family's ability to exit shelter, as they are unable to access vouchers that could open the door to a stable home, such as CityFHEPS.

In order to make CityFHEPS more useful and families' time in shelter shorter, we recommend fixing PATH's process of assessing eligibility, which is burdensome, opaque, and lengthy.

For more information about the impact of conditional status on families and shelter staff and recommendations for fixing PATH's eligibility process, visit: <https://www.icphusa.org/reports/>

2. **90-Day Rule:** Also inhibiting timely move outs using CityFHEPS is the "90-day rule," which dictates that clients must be eligible for shelter and living in shelter for 90 days before they can qualify for a CityFHEPS voucher. This rule unnecessarily prolongs shelter stays and, compounded with the issue of lengthy periods of conditionality discussed above, can lead families to over four months of limbo. With the average length of stay for families in shelter rising, and the number of families with children in shelter increasing to record highs, the City must eliminate unnecessary red tape that prolongs stays and limits opportunities.
  
3. **Immigration Status:** Even prior to the recent influx in asylum-seekers in DHS shelters, many families were held back from housing assistance such as CityFHEPS due to their immigration status. Despite working full-time, many clients in HFH shelters are unable to move out because housing is still too expensive for them to afford on their own. Thus, without a voucher, their opportunities to exit shelter are limited and time in shelter extended. Especially now, when more and more families lack legal status, the City should consider allowing undocumented families access to CityFHEPS.

CityFHEPS is a critical tool for families with children to access stable and affordable housing opportunities. The above points outline areas where the program could be improved so that more families can access this voucher more quickly, expediting more exits from shelter and mitigating the potentially harmful effects of lengthy shelter stays on everyone, especially children. Thank you for the opportunity to testify. With any questions, I can be reached at [ciosso@hfnyc.org](mailto:ciosso@hfnyc.org).

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<sup>i</sup> <https://www.hfnyc.org/2023/01/snapshot-where-and-how-families-at-hfh-exit-shelter/>

<sup>ii</sup> <https://www.icphusa.org/reports/long-and-winding-path-the-burden-of-repeated-shelter-eligibility-denials-on-families-and-shelter-providers/>



Testimony of  
**Coalition for the Homeless**  
and  
**The Legal Aid Society**  
on

Oversight - The CityFHEPS Rental Assistance Program.

before the  
New York City Council Committee on General Welfare

Robert Desir  
Staff Attorney, Civil Law Reform Unit  
The Legal Aid Society

David Giffen  
Executive Director  
Coalition for the Homeless

January 20, 2023

The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council’s Committee on General Welfare regarding oversight of the City Fighting Homelessness and Eviction Prevention Supplement (“CityFHEPS”) rental assistance program. The Coalition and Legal Aid have repeatedly encouraged the City and State to address the root cause of homelessness – the lack of affordable housing – through proven-effective policies, including housing vouchers and subsidies.

For New Yorkers to take true advantage of the CityFHEPS program’s promise of preventing eviction, eliminating homelessness, and transitioning families from shelter, the City must do the following:

**1) Expand CityFHEPS to all non-citizens, regardless of immigration status:** Local law gives New York City authority to extend CityFHEPS to all New Yorkers, regardless of immigration status. Currently, however, we believe that only non-citizens otherwise eligible for cash assistance are receiving CityFHEPS. *No household should be considered ineligible for CityFHEPS because of their immigration status.* Non-citizen families are often in the greatest need of assistance. Currently, mixed status families may qualify for CityFHEPS but receive a more limited subsidy, putting them at risk of eviction and homelessness. The penalty borne by such mixed status families should also be eliminated. While we welcome the State assistance sought with pre-considered resolution File #2023-2865, we continue to urge this Council to exercise its authority to *pass legislation* that would extend CityFHEPS to all New Yorkers regardless of immigration status.

**2) Utility Allowances:** We agree that households with income outside of public assistance should be allowed to rent an apartment at or above the payment standard, but they should never pay more than 40 percent of income toward *rent and utilities combined*. CityFHEPS tenants should receive a credit off their portion of the rent to help them pay for the costs of utilities, consistent with Section 8 rules. Intro. 229 offers some clarity with respect to utility calculations but may leave behind the lowest income New Yorkers. We ask for two adjustments to Intro. 229:

- a. Offer low-income families a Utility Assistance Payment (“UAP”)<sup>1</sup> like they would receive on the Section 8 program. To ensure housing stability for very low-income families, household relying solely on public assistance and/or those whose utility costs exceed their tenant portion must receive a UAP.
- b. Clarify that, for all households renting below the payment standard, HRA will subtract the utility allowance from the tenant share, ensuring families renting below the payment standard pay no more than 30% of their income towards rent.

**3) Expand CityFHEPS to homeless and unsheltered youth:** The Department of Social Services (“DSS”) should recognize the CityFHEPS eligibility of unsheltered and homeless youth, including those receiving services through the Department of Youth and Community Development (“DYCD”). Many unsheltered youth interact with services other than DHS, including: DYCD-funded outreach providers, OMH Safe Options Support (“SOS”) outreach

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<sup>1</sup> <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/section-8-briefing-book-abridged.pdf> at pg. 33

providers, federally-funded outreach providers, Port Authority, MTA, and others. Despite the previous administration initially promising youth in the DYCD system access to vouchers by the end of 2017 in its report “Turning the Tide on Homelessness in New York City,”<sup>2</sup> the administration has failed make this change administratively.

Approximately five years later, on November 23, 2021, City Council passed two groundbreaking pieces of legislation, Intros 2405-A and 148-B. Upon the April 2022 effective date of Local Laws 170 and 157, advocates expected an expansion of voucher eligibility. Specifically, vouchers should have been extended to youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care, thus eliminating the requirement that they enter the DHS system. For runaway and homeless youth, the community and the Council had celebrated a significant victory.<sup>3</sup> Unfortunately, under DSS's interpretation of the laws, youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of care with the ACS still *will not have equal access to CityFHEPS vouchers*. After the DYCD CityFHEPS pilot vouchers and one-time allocation of Emergency Housing Vouchers (“EHV”) are exhausted, homeless youth in the DYCD RHY system will have no access whatsoever to subsidized housing unless they enter a DHS shelter.

Unsheltered young people and adults should not be deemed ineligible for CityFHEPS because they sought support from non-DHS outreach staff. DSS should apply Local Laws 157 and 170 of 2022 as the community and the Council intended. Specifically, DHS should grant youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care, who are otherwise eligible, access to HRA-funded CityFHEPS vouchers without forcing them to enter DHS shelter.

**4) Expand CityFHEPS eligibility to rent-burdened households headed by elderly and disabled New Yorkers living in the community:** As per the Community Service Society’s analysis of the 2017 Housing Vacancy Survey (“HVS”), there are 9,463 rent-regulated apartments with low-income tenants who are severely rent-burdened and have a head of household over the age of 65. However, these households, some of which rely on public assistance, *do not* currently qualify for CityFHEPS. Demonstrating a continuation of this trend, the 2021 HVS further indicates that more than 40 percent of households with disabled or elderly family members are severely rent-burdened.<sup>4</sup> While all such households should qualify for vouchers, creating just 5,000 vouchers for rent-regulated seniors and people with disabilities already living in the community would reduce homelessness, preserve affordable housing, and maintain community stability. In this spirit, we support the pre-considered introduction File # T2023-2864 that would expand access CityFHEPS to tenants who: a) do not live in rent-controlled apartments; b) are not receiving adult protective services; and (c) are at the initial

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<sup>2</sup> Turning the Tide on Homelessness in New York City, 2017, page 20, available at <https://www1.nyc.gov/assets/dhs/downloads/pdf/turning-the-tide-on-homelessness.pdf> (“In 2017, the City will... [e]xpand these rental assistance programs to include, for the first time, youth living in Department of Youth and Community Development (DYCD) youth shelters at risk of entering Department of Homeless Services (DHS) shelters”).

<sup>3</sup> See Grench and Maldonado, *Homeless Youth Get on Fast Track to Housing With New Council Bills*, The City, Nov. 23, 2021, available at <https://www.thecity.nyc/2021/11/23/22799621/homeless-youth-get-on-fast-track-to-housing-with-new-council-bills>.

<sup>4</sup> [2021-nychvs-selected-initial-findings.pdf](#) at pg. 56

stages of the eviction process. We also support the goal of pre-considered introduction File # T2023-2863 of expanding access to vouchers by eliminating work requirements and adjusting income eligibility requirements.

**5) Eliminate the 90-day rule:** We ask that HRA eliminate the 90-day waiting period in shelter to qualify for CityFHEPS. In light of rising rents, the scarcity of affordable units, and rampant source of income discrimination, it can take families over a year to use a CityFHEPS voucher. Forcing New Yorkers to reside in shelters for 90 days before they can even qualify for CityFHEPS unnecessarily prolongs shelter stays. We ask that shelter residents receive a CityFHEPS shopping letter as soon as they are found eligible for shelter. Accordingly, we support the pre-considered introduction File #T2023-2862 that would allow a family or individual to receive a CityFHEPS voucher before they even enter shelter.

**6) Adopt the Exception Payment Standard:** For both CityFHEPS rooms and apartments, HRA should adopt the [“Exception Payment Standard” \(“EPS”\)](#), defined as the maximum amount of subsidy HRA will pay for an apartment that matches the local market. The EPS allows those with rental subsidies to enter markets from which they have been historically excluded. Not only does the EPS open up additional housing options to those with rental subsidies, but it allows families to reside in high-opportunity areas close to desirable amenities such as hospitals, public transportation, high-quality schools/childcare, and parks and other greenspaces. Currently, the HPD Section 8 program and all Emergency Housing Vouchers (“EHV”) use the EPS.<sup>5</sup> In addition, HRA should publish their CityFHEPS payment standards each year in advance of January 1<sup>st</sup>. To ensure parity with Section 8, at no time should the Commissioner lower the payment standard below the EPS levels set by HPD. Also, HRA should specifically adopt the Exception Payment Standard used by HPD and the EHV program

**7) Combat Source of Income Discrimination:** Despite the City and State Human Rights Laws clearly prohibiting voucher discrimination, source of income discrimination remains rampant.<sup>6</sup> Unfortunately, homeless New Yorkers continue to face repeated rejections over many months because of their vouchers, or never even receive responses from brokers and landlords they contact. *We need a real government commitment to addressing this problem.* Failure to do so sends a clear signal to the real estate industry that they can continue to discriminate without fear of consequences. The lack of government response proves a detriment to the families seeking to escape shelter and segregates them into substandard housing far from high opportunity areas. While the Mayor’s housing plan declares that the City “will launch a coordinated enforcement and outreach effort to root out and combat source-of-income discrimination,” the plan lacks clarity and concreteness.<sup>7</sup> What is clear is that this dire problem requires dedicated staff and agency prioritization. The City should fund the NYC Commission on Human Right’s source of

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<sup>5</sup> [https://www1.nyc.gov/assets/nyccoc/downloads/pdf/EHV-payment-standards\\_English.pdf](https://www1.nyc.gov/assets/nyccoc/downloads/pdf/EHV-payment-standards_English.pdf)

<sup>6</sup> Matthew Haag, “‘She Wants Well-Qualified People’: 88 Landlords Accused of Housing Bias,” *The New York Times*, March 15, 2021, <https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html>; Mihir Zaveri, “Discrimination Weakens Tool for Reducing N.Y. Homelessness, Lawsuit Says,” *The New York Times*, May 25, 2022, <https://www.nytimes.com/2022/05/25/nyregion/ny-vouchers-homeless-discrimination.html>.

<sup>7</sup> <https://www1.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Housing-Blueprint.pdf>

income discrimination unit both to prosecute discriminatory activity as well as to engage in early interventions to ensure housing unstable and homeless New Yorkers can secure apartments.

**8) Eliminate the Rent Reasonableness Rule:** The rent reasonableness rule prevents CityFHEPS voucher holders from accessing apartments that meet the established payment standard, and its implementation creates uncertainty even after a tenant has found a potential home. Shelter residents seeking apartments can never know in advance whether a unit they have found will be considered “reasonable,” even if the rent is at or well below the payment standard. These New Yorkers undergo the arduous rental application process and then wait weeks or months only to learn that the rent was rejected as “not reasonable,” and they have to restart their search. Further, tenants in eviction cases who rely on CityFHEPS to retain their current apartments cannot predict what rent HRA will approve, and therefore cannot agree to a specific rent obligation as required by Housing Court settlement agreements. The City Council should eliminate the rent reasonableness requirement to ensure tenants are not unfairly prevented from renting apartments at or below the full payment standard.

**9) Eliminate delays in CityFHEPS move-ins:** Tenants with rental assistance vouchers face rampant source of income discrimination, often, in part, motivated by the extreme delays associated with CityFHEPS paperwork, inspections, and check issuance. These delays are both well-documented and commonplace.<sup>8</sup>

Even after a landlord agrees to rent an apartment, New Yorkers regularly wait for up to six months in shelters while the City approves their applications. Voucher holders navigate a byzantine lease-up process in which the smallest error – a misspelled address or a typo in transcribing a broker’s license number – causes weeks or months of delays, often leading to the loss of a housing opportunity.<sup>9</sup> Meanwhile, the collateral effects of homelessness – joblessness, mental health challenges, familial instability, and poor living conditions – compound. Unless HRA adopts affirmative regulations to change the lease-up process, CityFHEPS will not serve its purpose of allowing New Yorkers to escape the shelter system and live in homes with dignity. The following changes will significantly reduce CityFHEPS delays:

**a) Streamlining review process.** This may include:

- Requiring DSS reviewers to review an entire package for mistakes before sending it back to the shelter provider for corrections;
- Making it easy for shelter providers to communicate by telephone and email with DSS reviewers in order to discuss resolving issues with a package;

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<sup>8</sup> David Brand, “Administrative Obstacles Jam Up Moving Process for NYC Shelter Residents,” *City Limits*, Jan. 31, 2022, <https://citylimits.org/2022/01/31/administrative-obstacles-jam-up-moving-process-for-nyc-shelter-residents/>; Chau Lam, “Spelling mistakes and clerical errors could keep many stranded in shelters under city housing program,” *Gothamist*, Feb. 18, 2022, <https://gothamist.com/news/spelling-mistakes-and-clerical-errors-could-keep-many-stranded-shelters-under-city-housing-program>.

<sup>9</sup> Instead of fixing errors, the City frequently rejects applications, taking weeks for overworked shelter staff to revise paperwork. If there are additional errors that the City did not identify upon first review, an application goes back to the shelter provider again. If a resident is transferred to a different shelter, the process typically begins all over again. In practice, residents and landlords often must agree on new lease dates every month as move-ins are delayed repeatedly.

- Reducing the amount of paperwork required for lease-up;
- Correcting and approving packages with minor clerical errors, like an address that says “street” instead of “place”; and
- Providing automatic email notifications with package updates.

**b) Setting clear benchmarks for approving CityFHEPS packages:** DSS should set clear goals for processing applications and ensure that it meets those goals in facilitating moves.

**c) Re-training shelter staff:** DSS should track how long the contracted shelter providers take to facilitate move-outs. DSS must intensively re-train the shelter providers that have the most repeated delays in the lease-up process.

### **Recent Proposed Amendments to CityFHEPS rules**

In November 2022, the City announced it would implement reforms that would not only increase access to CityFHEPS vouchers, but would also accelerate the lease up process and make the vouchers easier to use.

These reforms include increasing staffing at the DSS, expanding Supplemental Security Income (“SSI”) eligibility to any household member, extending eligibility to full-time minimum wage-earning single adults whose income exceeds 200 percent of the federal poverty level, allowing families to reduce their work hours to 14 hours per week, and allowing voucher holders who secure an apartment with a rent above the payment standard to pay up to 40 percent of their income towards the rent. In December 2022, HRA proposed amendments to the CityFHEPS program rules and held a hearing on January 10, 2023.

While the City’s recently proposed amendments to CityFHEPS mark an effort to expand eligibility and simplify its administrative processes, these rules run the risk of leaving some of New York City’s most under-resourced New Yorkers behind. We continue to emphasize that any rules or laws related to the CityFHEPS program should focus on creating parity between the CityFHEPS program and the Housing Choice Voucher (“HCV”) program (commonly known as the federal “Section 8” program). In fact, the legislative history of Local Law 71 of 2021 – the bill that increased the CityFHEPS payment standard to the Section 8 levels – makes clear that the City Council grounded its reasoning on a simple proposition: to place the CityFHEPS program on equal footing with the Section 8 program.<sup>10</sup> Accordingly, we urged HRA to offer a reduction off the tenant rent portion (or a credit where the utility allowance exceeds the tenant portion) to ensure all renters have the resources to pay for utilities and that, like Section 8, no household has a rental portion that exceeds 40 percent of their income, **including all utilities.**

We urged HRA to strengthen their decision to cap rents for individuals reside in Single-Room Occupancy (“SRO”) housing at \$50 by offering SRO residents (and all residents) a credit toward their utilities each month and a Utility Assistance Payment (“UAP,” i.e., a cash credit for utility

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<sup>10</sup> Hearing Transcript 52 of the General Welfare Committee, May 26, 2021 at pg. 5-6. (Chairperson Levin: “. . . this bill will increase that voucher level to the Section 8 voucher level and it will make a meaningful impact in terms of the number of units that are available for voucher holders.”[Emphasis added])

payments),<sup>11</sup> since tenants subsisting on public assistance alone need additional assistance to help cover the rising cost of utilities and keep the lights on.

We noted that **proposed § 10-06(b)(1)**, which would allow voucher-holders to choose an apartment with a rent above the CityFHEPS payment standards and pay up to 40 percent of their income, dangerously sets some families up for failure because wording of the proposed rule appears to require tenants to pay, on top of their 30 percent rent share, any amount that exceeds the payment standard *minus* the utility allowance. First, this puts CityFHEPS tenants at a significant disadvantage compared with Section 8 tenants, which allows Section 8 tenants to rent an apartment for up to the full payment standard while generally capping the family contribution at 30 percent of income. Section 8 families with income outside of public assistance may also rent apartments above the payment standard as long as their payment of **both rent and utilities** will not exceed 40 percent of their income. **The proposed § 10-06(b)(1)** leaves open the possibility that HRA could approve rentals where tenants pay 40 percent of their income toward rent without receiving any discount or credit off their portion of rent for utilities. The failure to provide for utilities could leave a family on a fixed income paying 50 percent or more of their income toward rent and utilities combined.

Further, unlike Section 8, HRA’s rule does not provide any reduction off the tenant share for utilities, meaning that tenants face a double penalty. For rentals that do not include all utilities, the CityFHEPS program reduces the maximum rent HRA would approve for an apartment, but then the household **does not** receive any discount off their rent portion to help pay for utilities. Even worse, families with no income outside of public assistance receive zero credit for utilities, thus setting them up for failure. Landlords and brokers often question how very low-income families will pay for life’s basic necessities. HRA’s rule leaves these skeptics with no answer for utilities. We proposed that HRA provide a UAP<sup>12</sup> for families whose rental portion is less than their utility allowance and whose sole source of income is public assistance to ensure that these households have heat, hot water, gas, and electric in their new homes.

In our comments submitted on January 10, 2023, we also requested changes to fulfill the promise of expanding CityFHEPS eligibility to unsheltered and homeless youth, including those receiving services through DYCD. Specifically, we urged expanding the definition of what constitutes a “city administered facility” and revising the definition of “street homeless”<sup>13</sup> to include providers that interact with unsheltered and homeless youth in New York City. These changes would expand CityFHEPS eligibility to unsheltered and homeless youth.

## **Conclusion**

We thank the General Welfare Committee for the opportunity to testify on these bills, and for the Council’s dedication to addressing New York City’s homelessness crisis.

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<sup>11</sup> <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/section-8-briefing-book-abridged.pdf> at pg. 33

<sup>12</sup> <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/section-8-briefing-book-abridged.pdf> at pg. 33

<sup>13</sup> Note: The Proposed Rule uses the term “street homeless.” Given the antiquated nature of the term and the stigma associated with it, we respectfully request the adoption of the term “unsheltered” to refer to this population.

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

The Legal Aid Society: The Legal Aid Society (“LAS”), the nation’s oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for legal reform. This dedication to justice for all New Yorkers continues during the COVID-19 pandemic.

The Legal Aid Society has performed this role in City, State, and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 2,000 attorneys, social workers, paralegals, and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, LAS provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

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

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

The Legal Aid Society is uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the *Callahan* and *Eldredge* cases. The Legal Aid Society is also counsel in the *McCain/Boston* litigation in which a final judgment requires the provision of lawful shelter to homeless families. LAS, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. Legal Aid, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled-NY (“CIDNY”), settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness. Also, during the pandemic, The Legal Aid Society along with Coalition for the Homeless continued to support homeless New Yorkers through litigation, including *E.G. v. City of New York*, Federal class action litigation initiated to ensure WiFi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless

single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.

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

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term, scalable solutions and include: Permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income women; and permanent housing for formerly homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen, which usually distributes 800 to 1,000 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx, had to increase our meal production and distribution by as much as 40 percent and has distributed PPE and emergency supplies during the COVID-19 pandemic. Finally, our Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, we are operating a special Crisis Hotline (1-888-358-2384) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

The Coalition was founded in concert with landmark right-to-shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981, the City and State entered into a consent decree in *Callahan* through which they agreed: "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *Eldredge* case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless single adults, and the City has also authorized the Coalition to monitor other facilities serving homeless families. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws. During the pandemic, the Coalition has worked with The Legal Aid Society to support homeless New Yorkers, including through the *E.G. v. City of New York* Federal class action litigation initiated to ensure WiFi access for students in DHS and HRA shelters, as well as *Fisher v. City of New*

*York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.



**TESTIMONY OF THE NEIGHBORHOOD DEFENDER SERVICE**

**before the**

**Committee on General Welfare**

**IN RELATION TO**

**Oversight - The CityFHEPS Rental Assistance Program**

**by**

**Jack Boyle,**

**Staff Attorney, Civil Defense Practice**

**Marco Balestri**

**Client Advocate, Civil Defense Practice**

**January 18, 2022**

## **Introduction:**

I am Jack Boyle, a Staff Attorney at the Civil Defense Practice at Neighborhood Defender Service of Harlem (NDS). NDS is a community-based public defender office that provides high-quality legal services to residents of Northern Manhattan, including representation in Housing Court through the Right to Counsel Program. In Housing Court, our advocacy has involved attorneys, social workers, and non-attorney advocates working to address not only a client's legal case, but also assisting them in obtaining stabilizing benefits and connecting them with other social services. This advocacy work includes assistance with public benefits and voucher applications including CityFHEPS which can be a lifeline for clients at risk of eviction and street homelessness.

However, since the pandemic, our office has experienced significant delays and unresponsiveness in the processing of applications through the HomeBase providers where clients must go to apply for CityFHEPS. In our experience, Housing Court judges are not willing to wait for resolutions of these CityFHEPS applications and have allowed evictions to go forward, rendering people homeless in the midst of an ongoing shelter crisis. Moreover, numerous long running administrative problems with the CityFHEPS program itself can make the program inaccessible to many, even after navigating the complex application process. In 2019, 80 percent of New Yorkers who received a CityFHEPS voucher were unable to secure housing.<sup>1</sup>

### *HRA Requires Tenants to Apply for CityFHEPS Through the Severely Overburdened HomeBase System*

For the vast majority of public benefits, New Yorkers can apply themselves by filling out online applications, or with assistance at an HRA Benefits Access Center, or with assistance from any non-profit or other entity they may have a relationship with. For CityFHEPS, however, HRA requires New Yorkers currently residing outside of the shelter system to apply exclusively through the system of HomeBase providers in each Borough.

Unlike HRA Centers, the HomeBase Program is run by non-governmental entities who are not subject to the same type of oversight and required response times. Like HRA, we understand from conversations with other providers and Homebase staff that many locations are severely understaffed and lack resources. In Manhattan the problem is particularly acute because just one provider services the entire Borough. This understaffing, combined with numerous systemic inefficiencies and little oversight, has created an insurmountable barrier for our clients seeking CityFHEPS and, in one instance, directly caused our client to become homeless.

The challenges begin with even accessing HomeBase services in the first instance. When clients have attempted to visit HomeBase's center in Manhattan in person, they are not admitted. Staff slide a sheet of paper under the door with instructions to email them. We have been told that when clients attempt to call or email to make appointments, no one responds. In our experience there is no plan in place to serve clients who do not have access to a phone or email. Clients often report making initial contact with HomeBase as a significant barrier to the process.

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<sup>1</sup> [Testimony: Making CityFHEPS More Accessible \(www.cssny.org\)](http://www.cssny.org).  
[To Truly Address Homelessness, New York City Must Take on Housing Voucher Discrimination \(gothamgazette.com\)](http://gothamgazette.com)

### *Applicants to CityFHEPS in the Community Must Navigate a Multi-Month, Multi-Step Application Process*

Even once contact is successfully made with HomeBase to begin an application, the challenges persist. When our office refers a client to HomeBase for CityFHEPS, it typically takes somewhere between six weeks to four months for HomeBase to respond to an initial referral and conduct a ‘pre-screen’ to determine eligibility for HomeBase services, i.e., to speak to a caseworker. At this stage HomeBase will not determine whether a client is actually eligible for CityFHEPS. We are then told that clients must wait another 8-10 weeks to be seen by a caseworker to conduct a second intake. Clients then wait again for weeks to months to be processed for a voucher.

In our experience, clients are routinely lost in this multi-step intake process. While waiting, clients’ applications are halted by minor issues like disputes about the quality of images submitted by a client, document dates, and demands to resubmit duplicative or irrelevant documents to prove eligibility for even a conversation with a caseworker. In many instances caseworkers inform us that they cannot find documents that have already been submitted, leading to further delays. Additionally, HomeBase repeatedly reassigns caseworkers without informing clients or advocates, creating even more confusion. Because of the elongated multi-step nature of this “intake” process, advocates will often not learn the nature of an issue with a submission for many months, often not until raising the lack of response with managers. Many times, an application requires the involvement of five or more HomeBase representatives, including supervisors and directors, before a client has completed intake.

All told, the process to receive a CityFHEPS shopping letter from HomeBase, which enables a client to search for an apartment, can take between six months to a year – time our clients do not have in a pending eviction case. Landlords and judges are simply not willing to wait six months or more for HomeBase to conduct a pre-screening interview, complete an additional intake and issue a voucher. HomeBase will at times not even advise as to where a client is in the multi-step intake process, leaving us with nothing to bring to the attention of landlords or the court.

We have clients who have already been evicted because of these delays and mistakes or who are at serious risk of eviction right now while they wait to be seen by HomeBase. Just the delays themselves cause harm as clients can accrue substantial arrears while waiting for assistance. One of our clients chose to be evicted because they believed that they would receive a voucher more quickly at a shelter than through HomeBase.

While we all understand and sympathize with the lack of staffing and resources at HomeBase, in our experience the convoluted, multi-step intake procedures are a huge contributor to the extreme wait times that clients are currently experiencing.

### *The Application Criteria for CityFHEPS is Unduly Burdensome and Not Provided in a Consistent Manner*

An additional barrier to accessibility is the lack of consistent understanding of what the eligibility criteria is for CityFHEPS and what documents a client is actually required to submit. For instance, some clients have been instructed that although HomeBase knows that they are eligible for CityFHEPS and ineligible for Cash Assistance, they must nonetheless apply for Cash Assistance and have a pending application that

has not yet been denied when submitting documents for CityFHEPS. In our reading, the relevant agency rules do not require this step, which only leads to further inefficiency and delay.<sup>2</sup>

Confusion about eligibility can also raise more fundamental issues with the program. Recently, a client, Mr. Z, was refused an appointment and incorrectly instructed by HomeBase that he was ineligible for CityFHEPS because even though he had shelter history, he was not then living in a shelter. Yet clearly, CityFHEPS eligibility is not limited only to individuals presently in the shelter system. In other circumstances, we have been advised that clients who are presently street homeless or have a history of street homelessness that can be proven, are ineligible for CityFHEPS unless they have checked into a DHS shelter. The eligibility criteria around past or current homelessness unnecessarily only work to exclude certain otherwise qualified individuals, while adding to the mounting barriers to accessing CityFHEPS assistance.

Additionally, as part of the criteria for CityFHEPS a family which is eligible for the FHEPS voucher program administered by New York State must apply for that program. However, families can become ineligible and be removed from FHEPS while nonetheless remaining eligible for CityFHEPS. For instance, if all children in a family age out of the program, then the family will be cut off from State FHEPS. Yet there is no process to transition families from FHEPS to CityFHEPS, which can lead to interruption of payments and housing instability.

Finally, an additional concern for both landlords and tenants alike, is that the voucher is not guaranteed for the length of a lease and can be cut off abruptly if a client's income changes. If a client is slightly above the income threshold, they may nonetheless not be able to afford the full lease rent without assistance. Thus, the voucher itself can create housing instability.

While we applaud the recent announcement from the City expanding the eligibility criteria for CityFHEPS, more work is needed to ensure that tenants are not barred from these lifelines by unnecessary red tape.

#### *Administrative Problems Continue to Create Significant Barriers to Using or Maintaining CityFHEPS Even After a Voucher is Issued*

Similar procedural barriers also extend to the process of leasing an apartment once a voucher has been secured. Sometimes, HomeBase will close a case immediately after issuing a voucher, forcing the client to start the multi-step intake process back at square one when they are ready to lease an apartment or need to make a change to their voucher. In one instance, a client Mr. S, asked for their children to be added to their voucher. HomeBase did not inform the client that his case had been closed, and for months caseworkers and supervisors did not respond to inquiries. Months later the client was told to restart intake (despite being a voucher holder), and his original voucher expired while waiting, as did the time agreed with the landlord for the client to find a new apartment. Moreover because of inconsistent information about the documents required, Mr. S ran out of time to include his children on a new voucher. He has

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<sup>2</sup> The Rules of the City of New York currently includes as a requirement that “if the household is not currently in receipt of PA, the household must apply for any assistance available under Part 352 of Title 18 of the New York Codes, Rules and Regulations.” 68 RCNY 10-03(2). HRA can and should clarify that if a household has a categorical ineligibility for PA such as, receipt of SSI, resource limitations, etc, then such assistance is not “available” and an application is not required.

related how demoralizing this process has been for him and how it harmed his ability to establish a home for his children.

Furthermore, in our experience, HomeBase does not routinely provide assistance to CityFHEPS voucher holders in actually finding an apartment. This is a significant problem, as many landlords refuse to accept CityFHEPS vouchers.<sup>3</sup> Some clients report applying for hundreds of apartments only to find that when the nature of their voucher comes up, the landlord or broker cuts off communication.

While we understand that sometimes “listings” have been provided, what we have seen consists of little more than outdated contact info for brokers and the general websites for search engines like StreetEasy. In conversations with HomeBase workers we have been told that while they are required to assist Section 8 voucher holders with apartment searches, HomeBase is not required to do so for CityFHEPS. HomeBase can and should be a great resource for apartment hunting with vouchers, as they know which landlords have recently accepted housing vouchers. We also understand that workers have access to the DHS-run HOME system which compiles vacant affordable listings from across the city that may be accessible to voucher holders.

Even once a voucher holder has found an apartment and a landlord who will accept CityFHEPS, still the challenges do not end. They must return to HomeBase to submit additional paperwork, schedule an inspection, and get the apartment approved by HRA. A large percentage of voucher holders are not able to navigate this process due to a number of procedural hurdles.

Errors with the calculation of utility payments, the timing of rent checks, and other mistakes can lead to voucher holders being denied eligible housing. As documented by the Daily News in April 2022, 76% of people who received a CityFHEPS voucher, and who were approved for an apartment by a landlord, were nonetheless blocked from renting the apartment by HRA/DSS often for reasons like spelling out on an application “street” as opposed to “st.” for the address to the apartment.<sup>4</sup>

Further delays also occur, as HomeBase workers must perform a check of five different databases on the apartment. Any issues, including old or minor HPD violations can stop the process in its tracks. In all, the approval process itself can take weeks to months to complete, even where zero mistakes are made.

For those who can navigate this minefield to obtain and use a CityFHEPS voucher, administrative confusion can still lead to housing instability. For one client, Ms. B, CityFHEPS failed to pay for an entire year because their caseworker stopped assisting them and a new caseworker was not assigned despite repeated outreach from our office and the client. Ms. B did not receive CityFHEPS recertification and because of this was sued for eviction. Only after months of advocacy, which escalated to involving HRA, were we able to get the retroactive CityFHEPS checks tendered. As HRA does not utilize electronic payments, we understand that problems with checks and payments have led many landlords to engage in voucher discrimination to avoid the bureaucratic problems with the program.

CityFHEPS is a life-changing program that assists extremely vulnerable New Yorkers by securing safe, affordable housing. We laud all efforts to expand the program but want to caution the Committee that any expansions of CityFHEPS must be met with equal investment and oversight into the city’s HomeBase providers. We must put measures in place to stay eviction cases pending a client meeting eligibility for CityFHEPS so that no tenant is evicted due to bureaucratic inefficiencies.

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<sup>3</sup> [Administrative Obstacles Jam Up Moving Process for NYC Shelter Residents \(citylimits.org\)](https://www.citylimits.org/administrative-obstacles-jam-up-moving-process-for-nyc-shelter-residents/).

<sup>4</sup> [NYC bureaucracy kept homeless out of thousands of vacant apartments \(nydailynews.com\)](https://www.nydailynews.com/nyc/nyc-bureaucracy-kept-homeless-out-of-thousands-of-vacant-apartments/); [Administrative Obstacles Jam Up Moving Process for NYC Shelter Residents \(citylimits.org\)](https://www.citylimits.org/administrative-obstacles-jam-up-moving-process-for-nyc-shelter-residents/)

*NDS Supports the Council's Goal to Expand and Simplify CityFHEPS Eligibility to All Those at or Below 50 Percent of Area Median Income at Risk of Eviction*

NDS strongly supports the stated goals of the legislation proposed at today's hearing, to remove unnecessary administrative obstacles and base CityFHEPS eligibility on income at or below 50% percent of area median income as well as demonstration that a household is at risk of eviction. In particular, INT-878 and 893, would remove unnecessary limitations on eligibility for vouchers. NDS also supports Resolution 465 which calls on the State Legislature to enact legislation to expand voucher eligibility to undocumented New Yorkers.

As written however, some of the legislation being considered by the council could inadvertently be interpreted to limit eligibility to CityFHEPS. Currently the eligibility criteria for CityFHEPS are outlined in Title 68 Chapter 10 of the Rules of the City of New York. The proposed amendments include additions to the separate City Administrative Code, however interactions with the existing CityFHEPS rules could lead to unintended results.

For instance, the summary for INT-894 indicates that it seeks to "change the maximum total gross income for eligibility for a CityFHEPS rental assistance voucher from 200 percent of the federal poverty level to 50 percent of the area median income." The amendment would include a new provision in the City Admin Code that individuals who earn more than 50% of AMI "shall not be eligible for a rental assistance voucher when the applicant for rental assistance is living in shelter or experiencing street homelessness." As such individuals are already ineligible based on the income cap currently set at 200% of the federal poverty line, and the Admin Code change does not prohibit an agency from using that lower income cap for CityFHEPS, this change may not have the desired effect of expanding eligibility. *See* RCNY § 10-03(a)(1); 10-04(a)(1).

Additionally, as the change only applies to those "living in shelter or experiencing street homelessness", those who qualify for CityFHEPS outside of the shelter system would be excluded from this expansion. Unless any changes also include New Yorkers living in the community, tenants earning above 200% of FPL but below 50% of AMI would need to choose between giving up their apartments and becoming homeless or giving up their jobs in order to qualify for the assistance that they need to maintain secure and stable housing.



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**TESTIMONY OF NEW DESTINY HOUSING  
TO THE NEW YORK CITY COUNCIL COMMITTEES ON CIVIL AND HUMAN RIGHTS AND  
WOMEN AND GENDER EQUITY**

**Gabriela Sandoval Requena, Director of Policy and Communications**

**January 18, 2023**

Thank you, Chair Ayala and members of the City Council General Welfare Committee for the opportunity to submit written testimony.

Founded in 1994, New Destiny is a New York City-based nonprofit committed to ending the cycle of domestic violence and homelessness for low-income families and individuals. We build and manage supportive, affordable housing and through our rapid rehousing program, Housing Access, we connect survivors with safe, permanent housing. New Destiny also advocates for housing resources for domestic violence survivors and their families. We invite you to read our [2022 NYC Policy Priorities](#).

New Destiny is a co-convenor of the [Family Homelessness Coalition \(FHC\)](#), a broad group of organizations and impacted advocates committed to tackling homelessness among families in our city.

We are grateful to Council Member Ayala and Committee members for their demonstrated commitment to improving the lives of New York's most vulnerable by conducting this oversight hearing on the CityFHEPS Rental Assistance Program and introducing the three bills and the resolution in today's agenda.

Domestic violence has been the number one driver of family homelessness in New York City for far too long.<sup>1</sup> In 2021, more than 10,000 New Yorkers entered the Human Resources Administration (HRA) domestic violence shelter system, 95% of them were in families with minors,<sup>2</sup> while 39% of families who entered the separate Department of Homeless Services (DHS) shelter system identified domestic violence as the primary reason for their homelessness.<sup>3</sup> With so few housing resources, once in shelter, survivors are far more likely to remain in shelter rather than to move to an apartment. Fifty three percent of survivors with minors that left HRA domestic violence shelter in 2021 moved to another shelter instead of permanent housing. That is more than 1 in 2 families that left shelter for shelter.

HRA capacity issues have seriously impacted the quality of services and aggravated the homelessness crisis. Survivors in shelter have reported significant delays in receiving CityFHEPS; once they obtain the voucher, and are able to find apartments, they experience long waits for package and check processing; and when they finally move in, it is often reported that payments to landlords are not made on time, putting them at risk of losing their apartment. It is critical that HRA is

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<sup>1</sup> Silkowski, A. (2019). Housing Survivors: How New York City Can Increase Housing Stability for Survivors of Domestic Violence. New York, NY: Comptroller Bureau of Policy and Research Bureau of Budget. Retrieved from: [https://comptroller.nyc.gov/wp-content/uploads/documents/Housing\\_Survivors\\_102119.pdf](https://comptroller.nyc.gov/wp-content/uploads/documents/Housing_Survivors_102119.pdf)

<sup>2</sup> NYC Department of Social Services (2022). 2021 Annual Report on Exits from NYC Domestic Violence Shelters.

<sup>3</sup> NYC Department of Homeless Services Shelter Eligibility Data.

properly staffed and adequately funded. **We urge the City Council to oppose the proposed staff reductions to HRA and to advocate that the agency receives the resources and support necessary to rapidly fill vacancies.**

New Destiny, alongside New Yorkers impacted by homelessness, FHC, and partner organizations, for months have called on the administration to eliminate the CityFHEPS 90-day shelter stay rule and expand eligibility for all low-income New Yorkers, including noncitizens. We are grateful to Deputy Speaker Ayala and Council Member Sanchez for introducing legislations that would make CityFHEPS a more accessible homelessness prevention tool. **New Destiny supports the intent of all proposed legislations: Intro 878, Intro 894, and Intro 893, as well as Reso 465.**

Intro 878 would prohibit the Department of Social Services (DSS) from requiring an individual or family to reside in shelter before becoming eligible for a CityFHEPS rental assistance voucher. This proposed legislation goes a step further from eliminating the 90-day rule to not requiring applicants to have lived in shelter as a precondition to receive a rental assistance voucher.

Intro 894 would remove the current requirement that an individual or family demonstrate they are employed in order to become eligible for CityFHEPS. Many survivors are prohibited from working by their abusive partner and many others are forced to quit their jobs because of fleeing. Not requiring households to be working to qualify makes CityFHEPS a critical resource for survivors of domestic violence who are fleeing or attempting to flee to safe housing. The bill would also increase the maximum total gross income for eligibility for CityFHEPS from 200% of the federal poverty level (currently \$46,060 for a family of 3) to 50% of the area median income (\$60,050 for a family of 3).

Intro 893 would remove certain criteria that DSS currently uses to determine whether a household that is neither living in shelter nor experiencing street homelessness is eligible for a CityFHEPS. Additionally, the bill would provide households with the opportunity to demonstrate risk of eviction with a rent demand letter as a means to meet eligibility for CityFHEPS. This proposed legislation would permanently reinstate a temporary change adopted by the city during the height of the COVID pandemic, which eliminated the housing court requirement to qualify for CityFHEPS and allowed people to be eligible by showing verified rent demand. We should not force low-income New Yorkers to go through the traumatizing and costly eviction process before they are able to access rental assistance, and instead, we should prevent eviction further upstream in the process.

Resolution 465 calls on the state legislature to enact [S1631](#), sponsored by Senator Kavanagh, which would make CityFHEPS available to all New Yorkers who qualify regardless of immigration status. In New York City, 59% of immigrant families with children headed by a non-citizen pay more than 30% of their monthly income in rent.<sup>4</sup> They are also more likely to experience overcrowding and evictions.

Thank you for the opportunity to submit written testimony. New Destiny looks forward to working with the Council and the administration to advance these initiatives.

We welcome any questions you may have.

**Gabriela Sandoval Requena**  
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<sup>4</sup> Citizen's Committee for Children of New York (2022). Housing Security in New York City, 2021. Retrieved from <https://cccnewyork.org/data-publications/housing-security-in-nyc-2021/>



Testimony by the New York Legal Assistance Group,  
Oversight – The CityFHEPS Rental Assistance Program  
Before the New York City Council Committee on General Welfare

January 18, 2022

Deputy Speaker Ayala, Council Members, and staff, thank you for the opportunity to speak to the Committee on General Welfare on the CityFHEPS Rental Assistance Program. My name is Abby Biberman, and I am the Associate Director of the Public Benefits Unit at the New York Legal Assistance Group (“NYLAG”).

NYLAG uses the power of the law to help New Yorkers experiencing poverty or in crisis combat economic, racial, and social injustices. We address emerging and urgent needs with comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. We aim to disrupt systemic racism by serving clients, whose legal and financial crises are often rooted in racial inequality.

NYLAG’s Public Assistance and SNAP Practice represents clients having trouble accessing or maintaining these benefits. We represent our clients at Administrative Fair Hearings and conduct advocacy with the Department of Social Services (“DSS”), Benefits Access and SNAP centers, and bring impact litigation to ensure that our clients are obtaining and maintaining an adequate level of benefits.

Our Shelter Advocacy Initiative provides legal services and advocacy to low-income people in and trying to access the shelter system. We assist and advocate for clients who are already in shelter as they navigate the system and work towards exiting shelter and establishing and maintaining permanent housing.

We work with individuals and families who are in shelter waiting to become eligible for CityFHEPS, holding a CityFHEPS shopping letter, in receipt of the voucher, and facing eviction in housing court because of problems with the administration of the benefit. NYLAG also has many clients who are in housing court in need of rental assistance to preserve their affordable apartments, and who are ineligible for CityFHEPS because of the strict criteria for those who are not in shelter. In conjunction with our Tenants' Rights Unit, I appreciate the opportunity to offer the following comments and recommendations.

1. The City Must Repeal the 90-Day Rule

NYLAG opposes the rule that requires a person to be in shelter for 90 days before becoming eligible for a CityFHEPS shopping letter. It is not news to this council that the shelter system is overcrowded.<sup>1</sup> This rule prevents individuals and families from obtaining stability, and it exacerbates shelter overcrowding.

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<sup>1</sup> At the January 18, 2023, General Welfare Committee hearing, the Department of Social Services testified that the vacancy rate for families with children and adult families is .5%, and it could not provide a clear estimate for singles, but stated that it is "a little bit stronger" but "very low" and estimated 60 free beds for men and a bit higher for women in the general population with no specific needs.

Eliminating the 90-day rule would make space for newly homeless individuals and families.

This rule serves no purpose other than to keep people in the shelter system for an arbitrary length of time before assisting them in finding permanent housing. These households have already completed the onerous shelter eligibility application process and DHS has determined that they are in fact homeless. There is no reason why they should need to remain homeless for 90 days before even being able to start the process, which may take months, of searching for permanent housing.

In addition, there are families who have been approved for conditional shelter repeatedly for months. For these families, the 90-day clock does not start until they are found eligible for shelter. These families, who have spent months just completing the screening for shelter languish in shelter well beyond 90 days before getting a shopping letter and even beginning the process of finding permanent housing.

## 2. The City Must Address Rampant Source of Income Discrimination

CityFHEPS voucher holders are discriminated against by a host of entities, including landlords and brokers.<sup>2</sup> Even with laws passed to provide information

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<sup>2</sup> An Illusion of Choice: How Source of Income Discrimination and Voucher Policies Perpetuate Housing Inequality, Unlock NYC, Neighbors Together, Anti-Eviction Mapping Project, Housing Data Coalition available for download at <https://weunlock.nyc/soi-report/> or [https://cdn.glitch.global/b185c63a-8d27-412b-b4cb-047ca0c8de79/AnIllusionofChoice\\_FinalDigital\\_CORRECT.pdf?v=1644419510693](https://cdn.glitch.global/b185c63a-8d27-412b-b4cb-047ca0c8de79/AnIllusionofChoice_FinalDigital_CORRECT.pdf?v=1644419510693)

about source of income discrimination to city rental assistance applicants, more is needed to ensure that CityFHEPS vouchers are actually usable by clients.

In order to truly fix source of income discrimination, this Council must look at all of the causes of this discrimination. Some landlords simply don't want to rent to lower-income tenants. According to many NYLAG clients, much of landlords' reticence to rent to voucher holding tenants stems from the New York City DSS's own practices, not the clients themselves. Landlords are understandably concerned that there will be administrative problems with DSS paying the rent.

Even when NYLAG clients can find apartments that fit the rental guidelines, the process of getting an apartment approved for a voucher is slow and overly burdensome for landlords, and often riddled with administrative errors by DSS. After a client finds an apartment and a landlord willing to take CityFHEPS, it can take months for that apartment to be approved for CityFHEPS voucher use. One reason for this delay is that for clients in shelter seeking to use a voucher, shelter housing specialists or caseworkers are the ones processing the application and act as an intermediary between DSS and the landlord. Clients report that they frequently experience a communication breakdown between their shelter caseworkers, DSS, and the landlords. If a willing landlord makes a mistake on the application (as can happen), it can take many days or even weeks before that information is relayed from DSS to caseworkers and back to the landlord. The landlords do not work

directly with DSS, and often information can get lost in translation. Clients report forms being filled out incorrectly multiple times, and landlords not being able to get information about what parts of the form are incorrect.

Clients also report that often DSS is not able to schedule apartment inspections in a timely manner. Even when a landlord is initially willing to hold an apartment to complete the process, often, after several weeks, they are forced to rent an apartment to someone who can start the lease and begin paying rent more quickly in order to pay their bills. NYLAG clients report having to wait months between finding an apartment with a landlord willing to take a voucher and actually getting approval to execute the lease. Many such apartments are lost in the process.

Once the apartment is approved and the client moves in, problems with DSS persist. Clients who rely on CityFHEPS vouchers report that DSS does not pay their rent on time, and sometimes will discontinue paying rent without notice. Many NYLAG clients report that their rent is being paid late every single month.

Clients also report that their vouchers were discontinued without notice to them or to the landlord. Indeed, landlords have created a website, [www.nycfheps.com](http://www.nycfheps.com), to warn each other about the pitfalls of renting to voucher holders. Although some of the stories posted complain about so-called “difficult” tenants, most complaints state that they will not rent to voucher holders because of DSS’s slow processing and late rents. Evidently, much of the reluctance to rent to voucher holders is

attributable to DSS's administrative failures, which is entirely within the City's control. We urge this Council to pass legislation aimed at DSS administrative practices and procedures.

Many of those with a CityFHEPS "shopping letter" are languishing in shelter because, even with the rental limit increases, many landlords will not accept vouchers due to source of income discrimination. Expanding the role of caseworkers in shelter would also allow more people to exit shelter more quickly. In many instances, without assisting clients to find housing, the voucher by itself is useless.

NYLAG urges this committee to be cognizant of the ways in which the expansion of case management services can be overseen and further resourced to ensure that these services are helpful to our clients. Providing more case management to homeless clients is another step in ensuring that shelter is an accessible and helpful resource on the path towards permanent housing.

### 3. HRA Must Improve Services to CityFHEPS Voucher Holders

A key component to maintaining stability in permanent housing is reliable rental assistance programs. NYLAG represents clients in housing court and people who are exiting the shelter system with rental assistance programs. Once approved for CityFHEPS, problems persist for our clients with the administration of the benefit. There are host of complications that begin with clients being unable to reach anyone at CityFHEPS to report changes and missing benefits. The least fortunate

clients experience such long delays in correcting problems with their CityFHEPS cases that they end up back in housing court and at risk of homelessness once again.

Our clients who rely on CityFHEPS vouchers report that DSS often does not pay their rent on time and sometimes will discontinue rental payments without notice to the client or the landlord. We routinely represent clients who are in months of arrears without being made aware that the payments were not being made. Some clients do not learn that they are in arrears until the landlord serves them with a new petition. NYLAG attorneys and paralegals conduct extensive advocacy with HRA to reinstate these programs and get retroactive payments issued to the landlord, but we are extremely concerned about the majority of benefits recipients who do not have an advocate to help them. These individuals and families will inevitably end up back in housing court or in a shelter. Oversight and legislation requiring reporting on rental subsidies are steps in the right direction to improving administration of these programs, but the city must do more to ensure that DSS is serving these clients.

One NYLAG client was approved for CityFHEPS in 2021. By early 2022, she had fallen into arrears. She fell behind on rent because her two adult sons lost their jobs. This change of income led to her CityFHEPS voucher no longer being at the correct level to keep the rent affordable. Her landlord began another eviction case. To expedite repaying the arrears she owed, she applied for an emergency assistance grant (“one-shot-deal”). Early the following month, she also submitted a CityFHEPS

Modification form to report her change in household income, hoping it would also adjust her portion of rent. Months went by without a meaningful response from DSS. Our client's eviction was scheduled. Fortunately, her one-shot-deal was approved in time to stop the eviction. However, her CityFHEPS modification had still not been processed, so our client began to accrue arrears again due to the missing subsidy payments, and her landlord was unwilling to discontinue the housing court case. The landlord scheduled our client's eviction again. After NYLAG escalated the complaint at DSS, we were informed that our client needed to do a different type of CityFHEPS application to renew her subsidy. Fortunately, NYLAG's attorney successfully persuaded the landlord to postpone the eviction while this application was being evaluated and our client's CityFHEPS application was approved. This approval came more than six months after the initial application was submitted and after two scheduled evictions dates. If our client's modification request form had been timely processed when she originally submitted it, she would not have accrued additional arrears, and months of litigation and impending evictions could have been avoided.

#### 4. DSS Must Address Delays in Regular Benefits Application Processing

Those eligible for a CityFHEPS voucher who are not current public assistance recipients or shelter residents are required to be screened for public assistance before their CityFHEPS can be approved. This means that a client must submit a

public assistance application, complete an eligibility interview, and provide supporting documents, even if they are not eligible for ongoing public assistance.

One recent NYLAG client was conditionally approved for CityFHEPS, pending the approval of the public assistance “single issuance” case, that would allow the voucher to be administered. NYLAG assisted the client in filling out the application and submitting documentation. DSS then failed to connect with the client to complete the phone interview, despite multiple attempts by NYLAG to facilitate this connection. It took two attorneys and dozens of emails before we were able to get the case opened and CityFHEPS payments issued. Meanwhile, the client was at serious risk of eviction.

Other problems with the administration of public assistance benefits affect CityFHEPS recipients. When a CityFHEPS recipient has an ongoing public assistance case, they are not required to separately recertify for CityFHEPS. However, if the public assistance case closes, the client continues to be eligible for CityFHEPS without an active public assistance case, but they are required to complete a separate CityFHEPS recertification. DSS does not clearly relay this information to our clients. They often learn months after their public assistance case has closed that their CityFHEPS payments stopped soon thereafter, and that they have now accrued months of arrears.

5. CityFHEPS should be available to all eligible New Yorkers, regardless of immigration status

NYLAG supports Int. 2865, calling upon the New York State legislature to enact legislation that would expand eligibility for the CityFHEPS program.

Expansion of CityFHEPS eligibility to all eligible New Yorkers, regardless of immigration status is essential to help create room in New York City's extremely overburdened shelter system and will provide stability and a pathway to permanent housing to families who would otherwise languish in the shelter system indefinitely.

It is not an overstatement to say that the New York City shelter system is in crisis. The system is currently so overburdened that the past year has seen families sleeping in shelter intake offices until placements became available. In fact, four families represented by NYLAG report having slept in the shelter intake office with their small children for multiple days until a placement could be located. Last summer, a New York City spokesperson described the rate of shelter availability at that time as "severely below the standard vacancy rate we hope to maintain for the shelter system." The single adult system in New York City is similarly overburdened. For example, on one night last fall, 60 men had no other option but to sleep in chairs and on the floor of the shelter intake office because New York City did not have sufficient capacity in any of its assessment shelters. People must move out of the shelter system in order to make room for new residents, but transitioning to permanent housing is almost impossible without a housing assistance voucher.

Allowing more people to access these vouchers will aid in their ability to transition to permanent housing, thus increasing the capacity of the shelter system.

In addition to creating space in an overburdened shelter system, expanding access to CityFHEPS would provide stability to families experiencing homelessness. Families in shelter who do not have access to the programs that assist homeless families transition to permanent housing are unlikely to ever to gain the means to leave the shelter system because of the prohibitive cost of housing in New York. Precluding housing voucher eligibility for these families effectively traps them in the shelter system. This is particularly problematic because life in shelter takes an enormous toll on the wellbeing of homeless families. Most often families will not be placed near family support or in a familiar neighborhood. Children in shelter are often required to transfer to new schools, and family members must travel long distances on public transportation to continue treatment with trusted doctors and therapists. Periodic shelter transfers render it impossible for families to achieve stability by establishing roots and becoming part of a community and are particularly destabilizing for children. The goal of all families in the shelter system is to transition to the stability of permanent housing, which is almost impossible without the assistance of a housing voucher. Expanding access to CityFHEPS will greatly aid families in this goal.

## 6. The City Must Improve the Shelter Intake Process, Because It Delays Access to Shelter and Gaining Eligibility for CityFHEPS

Even when a family is permitted to re-apply from within shelter, they still experience significant harm from repeatedly being found ineligible. Because the circumstances underlying the shelter applications have not changed, families must reapply for shelter when they are initially found ineligible, often to be found ineligible again, approximately every 10 days. The city's COVID-implemented practice of allowing families to apply for shelter from within shelter could expire at any time. At that point, families who are found to have an alternative housing option will not be eligible for another temporary shelter placement, if they reapply. Even with the right to reapply from within shelter, families become entrenched in a continuous cycle of application, denial, and reapplication. This cycle of application, denial, and reapplication causes considerable harm.

The application process is time consuming and often emotionally fraught, exacerbating an already traumatic experience for homeless families. For each application and reapplication, a family is required to provide a "two-year housing history" listing each address where the family has lived during the prior two years and contact information for the third party owner or primary tenant at each address. In cases where a family has been street homeless, the family is required to account for their whereabouts for each day during the prior two years, primarily by providing statements from witnesses who observed the family "living" at those locations, such

as an automobile, subway car or public park. DHS attempts to contact, or re-contact, each owner, primary tenant, or witness in connection with each application or reapplication. Repeated calls by the DHS can negatively impact a homeless family's relationships with family and friends. In cases where a family has left an address due to conflict at the premises, outreach from DHS can worsen the situation. In other cases, those who have housed a homeless family in the past or provided witness statements may feel irritated or harassed by repeated calls and visits from DHS and simply decide not to cooperate in the future.

Finally, families who are deemed ineligible for shelter are not eligible for the programs that assist homeless families transition to permanent housing (particularly the CityFHEPS). Without this assistance, families are unlikely ever to gain the means to leave the shelter system and thus the ineligibility finding effectively traps them in the shelter system. This is particularly problematic because life in a shelter takes an enormous toll on the wellbeing of a homeless family, as detailed above.

The goal of all families in the shelter system is to transition to the stability of permanent housing which is almost impossible without a finding of eligibility. DHS must assist clients to obtain documentation needed to prove eligibility, and DHS must not find families ineligible because a third-party has not provided a "reasonable justification" for refusing to house the family.

## 7. Legislation

NYLAG supports the following legislation: (1) Int. 0870 that would prohibit the Department of Social Services from requiring an individual or family to reside in shelter before becoming eligible for a CityFHEPS rental assistance voucher; (2) Int 0893 that would remove certain criteria used for applicants who are neither in a shelter nor street homeless (specifically, the requirement that a person live in a rent-controlled apartment, or be receiving adult protective services), and would allow a person to apply for CityFHEPS with a rent demand letter only; and (3) Int. 0894 that would remove the requirement that an individual or family demonstrate that they are employed to be eligible, and would increase the gross income limit. These bills that expand access to CityFHEPS will prevent and reduce shelter stays.

We thank the Committee on General Welfare for the work it has done to facilitate services for vulnerable New Yorkers, and for holding this hearing and taking this opportunity to continue to improve the conditions for our clients. We hope we can continue to be a resource for you going forward.

Respectfully submitted,

New York Legal Assistance Group



Testimony to the Committee on General Welfare  
Oversight - The CityFHEPS Rental Assistance Program  
January 2023

My name is Sara Newman, and I am the Director of Organizing for the Open Hearts Initiative, an organization that builds solidarity between homeless and housed neighbors in communities throughout the city. Thank you for the opportunity to submit written testimony to the Committee on General Welfare about reforms to improve the CityFHEPS voucher program and ease access for folks experiencing or at risk of homelessness. We look forward to learning more about and helping to strengthen the proposed legislation and resolution to significantly expand the eligibility criteria for CityFHEPS vouchers, and are grateful for your attention to this important dimension of the homelessness crisis.

My testimony focuses on two key areas of reform to the CityFHEPS voucher program that, if implemented, will make it far more effective at preventing and ending homelessness for thousands of New Yorkers. First, the city must expand eligibility CityFHEPS to make sure everyone who needs it can receive a voucher. Second, we must improve the administrative processes that currently make accessing and using vouchers difficult for so many New Yorkers.

**Expanding eligibility for CityFHEPS vouchers:** The CityFHEPS voucher is currently only available to individuals and families who meet relatively narrow criteria, almost always requiring that someone experience homelessness (either by staying in shelter or on the street). This is despite the devastating impacts of sharply rising rents on wide swaths of the New York City population—[reporting](#) this week noted a large increase in evictions compared to last January—and the fact that broader eligibility would help many New Yorkers avoid the destabilization and trauma that homelessness creates. We support the expansion of eligibility along several criteria, including raising the income threshold and allowing tenants to present documentation of their risk for eviction before court action has been initiated.

Another key change to CityFHEPS eligibility would be its expansion to include undocumented immigrants, including the approximately tens of thousands of recently arrived asylum-seekers who are currently staying in temporary facilities, like Department of Homeless Services shelters and the Humanitarian Emergency Response and Relief Centers (HERRCs), which are administered by New York City Emergency Management. Without access to the CityFHEPS program, it is likely that such individuals and families will remain in these shelter systems for prolonged periods. At a moment when the number of people in city shelters is at a record high, it



is imperative and urgent that the city do everything it can to help folks move out of shelters and into permanent housing. Expanding CityFHEPS eligibility is one such strategy.

In the meantime, however, the Council must do everything it can to ensure that conditions in temporary shelters meet the legal mandates set forth in the [Callahan consent decree](#) and that HERRCs provide adequate provisions to asylum-seekers. In the past several weeks, we have been dismayed by [reports](#) that residents have been served spoiled food, which has caused residents to go hungry and to rely on non-governmental programs for stopgap assistance. In one case, we learned of a child who sustained a bacterial infection, likely because of inadequate nutrition in a DHS shelter.

**Improving processes and discrimination protections:** It is far too difficult for voucher-holders to find and secure an apartment. We join other advocates and our neighbors experiencing homelessness in calling for improvements to this process, including ending the [utility allowance deduction](#) and the 90-day rule. Removing the 90-day rule and opening up CityFHEPS applications on day one of an individual or family's entry into the shelter system will lessen the trauma of homelessness by limiting the length of shelter stays—as will removing the shelter history requirement for individuals who are not in the system, a change that could help people access assistance without needing to enter a shelter first.

Finally, the Open Hearts Initiative also reiterates the long-standing call for an end to source-of-income discrimination. Such discrimination is often based in ill-informed and long-standing fears of people experiencing homelessness that are registered by residents of affluent neighborhoods. This issue is especially relevant to our chapter members' interests and work, given our organization's mission to foster neighborhoods with strong community bonds by welcoming homeless neighbors into areas that have traditionally resisted their presence and visibility. As we enter budget season, the Council must ensure that city agencies receive the necessary funding to properly enforce protections against source-of-income discrimination—and to accommodate expanded CityFHEPS eligibility.

We must use all the tools available to keep people in their homes and to reduce homelessness by clearing the path from shelters to permanent housing. **The CityFHEPS voucher program is a crucial tool to do so, but it must be substantially reformed in order to realize its potential.**

Good afternoon, ladies and gentlemen. My name is Karim Walker and I am an outreach and organizing specialist with the Safety Net Project at the Urban Justice Project.

To some, the City FHEPS vouchers have been nothing short of a godsend to those who are recipients of it. As someone who has one, it has allowed me to leave a safe haven facility two years ago and live a productive, sustainable life.

But the voucher program in place leaves much room for improvement in some areas, chief among them qualifications and discrimination. As we all know, source of income discrimination from landlords and brokers is a serious problem, from prospective tenants seeing their calls for apartments going unanswered to brokers and landlords openly refusing to show apartments to a prospective tenant because they have a voucher. This can perpetuate the vicious cycle of homelessness and hopelessness that some voucher holders may feel. We are calling on City Hall and the Council to crack down on landlords and brokers who violate the law in this fashion, because housing is a human right and a right that we must respect.

Another area of improvement that the voucher system can benefit from is the qualifications. When you must wait a minimum of 90 days (and may not even get the voucher). We need to eliminate that waiting period and ensure that people who need vouchers will get them. That also requires that we improve the qualifications for City FHEPS, ensuring that single residents on public assistance in homeless shelters also benefit from the voucher.

I have a <sup>client</sup> colleague named ~~who I will name "Kyle"~~ <sup>Juan</sup> who has a City FHEPS <sup>voucher has been in DHS shelters for 3 years.</sup> and currently is in a shelter. He signed a lease that was to begin 1 January, but he has not moved into his apartment because his shelter hasn't submitted his voucher packet to DHS. Kyle's situation is hardly unique, as numerous voucher holders (such as myself) have seen first hand how shelters can oftentimes drag out the process of moving shelter residents into permanent housing.

If for no other reason, the City FHEPS vouchers are good economic sense. It costs the city about \$4000 a month on average to put somebody in a shelter, whereas it only cost about \$2000 to give someone a

voucher and get them four walls and the freedom to come and go as they please. The city has more than enough vacant apartments to house every homeless person in the city and still have left over housing stock. All we need to is the political courage to make this a reality.



# Sanctuary for Families

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**Testimony of Clare Plunkett,  
before The New York City Council  
Committee on General Welfare  
January 18, 2023**

Good afternoon. My name is Clare Plunkett, and I am the Program Director of Residential Services for domestic violence emergency shelters at Sanctuary for Families, New York State's largest provider of comprehensive services exclusively for abuse survivors and their children. We are so grateful for the opportunity to testify today on the critical topic of the CityFHEPS rental assistance program. Our special thanks to Diana Ayala, Chair of the Committee on General Welfare, for confronting head on the crisis of homelessness and affordable housing in our city, and for her advocacy on behalf of abuse survivors.

In recent years—even as violent crime overall has declined sharply—rates of domestic violence has risen dramatically, and it has taken center stage as the single largest driver of family homelessness in New York City. According to a 2019 NYC Comptroller's report, domestic violence accounts for over 40% of families entering DHS shelters, a sharp rise over the previous five years. And this statistic does not include over 2,500 annual residents in HRA domestic violence shelters—the largest DV shelter system in the nation.

For almost 30 years, Sanctuary has run a large, 58-family domestic violence transitional shelter and four small crisis shelters that together provide safe, confidential residence for 350-400 adults and children annually—including over 200 children last year. We also provide eviction prevention legal services, case management, job training, and direct rental assistance to support survivors facing housing insecurity and homelessness. Over the past two years, our HUD-funded Continuum of Care rapid re-housing program has become an additional valuable rental assistance resource for shelter residents ineligible for vouchers, but this funding only covers a small number of families.

The single greatest obstacle our shelter clients face in their transition to long-term stability is navigating the challenging housing subsidy system, including CityFHEPS. There is no question that the introduction of CityFHEPS has made a positive impact, with increased incentives for landlords to rent to voucher holders, and a voucher increase in September 2021 up to federal Section 8 Fair Market Rent levels. But certain program rules make it difficult for the low-income survivors we serve to participate. Apartment size requirements based on family size and composition can force families to search for unnecessarily large apartments that are over the voucher limit.

Too often, shelter residents who are on a path to economic stability and independence find that working to support their families actually results in exclusion or removal from voucher programs because their income is too high—a formula which is triggered at levels far below comfortable living wages. Also, a number of HRA Emergency Intervention Services staff vacancies, including many due to retirement, are not being filled, leaving only one or two people responsible for processing vouchers and other public assistance for the whole DV shelter system. With such limited staffing capacity, there are long delays in voucher processing for our shelter residents.

Another major challenge for survivors is actually using the CityFHEPS voucher once it is approved: Sanctuary clients still struggle to find suitable apartments within the voucher maximum and many landlords refuse to accept the vouchers. There is a need for more training and reassurance for landlords about the CityFHEPS program so that voucher-holders do not face continued discrimination in their apartment searches. Even when clients find apartments and landlords willing to take vouchers, the processing time can be so lengthy that landlords often cancel the application and rent to a tenant without a voucher.

With minimal housing resources and critical understaffing at the city agency responsible for approving and distributing vouchers, abuse survivors often are forced to remain in shelter rather than move to a permanent home. New Destiny Housing reported that in 2021, 53% of survivors with minors that left HRA domestic violence shelters moved into

another shelter rather than permanent housing—more than half of all families forced to move from one shelter to another due to their inability to find permanent housing.

Another issue relates to the requirement to maintain an active public assistance case to retain CityFHEPS. Financial abuse makes survivors particularly vulnerable to administrative hurdles such as these. We witness this firsthand with our clients repeatedly. One example of this is a survivor whose abusive partner had set up an investment retirement account under her name without her consent, one of the various forms for economic violence. She only became aware of the account's existence when her public assistance case was abruptly closed, and she lost her voucher.

There are also serious eligibility issues that must be addressed. Undocumented individuals, for instance, are not eligible for public assistance unless they have a one minor child with immigration status. Even for those who are eligible, administrative errors and poor communication at HRA—the agency that administers the program for domestic violence survivors in New York City—delay accessibility and disrupt benefits.

We applaud the oversight efforts of the General Welfare Committee, and your willingness to tackle the challenging issues surrounding affordable housing in our city. Thank you for the opportunity to testify today, and for your unwavering commitment to abuse survivors and New Yorkers in need.



**Testimony**  
**New York City Council**  
**Committee on General Welfare**  
**Oversight Hearing on the CityFHEPS Rental Assistance Program**  
**Wednesday, January 18, 2023**

Good afternoon, Chair Ayala and members of the Committee. My name is Nicole McVinua, and I am the Director of Policy at Urban Pathways. Thank you for the opportunity to testify at today's oversight hearing on the CityFHEPS Rental Assistance Program.

Urban Pathways is a nonprofit homeless services and supportive housing provider. We serve single adults through a full continuum of services that includes street outreach, drop-in services, Safe Havens, extended-stay residences, and Permanent Supportive Housing. We also offer a wide range of additional programming to meet the needs of our clients, including our Total Wellness, Employment, and Consumer Advocacy Programs. Urban Pathways serves over 3,900 New Yorkers annually across four boroughs.

**Our primary concern with the CityFHEPS Program is the ability to use the voucher once it's in hand.** The limited number of apartments in the current housing market, with record high rent prices and little availability within the Fair Market Rent, makes it difficult to locate apartments that meet the rental limits of the voucher. Once an apartment is located, rampant source of income discrimination still keeps people from renting these apartments.

**When the DHS Rehousing Unit becomes aware that an apartment is available that meets CityFHEPS requirements, between 10 – 20 voucher holders are sent to view the apartment.** Our clients arrive at the viewing to find a room full of people vying for the same listing. **This creates a sense of competition between apartment seekers and is extremely discouraging to them.** Our clients return from the viewing feeling hopeless and as though they have little chance of getting selected for the apartment with so many applying for it. Many will have taken off work for the viewing and lost a day of pay, adding to the frustration. At times, our staff have then seen the same apartment re-listed and when they follow up with the DHS Rehousing Unit, DHS staff don't have any information as to the reason none of the initial applicants were selected.

**Source of income (SOI) discrimination is rampant and must be addressed.** Some SOI discrimination is blatant, such as when landlords simply state that they do not accept vouchers or that they have no availability when there are clearly listings for the appropriate rental amounts. **More and more our staff and clients are experiencing more subtle forms of discrimination, which are more difficult to report and prove.** This comes in the form of all follow-up communications (phone calls, emails, texts) being completely ignored and never receiving information about the status of the rental application; being told to call back in a month, or some other duration of time, when they were initially told there was availability. Other times, landlords are willing to rent to voucher holders whose full rent will be paid to by the City, but will refuse those who will be paying a portion of their rent themselves.

**Our clients are also facing discrimination as people experiencing homelessness.** Our staff try to connect our clients with private brokers and realtors, but find it extremely difficult to find agents who will do so. **The real estate company will say they works with CityFHEPS holders, but once the broker or realtor finds out that our client resides in a Safe Haven they are unwilling to work with them,** telling them to come back at another time. This is another subtle form of discrimination that is difficult to report or combat.

**Once a client does get accepted for an apartment, the lease up process is very tedious and time consuming.** There is a lot of paperwork and documents that need to be collected and uploaded. At times, the system closes our staff out and when they log back in everything is lost and they must start over. This easily becomes an entire day worth of work. Once all the paperwork is uploaded, it sometimes takes a long time to get a response on if the packet was approved. **Although HRA states that a response will be provided in 48 hours, it has taken more than a week.**

**The communication throughout this process is generally poor.** There is no number to contact the HRA staff member working on the client's packet to ask a question or follow-up. **Our staff report that they check the portal daily when a packet is submitted and see "in review" for weeks, and then suddenly receive an email stating that the checks are ready for pickup. With no status in between, they are unable to provide updates to their client or the landlord/ broker renting the apartment for weeks at a time, leaving everyone in the dark.** It is also difficult to get a response back from HRA when an apartment fails an inspection.

**In response to these administrative challenges, we recommend that HRA:**

- **Commit to a 30-day maximum turnaround from finding an apartment to approval to ensure that voucher holders can retain permanent housing prospects.** Many voucher holders lose apartments due to the lengthy bureaucratic process that must be completed before an apartment can be approved and checks can be cut. The City must expedite CityFHEPS applications to ensure that voucher holders do not lose the limited housing opportunities that they are able to secure.

- **Increase transparency on the application and lease up process through clear electronic tracking.** The City should allow staff and voucher holders to track the status of their CityFHEPS voucher and apartment application via an electronic portal, and provide updates as to where the application is in the review process so that appropriate updates can be provided to landlords and brokers.
- **Commit significant resources to hire additional DSS staff to improve capacity and ensure New Yorkers experiencing homelessness are moved into housing quickly.** The process for applying and utilizing the housing voucher is contingent upon an accessible and responsive staff. Any delays in the process prolongs the episode of housing instability for the voucher holder, and can result in lost opportunities to access apartments. Many administrative issues would be addressed promptly with adequate staffing patterns to meet the need, as well as proper training.

**Above all, source of income discrimination against voucher holders must be addressed.**

- **Enforce source of income discrimination protections.** New York City and New York State both have legal protections against SOI discrimination. The City must enforce these protections.
- **Adequately fund the City Commission on Human Rights' Source of Income Unit.** CCHR is currently the only mechanism for individuals to report cases of individual offenses of SOI discrimination. The current understaffing of this unit and previous failures to meaningfully increase its budget makes investigations of reported offenses extremely slow, leaving people trying to use the voucher unable to receive assistance in a timely manner.

**The administration can additionally help encourage landlords to accept the vouchers by:**

- **Ensuring timely payments are made.** Late payments by the City can lead to tenuous relationships between voucher holders and their landlords, and discourage landlords from accepting CityFHEPS in the future.
- **Putting CityFHEPS rent increases into effect on January 1st every year.** Payment standards should mirror NYCHA and be implemented on the first of the year.
- **Educating landlords about the process and required paperwork.** Landlords renting to a CityFHEPS holder for the first time are often surprised by the paperwork and become frustrated. Better education to the landlord and real estate community about the process would help the process go more smoothly, and remove some of the burden off of our staff having to explain the process.

**There are still challenges faced by New Yorkers trying to receive the voucher.**

**Recommendations regarding eligibility requirements include:**

- **Ensure single adult households that work at and above 35 hours per week at minimum wage meet eligibility criteria.** No one should have to make a choice between working and losing their housing. When we place people in such tenuous positions, it makes it impossible to escape poverty. A person making minimum wage working 35 hours per week makes \$27,300 annually, just \$120 above the 200% FPL limit for a one-person household in 2023. If requiring people to work to obtain the voucher, they must be able to work at least 35 hours per week and should be able to work above, as some jobs are 40 hours per week and there may be times where someone is asked to work extra hours or overtime, especially among current staffing shortages. No one should have to turn down additional work for fear of losing their voucher.

The current proposed rule change for CityFHEPS eligibility states that initial eligibility for single adults may have a total gross income that exceeds 200 percent of the FPL if the sole member is employed at least 35 hours per week, earning the minimum wage. We support this increased flexibility, and want to ensure those working *above* 35 hours per week at minimum wage would be eligible.

- **Remove the 90-day qualifying shelter stay requirement for shelter residents.** As a provider of services for individuals experiencing street homelessness, Urban Pathways has seen the success of the previous removal of the 90-day qualifying stay for this population, including drop-in, safe haven, and stabilization bed clients. Being able to apply for the CityFHEPS voucher from day one is helpful for the housing search, since it can take months to find and lease up an apartment. All New Yorkers experiencing homelessness should have the same opportunity. The 90-day requirement should be dropped for all shelter residents.

**Comments on Preconsidered Introductions:**

**T2023-2862-** We support the proposal to remove the shelter requirement to meet eligibility. This would allow greater access to low-income community members, including residents of supportive housing who would like to move on to fully independent housing. We would be happy to see the CityFHEPS voucher become available to this population, and to others as a preventative measure to becoming homeless.

**T2023-2863-** We recommend changing the eligibility in part c. to “A household who earns up to 50 percent of the area median income, as defined by the federal department of housing and urban development, shall be eligible for a rental assistance voucher when such applicant is living in shelter or experiencing street homelessness.” This change would more accurately portray the intention of the legislation. “An applicant who earns more than 50 percent of the area median

income...shall not be eligible for a rental assistance voucher” may not make a change, as applicants are already currently ineligible at over 50 percent AMI.

**T2023-2864-** While we support the greater flexibility in documentation for those at risk of eviction, it is unclear as to the purpose of removing the special populations of those residing in rent-controlled apartments, those with adult protective services cases, and those in the community guardianship program from eligibility. We would appreciate greater clarity on the goals of this legislation.

Thank you for holding this oversight hearing and for the opportunity to testify today. I look forward to continuing to partner with the City Council to ensure the CityFHEPS voucher is as effective as possible, and that all New Yorkers can access affordable and safe housing.

**For questions or more information, please contact:**

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## Testimony for the Committee of General Welfare, New York City Council, January 18th, 2023

For 20 years, VOCAL-NY has been engaged in grassroots organizing to end the war on drugs and overdose crisis, mass incarceration, the HIV/AIDS pandemic, and the homelessness crisis. **VOCAL-NY's Homelessness Union** is dedicated to ending homelessness and we build power with our members and leaders who are actively experiencing homelessness or formerly homeless towards winning holistic solutions to the crisis, focusing on access to services, eviction prevention, and rapid rehousing as well as long-term housing construction and conversion.

We are here today submitting testimony toward improving and expanding the CityFHEPs voucher program so that it can better secure permanent and stable housing for homeless New Yorkers and those at risk of eviction. The previous Council in 2021 stood alongside organizations like VOCAL-NY in passing Intro 146 which allowed CityFHEPs voucher payments to meet current fair market rates. This has opened up additional housing opportunities for voucher holders struggling to find housing in an ever-difficult rental market.

While fighting for this increase, we've always known that more changes needed to be made. VOCAL-NY alongside Legal Aid Society, Neighbors Together, Community Service Society of NY and Make the Road NY, have been working together since last year to improve the CityFHEPS program. These legislative and administrative fixes are vital in reducing persistent bureaucratic red tape that slows down the application process or creates unnecessary hurdles for applicants. Landlords are hesitant to take the program due to late or inconsistent payments from the City and despite its illegality, voucher holders experience rampant discrimination from voucher holders. At this moment in time, undocumented New Yorkers and certain families/individuals at risk of eviction, are barred from being eligible for the program.

Particularly at a time in which approximately 70,000 people are sleeping in a New York City Department of Homeless Service Shelter (DHS), a number that does not include those sheltered in a Humanitarian Emergency Response and Relief Center and those in shelters not operated by DHS. According to NYC Local Law 37 data compiled by City Limits in an article published on January 17th, 2023, that number includes 22,419 children, up more than 51 percent since Mayor Adams took office and a shameful record high. Bold and swift action from the City is needed and less posturing and shifting of blame.

VOCAL-NY and our allies have identified the following steps the City can take to improve the CityFHEPS program and confront this ever-worsening housing and homelessness crisis:

- **Expanding CityFHEPS to Undocumented NYers:** New York City has the power to expand and offer CityFHEPS vouchers to undocumented families and individuals but chooses not to. The Council in its authority can expand eligibility and allow homeless undocumented New Yorkers the chance to exit the shelter system and secure permanent housing.
- **Reform bureaucratic processes to eliminate delays and accelerate housing placements:** It often takes months or longer for a CityFHEPS voucher holder to secure and move into an apartment. Typos, missing documents, and other minor mistakes that at

times are not communicated to the applicant causing entire applications to be denied or delayed. This forces some households to stay in shelters for longer than they have to.

- **Eliminate Unnecessary Rules:** To prioritize and accelerate housing placements for those in need of permanent housing, we need to eliminate the 90-day shelter stay requirement, the utility allowance, and rent reasonableness rules. These unnecessary rules make it difficult for voucher holders to secure apartments.
- **Pass Utility Allowance: [Int. No. 229 \(Caban\)](#):** The legislation would prohibit the Department of Social Services (DSS) from deducting a utility allowance from the payment standard, the total amount of money an agency will pay for an apartment. For CityFHEPS voucher holders, utilities are subtracted from the payment standard, denied credit for their utilities, and are often priced out of apartments due to the payment standard being low for the monthly rent.
- **Combat source of income discrimination:** Many landlords refuse to accept vouchers and rent apartments to CityFHEPS households, a form of discrimination known as Source of Income Discrimination (SOI), which is illegal. The NYC Human Rights Commission (CCHR) Source of Income Unit needs to be rebuilt and equipped with the capacity to enforce the rights of CityFHEPS households.
- **Improving oversight and inspections of CityFHEPS apartments:** With a limited pool of apartments available, more often than not, landlords accepting voucher holders tend to do fewer repairs and upkeep of these units. CityFHEPS voucher holders are more likely to settle for substandard housing and/or find it impossible to move out and find better apartments. The Council must improve its code enforcement processes to ensure that necessary repairs are conducted in apartments with voucher holders.

We are excited that the Council has taken steps to introduce legislation that mirrors the demands that VOCAL-NY and our allies have developed for the overall improvement of the program. In the coming weeks, we hope to engage our membership and Council Members in refining the bills introduced today.

We wholeheartedly believe that voucher programs can be efficient and life-saving tools if shelter residents are not met with delays, denied due to restrictive eligibility, and lost paperwork. Improvement and Expansion of CityFHEPS is an essential component of any strategy that aims to meet and end the housing and homelessness crisis head-on. We look forward to the action the Council will take in the coming weeks.

Thank you for hearing our testimony today.

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REBNY Testimony | January 18, 2023

## The Real Estate Board of New York to The General Welfare Committee concerning Rental Assistance Eligibility Requirements

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association. Founded in 1896, REBNY represents commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople and other organizations and individuals active in New York City real estate. Thank you, Chair Ayala and members of the General Welfare Committee for the opportunity to testify on a slate of bills regarding the expanded eligibility of the CityFHEPS Rental Assistance program.

REBNY shares the Council's goals of identifying opportunities to expand housing access, particularly for the most vulnerable populations. Rental assistance or voucher programs are a proven cost-effective method of ensuring people can stay in their homes and access new ones if preferred. REBNY continues to advocate for voucher assistance programs and the importance of long-term investments to help support housing access and stability. For instance, in 2021, REBNY strongly supported the passage of Intro 146-2018, sponsored by former General Welfare Chair Stephen Levin, which allowed for rent supplements paid through CityFHEPS vouchers to better reflect fair market rents. REBNY was pleased to see the passage of this bill in the previous Council session as well as the continued effort to expand those eligible for housing vouchers by expanding the income and employment eligibility requirements. REBNY hopes to continue to work with the Council to identify opportunities to reduce homelessness and keep New Yorkers stably housed.

With this said, City voucher programs, and CityFHEPS in particular, have faced administrative challenges. Last year, REBNY [advocated](#) for additional investments for staffing in the FY2023 City budget to help facilitate the processing of vouchers through NYCHA and HPD. For FY2024, continued investment and streamlining of these programs is very much warranted. Specifically, improvements to the CityFHEPS voucher program should include reducing inspection and approval times, increasing staff and staff retention within the agencies, creating tools for greater visibility between tenants, owners, and case managers, and amending policies such as rent reasonableness.

First, REBNY believes that CityFHEPS could be more successful if attention is paid to making the program more intuitive to prospective tenants and those assisting with housing access. Unfortunately, the ability to utilize vouchers has become increasingly difficult for all parties involved. REBNY frequently hears from members who are working with prospective tenants who are eligible for and/or utilizing vouchers that the process has proven cumbersome, lengthy, and convoluted. Time sensitivity has been particularly lackluster. In many instances, apartments have been lost for no reason other than processes that should take no more than a few days, ended up taking months. As

can be imagined, property owners – many dependent on rent rolls – often do not have the ability to wait unnecessarily for excessive periods of time while the process is unfolding.

Looking additionally at unit inspection processes, REBNY believes more flexibility is needed to allow for reasonable judgement calls to be made without sacrificing life and safety needs. The current structure results in far too many failures for minor issues with the result of longer shelter stays. For example, our members have shared that units have failed inspection due to a two-degree variation over or under the targeted hot water temperature or one bedroom within a 3-bedroom apartment being 2 inches under the minimum. Minor failures that would not result in poor living conditions should not impact whether a family moves into an apartment or is sent back to a shelter. Instead, caseworkers should have the autonomy to make “common sense” decisions to pass or fail an inspection, within a set range for issues unrelated to life and safety concerns where the space meets code requirements related to bedroom size, heating, and cooling temperatures, and other essential prerequisites to quality and safe housing. Of course, more significant issues such as evidence of rodents, complete lack of heat, evidence of lead paint and the like should continue to result in a failed inspection.

Furthermore, inspection times need to be reduced and resources need to be boosted within the agencies to speed up application approval times. From the time an application is approved by the landlord, move-ins should be a maximum of 30 days. REBNY believes that there are ways to streamline this, including potentially creating a digital portal that works across all vouchers that can foster communication between tenants, owners, managers, and caseworkers. All documents could be updated to the portal, modernizing the lengthy application process that currently exists.

Lastly, the CityFHEPS rent reasonableness policy has exacerbated this complicated process. The established worth of a CityFHEPS voucher often does not reflect the market value of apartment units, and it is apparent that the formulaic process does not consider broad enough market data. In addition, what has been determined to be a reasonable rent has often fluctuated throughout a process, creating even more complications. For instance, REBNY members have been told that an asking rent meets the established rent payment standard only to be asked to lower the asking rent at a later point in the process under the guise of “rent reasonableness.” Similarly, tenants are often denied housing due to individual case workers determining that the rental rate is too high for a particular unit without taking into consideration amenities, location, and other considerations for rent value. As a result, this policy only undercuts the work done to raise the voucher values to fair market rent, and the work of the administration to offer augmented rent value so that voucher holders have more choices to live in a broader range of neighborhoods. While REBNY believes policy should be established to reflect data and market values, rent reasonableness should not be determined at the discretion of a caseworker.

Below are more specific comments on the individual bills being heard today.

**BILL: T2023-2862**

**SUBJECT:** This bill would prohibit the Department of Social Services from requiring an individual or family to reside in shelter before becoming eligible for CityFHEPS rental assistance voucher.

**SPONSORS:** Councilmember Ayala

REBNY supports this legislation and believes that vouchers and direct rental assistance are the most effective way to provide people with access to housing and subsequently keep them housed. In the past, REBNY has advocated for the removal of the 90-day qualifying shelter requirement for a CityFHEPS voucher and will continue to stand with the Council in calling for the removal of this requirement. Removing administrative barriers that lengthen shelter stays, and moves intervention upstream, is necessary to reduce the number of tenants remaining in city shelters and to help support housing access and stability for those in need.

**BILL:** T2023-2863

**SUBJECT:** This bill would remove the current requirement that an individual or family demonstrate they are employed to become eligible for a CityFHEPS rental assistance voucher. The bill would additionally change the maximum total gross income for eligibility for a CityFHEPS rental assistance voucher from 200 percent of the federal poverty level to 50 percent of the area median income.

**SPONSOR:** Councilmember Sanchez

REBNY supports this legislation. Over the years REBNY has supported rule amendments that increased eligibility to the CityFHEPS program by reducing the number of hours families are required to work and that have expanded the eligibility to those working full-time and earning up to 200 percent of the poverty level. Further expanding the eligibility to those earning up to 50 percent of the area median income ensures income eligibility is consistent with other programs, such as Section 8, and will ensure the program is as helpful as possible to a larger number New Yorkers.

**BILL:** T2024-2864

**SUBJECT:** This bill would remove certain criteria that the Department of Social Services (DSS) currently uses to determine whether a household that is neither living in shelter nor experiencing street homelessness is eligible for a CityFHEPS rental assistance voucher. Specifically, the bill would disallow DSS from using the preservation of a rent-controlled apartment or receiving adult protective services as a criterion to determine eligibility for CityFHEPS. Additionally, the bill would provide households with the opportunity to demonstrate risk of eviction with a rent demand letter to meet eligibility for CityFHEPS.

**SPONSOR:** Councilmember Sanchez

REBNY supports this legislation. The eviction process is a time consuming, costly process which entails requiring the petitioner to file a predicate notice, wait a designated period, serve, and file court papers, go through a lengthy, expensive court process, secure a judgement, and obtain an eviction warrant. While eviction warrants are the result in less than ten percent of cases, it is still noteworthy that 80% of filings are related to nonpayment, with a median rent owed of less than \$7,000, a fraction of what it costs for a household in shelter. REBNY believes that it likely will almost

always be a better investment to try and keep a family in their existing home via the utilization of a voucher, rather than front the costs associated with a family entering the shelter system. Of course, doing so also allows for the continued benefits and stability of being permanently housed in lieu of the often-tragic upending families experience if forced to enter homelessness.

As part of [Project Parachute](#), REBNY supported the recommendation to waive the requirement for Housing Court proceeding or eviction filing for CityFHEPS eligibility. Allowing a household the opportunity to demonstrate risk of eviction as evidenced by a rent demand letter, bills, or other materials from the landlord that show monthly rent breakdown and rent owned, a signed affidavit, or mediated agreement between tenant and landlord initiated in lieu of eviction proceedings should be sufficient evidence and reason to attain eligibility for a voucher. Indeed, all parties should be spared the expensive and lengthy process of an eviction proceeding to receive the support needed.

**BILL: T2023-2865**

**SUBJECT:** This resolution calls upon the New York state legislature to enact legislation that would expand eligibility for the CityFHEPS program in New York City.

**SPONSORS:** Councilmembers Sanchez and Hanif

REBNY supports this resolution's aim of encouraging the expansion of eligibility for the CityFHEPS program to include additional vulnerable populations. REBNY believes that there are several ways to address this need, including through the proposed Housing Access Voucher Program (HAVP), which seeks to fill the gaps in existing rental assistance programs, structured like a permanent, statewide Section 8-like rental assistance program.

HAVP is designed to be maximally accessible, flexible, and non-discriminatory, making it the most cost-effective program for moving homeless households into permanent housing. Enabling additional and more effective use of rental assistance will expand housing choice for New Yorkers across neighborhoods and requires state action for the City to move forward.

Thank you for the consideration of these points.

**CONTACT:**

**Ryan Monell**

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**Madeline DeCerbo**

*Senior Urban Planner*

Real Estate Board of New York

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I'm a long-time Upper West Side resident who lived a block from the Lucerne hotel during its use as a shelter in 2020-2021. I joined the group Open Hearts Initiative to help support my new neighbors as we all were suffering the pandemic. This reaction seemed more productive than merely trying to shift folks out of the neighborhood.

The folks I met who were staying at the Lucerne and other local hotels opened my eyes to the experience of being unhoused in NYC. They told me about the dangerous congregate shelters, where violence and theft were common even when there wasn't a pandemic to fear. And I learned how many unhoused folks have jobs and how easy it is to be one paycheck away from not being able to afford rent in this city.

One of the needs my neighbors at the hotel shelter named as paramount was improvement in the City FHEPs voucher system. Shams DaBaron and Larry Williams spoke eloquently on this point. I was shocked to learn that the city requires a 90-day stay in the dangerous shelter system before voucher eligibility. It's so difficult for folks to stabilize rest of their lives (work, family, health) when living in an insecure environment.

I call on the city administration to eliminate the requirement that City FHEPs recipients spend at least 90 days living in shelter before they can apply for vouchers. Ultimately, the solution to homelessness is housing, and the money spent to house one family or individual in shelter could have paid for a 1BR apartment on the UWS. So expenses wouldn't dramatically increase. People would have a better shot at being able to keep an apartment, and the vouchers would thus be more effective.

I also call on the Mayor and City Council to increase funding for the Source of Income Discrimination unit in the city government. Some landlords illegally discriminate against voucher holders knowing that especially with recent cuts to enforcement, they face few consequences. New York City can do better in its voucher program by making these changes.

Thanks very much,

Anne Kemper

Regarding: 9/18/2023, NYC Council Meeting - City FHEPS Legislation  
To: General Welfare Committee

January 20, 2022

My name is Constance Woodson, and I am a concerned New York City resident/ formerly homeless/ active Coalition for the Homeless group member (CAG). I'm testifying about how significant communication barriers between HRA/DSS systems and shelter staff made obtaining housing problematic.

In October 2021, I transferred from another Bronx women's shelter and lost three weeks of eligibility because of abusive behavior directed at me by a dorm mate. The Shelter Director and I agreed to transfer me to another shelter which extended my City FHEP eligibility date to mid-January 2022.

By late January 2022, HRA submitted my voucher and it sat in the DSS queue because inefficient staffers overlooked it. I finally received the voucher by mid-February 2022. My setback, like many shelter clients encountered, disqualified me from applying for an affordable apartment with full amenities. Eventually, with the assistance of a broker, I signed my apartment lease in Brooklyn in July 2022.

Based on my CityFHEPS experience with housing I have listed recommendations:

- Housing Specialist(s): Vetted candidates must have at one year of client-facing work experience, exceptional relationship management skills, as well as rehousing experience
- CityFHEP Eligibility: Eliminate the 90-day eligibility rule and shelter-in-place requirement unless mandatory
- Shelter Support Staff: A DSS peer review of shelter case workers/support staffers and contract agencies
- Technology: IT computer systems in-real time that increases upload times of housing packages and turnaround times for review
- HRA/DSS: Centralize data from City FHEPS vouchers to eliminate traffic jams and duplicate efforts

To conclude, I've experienced numerous unsuccessful attempts to speak with an HRA representative. Am pleased to hear that a customer service team will be added for HRA clients and landlords will have web portals for payments and inquiries. These are steps in the right direction.

Thank you New York City Council of the General Welfare Committee for reading my testimony. I hope that you consider my recommendations. Your willingness for solutions is much appreciated.

Sincerely,

Constance Woodson

Hello my name is James and I am 26 years old. In 2021 youth and young adults came together with all different backgrounds and stories but one common mission which was to prevent youth homelessness. When legislation was made, when not only our voices that were listed on legislation, Not even just the YAB But our neighbors, our past friends, our neighbor our friends voices and experiences were being advocated for we all felt that there was change finally to only find out DSS rejected it. Not only did this show that our time and work was rejected, but our experience, our trauma our pleas for help wasn't enough,

As a Black man in NYC I chose to go to a youth shelter versus or DSS shelter because of safety reasons and not wanting to go back to jail. DSS shelters especially for Black men lead to unsafe environments even within. I focus more on how to survive then live, how to not get robbed then whether I was going to college and how to get quick cash to get out then finding a stable job. I can not speak for my sister but can know from friends and family that being 18 and sleeping in a room with a 50 year old who just came out of jail or a 30 year old who is on drugs can be intimidating. We can not assess everyone as a case file. There are youth shelters so that we don't go into adult shelters that are understaffed and overpopulated.

This legislation was not only a plea for help from thousands of youth and young adults but it was a white flag that was waved between the gap of DSS and DYCD/RHY. We are not asking for more money, we are not asking for special treatment, we are only asking that youth and young adults who chose a safer way intended by professionals that we are not punished and our experience is valued. If we are homeless enough for food SNAP and other governmental assistance, if we are homeless enough to click the homeless checkbox shouldn't we be homeless enough to obtain a housing voucher?

I highly urged DSS to reflect today and our pleas to look at this human to human, that Homeless shouldn't be prioritized by the city or government agent that get to take credit but that we stand by our mission. Our mission is to stop or prevent youth homelessness and how can we do that if we show youth that their voices and experiences are only validated by DSS with a very strict barrier. Homelessness in itself is a big barrier and we are only cresting barriers when we should be providing support for us ELIMINATE the barrier of being a homeless individual in America.



**Testimony of Jennie Stephens-Romero**  
**Make the Road New York**

**New York City Council, Committee on General Welfare**  
**January 18, 2023, 1:00 PM**

My name is Jennie Stephens-Romero and I am a supervising attorney at Make the Road New York (MRNY), a non-profit organization based in the communities of Bushwick, Brooklyn; Jackson Heights, Queens; Port Richmond, Staten Island; and Brentwood, Long Island. MRNY builds the power of immigrant and working-class communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services, which includes legal services. Our organization consists of more than 25,000 members, many of whom are immigrants with different types of legal status or are undocumented. Our legal services department routinely represents low-income tenants who face instability in housing, mostly due to a lack of affordable housing in New York City. I submit this testimony on behalf of MRNY in support of expanding CityFHEPS eligibility to make stable, affordable housing accessible to more New Yorkers.

As it currently stands, CityFHEPS makes a significant difference to those who receive this assistance in ensuring they do not fall behind in rent and lose their apartment. The benefits of CityFHEPS should be expanded to a greater pool of New Yorkers, so many of whom struggle to pay the rent each month.

One of the most significant changes that can be made to CityFHEPS eligibility is allowing everyone, regardless of immigration status, to meet eligibility for CityFHEPS. Too many New Yorkers continue to live on an economic brink because of their legal status. Too often, MRNY staff have to give our clients the unfortunate news that there is no assistance available to keep them housed, simply because everyone in the household is undocumented. Our clients form part of the backbone of this city, preparing our food, constructing our buildings, and caring for our children and elderly relatives. New York should not forget that these essential members of our city also have a right to affordable housing.

Similarly, recognizing the total number of people in a household, including undocumented household members, will result in more affordable rents. Currently, undocumented members of the household are not counted towards the household total, leading to a smaller number of bedrooms and a lower monthly rent. Counting everyone in a mixed status family would increase the assistance to a level that family actually needs for an affordable home.

Doing away with the shelter requirement is also a meaningful change that would provide housing stability for more New Yorkers. Currently, CityFHEPS requires recipients to have stayed in a shelter for at least 90 days in order to be eligible. This means that families must first lose their home and live in a shelter for a significant period before receiving this help. Facing eviction and

<b>BROOKLYN</b> 301 GROVE STREET BROOKLYN, NY 11237 718 418 7690	<b>QUEENS</b> 92-10 ROOSEVELT AVENUE JACKSON HEIGHTS, NY 11372 718 565 8500	<b>STATEN ISLAND</b> 161 PORT RICHMOND AVENUE STATEN ISLAND, NY 10302 718 727 1222	<b>LONG ISLAND</b> 1090 SUFFOLK AVENUE BRENTWOOD, NY 11717 631 231 2220	<b>WESTCHESTER</b> 46 WALLER AVENUE WHITE PLAINS, NY 10605 914 948 8466
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losing a home is a traumatic life event with proven health and economic consequences that can last generations. Forcing families to experience eviction before giving them assistance is too late. We can and should be stepping in before a family loses their home by offering them assistance like CityFHEPS. Expanding eligibility to tenants who have received a rent demand or can otherwise prove they are at risk of housing instability would prevent many New Yorkers from facing those long-lasting consequences of eviction and the loss of a home.

Other changes will also make allow more tenants to make better use of the CityFHEPS voucher. The application process for CityFHEPS must also be streamlined and shortened. Recipients wait too long, face too many errors, and lose out on opportunities to move into their own home. New York City must also do more to combat source of income discrimination by landlords against voucher holders so that tenants who actually obtain a voucher can effectively use it. Lastly, we must ensure that the apartments tenants rent with a CityFHEPS voucher are in safe and habitable condition. Landlords who fail to maintain habitable standards should not be rewarded with payment through CityFHEPS.

CityFHEPS provides critical support to families that receive it. Unfortunately, the current requirements are too burdensome and prevent too many from accessing that support. With some simple changes, CityFHEPS can help many more New Yorkers obtain stable and affordable housing. MRNY strongly urges the City Council to expand eligibility for CityFHEPS, especially by allowing anyone, regardless of immigration status, to meet eligibility for CityFHEPS and by doing away with the shelter stay requirement.

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**From:** Michelle Foster <mrp813@yahoo.com>  
**Sent:** Friday, January 20, 2023 4:18 PM  
**To:** Testimony  
**Subject:** [EXTERNAL] NYC Must Crack Down on Unlicensed Smoke and Vape Shops

Dear City Council Testimony,

Dear Members of the NYC City Council,

I'm a concerned resident of New York City and volunteer with Parents Against Vaping e-Cigarettes (PAVe).

I am alarmed by the rapid increase in the number of unlicensed smoke and vape shops in New York City, and the lack of adequate response to the threat that they pose to our communities.

Eighty-five percent of youth who start using vaping products do so with flavored products. Local Law 228 of 2019, which prohibits the sale of flavored e-cigarettes, was passed to protect our children from their health harms and addictive potential. However, enforcement of this law has been sorely lacking for the past two years. As a result, these products have continued to endanger New York City's kids. Now, our youth are put in further jeopardy with the imminent entry of cannabis into the landscape alongside tobacco and vaping products.

New York City also has in place a cap on the number of e-cigarette and tobacco licenses. However, these caps are ineffective if these unlicensed smoke shops are allowed to open up all over the city without appropriate repercussions.

These unlicensed stores sometimes masquerade as "Convenience Stores" where window displays lure youth inside with colorful cartoon characters and posters of products with sweet and fruity flavors. Inside, illegal flavored vaping, tobacco and cannabis products in brightly colored packaging are displayed near candy, soda and other items that appeal to kids.

New York City must take action by cracking down on sales of illegal products in these unlicensed stores and ensuring that they do not continue to expose our youth to these dangerous products. If authorities are unable to oversee e-cigarette licenses, how can we believe that they will effectively enforce cannabis licenses? My community is counting on you to quickly address these concerns.

Thank you

Sincerely,  
Michelle Foster

Brooklyn, NY 11215

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**From:** New York City Council <no-reply@council.nyc.gov>  
**Sent:** Wednesday, January 18, 2023 12:45 PM  
**To:** Testimony  
**Subject:** [EXTERNAL] Wed, Jan 18 @ 1:00 PM - Committee on General Welfare  
**Attachments:** Parenting-Journey-Natalie-Holguin-Certificate.pdf

Attendee will be: Testifying via Zoom (web) Attendee

Attendee name (Zoom name): Natalie Maria Holguin

Hearing: Wed, Jan 18 @ 1:00 PM - Committee on General Welfare Subject of testimony: Communication can bring about change in Black Brown and Latino x community

Organization: Self

Organization if "Other":

If a testimony was uploaded, it will be in the attachments.



**PARENTING JOURNEY**  
We help build stronger families.

# Certificate of Achievement

THIS ACKNOWLEDGES THAT

*Natalie Holquin*

HAS SUCCESSFULLY COMPLETED PARENTING JOURNEY I

A handwritten signature in black ink, appearing to read "Johana Manzueta".

JOHANA MANZUETA  
PARENTING JOURNEY FACILITATOR

Good morning my name is Sammiee and I am 26 years old. Thank you to Deputy Speaker Ayala and the rest of the General Welfare Committee for holding this hearing regarding CityFHEPS vouchers, and allowing me the opportunity to testify. In 2021, youth advocates helped pass legislation that we believed would finally give homeless youth in the Department of Youth & Community Development (DYCD) Runaway and Homeless Youth system and as well as youth exiting foster care access to CityFHEPS vouchers, without forcing them to enter the DHS shelter system first. Unfortunately, I have learned that DSS is not going to allow this, and that after the DYCD & ACS CityFHEPS pilot vouchers and one-time allocation of Emergency Housing Vouchers (EHV) are exhausted, youth will be forced to enter DHS shelters before they can get vouchers- which is unfair and what youth fought so hard to make sure would not happen. This does not only undermine the work, countless hours of the youth who came together to find a solution to a WELL known problem that causes thousands of youth and young adult to be forced back into exploitation, unsafe environments, the street and other life changing circumstances but it also shows that DSS does not favor in the COMMUNITY voices. Community of youth and young adults, whether it is happening presently or in the past has spent time passing legislation that DSS refuses to acknowledge. This shows that DSS will continue to make Key Decisions disregarding community input even when in high favor.

I believe that the Department of Social Services (DSS) needs to uphold Local Laws [157](#) and [170](#) of 2022 and grant youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care, who are otherwise eligible, access to HRA-funded CityFHEPS vouchers without forcing them to enter a DHS shelter.

I used to live in many DYCD shelters. I transitioned from Hopping around the youth shelters Around NYC every 30 -60 days, to finding a TIL program to being back and forth from homelessness years after that being denied not qualified enough for an immediate or short waited list for supportive housing but not homeless enough for DSS even though i was documents homeless with no support financially or emotionally for two years on using EBT, SNAP, SSI etc. I Followed every rule, every work plan, every mental health assessment. I spent 18 months having my stuff in a garbage bag not knowing where i was going to sleep in 30 days to finding a TIL and be told i have 18 months to find a job in new york city that would cover my rent, food expenses, transportation, health insurance and every day living essentials all while just a year ago i was a 17 year old who spent the last 5 years being trafficked, abused and experiencing mental health symptoms

from PTSD and Major depressive disorder to being told that THE only support i qualified for was supportive housing that could take additional one year to 3 years to be even called for an interview because i wasn't "mentally ill enough" or had an active DV case and that DSS does not identify my experience qualified enough to get housing voucher. How Is this fair other than who gets credit for releasing the voucher? What is the difference between a DYCD or DSS shelter other than people who run it having different titles ? Was my garbage bag filled with ALL my items not homeless enough? Was me sleeping on The D train from bronx to brooklyn just so i can get 3 hours straight now homeless enough? Was the am wake up call with three other females fighting over the one bathroom on the floor we shared not homeless enough ? was the Sentence of knowing that every second, minute, day was a countdown of when i would return to the the literally street benches if i didn't find a job who was going to bless a high school diploma with a salary high enough in nyc to cover rent and all expenses , not homeless enough for you ?

Why does it matter where we choose to be documented homeless ? Why not go to a DSS Shelter is like asking why elementary schools are not mandated to share campus with a college next door. Youth shelters are a safe haven to Youth and young adults and we should not be punished for it. We should not be punished for not wanting to be homeless in one room with 10-40 other people from the age range of 18-80 . We should not be punished for wanting to find healing and support in people who are in common spaces and era of us. We shouldn't be punished for wanting to be safe.

I Am highly saddened by DSS answer towards not only the young adults who help directly work on the legislation but the thousands who look forward to it, for the millions of past experiences, struggle, tears of having to navigate a system where you are nothing but FUNDING for homeless beds, homeless programs like RHY , mental health programs but not Homeless enough for a housing voucher. I am Angered that even in a time of desperation and trauma we come together to build a better future and get told it is being denied .

I urge the administration to right this wrong and give youth access to CityFHEPS vouchers. I ask that we take off our professional egos and remember that we are here to come together to advocate for EVERYONE and not target people who fit in

restricted boxes. We make a conscious oath to protect ALL youth and young adults, we encourage ALL youth and young adults to take a leap of faith and trust a process where they give up their freedom and control to hopefully get a stable place so why do we then turn around and only acknowledge the young adults who only enters DSS shelters?

Thank you.

Sammiie ( yab member )

## Scott Andrew Hutchins Written Testimony August 18, 2023

My name is Scott Andrew Hutchins, and I am currently in the third year of my CityFHEPS voucher and very concerned if I hit year 5 without finding steady employment. I just turned 47 years old. I came to New York City as a graduate student in 2003 and completed my master's degree in 2005. In 2012, I entered the shelter system because medical issues in my back and legs make anything but desk work unsustainable for me. The only reason I got into an apartment on CityFHEPS is because Urban Justice Center intervened after DHS had an in-house doctor declare me mentally ill (after numerous independent specialists had not) so that they could move me into supportive housing where I could be drugged up and continue to make them money without causing a nuisance. Submitted as evidence on my behalf were Excel logs of 3,895 job applications since 2012 that resulted in a mere 33 job interviews that were mainly scams.

I am here to demand several corrections be made to the CityFHEPS program. The first of which is expanding eligibility. The shelter system costs the city more than double each month to house people in shelters rather than in apartments, but CityFHEPS, like the Linc voucher I had before it, is dependent on the whims of employers in a weak job market where employers continue to ghost potential employees and claim that no one wants to work. The eligibility also needs to be expanded to the undocumented. DHS doesn't collect data on immigration status for the shelter system, so we don't even know precisely how large this problem is, only individual cases who have come forward. This eligibility expansion needs to come in the form of actual legislation, as resolutions have not worked.

Another problem with CityFHEPS are unnecessary rules that create a backlog of wait times, such as the 90-day rule, the utility deduction that has wasted many a homeless New Yorker's time on housing for which they are not found ineligible for until the last minute, and the rent reasonableness rule, which again makes homeless people innocent victims of those with money and power.

Then there are the internal abuses by those with money and power such as the extraordinary processing times for apartment approval. This is a continuation of the Robert Doar tradition of making shelter clients start their housing packages all over again after being involuntarily transferred to another shelter, as happened to me eight times, five of which were in the middle of the night. These are serious bureaucratic issues that need to be resolved to increase the efficiency of the process to get people out of shelter. While I don't know the specific issues, I can say that the system seems to drag its feet. As one of the authors of the Picture the Homeless white paper, "The Business of Homelessness," it seems that the profit motive is again behind these issues, namely the NGOs that provide shelter making too much money off the city. It did not surprise me to learn that in 2019, the CEO of Bushwick Economic Development Corporation, which runs Eddie Harris Men's Shelter, the first shelter to which I was sent after Bellevue, was convicted of embezzlement, something that I believed to be true seven years earlier simply based on the fact that they kept running out of food before the serving period was over.

Finally, there needs to be an expansion of the Source of Income Discrimination unit in the City Commission on Human Rights. This unit is underfunded and has too few attorneys to deal with the magnitude of the problem. Brokers and landlords have been repeatedly identified as serial discriminators against those with vouchers. If the enforcement were not so lax, this would not be the rampant problem that it is. The council needs to push back against the mayor's insistence on disinvesting from anything other than the police force. We know that cops are not the solution to homelessness or much else, either, and the city's budget needs to reflect that.

Good morning, my name is Shandra Rogers. I am a 20-year-old junior political science major at Howard University raised in Manhattan's Lower Manhattan, District 1. Thank you to Deputy Speaker Ayala and the entire General Welfare Committee for holding this hearing regarding City FHEPS vouchers and letting me testify.

In 2021, youth advocates helped pass legislation that we believed would finally give homeless youth in the Department of Youth & Community Development (DYCD) Runaway and Homeless Youth system and as well as youth exiting foster care access to City FHEPS vouchers, without forcing them to enter the DHS shelter system first. Since then, however, DSS has expressed that they will not allow this, and that after the DYCD & ACS City FHEPS pilot vouchers and one-time allocation of Emergency Housing Vouchers (EHV) are exhausted, youth will be forced to enter DHS shelters before they can get vouchers. With youth and homeless youth advocates who fought so hard to make sure this would not happen it is extremely disheartening to hear that we are still fighting to be heard on this issue.

I believe that the Department of Social Services (DSS) needs to uphold Local Laws 157 and 170 of 2022 as the young people, the provider community and council intended, and grant youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care, who are otherwise eligible, access to HRA-funded City FHEPS vouchers without them needing to enter a DHS shelter.

I used to live in a DYCD shelter. Due to the arrival of Covid-19 during my senior year in Highschool- entering my first year at university. University dorms were closed. Many of the programs that offered vouchers for housing were geared towards individuals already living in a shelter or those with a more adverse background. I did not see any vouchers that I would qualify for. And to this day I do not know of any that are easily accessible and widespread enough to be impactful. Thus, with the demanding requirements to rent in New York City and my lack of resources as an 18-year-old, I was left to enter a shelter. During this time, I was fully enrolled in college, working full-time as a childcare worker, and engaged with community development and advocacy for civic engagement at the Lower Eastside Girls Club. Despite feeling extremely successful at an early age, I came back to the shelter every day feeling inadequate and uncared for, not by the DYCD shelter system or staff but by the city I loved so much and dedicated so much of myself to. I felt defeated waking up every day, eager to be an agent of change for a city that was not willing to invest in me unless I was in a situation in which had appeared to be "rock-bottom".

While in the homeless system for over a year, I was not able to receive a voucher before having to move out of my city. In addition, the lack of privacy and conditions of a shelter affected my ability to complete my work and put my best foot forward in school. My grades dropped drastically, and, in the end, I left with my hopes of receiving a voucher of any kind unfulfilled. It was extremely hard having to watch something I have prepared for my whole life to be negatively affected by a situation beyond my control and then to see that those in control do not wish to offer a helping hand.

Although I am grateful for all programs that aid youth dealing with homelessness, I wish there were more programs geared specifically towards “at-risk” youth. I urge the administration to right this wrong and give youth access to CityFHEPS vouchers without having to have had lived experience within a shelter so that other young girls do not have to experience what I did. With 2020 also being a big year politically, so many homeless and incarcerated individuals were not able to show up for their communities. As young people are forced out of their neighborhoods and forced into institutions in different districts unfamiliar to them, their voices are often left out of important conversations in society. CityFHEPS vouchers allow for youth to have more political security by making sure they are counted individuals in the districts that matter to them. In addition, I believe DYCD, and the city of New York can better implement legislation and programs that act as proactive solutions to youth homelessness as opposed to reactive solutions for individuals who have already been traumatized and/or negatively affected by the shelter system.

Thank you.

Good morning my name is Tyisha Smith. I am 21 years old. Thank you to Deputy Speaker Ayala and the rest of the General Welfare Committee for holding this hearing regarding CityFHEPS vouchers, and allowing me the opportunity to testify.

In 2021, youth advocates helped pass legislation that we believed would finally give homeless youth in the Department of Youth & Community Development (DYCD) Runaway and Homeless Youth system and as well as youth exiting foster care access to CityFHEPS vouchers, without forcing them to enter the DHS shelter system first. Unfortunately, I have learned that DSS is not going to allow this, and that after the DYCD & ACS CityFHEPS pilot vouchers and one-time allocation of Emergency Housing Vouchers (EHV) are exhausted, youth will be forced to enter DHS shelters before they can get vouchers- which is unfair and what youth fought so hard to make sure would not happen.

I believe that the Department of Social Services (DSS) needs to uphold Local Laws 157 and 170 of 2022 as the young people, the provider community and council intended, and grant youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of ACS care, who are otherwise eligible, access to HRA-funded CityFHEPS vouchers without forcing them to enter a DHS shelter.

I used to live in a DYCD shelter. "Independence is loyalty to one's best self and principles" by Mark Twain. There were pros and cons to my shelter experience. When I first went into the shelter system and entered my first drop in center, it was the covenant house. The famous location in Manhattan. This was my first drop in center and it was a scary experience for me entering the shelter system. Leaving home, my mom, my family, all I have ever known and starting new. Although my home conditions were not good. It was a new journey of the unfamiliar and the unknown.

Meeting new people speaking and advocating for myself being a timid shy girl. Living with strangers and not knowing anyone, no familiar faces in sight. And I lived with these individuals. Woke up together, slept together, ate together and shared the same bathroom with my roommates. I lived with other girls in one room. I did meet one in maybe 100 people so the chances are very slim for youth to meet or reconnect with people from their past in the shelter or drop in centers. And granted me and this person were not very close. Based on my experience, I was nervous.

Thrusted into the unknown unfamiliar territory. Around so many different people who were there before me, who were new like me. Who had similarities and differences with me. I learned to be courgual and get along with others while in the shelter. That is a pro, I learned to be aware of my surroundings. I began adapting ,enjoying programs and clubs the shelter offered. I got to know people. I began learning to take care of myself and assess the resources I have, I was given at the time. The resources that were available to me I started partaking in.

After staying at this drop in center for a little over a month I moved into a transitional housing program Called Lighthouse IV. This was a better experience for me. I adapted, got the chance to make relationships and approved of some changes. I lived at this shelter for roughly over 6

months. And that experience within those six months was not smooth sailing. There were hardships, emotional difficulties, disputes with other residents. It was challenging to connect and get along with other residents having different perspectives, points of view, and outlooks on life. I lived in the shelter my last months of being 20 to around 3 months of me being 21. And I would say it was an experience where I learned, grew and also felt uncomfortable in certain circumstances. I aged out of Lighthouse and was Transferred to The bridge, an extension of Covenant House.

To experience these circumstances and encounters in the shelter. And then afterwards, receiving my first voucher (City FHEPS) I felt such a wave of Joy. I felt satisfied from my hard work and perseverance. I felt like I could start over a new life, a better one. One where I can govern it I was full of so much hope. I was amazed and in awe. It was unbelievable and to know that I held on and it was not in vain. It was not for nothing it was such a big accomplishment for me. Rescuing, my apartment felt like a safe place. For me to gather my thoughts for me to heal from my experiences. There was such a freshness my life felt revitalized. I was able to take more of a hold on my life and learn who I wanted to be in it or not. Learn about myself, what I like, who I am. Learn skills and some key life lessons while being alone. Learn more about life, stay off the streets. It gave me a variety of options. I was able to realize more of my decisions and take accountability for them. Realize and learn adulthood to be a well living decent adult in society to be well rounded. To be capable of making better decisions and learning life skills. I am employed as well giving service to society. I am now cultivating stability even more than when I first moved in.

Independence is such a key in life and very important for a young woman or a man to grow. And I believe every young person has a right to have this chance. It is giving hope then taking it away. Imagining how I first felt and to hear that the opportunity is being taken away or false is heart wrenching. I am not saying this for pity or a sob story. Not to make this cliché statement " I was dealt a bad hand" and boo hoo, poor me. Now I am writing to show how real it is for youth to experience homelessness. And for the reader to gain insight into homeless youth's state of being. This opportunity being available to youth, is life changing and can alter someone's life depending on the decisions that person makes. I know you can not promise and be certain of an individual's outcome and if they will follow rules, tenant policies and agreements. However it is unfair to strip all youth of the opportunity to have their own.

I urge the administration to right this wrong and give youth access to CityFHEPS vouchers.

Thank you.

It is important to point out that we are not clear what certain populations are eligible for when advocating so it sound lik3 this issue affects all Youth but in fact it's a fight for documented youth only while some immigrants would never have been eligible for those vouchers. Working for nonprofits and advocating from my lived expertise as a formerly houseless youth, I am well aware the trauma of needing to love across shelter systems, I am also aware that dycd is not bound by the right to shelter law and that their shelter options are a bit better and generally safer for youth to congregate with their peers rather than vast age range at DHS, I also thought it's unfair that city made a pledge and now it jeopardized youth relying in the vouchers forcing them to take a risk and go to DHS losing their spot at DYCD because of the vouchers.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

1/18/23

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

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

(PLEASE PRINT)

Name: Dominic Ryan

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

I represent: Empowering Youth Access Alliance

Address: 117 W 124th St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

Date: 1/18/23

(PLEASE PRINT)

Name: Samantha Kahn

Address: 30 E 33rd St NYC

I represent: Care For the Homeless

Address: 30 E 33rd St NYC

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

Date: 1/18/23

(PLEASE PRINT)

Name: Jack Boyle

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

I represent: Neighborhood Defender's Service

Address: 317 Lenox Ave, 10th Fl 10027

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

Date: 1/18/23

(PLEASE PRINT)

Name: Clare Plunkett

Address: Brooklyn NY

I represent: Sanctuary for Families

Address: P.O. Box 1406 Wall St Station 10278

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

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

(PLEASE PRINT)

Name: Karim Walker

Address: 123 William Street

I represent: Safety Net Project

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

Date: 1/18/23

(PLEASE PRINT)

Name: Jamie Powlowich

Address: 495 Flatbush Ave, Suite 10 Brooklyn NY 11225

I represent: Coalition for Homeless Youth

Address: Same

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

Oversight Hearing

Date: 1/18/03

(PLEASE PRINT)

Name: Robert Desir

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

I represent: Legal Aid Society

Address: 199 Water Street 3rd floor NY NY 10038

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. T2023-2862 Res. No. 2862

in favor  in opposition

Date: 1-18-23

(PLEASE PRINT)

Name: Andy Munante

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

I represent: Myself

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

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

(PLEASE PRINT)

Name: Starline Harris

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

I represent: Safety Net Activists

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

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

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

Date: 1/18/23

(PLEASE PRINT)

Name: Molly Park

Address: 33 Beaver St. NYC 10004

I represent: Dept Homeless Services

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

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

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

(PLEASE PRINT)

Name: Sara Zuiderveen, Senior Advisor

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

I represent: DSS

Address: 4 WTC

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

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

Date: 1/18/2023

(PLEASE PRINT)

Name: BRUCE JORDAN

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

I represent: HRA - HOMELESSNESS PREVENTION

Address: 4WTC - 42ND FL



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**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

Date: 1/18/23

(PLEASE PRINT)

Name: Dr. Henry Love

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

I represent: Win Inc

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

Date: 1/16/23

(PLEASE PRINT)

Name: Milton Perez

Address: 140 New Lots Bk

I represent: VOCAL NY Homelessness Union

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

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

(PLEASE PRINT)

Name: Gordon Lee

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

I represent: Self + various street to home needs

Address: 140 New Lots Bk HOMELESS

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