



**Testimony of Marricka Scott-McFadden, Deputy Commissioner for Intergovernmental
and Legislative Affairs
New York City Department of Social Services**

**Before the New York City Council, Committee on General Welfare
Oversight Hearing: Public Benefits Processing Delays at HRA**

September 27, 2023

Good morning, I want to thank the City Council's Committee on General Welfare and Deputy Speaker Ayala for today's hearing on public benefits access and processing. We look forward to discussing with council our work to connect New Yorkers to much needed public assistance benefit programs.

My name is Marricka Scott-McFadden, and I am the Deputy Commissioner for Intergovernmental and Legislative Affairs at the Department of Social Services. I am joined today by Chief Program Officer at the Human Resources Administration (HRA) Rebecca Chew and Family Independence Administration Executive Deputy Commissioner Angela Johnson.

The New York City Department of Social Services/Human Resources Administration is the nation's largest social services agency. Each year we connect more than three million New Yorkers to benefits through the administration of fourteen benefit programs. Every day, in all five boroughs, DSS/HRA provides essential programs and supports to low-income New Yorkers. In administering these programs, HRA is at the forefront of this Administration's efforts to combat poverty and income inequality.

At DSS/HRA we are mindful of the real-life impact benefits processing timeliness has on households. We recognize that programs like Cash Assistance and the Supplemental Nutrition Assistance Program (SNAP) can make the difference in providing economic and food security. As stewards of these critical public benefits, we are conscious of the care, compassion, and urgency with which we must treat each application.

Only four months ago marked the official end of the COVID-19 pandemic and the Federal public health emergency declaration, but we must bear in mind that not all communities are recovering at the same rate. When we last testified in December of 2022, DSS First Deputy Commissioner Jill Berry highlighted that we were seeing extraordinary demand for public benefits from New Yorkers across the five boroughs. At the height of the pandemic in April 2020 the agency received 84,000 SNAP applications in that month alone. That was the highest number of SNAP applications in modern history, reflecting a more than 200 percent increase compared to the previous year. The trends for Cash Assistance were just as unparalleled. In March of 2020,

DSS/HRA received 12,745 more Cash Assistance applications than March 2019, a 53 percent increase. This increased need for cash assistance and SNAP has continued over the last several years into today. In FY24, the average number of applications per month is more than 36,000 and over 48,000 for SNAP and Cash Assistance respectively, showing that New Yorkers have a sustained need for economic supports and food security.

In addition to economic drivers, we also believe that increasing access to benefits has led to an increased number of applications. As HRA continues to break down barriers and modernize our service model we have seen an increase in client utilization of our online platform and mobile app, Access HRA. New Yorkers no longer need to apply in person at brick-and-mortar centers, they can simply apply on their computers or smart phones.

DSS/HRA has worked to keep up with the increased volume of applications by employing several strategies. First we have utilized existing staff through redeployment and reassignment, as well as overtime on evenings and weekends. Our Human Resources team has pursued an aggressive strategy around recruitment, hiring, onboarding and retention. Which has resulted in 728 positions onboarded since we last testify on this topic in December 2022. We continue to look to our State and Federal partners to extend or expand waivers that increase efficiency and allow processing to move along more quickly. Unprecedented need has outpaced our resources, and we are using every tool and strategy at our disposal to meet the demand.

For example, Federal and State waivers were used to improve client access by transitioning from only in person interviews as part of the Cash Assistance application process to allowing these interviews to occur by telephone at the client's chosen time, just as we are permitted to offer SNAP clients. Following advocacy by DSS, a State law has made this remote Cash assistance option permanent, meaning that clients can conduct all business online and by telephone, making it more convenient for New Yorkers to access the services they are entitled to.

I would also like to update Council on a concern expressed by many Council members at last December's hearing- fraud and skimming from EBT cards. At that time theft of benefits would result in permanent loss of funds with no chance of reimbursement. However, because of recent state and federal action that is no longer the case and we have stood up a program to assist victims of this crime. As of September 19th, 2023, we have received over 19,000 claims for replacement of SNAP and/or Cash Assistance benefits. We have processed about 15,000 applications. One hundred percent of these claims have been processed timely. To date, about two thirds of approved replacement benefits have been added to clients' EBT cards – restoring over \$4.5 million in benefits to New Yorkers.

Before I discuss the legislation under consideration, I would like to take a moment to highlight the incredible work of DSS/HRA staff. In the face of a global health emergency and pandemic, Staff has worked tirelessly to process benefits applications to ensure their fellow New Yorkers have access to essential benefits and supports. Their work continues to this day to support New Yorkers impacted by economic realities and we thank each and every one of them for their dedication to the needs of the vulnerable among us.

Legislation under consideration

Moving to legislation, we give careful and thoughtful consideration to proposed legislation and are mindful of our role as the safety net of the safety net, and our obligation to provide essential benefits to New Yorkers. Further we ask Council to keep front of mind the legal and regulatory obligations DSS/HRA/DHS is subject to at both the State and the Federal level; we also encourage you to consider the fiscal impacts of proposals that would require significant staff and facilities investments.

Intro 647

Intro 647 would require that the sheriff and city marshals contact the Department of Social Services/Human Resources Administration (HRA) when they receive an order that would result in housing displacement. Where HRA receives notice from the sheriff or city marshals about an order that would lead to housing displacement, HRA would be required to respond by examining the person's eligibility for legal counsel, provide the person with contact for legal counsel and connect the individual to such counsel.

We recognize the importance of focusing resources at the early stages of the legal process. Examples of this include connecting tenants to legal services through Right to Council (RTC) attorneys at Housing Court and connecting tenants to rental assistance resources. We believe focusing the Office of Civil Justice's (OCJ) and legal provider's finite resources earlier on in the process delivers more value to tenants and gives them the best opportunity to remain in their homes. This legislation also would not curtail the marshal or sheriff's authority to execute the eviction order. We look forward to working with Council and the bill sponsor to reach our shared goal to continue to bring legal services for tenants.

Intro 567

Intro 567 would prohibit homeless families with children from being temporarily housed in private buildings with more than five class C housing maintenance code violations. Current homeless families with children in such buildings would be permitted to remain, but no additional families with children would be housed in such buildings until corrections have been certified by the Department of Housing Preservation and Development. Safety is a continued concern and priority for all DSS/DHS clients. Currently, shelters are subject to rigorous inspections of habitability, both before shelters are occupied by families and on a regular basis.

We acknowledge the shared goal of safety and protection of DSS/DHS clients and private building tenants however, this proposed legislation may have an unintended consequence of duplicating inspection requirements and perhaps most importantly slowing DHS's ability to rapidly provide shelter space for homeless families.

Intro 651

Intro 651 would preclude the Department of Homeless Services (DHS) from requiring that every member of a family be present at its intake center when that family seeks placement at a shelter.

DHS' Prevention Assistance and Temporary Housing (PATH) intake center plays a crucial screening role when connecting families with children-experiencing homelessness with assistance. Screenings and connections to assistance undertaken at PATH include child protective and family support services, domestic violence assistance, medical assistance, and school-related supports. Currently all members of the household are required to appear, and children under the age of 18 can appear either in person or remotely at intake but are not required for any subsequent visits.

We again look forward to consultation with Council and the bill sponsors toward the shared goal of protecting young children and their families experiencing a crisis.

Intro 653

Intro 653 would, in an effort to combat the City's opioid epidemic, require the Department of Social services to offer access to drug treatment services at all HASA facilities and the Department of Homeless Services to offer access to drug treatment services at all shelters.

Tackling the opioid epidemic and providing necessary services to assist those facing substance use disorders are critical shared goals however, mandating on-site services, as this proposed legislation envisages, would have significant impact on our facilities and programs. We strongly urge a delivery model that focuses on connecting clients to clinicians and health facilities that can deliver the services this legislation seeks to prescribe through referrals in community. This ensures that clients who need assistance are referred to qualified and specialized clinicians but does not make broad assumptions that all those in DHS facilities or living with HIV are managing a substance use disorder. Referrals in community also have the advantage of avoiding potential privacy concerns that arise from onsite services.

We believe the goal of providing services to this population of New Yorker's are currently being met through in community referrals.

Intro 741

Intro 741 would require the Department of Homeless Services (DHS) to inspect radiators during any inspection related to health, safety, or the physical conditions of a homeless shelter.

DHS already inspects radiators as part of an annual health and safety inspection and manages specific concerns or issues with units should they be reported.

Intro 902

Intro 902 would require the Department of Homeless Services to provide process navigator services to every family with children at an intake center. The process navigator would provide

assistance to shelter applicants in understanding all the procedures, meetings, interviews, and documents necessary to the application process and respond to questions.

We acknowledge the clear goal to ease challenges of client as they navigate the process of obtaining temporary housing. This is a stressful time, and our intake staff are trained to seamlessly work with clients at every point during the process. The intake center at PATH is the unique front door that families must walk through. It is unique because by design it is tailored to meet families where they are and provide individualized tools, services, and connections for families. We are concerned that adding a navigator to this process would impact this carefully designed process and represent a costly budget expansion. We look forward to a continued dialogue regarding fully realizing the intent of this proposed legislation.

Intro 910

Intro 910 would mandate a report on the feasibility of creating a universal benefits application for local public benefit programs and mandate the creation of a universal benefits application as determined feasible by the Commissioner of the Department of Social Services. This bill would also codify Access NYC, which is a screening tool for public assistance programs, direct the incorporation of new and existing programs as deemed possible, and require increased public awareness efforts of such tools.

We appreciate the goal of streamlining and simplifying the public benefits application process. It is important to recognize that benefits applications are subject to both Federal and State laws and regulations; these forms are subject to approval by both Federal and State oversight authorities. In addition, assessment of eligibility of public benefits in a preliminary way is prohibited by State and Federal regulations, and DSS always wants to encourage anyone who believes they are eligible to apply.

We perceive the goal of this proposed legislation is to join up public benefits to streamline access for clients however, we see obstacles to fully reaching the goals of the legislation as written and are happy to speak further with the Council regarding these challenges.

Conclusion

I will conclude by again recognizing that our frontline staff has played a critical role in working towards more timely processing of benefits. Their dedication to the task, willingness to take up overtime, and adaptability in adopting new workflows have all been crucial to the success we have had thus far. We have made important strides forward in our processing of public benefits. We acknowledge the urgency and the seriousness with which we must continue to take on these challenges. We also wholly acknowledge that we have further work to do. Our frontline staff's continued diligent work on this issue will see us through to successful, timely processing of benefits.

Thank you for the opportunity to testify today. We are happy to take your questions.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON GENERAL WELFARE
SEPTEMBER 27, 2023**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chair Ayala and the members of the Committee on General Welfare for holding this hearing.

Over 1.7 million people in New York City receive Supplemental Nutrition Assistance Program (SNAP) benefits, and more than 480,000 of those also receive cash assistance.¹ These programs, managed by the Human Resources Administration under the Department of Social Services, provide vital funds that New Yorkers rely on to pay rent and buy food and other necessities for themselves and their families. These delays can result in adults and children going hungry and unable to pay rent, which, with the end of the moratorium, could result in eviction.

In the last fiscal year, NYC's rate of processing these benefit applications—which are required to be processed within 30 days—has dropped dramatically to the longest processing time in decades. In FY 2023, HRA processed only 39.7 percent of applications for SNAP within 30 days, down from 60.1 percent in the previous year and 91.9 percent in FY 2021, prior to Mayor Adams's tenure.² The numbers are even worse for cash assistance, with only 28.8 percent of applications processed in a timely manner, a drop from 82.3 percent the previous year.

These processing delays are a violation of state and federal law. In July, a federal court judge, in response to a class action lawsuit filed by a group of New Yorkers who receive SNAP and cash assistance, ordered the Adams Administration to process applications in a timely manner by March 31, 2024.

DSS and HRA, like many city agencies, are facing staffing issues—including high attrition and retirement rates—and high caseloads, which contributes to these delays. There are more than 2,000 vacant positions at DSS, including hundreds of jobs in the HRA's welfare processing divisions.³ People applying for SNAP and cash assistance have increased since the onset of the pandemic, and other city resources are also strained due to the arrival of tens of thousands of migrants. With the administration calling for a city hiring freeze, these issues are likely to persist.

HRA has recently improved processing times for the majority of people receiving SNAP benefits, although we do not yet know if the city has met its first court-ordered benchmark for processing

¹ https://www.nyc.gov/assets/hra/downloads/pdf/facts/hra_facts/2023/hra_facts_2023_06.pdf

² https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/2023_mmr.pdf

³ <https://www.nydailynews.com/2023/03/13/nyc-processing-just-36-of-food-stamp-applications-on-time-amid-steep-staff-shortages-new-data/>

SNAP applications (800 overdue applications and recertifications as of July 31).⁴ For cash assistance, however, delays persist, and the city's timeline for improvement is much more gradual. This discrepancy is due to the two different systems HRA uses to process SNAP and cash assistance.

The best way to prevent homelessness is to help people stay in their homes, and this is more critical than ever with a record high number of people seeking shelter in our city. Even with gradual improvements, each delayed application or recertification means a person potentially going hungry, without basic necessities, unable to pay rent, and at risk for eviction, and ensuring that people receive their benefits should be a top priority for the city.

Thank you.

⁴ <https://citylimits.org/2023/08/17/new-yorkers-see-uneven-improvement-in-food-stamp-cash-assistance-delays/>



Breaking the Cycle of Homelessness
for Women and their Children

Testimony of Win (formerly Women In Need, Inc.) for the New York City Council Committee on General Welfare Oversight Hearing – Public Benefits Processing Delays at HRA

Thank you to Chair Ayala and to the esteemed members of the Committee on General Welfare for the opportunity to submit testimony. My name is Chris Mann, and I am the Assistant Vice President of Policy & Advocacy at Win. Win is the City's and the nation's largest provider of shelter and services to families with children experiencing homelessness. We operate 14 shelters and nearly 500 supportive housing units across the five boroughs. Each night, more than 6,500 people call Win "home", including 3,600 children.

The New York City Department of Social Services (DSS) is the largest social services provider in the nation. Yet, the infrastructure underpinning that system is woefully inadequate due to a historical and continued push to disinvest in these critical services that approximately 3 million New Yorkers rely on each year. For many families that live in Win shelters and supportive housing, the services provided by DSS are essential for regaining stability. But too often, our families report significant delays in benefits processing for cash assistant, SNAP, CityFHEPS applications and other essential benefits, which perpetuate instability and lead to delays in shelter exit.

While the City contends with the worst homelessness crisis in its history, having surpassed 110,000 people in the City's care, we should be investing more resources than ever in our social services infrastructure. Unfortunately, the Adams administration recently announced plans to do the opposite. If enacted, the proposed 15 percent cuts would cause profound harm to all New Yorkers and disproportionately so in communities of color. **We cannot cut our way out of this crisis.** We already know what deep cuts mean for our communities. Decades later, we continue to see the devastating impacts that the extreme austerity budgets of the late 1970's wrought on low-income neighborhoods and communities of color.

Despite the Mayor's rhetoric that we can cut resources from DSS without significant impacts to City services, the cuts enacted under his tenure have already resulted in massive disruptions in critical services. For instance, cash assistance timeliness rates, which are listed as a critical indicator in the 2023 Mayor's Management Report shows a rate of just 28.8 percent in FY23, down from 95.4% in FY21 when Mayor Adam's took office. Similarly, the SNAP timeliness rate is also down to just 39.7% in FY23 compared to 91.9% in FY21.¹ That equates to families waiting an unacceptable amount of time for the benefits they desperately need.

Inadequate staffing continues to be the core driver of delays in benefits processing that must be addressed. Further cuts to the DSS budget will exacerbate an already desperate situation resulting in deeper and more devastating disruptions in service. Additionally, the many antiquated and fragmented systems used by DSS also represent a significant opportunity for improvement. Old, inefficient, and fragmented systems mean that simple tasks often become arduous and time



Breaking the Cycle of Homelessness
for Women and their Children

consuming. Not only do these delays cause real harm, such as kids going to bed hungry or moms unable to buy new clothes for their growing children, they are also costly because of the added staff time required for processing.

To truly address the homelessness crisis, the City must focus on filling vacant staff lines rather than cutting them. Additionally, the City should be making every effort to modernize and streamline the systems and infrastructure used for benefits processing. We applaud Council Member Crystal Hudson for Intro 910, which would establish a universal benefits application for NYC. We support this commonsense legislation and look forward to its quick passage and implementation.

Similarly to what New Yorkers Experience when applying for SNAP or cash assistance, accessing shelter is an onerous process at best. For families experiencing homelessness, this process starts at the Prevention Assistance and Temporary Housing (PATH) assessment center — one location in the Bronx that all families must travel to. At PATH, parents and children spend an entire day in waiting rooms, filling out forms, providing documentation, and meeting with multiple workers — called “fraud investigators”— to tell and retell their story and prove they have no other housing options.

Win families report the process is opaque and grueling, and that workers are insensitive and dehumanizing at a time where they already feel emotionally exhausted and unstable. The long and arduous process means parents miss days of work and children who are already at an academic disadvantage miss days of school.

Worse, far too many families are found ineligible for shelter the first time they apply, forcing them to undergo the traumatic experience multiple times. In 2018, 520 families entered a Win shelter at least twice in the year, representing 30% of all families Win served that year. And this trend has only worsened, with city data showing that in November 2021, 62% of families had to apply more than once before being found eligible.ⁱⁱ According to the comptroller’s audit report, one family had to reapply 38 times before eventually being found eligible for shelter.ⁱⁱⁱ An audit released by the City Comptroller in August 2023 found that the situation has further deteriorated, with just 1 in 5 applications for family shelter approved in 2022.^{iv}

As traumatic as PATH is for adults, it is often worse for children. Requiring children be present at PATH places them in a stressful environment where they may overhear information that parents wish to shield them from — like an explanation of their family’s financial insecurity or history of domestic violence. This requirement also takes children who are already at an academic disadvantage out of school, widening the gap between them and their housed peers. According to DHS, families were required to bring their children to PATH when applying for shelter so the agency could certify the family’s composition and to conduct a health and well-being screening. During the pandemic, however, DHS made children exempt from PATH and has still successfully met the needs of children and families. Although the City recently told Win that the pandemic era rule change is now permanent and kids will no longer be required to



Breaking the Cycle of Homelessness
for Women and their Children

accompany their parents at PATH, we applaud and support Intro 651 introduced by Deputy Speaker Ayala, which would codify that change into law.

Additionally, the complexities of the shelter intake process create unnecessary delays that result in longer shelter stays. Families facing homelessness arrive at PATH amid an overwhelming crisis that led them to seek shelter, and they are greeted with a hard-to-navigate and complex government bureaucracy. Win families report that they have received incomplete or unclear information and processes are not explained, leaving them unsure about who they will be speaking with or what documents they will be asked to provide. The City must create a team of PATH Navigators, who would serve a customer-service role at PATH and provide every family with standardized, clear information about the steps, meetings, and documentation necessary to apply for shelter. Win has been advocating for PATH navigators for years and we are thrilled to support Deputy Speaker Ayala's bill, Intro 902, which would establish these critical positions.

In order for the City to thrive, we have to invest in the people that live here. Deep cuts and radical austerity measures will decimate our communities and put the city on a dark path. Now more than ever, we need to invest in and modernize our social services infrastructure, an investment we know will pay dividends in the long run.

ⁱ Joseph Varlack, C. & Steinberg D. (2023, September) The City of New York Mayor's Management Report, Fiscal 2023. Available at: https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/2023_mmr.pdf

ⁱⁱ Bhat, S., & Velasquez, J. (2022, January 30). *Three in four family shelter applications rejected in 2021, setting record*. The City. Available at: <https://www.thecity.nyc/2022/1/30/22909663/family-shelter-applications-rejected>

ⁱⁱⁱ New York City Office of the Comptroller. (2022, February 9). *Audit report on the department of homeless services' determination of temporary housing benefits for families with children*. Available at: https://comptroller.nyc.gov/wp-content/uploads/documents/DHS_MG20_070A.pdf

^{iv} New York City Office of the Comptroller. (2023, August 17). *Review of the New York City Department of Homeless Services' Programs and Services*. Available at: <https://comptroller.nyc.gov/wp-content/uploads/documents/MD22-105S.pdf>

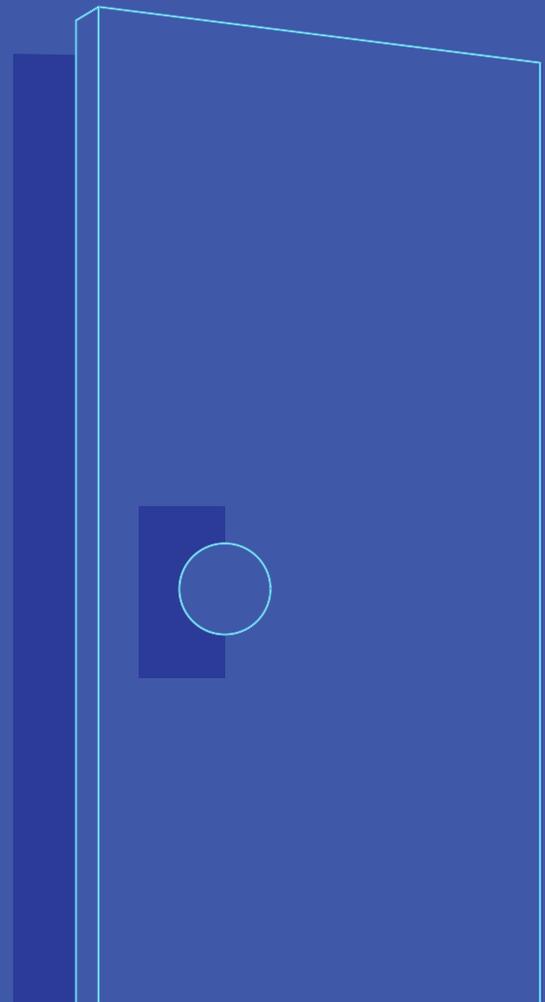
JULY 2021

WIN POLICY BRIEF SERIES

Improving PATH

Dismantling Barriers to Shelter for
Homeless Families with Children

By Josefa Silva, Cassidy Teminsky, & Jessica Yager



Overview

New York City is well-known, and often lauded, for having a right to shelter for people experiencing homelessness. That legal requirement has been transformative and has resulted in a city where the majority of people without homes are sheltered. However, accessing shelter is not as simple as walking through the door; New Yorkers in need face structural barriers to accessing shelter. Homeless families with children must demonstrate that they have no other place to stay in order to get access to shelter. Families applying for shelter—overwhelmingly Black and Latinx—face a system that is set up to turn them away—to distrust and question their requests for help. They face a system that often adds to, rather than ameliorates, the trauma they have experienced.

Typically, families gather every member and all of their essential belongings to go to the Prevention Assistance and Temporary Housing assessment center (PATH), the city's sole application and intake center for families with children in need of shelter, which is operated by the Department of Homeless Services (DHS). At PATH, families spend the day in waiting rooms, filling out forms, providing documentation, and going from meeting to meeting to tell (and retell) their story of hardship and undergo assessment. They begin by meeting with workers charged with diverting families from shelter, after which they begin the DHS application for shelter. The application requires families to prove that they have no other housing option, which means providing two years of personal information that DHS investigates to verify that a family is truly homeless. These investigations, conducted by staff known as “fraud investigators,” do not help or serve families in any way. Instead, they reveal the inaccurate and damaging stereotype through which the system views low-income families of color who look to it for help: as dishonest cheats.

These application and eligibility policies and processes are not only symptomatic of a broken system, but also cause the immediate damage of prolonging housing instability for families in crisis. Diversion and investigation measures are a stop gap for managing the daily shelter census, and too often merely delay shelter entry without preventing it. Moreover, as families are forced to move from place to place because they cannot access shelter,

these policies often force them into unsafe and otherwise inappropriate living conditions. Below in this brief, we share the experiences of Win families and Win and citywide statistics that illustrate just how traumatic this process is.

New York City must ensure that the shelter eligibility system is fair and equitable and works with other services towards the goal of ending family homelessness. This will require a systemic reform effort and an overhaul of guiding values and principles that should be directed and overseen by City Hall as part of the next administration's new approach to ending homelessness (directed by the First Deputy Mayor, as outlined in Win's *Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor*).¹ The city must work with the state to rationalize and humanize the shelter and benefit eligibility rules and processes that create unnecessary barriers to services. And, the city must also identify ways in which PATH can be a tool for advancing the citywide goal of ending family homelessness, including PATH in a larger vision of how agencies work together to help alleviate poverty and its consequences for New York City families.

However, there are also **immediate steps** the city must take so that families in need of shelter today undergo a fair process and are protected from further trauma. This brief focuses on these needed reforms, outlined in more detail in *Solutions* in the next section.

The city must immediately:

LOWER BARRIERS TO SHELTER AND SERVICES.

- Revise application documentation requirements to be reasonably accomplishable within the ten day conditional period, beginning with reducing the required housing history from two years to one.
- Accept a family's attestation for the reasons they cannot return to a previous residence as true.
- Establish Navigators at PATH to provide clear information and support to families going through the application process.
- Halt practices that force families and children to miss school and work to spend the entire day, sometimes more than once, at PATH. Provide time windows for application meetings.

PROTECT FAMILIES FROM TRAUMA.

- Require all staff interacting with families at PATH to be trained in trauma-informed care, and provide coaching and supervision to ensure implementation.
- Make permanent the pandemic-prompted exemption of children at PATH. Verify family composition and child well-being through remote methods and shelter staff.
- Codify the COVID period practice of allowing families to continue in their shelter placement while they re-apply for shelter.

These steps are needed to ensure that our safety net systems are actually helping families and furthering the goal of ending family homelessness, which must be a top priority for the next mayor.

Background

At Win, New York City’s largest provider of shelter and supportive housing for families with children, we noticed a troubling pattern in our shelter admission data: a high percentage of shelter-eligible families entered Win multiple times in one year. Further data analysis showed that the majority of families with multiple admissions had left shelter after a brief stay, and that they had left because the Department of Homeless Services (DHS) had found them ineligible for shelter after investigating their application, only for the family to reapply and return with another conditional shelter placement. Concerned that families in need were cycling in and out of shelter because the application and investigation process were blocking them from finding stability in shelter or in the community, Win conducted a series of focus groups to learn about PATH and the application process from families who had been through it.

Accessing Shelter

In order to access shelter in New York City, families with children must apply in person at the Department for Homeless Services’ (DHS) sole intake and assessment center, the Prevention Assistance and Temporary Housing (PATH) center, located in the Bronx. This means missing school and work, as every member of the family—including children—must be present. Not knowing where they will be sent, families pack whatever they can fit into the two bags they are permitted to bring to PATH, choosing between toys and other treasured belongings and the items that will be essential to their time in shelter.

Families and children spend up to fourteen hours at PATH, meeting with multiple intake, assessment, and diversion workers to complete their application for shelter. As part of the application, families must prove they are homeless. In most cases, families must furnish documents or other corroboration of every place they stayed during the previous two years. Documentation requirements can be insurmountable for families in housing crisis, who may be fleeing from situations of coercion and abuse that included the intentional theft of their critical documents, or who have lost or not received documents because of locks-outs and other types of displacement. While documents are reviewed and this investigation is conducted, DHS provides families with a shelter placement on a conditional basis, pending eligibility findings of the investigation into their application. Families may also be diverted from entering shelter that day, before they file an application.

DHS uses the housing history and emergency contacts each family must provide to assess whether or not they truly have a housing need by investigating whether any of these households can take the family in. These investigations are conducted by people known as “fraud investigators,”² and include contacting past landlords, hosts, friends and family members to determine whether the family can stay with any of them (even if the household refuses, DHS may still find that the applying family is not homeless because they have somewhere to go). DHS states that investigations and the resulting eligibility determination are made in ten days or less of application.³ During the investigation, a family may need to provide additional information and attend follow-up appointments at PATH. If the investigation ultimately results in an ineligible finding, the family must pack up and leave the shelter placement they were provided on a conditional basis while an investigation was being conducted. For many families, this means leaving a shelter to go directly back to PATH, where they begin the application process again and are provided another conditional placement.

A family can be denied shelter for various reasons, including not providing documentation that the PATH worker deems adequate of their two-year housing history, or because DHS determines they can return to live at one of their past addresses. **A family can be denied shelter even if the home DHS has identified for them refuses to take them in.** The family must then leave their shelter placement, but can return to PATH immediately to reapply. In many cases, the family receives a new conditional shelter placement while their re-application is being processed. But this is not true

in all cases; if a family reapplies after being denied because DHS determined they have somewhere else to stay, they will not be provided with a new conditional placement until 30 days have passed since the denial.

The process we have outlined here has been modified in two important ways due to the COVID-19 public health crisis. First, families are not required to bring children to PATH when they apply for shelter. Second, a family who is found ineligible because of a documentation problem is able to stay in their conditional shelter placement if they want to immediately reapply (as opposed to leaving their placement just to immediately get another conditional placement at PATH). As we explain in the sections that follow, we urge DHS to make these two critical changes permanent.

Troubling Evidence that Application Policies and Processes Prolong Instability

In May of 2019, nearly 2,500 families with children applied to DHS for shelter.⁴ Of those who applied, nearly 60 percent were found ineligible for shelter and about 41 percent (1,029 families) were found eligible. **Among families found eligible in May 2019, about 42 percent (over 460 families) had submitted a previous application.** This means that **DHS processed and investigated over 460 applications at least twice—some as many as six times—before ultimately finding the families who entered shelter in eligible.** Moreover, 22 percent of May's eligible families (about 228 families) submitted at least three applications.*

MAY 2019 PATH STATS

- 1,029 families found eligible for shelter
- 436 applied more than once (42% of eligible families)
- 228 applied at least 3x (22% of eligible families)

Multiple applications often also mean multiple conditional placements in shelter. In 2018, about 520 families—representing 30 percent of all families served by Win that year—entered a Win shelter at least twice in the year. **Of eligible families with multiple admissions to Win in 2018, 67 percent (about 350 families) had left because their previous conditional placement ended with an ineligible determination.**

* A similar pattern can be seen during the first six months of 2019: DHS found about 41 percent of families who applied eligible; and about 45 percent of those eligible families had applied at least once before.

Not only is it traumatic and inhumane to subject homeless families with children to this endless run-around, but also, it is also inefficient to investigate multiple applications and provide multiple conditional shelter placements for more than four out of ten of the families with children in New York City shelters.⁵ New York City's Independent Budget Office reports that from 2002 to 2012 the city spent about two percent of the DHS budget annually on intake and eligibility reviews for families with children.⁶ Based on this historical spending level, **DHS could spend as much as \$44.2 million of the \$2.2 billion DHS budget adopted for fiscal year 2022 to intake and investigate whether they can deny shelter to the families with children who apply for it.** By contrast, the city allocated \$34 million—ten million dollars less—to CityFHEPS for fiscal year 2022, the city's rental assistance voucher program that is primarily provided to New Yorkers in homeless shelters to help them find and afford housing. The choice to invest more money in investigating families in need than in helping them afford housing is disgraceful.

The result of this choice is that homeless families with children are being subjected to extended housing and school disruption in order to repeatedly attempt to satisfy application and documentation requirements to secure a stable shelter placement. And the implications of this can be lifelong, especially for children and youth whose educational success is jeopardized by having to miss school to attend appointments, or because they are not provided transportation to school from a conditional shelter placement. Homeless students more frequently change schools mid-year, disrupting both academic learning and socio-emotional well-being. Not surprisingly, over half of homeless students are chronically absent from school, and nearly a third transfer schools mid year.⁷ The results are lower reading and math proficiency rates, lower graduation rates, and stifled life outcomes.

Not only is extended instability damaging, but also, the experience of the application and eligibility process has been described as traumatizing and dehumanizing.

Inside the Application Experience: Insight from Win families

Focus groups and interviews with Win families conducted by Win's research team in 2018 provided insight into the dynamics of the shelter application process. These conversations highlighted the skeptical and punitive approach taken toward families seeking help, as well as the tremendous emotional toll of navigating this often traumatic process.

Proving Eligibility: Too Much Left to Chance

In focus groups with families, four common experiences emerged:

- DHS claims that they are unable to independently verify housing history within the required timeframe;
- The DHS investigator was unable to corroborate parts of a family's housing history due to unresponsive or uncooperative past landlords or hosts;
- Families were ineligible because they were found to have other living options, even if they were deemed unhealthy, unsafe, or otherwise inappropriate by the parent/applicant; and
- Families were ineligible because they were found to have other living option, even if that other living option was expressly telling DHS they would not take the family in.

A fourth experience was shared by families who had to submit multiple applications: they more frequently expressed lacking information or clarity about the application process and about documentation requirements than did families found eligible on their first application. Additionally, most who had to apply multiple times correlated their eventual eligible determination and stable shelter placement with the luck of being assigned a more helpful case worker than in previous applications.

These insights point to inconsistencies and poor service quality that are deeply disturbing. Whether or not a family in need is able to access stable shelter cannot depend on the cooperation of friends or family with a DHS investigation, or on DHS' thoroughness and fairness

in assessing as available housing options that a family has already deemed unsafe or inappropriate. Families report being expected to stay in buildings where crime and behaviors such as public drug use were ubiquitous, and in places where they would be exposed to mold and other toxins.⁸ DHS can also determine that a family applying for shelter has a housing option in a home where the primary tenant has told DHS the family cannot stay.

Neither should eligibility rest solely on the family's ability to untangle and navigate a complex, opaque process and timeframe on their own in the midst of their housing crisis. And stable shelter definitely cannot be a matter of random assignment to one case worker or another. These factors make all the difference when it comes to whether a family will be admitted to shelter but they may not have anything to do with whether a family is homeless. The stakes are too high to continue to leave the housing stability of vulnerable families to chance. DHS must provide transparency, support, and consistent, quality services. And DHS must trust that families seeking help know what is best for their family.

The Human Toll Taken at PATH

Before stepping foot into PATH, most families experiencing homelessness have experienced trauma. Trauma occurs when a person has gone through events that are physically or emotionally harmful and have lasting effects on their well-being and functioning.⁹ Trauma causes feelings of fear and helplessness, and often overwhelms one's ability to cope. Trauma can interfere with a person's ability to complete daily tasks, and can manifest externally in many ways, including as confrontational or other apparently problematic behavior. Many of the common experiences of homeless families, such as intergenerational homelessness, domestic violence, and poverty, are traumatic. Homelessness itself is a traumatic experience, as families lose their sense of normalcy and safety.¹⁰

During focus groups, all families (those found eligible on their first application and those who submitted multiple

applications) describe their experience at PATH and with the eligibility determination process as a grueling ordeal, compounding the trauma and crisis they are often already experiencing.

Families frequently described behavior from PATH staff that was dehumanizing, punitive, and demoralizing. The treatment some families received at PATH triggered anxiety responses and was often re-traumatizing.

“It’s like you are in jail. Like they’re a police officer and you’re the criminal. They be a little bit too harsh, too much.”

—WIN FOCUS GROUP PARTICIPANT

The treatment they received from staff made many families feel judged and shamed by those who were supposed to help them. Win families describe it as:

“They make you feel unwelcome. Because sometimes you go there and they talk to you like—they make you feel how you are: homeless. That’s how they really make you feel; like they’re better than you. Like, even a worker told me there one time, ‘Well this isn’t my issue. I have somewhere to sleep at night.’”

—WIN FOCUS GROUP PARTICIPANT

“PATH is not a place where people are trying to go...They make you feel, almost like you’re not wanted there, like we don’t want to deal with you, we don’t want to deal with this.”

—WIN FOCUS GROUP PARTICIPANT

By not taking into account the trauma and lived experiences of homeless families, the treatment and environment families face at PATH can be retraumatizing and can trigger trauma responses, such as anxiety, difficulty regulating moods and responses, and difficulty completing forms and navigating the application requirements.

Solutions

Accessing shelter must be made fair and trauma-informed. Based on the alarming experiences of homeless families with children, Win is calling for reforms to make the shelter application process more humane, fair, and efficient.

1. **Revise documentation requirements so that they can reasonably be fulfilled within the ten day conditional shelter period, beginning with reducing housing history to one year.**

For many families with children, PATH is one stop in a longer journey of housing instability. Yet DHS requires documentation corroborating every place a family has stayed over the previous two years. The difficulty and burden of providing documentation and corroboration of two years of their housing history often proves insurmountable for families in housing crisis, resulting in a denial of shelter. **Notably, in fiscal year 2019, about 85 percent of ineligible decisions for families in Win shelter were due to an incomplete housing history.** Win families reported struggling to gather all required documentation within the conditional period, and receiving little support from DHS in the process. DHS must revise documentation requirements, beginning with limiting housing history to one year.

2. **Accept a family's attestation for the reasons they cannot return to a previous residence as true.**

The nature of family homelessness makes *proving* homelessness an onerous and unfair requirement. For most, PATH is the last resort after exhausting all other resources. Nonetheless, pursuant to state law, the city must assess a family's housing need in order to find them eligible for shelter. As part of this obligation, the city can investigate whether a family can return to a place they stayed in the past. DHS exercises this discretion even when a family says that they are unwelcome, unsafe, or otherwise unable to go back to an address.

These investigations are prone to incorrect determinations, as they depend on the responsiveness and transparency of landlords, acquaintances, and those whom a family has stayed with in the past. The regulations also permit DHS to turn a family away from shelter even if the alleged housing alternative they have stated they will not take the family in—thus knowingly turning away families with children who have nowhere else to go.

Further, investigations are intrusive and indicative of a distrust of families seeking assistance. Adults seeking shelter in New York City do not have to prove they are homeless. Families with children should be treated with the same trust and dignity. This does not mean that PATH cannot work with a family to make an alternative option viable; and there may be times that families actually do have other options for places to stay that are uncovered during the application process. But, these determinations should be made working with families, not through investigations that discount and undermine families' own best judgment. And, the city must end the practice of denying people shelter even when it knows a family will be rejected by the home the city has deemed appropriate.

Precedent for accepting self-attestation of need to satisfy eligibility requirements exists. For example, the U.S. Treasury Department permits self-attestation of economic hardship in order to access COVID rent relief programs.¹¹ There is also precedent for waiving investigations in the New York City shelter system. In response to a petition from the de Blasio Administration, the New York State Office of Temporary and Disability Assistance (OTDA), the body that regulates New York City shelter, granted the city leeway in implementing shelter eligibility rules in late 2015. DHS ceased conducting investigations. In the months following the change, DHS found a greater percentage of applicants eligible, and

the number of families in shelter rose.¹² The city then petitioned OTDA again, this time to reverse the rule change. The state restored the city's obligation to investigate whether or not shelter applicants could stay with a friend or family member. Following this change, the percentage of families found eligible decreased to previous levels, creating more housing instability for more families, and the number of families submitting multiple applications increased.¹³

3. Establish PATH Navigators, to provide clear, consistent information and support to families at PATH.

Families arrive at PATH in the midst of one of the most overwhelming crisis imaginable, and are expected to navigate a complex government bureaucracy. As reported by Win families, applicants at PATH are provided incomplete or unclear and confusing information about applying for shelter and about eligibility determination. Neither are they informed of what to expect at PATH—who they are speaking with, when they will be called in to a meeting, or why they are asked to provide certain information—nor of resources such as child care that are available at the center.

PATH and shelter application must be demystified. A customer-service type desk staffed by PATH Navigators must be put in place to provide every family at PATH with standardized, clear information and to answer questions about PATH, what to expect during their day at PATH, and the shelter application and eligibility determination process.

DHS must provide PATH Navigators who have the expertise and sensitivity to support struggling families. People who have experienced homelessness, PATH, and shelter application process have unique insight into strategies for avoiding common challenges and pitfalls in the process. They can also offer insight into dealing with and getting through the day at PATH, and into needs that may arise after, including the need for psychosocial support. This expertise is a valuable resource for others in similar circumstances, and DHS should endeavor to recruit and incentivize people with this lived experience to be PATH Navigators.

“They’re always changing everything. All of the documents, the stuff that...they provide to us sometimes. Some of them don’t tell you what is there. Sometimes you have to find out yourself.”

—WIN FOCUS GROUP PARTICIPANT

4. Provide time windows for meetings at PATH.

Parents and children report spending up to 14 hour days at PATH in order to apply for shelter and to receive a placement and transportation. Much of this time is spent waiting. Because parents do not know when they will be called in to speak with a worker, and are told that they must be present when called, they cannot leave PATH without jeopardizing the progress made in their application. Unable to leave to pick up children from school or child care, parents have little choice but to take their children out of school and activities to spend the day at PATH. Neither can parents make arrangements to avoid missing work if they must be on call at PATH.

Forcing parents who are juggling work, school, and caregiving responsibilities to put everything on hold to spend a day in waiting rooms would not be tolerated in any other context. Homeless families should be extended the same consideration, and provided time windows for when they must be present for meetings.

“Their communication in that building is horrible. They just send you around. Everybody should be on the same page. ‘Oh, you’re supposed to see such and such, go here.’ But nobody’s talking.”

—WIN FOCUS GROUP PARTICIPANT

5. Provide trauma-informed services at PATH.

In any context, it would be considered unprofessional to make comments or engage in behaviors that are judgmental, dismissive, or intentionally hurtful or punitive toward clients. In the context of homeless families and children seeking shelter, many of whom

are seeking refuge from violence or insecurity, it is abusive. Yet these are the types of interactions and rule enforcement that families in Win shelter describe witnessing and receiving at PATH. Families, and their well-being, are hurt by it.

“Personally, I wanted to cry. And I cried there because I get anxious. And everybody’s different, and sometimes they don’t have a professional person to deal with different types of people.”

—WIN FOCUS GROUP PARTICIPANT

Every worker at PATH, including DHS contracted security firms and non-profits providing services, must be trained in trauma, and in providing trauma informed care and services. This is critical to protecting families and children from trauma triggers and from retraumatization, as well as for supporting their ability to navigate the application process. Trainings must be accompanied by on-going coaching and supervision to ensure that the interactions, environments, and services provided are trauma informed.

6. Make permanent the exemption of children at PATH.

Families describe PATH as inappropriate for children. Children are expected to sit quietly in office chairs for hours and sometimes for various days in a row, and cannot go outside to play or eat for fear of not being present when called to meet with a worker. Bringing children and youth to PATH also means that they witness adult conversations between parents and workers, sometimes overhearing information that parents wish to shield their children from. Further, the environment at PATH is described as tense and highly emotionally charged, a place where stress and anxiety are palpable.

“Arguing. Fighting. That’s why I said I don’t think that’s an environment for kids to be in because they witnessing all of this stuff. Because sometimes you don’t want to expose your kids to certain things.”

—WIN FOCUS GROUP PARTICIPANT

Finally, homeless students face tremendous academic disadvantages. They are 1.5 times more likely to be chronically absent compared to housed students.¹⁴ Chronically absent students are less likely to pass their English language arts and mathematics state assessments, and are more at risk of being held back a grade than their regularly attending peers.¹⁵ DHS must not be a reason homeless students miss school.

DHS requires that children and youth go to PATH with adults on the first day they apply on the grounds that PATH workers must verify documents and family size and composition. However, DHS’ administrative needs do not justify exposing vulnerable children to further trauma and disruption. DHS also contends that they must conduct health and well-being screening of children to intervene in the case of immediate, presenting needs. But both actions—verifying family composition and well-being screenings—are then repeated as part of shelter admission. Instead of requiring children to go to PATH, DHS can collect the information they need from shelter providers. Moreover, if children don’t have to be at PATH they can be at school, with teachers able to assess their well-being and needs.

The need to reduce the number of people at PATH during the pandemic trumped DHS’ stated reasons for requiring children and youth to present themselves. So too does protecting children from trauma and from missing school. DHS must permanently stop requiring children and youth to go to PATH.

7. Allow families to remain in their conditional shelter placement while they reapply.

If a family is found ineligible for shelter because their application is missing information, they are able to immediately return to PATH to begin the application process over, and many families do just this. However, even if they are just going to immediately reapply, families are required to pack their belongings, leave their conditional shelter placement, and return to PATH to complete the new application. A new application may come with a new conditional shelter placement and the family may be placed in the same shelter while DHS investigates their new application, but the process of packing and once again leaving the place they are staying can cause uncertainty and stress, and can be retraumatizing, for families and children dealing with a history of housing insecurity.

DHS can reduce stressors and exposure to potentially retraumatizing experiences by allowing families who are immediately reapplying to remain in their conditional placement while they submit their next application. This has been the DHS policy during COVID to reduce the number of people at PATH, and should be made permanent. Families should have the stability of remaining in the same shelter until DHS has grounds to deny them services for a reason other than missing information.

Conclusion

Whether or not these alarming statistics and stories reflect compliance with New York City's legal obligation to provide homeless families with shelter is beyond the scope of this brief. But, there is little question that the intake process at PATH fails to meet the city's moral obligation to house homeless families. Moreover, the process is inefficient for the city and often traumatizing for families.

DHS and other agencies established to serve vulnerable families must actually serve them and avoid inflicting harm. Yet the shelter application and eligibility policies and processes are built on suspicion and distrust of the families who turn to it—predominantly low-income families of color—and function to deter families in need from seeking and accessing help. Creating administrative requirements that are onerous and opaque, especially for a family in housing crisis, and subjecting families to punitive and demeaning treatment only serves to control shelter numbers in the short-term, while prolonging housing instability at the cost of family well-being. These policies are also cruel and unjust. And the disdain and distrust

they belie towards the families seeking assistance could not be clearer. New York City must stop assuming that because some is poor they are a liar or trying to manipulate the system. It must stop designing its programs based on this toxic belief.

Lowering barriers to shelter does not increase homelessness. It decreases housing instability and makes it possible for families in need to get help. Instead of investing in prolonged investigations into whether or not a family with children is pretending to be homeless when they show up at PATH, the city must invest in making the system more efficient and humane toward the ultimate goal of ending family homelessness.

References

1. Women In Need. (May 2021) Every Family Housed: A blueprint to end family homelessness for the next mayor. Available: <https://winnyc.org/policy-and-advocacy/>
2. New York City Independent Budget Office. (2014 Nov.) The Rising Number of Homeless Families in NYC, 2002-2012: A look at why families were granted shelter, the housing they had lived in & where they came from. *Fiscal Brief*. Available at; https://www.ibo.nyc.ny.us/iboreports/2014dhs_families_entering_NYC_homeless_shelters.html
3. DHS informational brochure. Available at <https://www1.nyc.gov/assets/dhs/downloads/pdf/path-brochure.pdf>
4. NYC Department of Homeless Services *Local Law 37 - DHS Report*. Dataset retrieved from: <https://data.cityofnewyork.us/Social-Services/Local-Law-37-DHS-Report/2mqz-v5im>
5. DHS Census for month of May 2019. Source: NYC Department of Homeless Services *Local Law 37 - DHS Report*. Dataset retrieved from: <https://data.cityofnewyork.us/Social-Services/Local-Law-37-DHS-Report/2mqz-v5im>
6. New York City Independent Budget Office. (2014 Nov.) The Rising Number of Homeless Families in NYC, 2002-2012: A look at why families were granted shelter, the housing they had lived in & where they came from. *Fiscal Brief*. Available at; https://www.ibo.nyc.ny.us/iboreports/2014dhs_families_entering_NYC_homeless_shelters.html
7. Institute for Children, Poverty, and Homelessness. (2019, Sept 24). Seeking stability: What applying for shelter truly means for New York City's Homeless Families. *Commentary* Available at: <https://www.icphusa.org/commentary/seeking-stability/>
8. Shapiro, Samantha M. (2020, Sept 9) The children in the shadows: New York City's homeless students. *The New York Times Magazine*. Available at: <https://www.nytimes.com/interactive/2020/09/09/magazine/homeless-students.html>
9. Substance Abuse and Mental Health Services Administration (2014). *Trauma-informed care in behavioral health services*. Retrieved from https://www.ncbi.nlm.nih.gov/books/NBK207195/#part1_ch1.s3
10. Guarino, K., & Bassuk, E. (2010). Working with families experiencing homelessness: Understanding trauma and its impact. *The Signal*. Retrieved from <https://perspectives.waimh.org/wp-content/uploads/sites/9/2017/05/5-Working-with-Families-Experiencing-Homelessness.-Understanding-Trauma-and-its-Impact.pdf>
11. See, e.g., *New York State application requirements for the Emergency Rental Assistance Program for renters facing COVID economic hardship*. <https://otda.ny.gov/programs/Emergency-Rental-Assistance/>. This responds to guidance on strategies for lowering barriers that were effective on other states, which can be found at https://nlihc.org/sites/default/files/FAQs_Emergency-Rental-Assistance.pdf.
12. As per data presented by Legal Aid Society and Coalition for the Homeless in public testimony to City Council. New York City Council, Committee on General Welfare, "Hearing Testimony, Oversight: PATH to Permanency," June 27, 2017, pg. 86. Available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3059519&GUID=0B6A7166-598D-45A0-93C5-ADC9E9136AF5&Options=&Search=>
13. Stewart, Nikita. (2017, March 21). "Harder for Homeless to Enter N.Y.C Shelter, Study Finds." *The New York Times*.
14. Institute for Children, Poverty & Homelessness (2019). *Student homelessness in New York City: School instability factors*. Retrieved from <https://www.icphusa.org/reports/school-instability-factors/#1-1-what-is-the-mid-year-transfer-rate-for-homeless-students->
15. Institute for Children, Poverty & Homelessness (2015). *Empty seats: The epidemic of absenteeism among homeless elementary students*. Retrieved from https://www.icphusa.org/wp-content/uploads/2016/09/ICPH-Policy-Report_Empty-Seats_Chronic-Absenteeism.pdf



ABOUT WIN

Win is New York City's largest provider of shelter and services for homeless families with children. Across its shelters and supportive housing, Win transforms the lives of New York City's homeless women and their children by providing a holistic solution of safe housing, critical services and innovative programs they need to succeed on their own—so the women can regain their independence and their children can look forward to a brighter future.

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SAVINGS & STABILITY



Permanently Housing Rather Than Just Sheltering Asylum Seekers Could Save the City Over \$3 Billion Annually

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Theodore Moore

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I came here out of necessity. People think we come here for selfish reasons, but if I had an opportunity to work in my country or I could depend on anything there, I would have stayed in my home.

Win Client & Undocumented Immigrant

Context

Presently and historically, New York City has been the home to the country’s largest foreign-born population.ⁱ As this number has grown in recent months, the city’s social services have also adapted to meet the emerging needs of these new arrivals. **Over 100,000 asylum seekers have arrived in New York City over the past year, with the majority of them depending on the city for shelter and services.** Currently, 57,300 asylum seekers are living in City run facilities and the Mayor projects that this number will continue to grow.

Furthermore, these figures do not account for the thousands of immigrants who were already living in New York City shelters before governors from southern states began inhumanely busing migrants to New York City in August 2022. **These many immigrant households have been systematically excluded from the social safety-net, most notably rental assistance, resulting in them becoming long-term stayers in the shelter system and forcing families into prolonged poverty.** New York City’s homeless response system, which was already under strain from the expiration of pandemic related funding and protections for renters, has been pushed beyond its limits. Shelter capacity is at less than 1%, and many immigrants living in shelter have no prospect of leaving.

Currently, these vulnerable families and children are ineligible for most housing subsidies, a denial that is exacerbating the capacity crisis and trapping noncitizens in transitional housing shelters for incredibly long periods of time. **New York has the authority to act unilaterally and expand housing vouchers to households in need, regardless of their immigration status. This expansion could save up to \$2.9 billion per year while helping the newest New Yorkers exit shelter, freeing up space in our homelessness response system.**



I’ve been here for five years, and I haven’t gotten any closer to leaving.

Win Client & Undocumented Immigrant

Solution

Housing subsidy programs are widely recognized as one of the most effective tools to combat homelessness. The United States Department of Housing and Urban Development’s [Family Options Study](#) revealed that, rather than staying in shelter, receiving long-term rent subsidies sharply reduced homelessness and increased housing stability.ⁱⁱ In addition, rental subsidies also promoted benefits in other domains of family well-being, including halving intimate partner violence, reducing adult psychological distress, parent-child separation, absenteeism and behavior problems for children, and increasing food security.ⁱⁱⁱ In FY22, of the 5,207 families with children in New York City that exited shelter to permanent housing, 79% of placements were subsidized.^{iv} Many sheltered, unhoused, and at-risk households rely on housing subsidies to transition to permanent housing, and **over 30,000 households gained or maintained permanent housing with CityFHEPS, the City’s most widely**

used voucher, in FY22.^v Furthermore, without housing subsidies, families often struggle to make a sustainable exit from shelter. **In FY22, 15% of families with children who exited shelter without a subsidy returned within one year, compared to less than 1% of families who exited with a subsidy.**^{vi}

When properly implemented, housing vouchers can be New York’s permanent and inclusive solution to the homelessness crisis. However, this crisis cannot be contained without solutions that include immigrant New Yorkers. Giving all households the support necessary to break the cycle of homelessness with vouchers will promote fairness and maintain the integrity of the nation’s most expansive social services system. **New York has the responsibility to provide a permanent housing solution for households regardless of immigration status and should implement the expansion of the vouchers to all New Yorkers.** Vital benefits have been provided legally to all New Yorkers regardless of immigration status through Promise NYC, HHC Options, and others, and **New York has the legal authority to grant immigrants access to housing vouchers.**

“
It’s so hard to want something, but not be able to achieve it. Like a job: I can’t work, and my children need a home.
”

Win Client & Undocumented Immigrant

Cost Savings

Not only is providing subsidized housing vouchers the solution that has the best proven well-being outcomes, but it is also the most cost-effective approach to addressing homelessness. **Offering housing subsidies to households regardless of immigration status would increase capacity in shelters, making it easier and less expensive for New York to care for homeless families.** Over time, changes in the New York City Department of Homeless Services (DHS) shelter census show that the introduction of rental assistance subsidies is correlated with a decline in the homeless population and associated costs (Table 1). This past year’s growth in the shelter census and costs can be attributed to the fact that the current vouchers in circulation are not available to most recent arrivals. Furthermore, improvements and expansions of vouchers also increase move-outs, and in the five months after the value of the CityFHEPS voucher increased in May 2022, Win’s CityFHEPS placements were 79% higher compared to the months immediately before, and 40% higher compared to the previous year.

DHS Shelter Census, Contextualized

Values

- Sum of Recent Asylum Seekers
- Sum of Other Shelter Residents

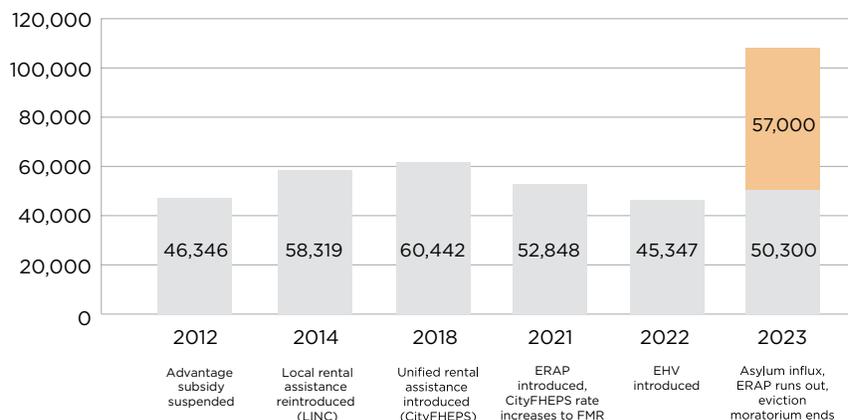


Table 1. DHS Shelter Census, Contextualized, by Catherine Trapani, Homeless Services United March 2023, updated by Hannah Tager, Win, August 2023. <https://www.nyc.gov/site/dhs/about/stats-and-reports.page>

In general, the expansions and introductions of housing vouchers can lead to future savings, as the subsidies reduce shelter costs enough to almost entirely offset the cost of the voucher. **Savings associated with permanent housing are returned through decreased reliance on the health care, corrections, and emergency shelter systems, which may be close to or above the cost of rental assistance and services.**^{viii} As well, the halving of intimate partner violence associated with the utilization of rental subsidies can result in improved economic outcomes for individuals and communities.^{ix}

While the vouchers currently available have been extremely effective and economically efficient, expanded access is still necessary for those who aren't eligible for existing vouchers. **Put another way: excluding the newest New Yorkers from using vouchers comes with an immense social and fiscal cost. For example, the CityFHEPS voucher costs just \$72 per night for families living in a 2-bedroom apartment.^x In contrast, New York City is spending on average \$383 to shelter households in emergency hotels.^{xii} In a public briefing on August 9th, 2023, Mayor Adams noted that there are 57,000 asylum seekers in the care of the city, comprised of 25,604 households.^{xii} The cost of sheltering 25,604 households per year in emergency welfare hotels, equates to \$3.58 billion dollars. It would cost just \$673 million to house those households with CityFHEPS vouchers, a cost savings of \$2.9 billion per year.**

Similarly, the proposed NYS Housing Access Voucher Program (HAVP) would cost as little as \$50 per night for household.^{xiii} If the State were to pass and implement the HAVP voucher or something similar, it would cost just \$465 million to house the 25,604 asylum-seeking households with HAVP for a year. Housing families with state-level vouchers instead of sheltering them in emergency hotels could result in saving over \$3.1 billion per year.

New York should take the commonsense and cost-effective step to extend eligibility for housing subsidies to all households most in need, regardless of their immigration status. Noncitizen households, rather than becoming long-term stayers in the shelter system, should have access to long-term solutions that will relieve the shelter system and allow families to truly thrive.



I've been here so long...My daughter was basically raised in the shelter system. I don't want that for her.

Win Client & Undocumented Immigrant

Works Cited

- i. "Foreign Born Population," Keeping Track Online: The Status of New York City Children, Citizens' Committee of Children of New York, 2021. <https://data.cccnewyork.org/data/map/25/foreign-born-population#25/4/3/45/127/a/a>
- ii. Daniel Gubits, Marybeth Shinn et al., "Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families," U.S. Department of Housing and Urban Development Office of Policy Development and Research, October 2016. <https://www.huduser.gov/portal/sites/default/files/pdf/Family-Options-Study-Full-Report.pdf>
- iii. Ibid.
- iv. Eric Adams, Joseph Varlack, and Daniel Steinberg. "Mayor's Preliminary Budget Report," Mayor's Management Report: Preliminary Fiscal 2023, February 2023. https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/2023_pmmr.pdf
- v. "Oversight: The CityFHEPS Rental Assistance Program," The Council of The City of New York: Committee Report of The Legislative Division, Committee on General Welfare, January 18, 2023, 20.
- vi. Eric Adams, Joseph Varlack, and Daniel Steinberg. "Mayor's Preliminary Budget Report," Mayor's Management Report: Preliminary Fiscal 2023, February 2023. https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/2023_pmmr.pdf
- vii. Will Fischer, "Research Shows Housing Vouchers Reduce Hardship and Provide Platform for Long-Term Gains Among Children" The Center on Budget and Policy Priorities, October 2015. Available at: <https://www.cbpp.org/research/housing/research-shows-housing-vouchers-reduce-hardship-and-provide-platform-for-long-term>
- viii. Ibid.
- ix. Emily F. Rothman, Jeanne Hathaway, Andrea Stidsen, and Heather F. de Vries, "How Employment Helps Female Victims of Intimate Partner Violence: A Qualitative Study," *Journal of Occupational Health Psychology* Vol. 12, No. 2 (2007): 136-143. DOI: 10.1037/1076-8998.12.2.136.
- x. Ella Ceron, "NYC Mayor Urged to Abolish 90-Day Shelter Rule Amid Migrant Influx," *Bloomberg*, September 20, 2022. <https://www.bloomberg.com/news/articles/2022-09-20/new-york-mayor-eric-adams-is-pressured-to-abolish-homeless-shelter-rule>
- xi. Bernadette Hogan, "NYC wants \$650M from feds to help alleviate financial crisis after welcoming 90 migrants each day," *NYPPost*, April 10, 2023. https://nypost.com/2023/04/10/nyc-budget-chief-begs-fema-for-fiscal-help-as-90-migrants-enter-big-apple-per-day/?oref=csny_firstread_nl
- xii. Mayor Eric Adams, "Transcript: Mayor Adams Delivers Address on Asylum Seeker Humanitarian Crisis and Takes Q&A," *NYC.GOV*, August 9, 2023.
- xiii. "A State-Level Rent Voucher Program," NYU Furman Center, (February 2023), 8. https://furmancenter.org/files/publications/2_A_State_Level_Rent_Voucher_Program_Final.pdf



Since its founding to provide emergency shelter to four homeless women and their children, Win has grown into the largest provider of family shelter and supportive housing in New York City and the country. Win offers transitional housing and permanent supportive housing that's coupled with programs and services developed to support long-term housing stability. All of Win's services are guided by its mission—to transform the lives of New York City homeless families with children by providing the safe housing, critical services, and the ground-breaking programs they need to succeed on their own—so families can regain their independence and children can look forward to a brighter future.

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The New York Immigration Coalition (NYIC) is an umbrella policy & advocacy organization that represents over 200 immigrant and refugee rights groups throughout New York.

The NYIC serves one of the largest and most diverse newcomer populations in the United States. The multi-racial and multi-sector NYIC membership base includes grassroots and nonprofit community organizations, religious and academic institutions, labor unions, as well as legal and socioeconomic justice organizations. The NYIC not only establishes a forum for immigrant groups to voice their concerns, but also provides a platform for collective action to drive positive social change.

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TESTIMONY OF:

Topacio Nunez, Senior Paralegal, Civil Justice Practice

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council

Committee on General Welfare

Oversight Hearing - Public Benefits Processing Delays at HRA.

September 27, 2023

My name is Topacio Nunez, and I am a Senior Paralegal in the Civil Justice Practice at Brooklyn Defender Services. Brooklyn Defender Services (BDS) is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation and other serious legal harms by the government. I want to thank the Committee on General Welfare and Chair Ayala for holding this critical hearing on delays in public benefit processing at Human Resources Administration (HRA).

BDS represent approximately 22,000 people each year who are accused of a crime, facing loss of liberty, their home, their children, or deportation. Our staff consists of specialized attorneys, social workers, investigators, paralegals and administrative staff who are experts in their individual fields. BDS also provides a wide range of additional services for our clients, including civil legal advocacy, assistance with educational needs of our clients or their children, housing, and benefits advocacy, as well as immigration advice and representation.

BDS' Civil Justice Practice aims to reduce the civil collateral consequences for the people we serve who are involved with the criminal, family, or immigration legal systems. Our team works with clients and their families to prevent a loss of housing, benefits, or property due to a legal case or investigation. Through legal advocacy in court and at various agencies, CJP helps people remain in their homes, maintain their public benefits, stay in school, keep their jobs, and protects their consumer rights. One of our primary services is to provide our clients with support when their public benefits are terminated or applications for essential benefits are denied. Our

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attorneys and advocates provide advice and eligibility screenings, accompany clients to the HRA offices, and provide representation to clients challenging HRA's decisions in administrative hearings and state court appeals.

Background

As a provider of legal services for low-income New Yorkers, the majority of the people we serve are eligible for some form of public assistance. As a result, we routinely hear about problems obtaining and maintaining public assistance. In my role as Senior Paralegal, I help BDS clients apply for public benefits, and advocate with HRA and in administrative hearings in cases where essential benefits have been terminated or denied.

As HRA reported in the Mayor's Management Report for FY2023, the Cash Assistance and Supplemental Nutrition Assistance Program (SNAP) application timeliness rates declined by 53.5 percentage points and 20.4 percentage points, respectively, compared to FY22.¹ While these figures are shocking and disturbing, the numbers alone do not capture the complete scale of the impact on New Yorkers who are attempting to access benefits.

Every person who goes to HRA seeking assistance is already at a point in their lives where they are in great need of help. For the people we serve, who are already enmeshed in the criminal or family legal systems, the circumstances that continued to their need are complex. Often, parents and caregivers represented by our Family Defense Practice are directed by the Administration for Children's Services (ACS) or ordered by a family court judge to apply for and start receiving benefits as a condition of the return of their children from the foster system. For other families, maintaining or achieving stable housing is the linchpin for them to have their children returned. Vouchers provided through state or city benefits system, like FHEPS or CityFHEPS, are essential for the parents we serve and their families. The delays at HRA are incredibly harmful, and can prevent reunification and further destabilize vulnerable families.

Client Stories

Based on our experience working with thousands of people navigating HRA and benefit systems in New York City, we share the below experiences to highlight the need for swift processing of applications.

- Ms. V is represented by BDS' immigration practice and was referred to the Civil Justice Practice in May 2022, when she received notice that she needed to recertify her case. A monolingual Spanish speaker, all of the communication Ms. V received from HRA was provided in only in English. Because of an internal error at HRA, Ms. V's case was not properly linked to her social security number. We were able to fix that issue after extensive back and forth with HRA over several weeks and help Ms. V submit the recertification. This is advocacy that is common for our office to do but would be very difficult, if not impossible, for people receiving benefits to do. After completing all her required steps and getting her approval notice in July, she received benefits for a few months before HRA closed her case, allegedly because she failed to recertify. We knew this wasn't true, because we had helped her do the recertification. We inquired with HRA

¹ https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/2023_mmr.pdf

and the problem continued to be that her case and identify documents were not linked in the HRA system. After countless inquiries *and* a fair hearing request, seven months later in December 2022, HRA responded to our multiple inquiries with a decision and issued the benefits. During this period, Ms. V had no choice but to borrow money and receive assistance from churches to keep food on the table.

The process she experienced was an unnecessary barrier that should not have taken place—the entire reason she was seeking assistance was because she was desperate for help and food. Ms. V is now going through the recertification process again and experiencing the same problem. The delays and bureaucratic red tape that applicants experience truly are designed to deter people from seeking and receiving assistance. Ms. V has indicated that, without BDS’ help, she would not have been able to navigate this system and would have given up on this process.

- Ms. M is a current BDS client who is represented by BDS’ Family Defense Practice in an Article 10 case in family court. Ms. M came to us with issues with her public assistance case—she is a monolingual Spanish speaker and faced many barriers to recertifying her case. For example, she did not receive any documentation or assistance in Spanish. Ultimately, she had to reapply, and we assisted her in the process to make sure that the application was done properly. Her application was submitted in February 2023, and despite the fact that it was complete and thorough, we had to advocate with HRA for it to be approved because two of her children were temporarily out of the home and had been improperly removed from her housing voucher. Because of this issue and the delays of processing her application, her voucher was not paying the rent and that additional stress was added on while she had just had a baby. Losing her housing or going into shelter would have caused even more delays and additional barriers to her children to returning home and the family reuniting. After the application was submitted, we completed all the necessary steps including the interview and Ms. M’s application was not approved until late April of 2023, more than two months after applying. The long process of applying created a lot of barriers for Ms. M and her children as she was unable to take the children to the home for visits or bring them food, treats or gifts during visits at the foster agency, her only contact with the children. She was also experiencing additional stress and fear on top of her ACS case. She was very afraid that ACS would remove her newborn baby if they didn’t find enough food in the fridge. All of this added stress and delays in her family court case could have been avoided if the first applications she had submitted had been able to accommodate her language needs *and* if the application our office helped her submit would have been processed in a timely manner.

Recommendations

We are deeply disturbed by HRA and the city’s failures to provide access to benefits within the mandated timeframe. Providing public benefits, which are already meager sums, is the way that we ensure our city’s children have roofs over their heads and food in their bellies. When parents are already facing the punitive and demanding family court legal system, the barriers created by these delays create even more issues, slow down reunification of families, and subject people to further unnecessary surveillance by ACS. The testimony from HRA staff made it clear that the reasons for this breakdown are myriad. We respectfully offer the following recommendations:

- Make immediate efforts to hire staff, approve overtime, and do what it takes to remedy the abysmal processing rates.
- Reevaluate the systems by which applications are processed. HRA workers are facing an impossible task when the programs and computer systems they use cannot meet the demands of applications and processing. The programs could also be updated to ask staff to verify their reason for denying an application and provide a “help” feature with clarity for workers around accepted documents and program eligibility—which may help prevent wrongful benefits denials or terminations.
- Suspend mandatory work requirements while the processing rates are so abysmal. When applications, recertifications, and other basic functions of HRA cannot be completed, reinstating a work requirement for benefits recipients will contribute to further dysfunctions and delays.
- Provide continuing education on eligibility criteria, state law and regulations and HRA policies and procedures. This training should include the expanded Safety Net Assistance eligibility that was recently enacted.

People we serve are often incorrectly denied benefits or have their benefits terminated unnecessarily because of staff error. Client experiences have shown that hostile situations often originate from, or are exacerbated by, a worker’s attempt to incorrectly enforce an eligibility requirement or alleged policy. For example, our clients are routinely told what will or will not suffice as verification documentation for emergency assistance, or are told that only a certain document will suffice when in fact there are numerous other options acceptable under the law.

Conclusion

Swift access to public benefits is paramount for low-income New Yorkers and helps provide critical stability. Benefit access may help the people we serve favorably resolve their criminal cases and reunite with their children after ACS involvement, maintain jobs and allow children to remain in school. Unnecessary delays contribute to community and family instability.

We thank the City Council for your attention and care regarding these issues. We hope you consider BDS a resource as we continue to work toward improving the public benefits system. If you have any questions, please reach out to Anya Mukarji-Connolly, Director of Policy and Advocacy, at amukarjiconnolly@bds.org.



**Testimony of Jenny Veloz and Juan Diaz, Policy and Advocacy Associates
Citizens' Committee for Children of New York
Submitted to the New York City Council
Oversight Hearing on Benefits Access New York City
September 27th, 2023**

Since 1944, Citizens' Committee for Children of New York has served as an independent, multi-issue child advocacy organization. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce; our priority is improving outcomes for children and families through civic engagement, research, and advocacy. We document the facts, engage and mobilize New Yorkers, and advocate for solutions to ensure that every New York child is healthy, housed, educated, and safe.

We would like to thank Chair Ayala and all the members of the Committee on General Welfare for holding today's oversight hearing on public benefits processing delays at HRA. To ensure New York City continues its recovery from the pandemic, we must make sure that families are receiving benefits in a timely manner.

New York City is currently at a crossroads. Programs designed to improve New York City residents' economic stability and quality of life are in grave danger. Staff reductions and vacancies within city agencies have impacted service deliveries to our most vulnerable populations. The Mayor's proposed 15% budget cuts to agencies like the Department of Social Services (\$1.4 billion cut) and Department of Homeless Services (\$800 million cut) will exacerbate an already problematic situation of individuals and families not receiving benefits, such as SNAP, cash assistance and housing vouchers, on time. Those hardest hit by the health and social-economic impacts of the pandemic are struggling to recover, and the existing city agency vacancies, unacceptable delays in accessing benefits, and now newly proposed austerity measures will only make the problems worse and bring real harm to New Yorkers.ⁱ

Food Security Recommendations

During COVID, federal programs, like emergency SNAP allotments and stimulus checks, helped alleviate food insecurity. On average, families received at minimum an extra \$95 in their monthly SNAP benefits, which helped households buy healthy groceries as unemployment and food prices rose. Households had a reprieve from having to make tough choices of whether to pay their rent, bills or buy groceries. However, the expiration of emergency SNAP in March 2023 left families once again struggling to afford food. Additionally, the backlog of SNAP applications in the city (causing delays in families accessing their benefits) continues to adversely affect New Yorkers who need these resources the most.ⁱⁱ



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As New York City continues to recover from the pandemic, SNAP continues to be an important anti-poverty resource for families. With inflation making food more expensive, low-income households are again struggling with the high cost of not only food, but housing, childcare, transportation, and utilities. The recently released Mayor's Management Report (MMR) indicates that the number of households receiving SNAP has increased between FY22 and FY23. The report also indicated that timeliness receipt of SNAP benefits exponentially decreased during the same time, 60.1% to 39.7% respectively.ⁱⁱⁱ While more people are applying for SNAP, more people are waiting more than the federally mandated 30 days. These wait times affect the health and well-being of children and families. Having healthy food options allows for better physical and emotional health, leading to increased participation in schools, decreased absences, better focus, and academic achievement. Chronic medical conditions can become exacerbated without SNAP enabling the purchase of healthier food options. **New York City must invest in the resources vital to the health and well-being of families and children, starting with ensuring that HRA has the staffing and resources necessary to process SNAP benefits in a timely manner. We also urge the city administration to reject proposed austerity measure of 15 % budget cuts, and they would detrimentally impact the health of New Yorkers.**

The staff shortages and vacancies at HRA will continue the challenge faced by the agency to process SNAP benefits within 30 days. Filling these vacancies is essential to alleviate wait times and give households the much-needed assistance they need. Although HRA has hired employees to assist with SNAP, staffing is still well-below pre-pandemic levels, 10,853 full-time employees in July, compared to 12,528 in December 2019.^{iv} Without proper staffing, families will be unable to utilize their SNAP benefits, increasing reliance on other resources such as food banks and pantries, soup kitchens, and families and friends. Application delays can lead to less healthy food options and less spending on groceries, impacting local economies. Notably, benefits of prioritizing staffing to get SNAP benefits to eligible households cannot be understated, it will not only offer immediate support to food insecure households to combat hunger and support healthy eating but will also result in immediate consumer spending across the city in food retailers and farmers markets thereby benefiting our economy.

Housing Security Recommendations

CCC is a steering committee member of The Family Homelessness Coalition (FHC). FHC is comprised of formerly homeless mothers and 20 organizations representing service and housing providers and children's advocacy organizations united to end family homelessness. Our budget, legislative, and programmatic priorities speak to the collective desire to end family homelessness by preventing family homelessness, improving the well-being of children and families in shelter, and supporting the long-term stability of families with children who leave shelter ensuring they do not return to shelter.



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The current housing and shelter crises started long before the recent influx of migrant families as 9,800 families with children were already languishing in our shelter systems, spending 520 days in shelter on average.^v CCC and peer advocates across the city are deeply concerned with the Mayor's call for budget cuts in the coming months. Instead, we urge the City Administration to prioritize action steps that can keep families housed and expedite access to permanent housing for those already in shelter and to protect staffing and fill staffing vacancies at DHS, HRA, and HPD.

The following recommendations are not only cost-effective but will improve outcomes for unhoused families, create space within our existing shelter system for newly arrived migrants, and positively impact our local economy.

Implement CityFHEPS expansion by removing administrative and eligibility barriers and expedite access to housing support for families in the community and in shelters. The recent Mayor Management Report (MMR) highlights the need to fully staff HPD, DHS and HRA to streamline housing applications and reduce paperwork so that families with children could remain housed and secure permanent housing timely. The MMR revealed that the percent of lottery projects that completed applicant approvals within six months decreased from 42% in FY22 to 32% in FY23; and the median time to finalize a lease for homeless placements in set-aside units in new construction increased from 203 days in FY22 to 243 days in FY23.

Improve Public Benefit access and retention. We urge the City Administration to address HRA staffing shortage, remove red tape, and bring technology options to ensure access to and applications for CityFHEPS payments and renewals, emergency rental assistance, cash aid, childcare, Medicaid, along with other benefits, are processed timely AND are not disrupted in transition to permanent housing. The recent MMR revealed that cash assistance application timeliness rate (30 days) decreased 53.5 % in FY23 compared to FY22. This type of severe delay not only impacts a low-income family's income support, but in many cases the access to shelter allowance to reduce their rent costs.

Prioritize Access to Homebase Services by refraining from budget cuts, to ensure that families in the community have access to preventive service supports timely such emergency rental assistance, housing subsidies renewals, and legal assistance to avoid shelter entrance and continue the path to housing and economic mobility. In recent months, advocates have expressed concerns over the time that it takes for families to access Homebase essential services. Enforcing budget cuts will further exacerbate the waiting time to access emergency prevention in low-income communities increasing the likelihood of shelter entrance. The MMR reported that requests for rental emergency assistance applications went from 25,323 in FY22 to 49,216 in FY23.



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Promote Well-being in Shelter:

- **Baseline funding for Community Coordinators** in the face of looming federal funding reductions. We appreciate the inclusion of \$3.3 million in this year's budget, however, shelter-based community coordinators are essential for children's overall wellbeing and a support system for their parents.
- **Support [Intro 092 \(Ayala\)](#)**, which would require DHS to provide process navigator services to every family with children at an intake center. Peer support has been proven in other systems such as youth homelessness and behavioral health care, to improve engagement in services and we anticipate a similar effect in the family homeless services system be that path or within shelter as well.

The ongoing increase in cost-of-living significantly impacting vulnerable families with children and the severe delays in SNAP, cash aid, housing application approvals and the increase in emergency rental assistance applications call for immediate action by the City Administration. The Mayor's Management Report serves as a reminder for the need to ensure that agencies like HRA, DHS and HPD be fully staffed and funded.

Thank you for your time and consideration on this critical issue for children's health and well-being. We look forward to continuing to work with the City Council and Administration to make sure that all New York City families and children have access to the support they need to recover from the pandemic and thrive.

ⁱ "Officials Reject Mayor Adams' \$10B Cuts to NYC Budget as Part of Migrant Solution." Documented 9/20/23.

Retrieved from: <https://documentedny.com/2023/09/20/nyc-budget-adams-cuts-migrants/#:~:text=The%20City's%20request%20for%2015,Sarkar%20wrote%20in%20her%20findings.>

ⁱⁱ "40% of NYC Food Stamp Applicants Left Waiting for Benefits, Data Shows." City Limits 11/10/22. Retrieved from: <https://citylimits.org/2022/11/10/40-of-nyc-food-stamp-applicants-left-waiting-for-benefits-data-shows/>.

ⁱⁱⁱ Mayor's Management Report 2023. Retrieved from:

https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/2023_mmr.pdf

^{iv} "NYC Failing to Process Most Food Stamp, Cash Benefit Application on Time." City Limits 9/18/23. Retrieved from: <https://citylimits.org/2023/09/18/nyc-failing-to-process-most-food-stamp-cash-benefit-applications-on-time/>

^v CCC Keeping Track 2022.

https://s3.amazonaws.com/media.cccnewyork.org/2022/04/CCC+Keeping+Track+2022_Small+PDF+Low+Res.pdf



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Homeless Services United's Written Testimony for the

The NYC Committee on General Welfare Hearing on September 27th, 2023 on Public Benefits Processing Delays at the Human Resources Administration

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 on issues impacting access to homeless services and public benefits. Thank you for holding this follow-up hearing to the December 15th, 2022 Oversight hearing focused on issues impacting timely access to public assistance, SNAP food benefits, one-shot deals, and rental assistance payments processed by HRA. Unfortunately, **HSU's members have not seen significant improvements to delays at HRA since the December hearing. Households applying for public assistance benefits, one-shot deals, and rental assistance are unable to get timely access to the help they need because HRA does not have enough staff to handle the immense caseloads. These delays mean people are going hungry waiting for the SNAP benefits, people at risk of eviction are losing their housing because they can't receive a One-Shot Deal or rent voucher quickly enough, and people in shelter are stuck there for months longer than necessary.**

HSU is sympathetic to the immense stress and workload that HRA staff are under. HRA staff are working nights and weekends to approval One-Shot Deals, and while we appreciate the staff's dedication to helping New Yorkers, this pace is not sustainable. **It is extremely concerning that the administration testified they do not know how many staff they need to hire to eliminate the backlog of delayed cases.** HSU urges HRA to share its hiring forecast to help the City Council and Administration understand what the Agency needs in order resolve staffing deficiencies. The City must do everything it can to enable HRA to retain their experienced staff while quickly filling vacancies to make the work across their agency sustainable. **HSU urges OMB to exempt DSS/DHS/HRA from the proposed 15% Plan to Eliminate the Gap (PEG), and positions responsible for the application and administering of public benefits and rental assistance should be exempt from hiring freezes. Specifically, staff that determine eligibility, and processing applications, renewals, and "indexing" documents for public benefits, SNAP, Cash Assistance, One Shot Deals, CityFHEPS and FHEPS, as well as staff that conduct Cash Assistance interviews and rebudgets.** As the number of people within NYC shelters continues to reach new record highs, this is exactly the worst time to divest in the homeless services safety-net.

HRA should backfill vacancies and expand headcount until they have sufficient capacity to eliminate backlogs and attain a 30-day processing time for not only public assistance and SNAP benefits, but also One-Shot Deals, CityFHEPS and FHEPS vouchers. As the administration testified, they are seeing record numbers of households applying for One-Shot Deals and public benefits, and as such, **HRA should expand beyond pre-pandemic headcounts to keep pace with the growing need.** **The Agency cannot**

continue to rely on stop-gap measures like voluntary overtime and redeploying staff within the agency to address backlogs and meet the current need, as it burns out staff and creates new delays within the units the staff are pulled from, as all units are overtaxed.

In addition to staffing up to meet the current demand for benefits and rental assistance, HRA must ramp up capacity *in advance* of implementing the CityFHEPS bill package which will take effect this winter, widening eligibility to more households at risk of eviction or currently experiencing homelessness. In addition to expanding headcount with the Rental Assistance Program (RAP) which processes and approves CityFHEPS applications and the Landlord Ombudsman Services Unit (LOSU) which cuts checks for the voucher, HRA must expand capacity within the Family Independence Administration (FIA) to process public assistance applications, interviews, rebudgets, as this is a required step for applying for CityFHEPS. Additional staff are also required to manually “index” submitted documentation for applicants’ cases for benefits, one-shots, rental assistance, as delays with indexing have lead to denials for assistance. While HRA implemented on-demand phone interviews for Cash Assistance, there are simply not enough HRA staff to answer the phones, with holds of 4 hours or more being commonplace. HRA must also expand capacity with the Rental Assistance Unit (RAU) to approve One-Shot Deal requests and Centralized Rent Processing Unit (CRPU) to cut checks for One-Shots and public benefits.

Impacts of delays at HRA:

- 1) Homebase providers have become the de facto front door for HRA without being adequately resourced to fulfill that role.
 - a) HRA Benefits Access Centers are unable to keep up with the number of households coming to them for assistance, and are routinely referring tenants to Homebase without indicating specific reasons for the referral, or for things which the Center staff are responsible for resolving/addressing such as CityFHEPS renewals or modifications and FHEPS applications, renewals, and modifications.
- 2) One-Shot Deals are being denied for households in arrears, necessitating multiple applications to get approved and risking eviction if unable to do so within the timeframe of the housing court proceeding.
 - a) Insufficient staffing levels at RAU and FIA Benefits Access Centers can’t keep up with the number of applications being submitted. FIA staff must manually “index” submitted documentation to a One-Shot Deal packet for RAU to review. If a packet does not include all the supporting documentation necessary, RAU cannot issue a decision to approve, and given there is a limited determination period, OSDs will be denied if RAU can’t see/review the documents in time. We’re hearing that RAU is trying their best but are overwhelmed by the number of applications while suffering from a number of vacancies. Those that remain are working nights and weekends to approve cases which is commendable but unsustainable.
- 3) Due to HRA paperwork processing delays, households currently living in housing with a CityFHEPS vouchers are seeing their voucher either end at annual renewal or get auto-renewed without the requested rent increase, causing households to needlessly fall into arrears. Tenants and landlords are submitting requested documents well in advance of the renewal date, but due to the backlog in

indexing documents, un-indexed documents will not be viewable within a person's case/application, and make it seem like the person did not submit everything necessary, even if they did. Tenants are needlessly falling into arrears because HRA does not have enough hands to process their paperwork, risking their housing stability and taking away precious capacity from Homebase programs to resolve what should be a perfunctory government function.

- 4) People are unable to exit shelter in a timely manner due to delays within RAP processing CityFHEPS applications and delays at FIA Benefits Access Centers receiving a Cash Assistance interview and rebudget, and a backlog of client documents which need to be "indexed" to their respective applications for benefits and rebudgets.
 - a) Voucher holders and landlords are being asked by HRA to resubmit updated paystubs and leases for CityFHEPS packets even when the delay is due to an HRA backlog for reviewing the documents. The onus should not be on applicants to redo and resubmit paperwork because City government cannot manage its workload in a timely manner.
- 5) CityFHEPS eligible households who do not qualify for ongoing Cash Assistance (CA) are less able to access a CityFHEPS voucher because staffing deficiencies across FIA Benefits Access Centers, RAP, and LOSU make it inherently more challenging to approve a CityFHEPS packet and issue checks before a household's CA case in Single-Issue (SI) status automatically closes within 30-days. CA eligibility is not a requirement for CityFHEPS, but HRA must temporarily open a CA case in SI status to be able to CityFHEPS to the household's budget within HRA's Welfare Management System (WMS).
 - a) To approve a CityFHEPS application, FIA must first conduct a CA phone interview and add CityFHEPS to budget, RAP must then review and approve the CityFHEPS application, and LOSU must cut the checks, all within the 30-day window the SI case remains open. Any delay within any of those steps could cause the overall process to exceed the 30-day time limit and require the applicant to return to an HRA Center to reopen their CA case in SI status and attempt the entire process over again.
- 6) Insufficient staffing for on-demand Cash Assistance telephone interviews are causing delays for Cash Assistance and CityFHEPS and FHEPS vouchers.
 - a) Providers shared that applicants are normally forced to wait on hold for hours before anyone picks up, if at all. Some applicants have had to call back multiple days to be able to be interviewed, and the callback function is not without its own challenges.
 - i) The option to join a virtual queue and receive a callback is only offered within the first few minutes on hold. Anyone who wants to opt for the virtual queue after the initial chance would need to call back, losing their current spot in the queue. Additionally, people who call in the afternoon may not receive a callback within the same business day (if at all) because there are not enough interviewers to quickly work through the queue.
 - ii) While the on-demand call function is an improvement over being forced to wait by their phones for days for HRA to possibly call, the limited capacity of the number of interviewers means applicants must take hours and days out of their busy lives in order to try to contact HRA, and the inability to successfully reach someone within in time will result in their CA case closing, a denial for a One-Shot Deal, or the inability to apply for CityFHEPS or FHEPS rental assistance.



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Considered legislation:

HSU supports **Int 651-2022**, which would codify that children are not required to be present at PATH intake centers when families are applying for shelter. We are heartened to hear that DHS has moved away from the rigid in-person requirement for children, and this legislation would codify that humane change to policy.

HSU supports **Int. 902-2023**, to provide process navigator services at DHS intake centers for families with children applying for shelter to help guide them through the process to apply and access services and stabilize their housing.

The City's homeless services safety net is being tested by record levels of need for public benefits, rental arrears assistance and emergency shelter, and typical interventions like overtime and staff redeployments with the Department will be insufficient to meet the need. HSU urges OMB to **increase, not cut, funding for the Department of Social Services to allow HRA to expand staff capacity and avoid further budget cuts to homeless service providers**. Investing in the homeless services safety net protects the well-being of New York City's most vulnerable and is fiscally responsible policy. HSU stands ready to work with the administration and City Council to ensure timely access to public benefits and rental assistance to keep New Yorkers stably housed and quicken exits from shelter to permanent housing. Thank you for the opportunity to submit testimony.

If you have any questions, please do not hesitate to contact me at elee@hsunited.org



**Testimony of The Legal Aid Society
Before the New York City Council Committee
on General Welfare**

**Oversight Hearing on Public Benefits Processing Delays at the Human
Resources Administration**

September 27, 2023

The Legal Aid Society appreciates this opportunity to submit written testimony to the New York City Council Committee on General Welfare pertaining to the hearing held on September 27, 2023, “Oversight – Public Benefits Processing Delays at the Human Resources Administration.”

Thousands of low-income New Yorkers go without SNAP and Cash Assistance benefits to which they are entitled because HRA fails to process applications and recertifications for SNAP and Cash Assistance within the timeframes required by federal and state law. HRA’s pattern of noncompliance with federal and state law is severe and can only be described as a crisis.

- In FY 2023 HRA processed fewer than 40% of all SNAP applications within 30 days as required by federal law. For Cash Assistance the number was even lower.
- In FY 2023, HRA processed only 28.8% of all Cash Assistance applications within 30 days as required by state law.
- Compared with FY 2022, Cash Assistance application timeliness declined by 53.5 percentage points and SNAP application timeliness declined by 20.4 percentage points.¹

HRA BENEFIT DELAYS ARE AT A CRISIS LEVEL

For the month ending August 31, 2023 over 32,000 households² suffered the consequences of HRA processing delays:

- **30,722 households applying for or recertifying for Cash Assistance or Cash Assistance and SNAP benefits suffered delays: they did not receive benefits within 30 days as required by law. As of September 7, 2023:**
 - **27,593 households applying for Cash Assistance or Cash Assistance and SNAP benefits were still waiting for benefits from HRA.**
 - **Over 25,000 of these households had been waiting between 30 and 60 days for benefits;**
 - **over 4000 households had been waiting between 60 and 90 days for benefits; and**

¹ Mayor’s Management Report, The City of New York, Mayor Eric L. Adams, September 2023, https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/2023_mmr.pdf.

² HRA provided August 2023 delay data in oral testimony at the at the September 27, 2023 hearing.

- **300 households had been waiting over 90 days for benefits.**
 - **3,129 households who had been receiving Cash Assistance or Cash Assistance and SNAP benefits had overdue recertifications.**
- **1574 households applying for or recertifying for SNAP benefits suffered delays.**

In addition, HRA is failing to maintain functional systems to enable SNAP and Cash Assistance households to submit applications and recertifications for these benefits. **These failures both have the same devastating result: families are forced to go hungry or make impossible decisions like whether to pay their rent or feed their children.**

The Legal Aid Society last submitted testimony to this committee at similar hearing held on December 15, 2022, and in the 9 months since that hearing, the problem has not gotten better it has gotten even worse. HRA has taken few steps to improve their timeliness in processing applications and recertifications. The City’s performance in processing critical benefits for our clients in an economy with skyrocketing inflation rates is both outrageous and cruel, especially given the fact that SNAP benefits are federally funded. No low-income household should ever be forced to forgo groceries and other critical needs due to bureaucratic failures. HRA must adjust to this reality and address this crisis immediately.

The Legal Aid Society urges the City Council to address the crisis at HRA by enacting legislation intended to increase transparency and functioning of HRA systems. The Legal Aid Society supports legislative action which would require HRA to:

- Maintain and publish on the agency website monthly data on application and recertification timeliness. When timeliness falls below 95%, HRA should be required to publish a corrective action plan detailing how the agency will reach 95% timeliness in 90 days and should also be required to provide progress reports to the Council at set deadlines.
- Maintain and publish HRA staffing numbers, staff retention, worker caseload ratios, average length of staff time needed to process applications and recertifications, and salary data in order to shed light on why HRA has fallen behind and identify possible staffing solutions.
- Maintain and publish a waiver database listing all program waivers the agency has requested and received from the State or federal government – this will ensure that the operational rules for each benefit program are transparent.
- Establish an Ombudsperson Benefit Hotline to troubleshoot benefit issues for HRA clients and require 311 to accept complaints about HRA and provide client

confirmation tracking numbers for these complaints. HRA clients need the ability to speak with someone via telephone to address emergent benefit issues.

- Evaluate the Access HRA system and create website standards to measure the accessibility of the system to ensure that HRA clients can use it successfully.

Part I:

Delays in SNAP, Cash Assistance and Rent Arrears/ One Shot Deal Processing

HRA Delays and System Failures Cause Thousands to Go Without Benefits Every Month – Including SNAP, Cash Assistance Benefits and One-Shot Deals for Rent Arrears

A. THE PROBLEMS: Delays & Systemic Barriers Force Households to Go Without Benefits

1. Recertification Delays Force Households Eligible for SNAP Benefits to Go Without and Wait

Thousands of households receiving SNAP benefits discover their benefits have stopped because HRA has failed to process the recertification paperwork required to continue their benefits. These households are expected to wait until HRA gets around to processing their cases and issuing their benefits. While they wait for HRA to process their cases, these households receive no substitute benefits or food. They go without benefits and miss meals until HRA completes processing on their cases.

2. Application Delays Force Households in Desperate Need to Go Without and Wait

Thousands of households who are applying for SNAP benefits and Cash Assistance --including One-Shot Deals for Rent Arrears -- do not receive timely decisions on their applications. They must wait until HRA gets around to processing their applications. Thousands more low-income New Yorkers go without SNAP and Cash Assistance benefits to which they are entitled because their applications and recertifications fall through the cracks of HRA's broken automated administrative processing systems:

- **Forms - Many Households cannot complete the online application and recertification forms – HRA fails to provide real alternatives to ACCESS HRA. Even those who appear in person at HRA must apply online.** Households are expected to use the online system, ACCESS HRA, to apply and recertify and are often impeded by the complex system and in many cases, even blocked by the ACCESS HRA system.
- **Phone Interviews - Many Households are denied or cut off because they cannot reach HRA by phone to participate in their mandatory phone**

interviews. For all cases, applicants must complete their mandatory interviews by calling HRA's On Demand line. Despite its name, the On Demand system involves long waits. Applicants regularly wait more than two and half hours on the line or for a return call ("call-back") from an HRA representative to complete the interview. In some instances, they never receive the return call. Participants are not warned about the long wait times and HRA has provided no guidance to applicants about what happens if they do miss the call-back. If the household misses the call-back they risk having their case erroneously denied or closed because they failed to participate in a required phone interview.

- **Documents - Many households are denied or cut off because the required documents they submit to HRA are lost or ignored and HRA fails to check its own records.** Applicants are often required to submit the same documents multiple times and are repeatedly told that the agency does not have the documents they submitted.
- **Expedited SNAP and Immediate Needs Grants – Many households are not provided with the emergency benefits to which they are entitled by HRA: Expedited SNAP benefits to those eligible within seven days and Immediate Needs Grants to those eligible the same day.** In July 2023, HRA timely provided expedited SNAP to only 54.6% of eligible households. Nearly half the households who applied and were eligible did not receive timely expedited SNAP benefits despite having a food emergency.

B. PROPOSED SOLUTIONS:

HRA should provide detailed information about current delays and a detailed corrective action plan to address the delays, so New York City households do not have to go without benefits to which they are legally entitled. In this corrective action plan, HRA should be required to provide specific numbers on delays, staffing numbers and a plan on how to eliminate the current backlog.

1. REPORT ON DELAYS AND STAFFING SHORTAGES

- **Report on Application and Recertification Processing Delays for each month and Corrective Action Plans When They Fall Below 95% Timeliness.** HRA should be required to report and post on its website: the number of applications and recertifications for each month and the number and percentage decided within statutory deadline of 30 days; and those which are delayed beyond 30 days, 31-60 days, and 61-90 days. The data should also report on those eligible for expedited processing for SNAP benefits because of very low income and resources, HRA's timeliness in responding within the seven-day period required by law, and the timeliness for immediate needs grants which must be processed the same day. HRA should also report on

any projected delays for the next six months. Moreover, when timeliness for applications and recertifications falls below 95%, HRA should be required to publish a corrective action plan detailing how it will achieve timeliness within 90 days and publish interim progress reports.

- **Report on Staffing Shortages and How they will be Addressed to Eliminate Application and Recertification Backlogs** HRA should be required to report and post on its website: the agency's staffing numbers, staff retention, worker caseload ratios, average amount of time required to process applications and recertifications, and salary data. HRA should be required to specify the number of staff positions needed to eliminate current processing delays for applications and recertifications – and without negatively impacting other HRA benefits including Medicaid. HRA should detail its plans to address the staffing shortages identified.
- **Report all Program Waivers the Agency has Requested and Received from the Federal Government and OTDA.** HRA should be required to maintain and publish a waiver database listing all program waivers they have requested and received from the state and federal government. This will ensure that the operational rules for each benefit program are transparent.

2. ADDRESS SYSTEMIC PROBLEMS to enable SNAP and Cash Assistance households to submit applications and recertifications for these benefits. HRA should be required to:

- **Suspend HRA plans to resume work requirements until the application and recertification delays are addressed.**
Despite the huge existing backlog in cases, HRA plans on starting mandatory work call-ins on October 2, 2023. This change will not only have a huge impact on HRA clients, it will increase HRA staff workload and decrease the agency's ability to address current staggering backlogs in application and recertification processing. HRA should suspend its plan to resume mandatory work requirements until it has resolved existing backlogs in application and recertifications.
- **Address HRA staffing shortages & Reform the Self-Service Model**
HRA must address staffing shortages which are preventing the agency from meeting legal deadlines. They must process applications and recertifications and provide benefits within the time frames mandated by law. Moreover, HRA should be required to report on the number of staff needed at each of its centers to provide in-person assistance to HRA clients, and HRA should be required to reform its current self-

service model so that clients who appear in person are able to receive help from the agency during their visit.

- **Ensure Real-Time Help is Provided to Users of ACCESS HRA**
HRA operations are now premised on households using its online system – ACCESS HRA, to apply and recertify for benefits and to get information about their cases. HRA recently announced that it would be implementing an Access HRA Application Call Center that connects applicants with staff at a Community Based Organizations (“CBOs”) who can assist them with Access HRA questions in real time. This promises to be a huge improvement and HRA should ensure the success of this new program by adequately funding and supporting the CBOs who will staff this program.
- **Provide Realistic Alternatives to Applying Online.**
HRA should be required to: a) make paper applications widely available; b) provide widespread information about the availability of phone applications and train HRA staff on this option and ensure adequate staffing to take phone applications; and c) create community partnerships with nonprofit organizations to help New Yorkers apply and recertify for benefits.
- **Provide Guidance for Households on How to Best Use the On Demand Phone System.**
HRA should publish guidelines about wait times, how to use the call-back feature, and what to do if you miss a call-back to ensure that households can connect with an HRA worker to complete their interview.
- **Fix HRA Infoline/“One Number” Without Delay and Staff it Adequately**
HRA’s central phone line system is a disaster. The system lacks adequate capacity to meet client needs. HRA replaced the old Infoline system with a single phone number that is not adequately staffed and is difficult to use. There is no escaping it because it is the ONLY number New Yorkers can use to get in touch with the agency. HRA has eliminated all of its other phone numbers. This means New Yorkers cannot get in touch with HRA by phone and cannot even complain about it because there is no separate complaint number to call. [Even 311](#) sends New Yorkers to this Infoline/OneNumber if they want to complain about Infoline/OneNumber the agency. As COVID infection numbers surge again, New Yorkers must be able to contact HRA by phone now – to access benefits, avoid in-person visits to crowded HRA centers, and reduce the spread of the virus.

- **Reform and audit its systems of verifying documents and provide real-time receipts**

Many households are denied or cut off because the required documents they submit to HRA are lost or ignored and HRA fails to check its own records. HRA acknowledges that the agency is failing to timely index documents and that it does not provide receipts to those who submit documents at centers. HRA should be required to a) retrain staff to only require document submission after HRA has confirmed that it lacks the documents in its systems and that the document is indeed required; b) provide receipts for documents at the time they are submitted; and c) eliminate all backlogs in indexing documents; and d) audit its systems and report on processing delays in indexing documents -- in addition to posting application and recertification delays, the agency should be required to post each month the number of days the agency is behind in indexing documents.

- **Seek waivers to speed processing and post the waivers requested and granted on HRA's website:** HRA should seek waivers of federal and state rules for Cash Assistance and SNAP benefits to speed processing of applications and recertifications. Such waivers requested should include at a minimum, waiving the interview requirement wherever possible and extending certification periods. HRA should be required to post on its website all waivers requested along with responses to those waivers.

3. Stop Keeping New Yorkers from Reaching HRA: Instruct 311 to Take Inquiries and Complaints about HRA.

New Yorkers should be able to reach out to HRA to get information on their cases and request disability help. Currently, HRA instructs individuals on their website to contact the HRA Office of Constituent Services to do so. But the phone number posted is the same Infoline/One Number line that has long hold times and prevents clients from getting through to HRA. And 311 does not take HRA complaints – they refer callers to Infoline/One Number. HRA is effectively, hiding the complaint box. HRA should be required to provide an alternate phone number and the City should also require the 311 system to take requests for disability help as well as inquiries and complaints about HRA. All callers should be provided with a confirmation and tracking number to enable clients to track their calls and ensure that HRA resolves outstanding issues.

Part II: Delays in Processing FHEPS and CityFHEPS

A. FHEPS and CityFHEPS: Ensure that households can apply for and maintain FHEPS housing subsidies and CityFHEPS housing subsidies.

HRA should be required to ensure that households can apply for and maintain FHEPS and CityFHEPS housing subsidies. Specifically, HRA should be required to:

1. Implement new procedures, notices, and instructions to ensure families can apply for and maintain FHEPS directly with HRA. HRA should also be required to inform households how to get FHEPS restored if it is mistakenly removed from a case.
2. Conduct refresher trainings on CityFHEPS, FHEPS and One Shot Deal applications so that households are not mistakenly told to go to HomeBase to access FHEPS.
3. Ensure accountability: HRA should give receipts when FHEPS applications, modifications, and restoration requests are submitted by applicants or advocates. HRA should similarly give receipts when CityFHEPS renewals, modifications or restoration request are submitted.
4. Report on staffing levels at FCDU and RAP and address staffing shortages to eliminate application and processing backlogs -especially as housing court cases increase each month.

B. HRA should be required to address backlogs and processing for FHEPS and CityFHEPS.

HomeBase are the non-profits responsible for administering FHEPS to move and CityFHEPS to move subsidies -- but they have huge backlogs -- some have 6 month waiting lists to get an intake appointment. As a result, households who have found apartments cannot get through to process the apartments. Households who have court cases cannot get through to schedule an intake appointment to get CityFHEPS or FHEPS to move. Households who need health and safety moves cannot get appointments for dangerous conditions in their apartments.

To address this backlog, HRA should be required to:

1. **Monitor application processing time and if applications cannot be processed within 30 days at Homebases, HRA must take over processing.** Households must be seen at Homebase locations on the same timeline as Benefits Access Centers and applications must be processed within 30 days to avert an emergency. If Homebase locations cannot timely process emergency moves or assist with applications for emergency back

rent, HRA must immediately take over the backlog of cases and set up a system to process those applications.

2. **Report on processing backlogs and delays with City FHEPS and FHEPS applications.** HRA should provide monthly reporting on application processing delays and specifically identify how many applications have been pending in the HRA system longer than 30 days.
3. **Assess Staffing Levels and Wages for Homebase Workers and Make Necessary Increases.** HRA should assess staffing levels and wages for Homebase workers and report on case worker ratios and retention and make adjustments to Homebase contracts where necessary.
4. **Develop and implement a detailed corrective action plan to reduce backlogs.** The corrective action plan must include addressing staffing levels and salaries for both HRA and Homebases and a clear discussion of how they will ensure that all FHEPS and CityFHEPS applications are processed within 30 days.

Conclusion

We thank the Council for the opportunity to provide written testimony. We look forward to further collaboration to ensure that HRA eliminates backlogs and processing delays so that all New Yorkers are able to access the SNAP, Cash Assistance and Rental Arrears benefits to which they are lawfully entitled.

Respectfully Submitted,

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About 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.

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.

**Testimony of Jozette Dowdell, Deputy Administrator,
Local 1549, DC 37, AFSCME
Before the City Council General Welfare Committee
September 27, 2023**

Good afternoon, Chair Ayala and members of the Committee. I am grateful for the opportunity to testify today. I am Jozette Dowdell, the Deputy Administrator of AFSCME Local 1549, District Council 37 in New York. We represent employees of New York City's Supplemental Nutrition Assistance Program. Our members work on the front lines of SNAP to connect the most vulnerable New Yorkers to life-saving food assistance. In their roles across the program, our members determine eligibility for the program, answer calls from applicants and participants, and connect individuals and families to SNAP and, in many cases, to other benefits. Our members and I are testifying today with the goal of working with the city to improve SNAP operations and ensure timely benefit delivery to the more than 1.7 million New Yorkers who participated in SNAP in FY2022 and to other New Yorkers who qualify for but do not yet participate in the program.

You will hear from our members today as they describe the challenges they have confronted in their work. These challenges include the ANGIE case management system that has proven to be a barrier to timely benefit delivery; retention problems in keeping experienced, merit-based staff; and the significant training gaps that exacerbate these retention problems. I would like to thank Local 1549 members for their tireless work in delivering SNAP benefits and services to millions of New Yorkers during the pandemic and for decades before. They are truly frontline heroes who keep the "human" in human services.

Unfortunately, yesterday we were told our members were not going to be released from their assignments at the last minute to attend this, but in true fashion they understood the importance of this hearing today and took their own time to be here. We attend these hearings in attempts to partner and work with the city on solutions, and as you will hear these are truly frontline heroes who keep the "human" in human services.

Thank you again for the opportunity to testify before you today.

**Testimony of Tyece Grant, Eligibility Specialist II, HRA,
Local 1549, DC 37, AFSCME
Before the City Council General Welfare Committee
September 27, 2023**

Good afternoon, Chair Ayala and members of the Committee. I am grateful for the opportunity to testify today. I am Tyece Grant, Eligibility Specialist II and a member of AFSCME Local 1549, District Council 37 in New York. I have worked in SNAP for 11 years. A significant barrier in my work is the ANGIE case-processing system, which is ineffective for SNAP applicants and prevents the timely delivery of benefits. This flawed case management system was intended to decrease the workload. However, I have found that it instead increases my workload and contributes to the backlog of SNAP cases. For example, ANGIE was designed so that any supervisor from any SNAP center from across the city can approve a case. I have found that this is ineffective because I don't know who is signing off on my cases. If I experience an error on the case, the supervisor or the system assigns the case to a completely different worker who must then perform much of the work I have already completed. This delays timely benefit delivery for our clients who need life-saving food assistance.

One co-worker reported that, before ANGIE was implemented, she was completing 20 SNAP cases per day. Now, due to this system's inefficiencies and errors, she can only complete seven cases per day. As SNAP workers, we want a better IT system that will allow us to complete and track our work to ensure timely benefit delivery. The ANGIE system creates hurdles to achieving those goals.

**Testimony of Luchy Perez, Eligibility Specialist II, HRA,
Local 1549, DC 37, AFSCME
Before the City Council General Welfare Committee
September 27, 2023**

Good afternoon, Chair Ayala and members of the Committee. I am grateful for the opportunity to testify today. I am Luchy Perez, an Eligibility Specialist II and a member of AFSCME Local 1549, District Council 37 in New York. I have worked in SNAP for 11 years. I also would like to focus on the ANGIE system as a barrier to timely benefit delivery. If the system flags an error while I'm entering a client's information or processing eligibility in the system, the case has to be suspended until IT can fix the problem. This could take anywhere from three weeks to two months. In the meantime, I have to move on to the next case and everything with the original case falls through the cracks.

Last year, because this system was so inconsistent, management had continued to use the old case management system in parallel. The prior system allowed me to complete tasks more easily with less fatal errors than in ANGIE. The current system creates a huge backlog of cases. The stress of reducing this backlog contributes to retention problems. As a result, we need many more Eligibility Specialists, but the pay is not high enough, given the cost of living here. In the end, the ANGIE system hurts the clients and stops me from being able to do the work in a timely manner. Our managers said that the ANGIE system would help frontline workers and would benefit the client, but it has done the opposite.

**Testimony of Helen Chandler, Eligibility Specialist II, HRA,
Local 1549, DC 37, AFSCME
Before the City Council General Welfare Committee
September 27, 2023**

Good afternoon, Chair Ayala and members of the Committee. I am grateful for the opportunity to testify today. I am Helen Chandler, Eligibility Specialist II and a member of AFSCME Local 1549, District Council 37 in New York. I have worked in SNAP for 11 years. I am focusing today on the importance of proper in-person training to accurately process SNAP cases. I know from personal experience that interaction between trainers and SNAP workers is critical to learning the skills required for processing SNAP cases. However, the city has stopped or greatly reduced the practice of offering in-person training. As a result, newer employees with less training are poorly equipped to accurately process SNAP cases. This slows down benefit delivery and creates a more stressful environment for the SNAP worker. Many have quit due to the stress. This is proof that my job in human services work is skilled care labor that requires significant training — I am not a paper-pusher. As the city confronts significant problems retaining frontline staff in SNAP, I hope that it considers the importance of in-person training as a retention strategy.

I also wanted to add to my colleagues' comments on the ANGIE system. I have personally experienced how it slows the processing of cases. For example, the system currently doesn't allow rent and some types of income to appear on the budget for the case. This forces me to re-enter the rent and other income after already having entered the information in the system. This is a barrier to timely benefit delivery.

Dear Committee on General Welfare,

My name is Jenna Coudin, and I am an attorney with the Government Benefits Unit at Manhattan Legal Services. I appreciate the opportunity to testify on General Welfare as it relates to Public Benefits processing delays at HRA. I am here today to shed light on the actual, day to day, disastrous consequences of HRA's extreme delays in processing, approving, and issuing Public Benefits. I will also present a few adjustments that I believe should be made to address the matter at stake.

My organization, Legal Services NYC, is the country's largest organization providing free civil legal services to low-income communities. For over fifty years, we have helped our clients meet basic human needs in order to protect and restore human dignity. Annually, we provide legal assistance to thousands of low-income New Yorkers by ensuring access to critical government benefits.

In 2018, 1 in 10 New York households experienced food insecurity¹. In 2019, 1 in 7 New Yorkers relied on SNAP to put food on their tables². The COVID-19 pandemic dramatically worsened this hunger crisis and the financial vulnerability that ensued is still very substantial. Inflation continues to rise³, and within the marginalized communities that Manhattan Legal Services serves, we've seen our clients persistently struggle to afford basic groceries to feed their families.

Meanwhile, we are seeing systemic delays of more than the required timeframe of 30 day processing of SNAP, Public Assistance, One Shot Deals, FHEPS and CityFHEPS applications. According to the latest Mayor's Management Report, less than 30% of Public Assistance applications and 40% of SNAP applications were processed within the required 30 days timeline⁴. While some applicants received decisions well past the required timeframes, others never received a response on their application. These harmful delays are widespread across New York City.

As I have seen in my client work, issuance delays of SNAP, Cash Assistance or rental subsidies have real life consequences, such as:

- A single mother who won't be able to feed her 10-year-old daughter tonight.
- An 18-year-old homeless high school student who will skip breakfast and lunch tomorrow to have enough cash to afford dinner.

¹ <https://hungersolutionsny.org/resources-action/hunger-in-nys/>

² *i.e.*

³ <https://www.cnbc.com/2023/09/13/heres-the-inflation-breakdown-for-august-2023-in-one-chart.html>

⁴ <https://citylimits.org/2023/09/18/nyc-failing-to-process-most-food-stamp-cash-benefit-applications-on-time/>

- A 55-year-old woman, former accountant who landed in housing court after becoming paralyzed following a stroke, unable to cook or afford groceries while her SNAP application is pending.

These are the stories we hear every day. They are disheartening and infuriating. New York City is mandated by law to protect low-income New Yorkers. New York City has to ensure that we support the people whose lives already are struggles and battles every day. We can all agree that \$281 a month in SNAP is far from sufficient to afford a month's worth of groceries, but \$281 can make the difference between life and death. HRA's continuous delays are not only unacceptable, but it's also deadly, and it is critical to act NOW.

It is deplorable that despite a substantial worsening of HRA's extreme back up, the Adams administration mandates budget cuts after budget cuts, expressly forbidding agencies from hiring staff, when so many of HRA's positions are already vacant. Our people are hungry, they are suffering, and they need help. Filling these positions is essential. My office calls and emails HRA every day. We send follow ups after follow ups, most of them staying unanswered. This is unacceptable, our clients have rights, and HRA has the duty to assist.

Every week in NYC, new tenants are being sued by their landlord because of missing/delayed shelter payments or improper discontinuance of a Public Assistance, FHEPS or CityFHEPS case. Why is it that the programs that were created to help vulnerable people access affordable housing, are the ones that end up pushing these same marginalized tenants into eviction proceedings?

HRA's blatant failure to assist goes beyond their delays. First, cases are mistakenly closed without notice. Our clients and our office are regularly accused of not sharing the documents we already shared or failing to recertify when clients in fact did. Second, the AccessHRA website has an ample number of technical deficiencies. Our clients are waiting on the phone for hours at the time to speak to someone at HRA to perform their mandatory phone interviews. It seems that the best, or maybe only way, to obtain an update or any type of information from HRA is by going to a Benefits Access Center, but that means spending a full day at a Benefits Access Center.

The most recent Mayor's Management Response indicates that "*HRA is taking aggressive action to fill critical vacancies, invest in technology and implement process improvements to improve timeliness*". This is great to hear, but what is the concrete structural plan and what is the timeline⁵? By what date will New Yorkers be able to get their Benefits processed within 30

⁵ <https://dmmr.nyc.gov/city-services/health-and-human-services/human-resources-administration>

days? This rule was supposed to be effective as of October 1, 2022⁶. What substantial steps have been put in place to comply with the July 18th Federal Court order to eliminate the backlog by March 2024?⁷?

Accordingly, and in order to promote equity, stability and fairness to all New Yorkers, I believe that the following adjustments should be made:

1. The Adams Administration should approve the necessary budget to, at minimum, fill all the positions that are currently vacant at HRA. The US economy will keep getting worse until it gets better, and HRA must hire more staff to get rid of this years-long back-up.
2. The New York Department of Social Services should commit to creating and publishing a corrective action plan to resolve the systemic delays in processing Public Benefits applications within the requisite timeline of 30 days.
3. The New York Department of Social Services should share monthly monitoring reports with community partners until they can demonstrate that the agency is complying with its protocols, corrective actions plan, and applicable state or federal regulations and laws.
4. Finally, HRA should create a Direct Access Line phone number for advocates and community partners, to help address and facilitate correction of case errors.

The post pandemic financial hardships endured by the low-income families remains and continues to deepen economic gaps and racial disparities. Improving, furthering, and expanding prompt access to Public Benefits will help to preserve and better the lives of the marginalized population of New York, as well as their safety and human dignity.

Respectfully submitted,

Jenna Coudin, Esq.
Manhattan Legal Services

⁶ The New York State Office of Temporary and Disability Assistance (“NYS OTDA”) and the New York City Department of Social Services (“NYC DSS”) must provide SNAP and Public Assistance to eligible families within 30 days after the date of the application. 7 U.S.C. § 2020(e)(3); 7 C.F.R. §§ 273.2 (a)(2) and (g)(1); 7 C.F.R. § 273.14(d)-(e) (setting out requirements for processing SNAP recertifications); Social Service Law § 131-a; and OTDA 22-ADM-11. Further, “prompt action” must be taken “on all reported changes to determine the effect on the household’s eligibility and food stamp allotment.” 18 N.Y.C.R.R. § 387.17.

A recent amendment eliminated the Safety Net Assistance (SNA) 45-day waiting period, effective on October 1, 2022, establishing that the rules for SNA eligibility determinations mirror the ones for Family Assistance (FA) and districts are required to determine eligibility for all SNA applications within 30 days from the date of application.

Effective October 1, 2022, districts are required to determine eligibility for all SNA applications within 30 days from the date of application. For SNA applications filed from August 17, 2022, through September 1, 2022, districts must make an eligibility determination on these applications no later than October 1, 2022. For SNA applications filed on or after September 2, 2022, districts must make an eligibility determination within 30 days from the date of application. For SNA applications approved prior to October 1, 2022, benefits must not be issued prior to the 45th day, or until October 1, 2022, whichever is earlier

⁷ <https://www.nydailynews.com/2023/07/31/court-rules-mayor-adams-admin-must-fix-delays-in-nyc-residents-getting-food-stamps-cash-assistance/#:~:text=The%20lawsuit%2C%20which%20was%20first%20reported%20by%20the,agency%20to%20process%20such%20claims%20within%2030%20days.>

Joint Testimony of the New York Housing Conference and New York State Association for Affordable Housing

New York City Council Committee on General Welfare Oversight – Public Benefits Processing Delays at HRA.

Sep. 27, 2023

Good afternoon. We would like to thank Committee Chair Diana Ayala as well as the other members of the City Council Committee on General Welfare for the opportunity to testify.

New York Housing Conference is a nonprofit affordable housing policy and advocacy organization. As a broad-based coalition, our mission is to advance City, State and Federal policies and funding to support the development and preservation of decent and affordable housing for all New Yorkers.

The New York State Association for Affordable Housing (NYSFAFH) is a non-profit trade association representing the affordable housing industry in New York State. Our goal is to promote the development and preservation of affordable housing throughout the state by working with our members and partners in government to ensure that affordable housing is sustainable, cost-effective and meets the needs of communities.

We are testifying today to share how public benefits processing delays, particularly for cash assistance and one-shot assistance, is affecting affordable housing tenants and owners. Last spring we issued a report showing that in the nearly 50,000 units of affordable housing for which we collected data, 31% of tenants were in arrears of more than two months, each owing on average \$9,565. We are in the process of updating those numbers, but preliminary data shows that arrears are continuing to grow.

While many tenants have been aided by ERAP funding to help cover arrears accumulated during the pandemic, this funding has essentially been exhausted and HRA's one-shot emergency assistance is now the primary tool to keep tenants in their homes and prevent evictions. Due to processing delays, thousands of tenants remain behind in rent with applications pending review and are at risk of eviction.

We were part of a city-led working group to address tenant arrears in affordable and supportive housing. At first we were told that the backlog would be cleared by December. More recently HRA told us that their new goal is to have the backlog cleared by March of 2024.

We have asked HRA to include a priority and dedicated processing for tenants in affordable housing seeking one-shot assistance, but have been rebuffed. This is an unwise decision, putting tenants and affordable housing developments – both nonprofit and for-profit – at risk. Until the backlog is cleared, which is six months away at least, the city should ensure tenants and affordable housing providers have fast access to one-shot assistance.

The longer the delays continue, the more likely tenants are to be evicted. If they are evicted, many will end up in shelter, costing far more than the cost of a one-shot. And then the city will look for affordable housing to place these families in.

At the same time, as the arrears continue for affordable housing providers, their buildings are at financial risk. The arrears are so substantial that providers may have to cut back on operating costs, including maintenance, and are at risk of having negative operating income and negative cash flow.

We call on the city to prioritize affordable housing and have a dedicated servicing unit to protect both the tenants and the affordable housing stock. It would be a colossal waste of resources to spend money building affordable housing only to watch it fail financially due to arrears that the city could address with more efficient and targeted processing.

Testimony by the New York Legal Assistance Group,

Oversight – Public Benefits Processing Delays at the Human Resources

Administration, and in Support of

Int. 0567-2022, Int. 0647-2022, Int. 0651-2022, Int. 0652-2022, Int. 0741-2022, Int.

0902-2023, Int. 0910-2023

Before the New York City Council Committee on General Welfare

September 27, 2023

Deputy Speaker Ayala, Council Members, and staff, thank you for the opportunity to speak to the Committee on General Welfare on the delays in public benefits processing at the Human Resources Administration, and legislation impacting public benefits applicants and recipients. 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 (Supplemental Nutrition Assistance Program) 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. The Shelter Advocacy Initiative at NYLAG provides legal services and advocacy to low-income people in and trying to access homeless shelter placements in New York City. We work to ensure that every New Yorker has a safe place to sleep by offering legal advice and representation throughout each step of the shelter application process. We also assist and advocate for clients who are already in shelter as they navigate the transfer process, seek adequate facility conditions and resources for their needs, and offer representation at Administrative Fair Hearings.

I have worked with individuals and families who are attempting to apply or recertify for cash assistance and SNAP benefits, in addition to families facing eviction who applied for or receive rental assistance administered by the Human Resources Administration ("HRA"), and households who have or need CityFHEPS to exit the shelter or maintain their permanent housing. Finally, I am co-counsel in *Forest v. City of New York*, a case against the city for delays and systemic barriers to

accessing and maintaining benefits. I appreciate the opportunity to offer the following comments.

1. Oversight

I testified before this counsel in December of 2022 about HRA’s persistent delays in processing applications and recertifications for SNAP and Cash Assistance benefits, and about how our clients were left without benefits to feed and care for their families. I spoke about HRA’s failing to maintain functional systems both online and in person that enable SNAP and cash assistance applicants and recipients to obtain and maintain benefits—including the failure to process paperwork, index documents, and conduct interviews—and how this affects a person's ability to apply for rental assistance to stop their eviction, and contributes to the churn¹ of applicants and recipients.

In January of 2023, NYLAG sued the City of New York for failing to comply with the law by not processing applications and recertifications and issue benefits in a timely manner, and for failing to maintain functional systems to allow applicants and recipients to apply or recertify for benefits. HRA must comply with the terms of the preliminary injunction and come into full compliance, meaning zero delays, by

¹ “Churning’ occurs when eligible families exit the program only to reapply for benefits within a short period of time” Rosenbaum, Dottie, *Lessons Churned: Measuring the Impact of Churn in Health and Human Services Programs on Participants and State and Local Agencies*, Center on Budget and Policy Priorities, March 20, 2015 available at <https://www.cbpp.org/sites/default/files/atoms/files/3-20-15fa.pdf>.

March 2024. As of August 31, 2023, over 32,000 households were still experiencing delays. I have concerns about HRA's ability to come into compliance.

HRA has repeatedly testified about having an unprecedented number of applications starting in March of 2020, recovering from a global pandemic, and persistent staffing issues. But the increase is not an aberration. It has been over three years. And yet, we still have not heard from HRA about a meaningful and effective plan to address these delays and comply with its legal mandates to process applications on time. New Yorkers in need are still waiting without benefits to which they are entitled. They are without money to buy groceries, and these delays cause eviction. Because of HRA's delays, we have more households facing emergencies, increased economic instability, and a higher number of applications for HRA to process, when these households do inevitably reapply for benefits.

I want to highlight some of the delays our office has seen, and the impact this continues to have on our clients.

The Process of Completing an Application or Recertification for Cash

Assistance and SNAP Benefits:

A client who seeks to apply or recertify for Cash Assistance or SNAP benefits must complete three steps before HRA makes a determination on their application. First, they must complete the application or recertification form itself. Next, they must submit any supporting documents needed to verify certain aspects of their

eligibility. Finally, they must complete an eligibility interview. The delay in processing an application for cash assistance benefits also impedes their ability to apply for rental assistance programs to help pay arrears and ongoing rent. Our office has clients experiencing delays at each stage, but most recently we have been seeing problems with the indexing of documents and completion of the phone interview.

Indexing of Documents:

HRA routinely fails to index documents submitted online and via other methods, such as fax or in person. As a result, our clients are either repeatedly asked to resubmit documents, improperly denied benefits for failure to submit documents, or they are accepted for benefits at a much lower level than they should be based on their household income and expenses. For example, a client may be accepted for SNAP benefits due to their income, but a SNAP budget deducts expenses that they can document, such as rent. If the agency fails to index the documents they submit, it can result in the difference between a monthly SNAP benefit of \$23 or \$281 for an individual. NYLAG frequently receives referrals for clients experiencing these problems. Those clients are fortunate to have the information and knowledge or assistance from a social worker who has told them that they are eligible for more. Many recipients do not know that they are eligible for more or that they can challenge HRA to issue a higher level of benefits when they have made a mistake. For cash assistance recipients, most of the documentation is required to get

approved for benefits, so the case will get rejected, and the client will need to request a hearing or reapply for benefits, or both.

On-Demand Interviews:

HRA recently implemented a new on-demand telephone interview system for people applying or recertifying for cash assistance. Previously, on-demand interviews were only available to SNAP-only clients. We are pleased that the agency took this step in an effort to create a more accessible and efficient telephone interview system, and we are hopeful that this will be an improvement for our clients. Most clients are now given a number to call, which they must do by a certain date, to complete their interview. Unfortunately, we are getting reports from our clients about extremely long wait times, never receiving a call back, and not being able to complete their interview in person if requested. Regarding the wait times, the automated message tells the client if the wait time will be over 45 minutes but gives no additional specificity. This makes it exceedingly difficult for clients who may be making this call while on a break from work. Further, we have had clients waiting over 2.5 hours to reach a representative. At certain times of the day, the caller is given the option to receive a call back, but they are not given an option about when they will receive that call, or any more than an approximately 2-hour window. Again, this is challenging for working people who need to know when they may have to go on break, if they are even permitted. Finally, our clients often report that they

requested a call back and never received one. We have reports that clients who go to a center to complete the interview in person are directed to a phone where they end up on the same phone interview queue as a call from elsewhere.

When the phone interview is not completed, HRA codes this as an incomplete application or recertification and rejects the case. This contributes to administrative churn, causing some clients to temporarily lose benefits or to submit multiple reapplications before they are accepted. Meanwhile, as with the delay, these clients who are forced to reapply are missing deadlines to pay in housing court, losing out on rental supplement programs for which they are eligible, and at serious risk of eviction.

Emergency Assistance Grant (“One Shot Deals”):

Emergency assistance grants are available for rent arrears and other emergencies, such as utility arrears. NYLAG clients report that they submit applications for emergency assistance grants, usually online, and they never receive a decision from HRA. When NYLAG intervenes on an application for a rent arrears grant, we are often told that the application was never received by HRA’s Homelessness Diversion Unit (“HDU”), the department that processes these applications. We believe that the Benefits Access Center, which is part of the Family Independence Administration (“FIA”) is not sending all applications to HDU for processing. However, HRA is rarely transparent with advocates about what

transpired within the agency. The result is that a client applies, completes all steps for the application, and never receives a determination. What we are usually told is that the Rental Assistance Unit, which is part of HDU, cannot locate the application, and the client must start the entire process from the beginning by reapplying. For a household in housing court, they simply do not have time. They are already facing eviction. These are not cases denied by the Agency because they are not eligible. These are clients who are often eventually found eligible, but their application for assistance was just never processed, and the delay is extremely harmful.

CityFHEPS delays:

We are concerned about delays in processing updates to CityFHEPS cases. NYLAG routinely represent clients who are in months of arrears without knowing that their subsidy was not adjusted to reflect a rent increase. 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 get retroactive payments issued to the landlord, but we are extremely concerned about the benefits recipients who do not have an advocate to help them. These individuals and families will end up back in housing court or in a shelter.

Mandatory Employment Appointments:

Starting October 2, 2023, HRA re-implementing mandatory employment, training, education, and other engagement activities. This will increase the calls to

HRA and visits to Benefits Access Centers when clients receive confusing notices, when they are unable to participate and need an evaluation, or when HRA reduces or discontinues their benefits because of failure to comply. We are seriously concerned about HRA's ability to manage this increase in phone and foot traffic when they are already failing to meet their legally mandated deadlines and cannot perform basic operations as it is.

Finally, NYLAG supports the passage of all the bills introduced at this hearing.

2. Int. 0567-2022, Prohibiting homeless families with children from being housed in private buildings with multiple class C housing maintenance code violations.
3. Int. 0647-2022, Requiring sheriffs and city marshals to report housing displacement to the department of social services/human resources administration to evaluate eligibility for legal counsel.
4. Int. 0651-2022, Precluding the department of homeless services from requiring a child's presence at an intake center when a family with children applies for shelter.
5. Int. 0653-2022, Requiring the dept of social services and the dept of homeless services to provide drug treatment services.
6. Int 0741-2022, Radiator inspections in homeless shelters.
7. Int. 0902-2023, Requiring the department of homeless services to provide process navigator services to every family with children entering an intake center.
8. Int. 0910-2023, Establishing a universal benefits application for city benefits and codifying Access NYC, and to repeal section 3-119.3 of the administrative

code of the city of New York, relating to a study on notification of public assistance eligibility

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 of the Open Hearts Initiative
Committee on General Welfare
September 2023**

Thank you for the opportunity to submit written testimony to the New York City Council's Committee on General Welfare about the continued failures of the city's social services infrastructure to adequately meet the needs of our neighbors. Our organization, founded in 2020 on the principle of "neighbors helping neighbors," invites all New Yorkers to be in solidarity with those experiencing homelessness in our city. Homeless New Yorkers are a prominent group of users of public benefits, and are especially vulnerable to the delays that currently face the system, as a population that is highly mobile and often with limited access to technology.

As our members and volunteers in all five boroughs have seen, the timely receipt of public benefits is more than just an administrative question; it can truly mean the difference between stability and instability and even life and death for our neighbors. Our members, who are mostly housed New Yorkers, believe that our neighborhoods and city as a whole are stronger when more people have access to permanent housing and having their basic needs (like food, which is often provided through SNAP benefits) met. Indeed, we continue to believe that investments in social services are a key way to improve the public safety of the city, and cuts to the Department of Social Services (DSS) are a step backwards in a moment of immense need.

As our Neighborhood Organizing Intern Will Woods, who has experienced homelessness, noted powerfully in his testimony at Wednesday's hearing, lengthy delays in access to public benefits are not just bureaucratic failures. "It's hard enough as an adult to have to reach out and ask for help. It's much more difficult to need that help and then to have to grovel to get it, and that's what a lot of us are down to right now: groveling. And we're still not getting the help we need."

We join other advocates in calling on DSS to staff up the Human Resources Administration (HRA) and immediately accelerate its hiring practices to fill vacant positions that result in long wait times for clients receiving public benefits. Indeed, long wait times are endemic across the agency, including for CityFHEPS voucher-holders. The Department must begin this work of staffing up **now** as we rapidly approach January's deadline for the implementation of expanded CityFHEPS vouchers when the Council's bill package goes into effect. We remain concerned that the Administration has not taken adequate steps to prepare to expand voucher availability, which could lead to the denial of services and benefits to which our homeless neighbors are legally entitled.



We also appreciate **Introduction 651** and **Introduction 902**, two pieces of legislation that we believe will immediately and effectively reduce via law the bureaucratic obstacles on families with children entering the shelter system in New York City (one of the groups that is most prone to the delays in the processing of benefits through HRA).

Thank you, again, for the opportunity to testify in support of solutions that will benefit New Yorkers in need during a moment when there are more homeless individuals and families in New York City than ever before.

Submitted by Bennett Reinhardt, Advocacy Coordinator and Neighborhood Organizer

Testimony
New York City Council
Committee on General Welfare
Oversight Hearing: Public Benefits Delays at HRA
September 27, 2023

Submitted by: Willie Woods, Consumer Advocate, Urban Pathways

Good morning Deputy Speaker Ayala and members of the Committee. Thank you for the opportunity to testify today. My name is Willie Woods and I am a Consumer Advocate with Urban Pathways and work in various capacities as an advocate for people experiencing homelessness. I appreciate the opportunity to comment on public benefits processing delays at HRA. I speak with so many people in my advocacy work that are being so negatively impacted by issues with this agency, including myself. While I fully understand that there are difficulties inherent to providing services to thousands of people- of late, the performance of the agency has been troubling at best.

I would like to demonstrate what I mean by discussing aspects of my currently unresolved situation - a matter that has been pending since May of this year. I've gone from being current on rent to over \$2000 in rent arrears due to 3 months where my rent was not paid by the city, 4 months without EBT or cash benefits, a radical deduction to my benefit amounts, and have received no documentation to request a fair hearing.

When I recertified in May, I was told everything was good, my documents were acceptable- and nothing happened. I inquired a week later and was informed my case was closed but it just needed to be reopened and everything would be fine. But again, nothing happened. Repeated visits to the HRA office resulted in no new information. I was told there was a problem and the appropriate department would be notified. Again, nothing. I was even able to reconnect with a deputy commissioner in the Office of Constituent Services (from an issue the previous year), who worked on the "problem" for 2 weeks. This resulted in a little traction, but still required her to reach out to the office and then wait for a response multiple times. Eventually, in August, there was a sudden change in my file. But it's all wrong - rent is for the incorrect amounts, I no longer receive cash benefits, and my food stamps were cut from \$200 to \$23. I have called, emailed, and visited my local office to no avail. Either no one can, or no one is willing to explain the changes. Most frustratingly, I cannot even exercise my right for a fair hearing, as I have not received any final documentation. No one can explain why they won't honor the documents I have in hand.

In addition, and speaking specifically to my local office in Queens, it is known that you have to arrive before 10am to have a good chance to be seen by close of business. Some nights folks are waiting until 8pm to receive service, there's still no way to discuss personal business with any type of privacy, and there's no accountability. I had documents in hand detailing retroactive payments I was to receive, with the name of the person processing my case at the time out of the same office. I asked if someone could just check with said person and then explain it to me. That request was refused outright. I've spent days, literally, on hold on the phone line, starting at

9 am through 4pm. This is amazingly easy to do, when the system hangs up automatically every hour or so.

I want to take a moment in closing to discuss some of the impact this is having on me. I have Crohn's disease - a condition that requires a rather specific diet. Unless I'm lucky and my mom is cooking, I can only afford two meals a day. I've had to cut back on volunteer and advocacy efforts, because I can't afford to travel as much. It aggravates my anxiety and my depression. All this is exacerbated by the utter lack of urgency that HRA shows. Simply put, when you experience homelessness, you learn to pretty quickly identify who cares and who doesn't. You just want folks to treat you the same way they would want to be treated in a similar situation. The reality is, if people had a different option instead of HRA, they would have long since taken their business elsewhere. I worked in retail banking for 10 years and customer service most of my life. There is no world where I, nor one where I would allow my staff to treat people so poorly. But it happens because we have no choice. These issues will only worsen as the number of people the agency has to service grows. Please, it is hard enough as an adult to reach out and ask for help. It's so much worse to need that help and have to grovel to get it. And that's what a lot of us are down to - groveling to get the help we need, and still not getting it.

Thank you all for your time.



September 27, 2023

Members of the Committee on General Welfare,

My name is Alex Malescio and I am here today to express Urban Upbound's support of Int. 910, as well as to share the experiences of Urban Upbound staff who on a daily basis, submit public benefits applications for New Yorkers in need.

At Urban Upbound, our mission is to provide lower income New Yorkers and public housing residents with the tools to overcome the barriers they face to professional, financial, and personal development, with the ultimate goal of helping them break cycles of poverty. These barriers can take on many forms, such as the lack of access to affordable childcare, or debt and low credit scores brought on by predatory lending institutions. Today, I'm here to highlight barriers created by the lengthy and onerous process of applying for public benefits.

At Urban Upbound, we regularly work with New Yorkers who are facing food insecurity by screening them for SNAP eligibility and assisting them with applications and recertifications. For our clients who are in crisis mode, the thought of navigating an application can be overwhelming, and past negative experiences with government institutions can leave a lasting and discouraging effect. For these New Yorkers, public benefits serve as a lifeline. Moreover, for many of our clients, public benefits have a stabilizing effect that allows them to work with our counselors on other pressing matters, such as employment assistance, affordable housing access, and financial planning. It is for these reasons that public benefits screening, application, and recertification processes should be as quick, painless, and efficient as possible.

AccessNYC is a useful tool because of its ability to consolidate the screening process for several public benefits. Application processes, however, are still fragmented by agency. Urban Upbound is encouraged that the sponsors of Int. 910 and the Committee on General Welfare are discussing the feasibility of a consolidated- or universal- benefits application process.

I will close with an example that illustrates the positive effects that a universal benefits application could have. At Urban Upbound, our clients, many of whom are hesitant to apply for SNAP benefits to begin with, often become more encouraged when they learn that by using the same documentation, they can also apply for a Fair Fares Metrocard, and they can do so using the same online portal through which they applied for SNAP. Unsurprisingly, SNAP and Fair Fares, both of which live on Access HRA, are the two most popular benefits amongst our clients.

31-35 Steinway Street, Astoria, NY 11103 • E: amalescio@urbanupbound.org • www.UrbanUpbound.org



Thank you for hearing Urban Upbound's testimony today on why studying the feasibility of a universal benefits application is a more than worthwhile endeavor.

Alex Malescio
Senior Director of Government Relations
Urban Upbound

From: ETHEL BROWN <ethel_brown7@aol.com>
Sent: Wednesday, September 27, 2023 1:34 PM
To: Testimony
Subject: [EXTERNAL] Re: General Welfare, City Council Hearing on Delays in the Benefits Processing

To Whom It May Concern:

Re: General Welfare, City Council Hearing on Delays in the Benefits Processing

I would like to submit my testimony from this morning at the hearing, because I was a little bit emotional and was not able to complete my testimony.

Good Morning. My name is Ethel Brown and I thank the City Council members and their staff for inviting me and hearing my direct impact experience of dealing with HRA benefits processing.

My family has experienced these delays. My daughter had those same issues, but because she had the good advocates who are out there and helped her by directing her to the right personnel and social services. She didn't have to go through the frustration as in the past. Most people have to wait hours, days, or months, and have the delays of waiting on the phone calls or in person can be 2 to 8 hours like a work shift. You have to make sure you have food for yourself and your children while waiting because of the long waits and delays in the offices or on the phone. Killing your phone batteries. And don't have any illnesses where you have to sustain your health. As Diana Ramos stated her health issues, I also have some of those issues. You come into the system with none and leave with some or come in with some and leave with more.

There's a need for more HRA staff. Not cut backs in the budget! It seems to not being taken seriously! The mayor has to stop these budget cuts. You have to pay your rent whether you have a voucher or not. You need to eat in order to sustain your health to pay the bills.

Hire more staff. Plain and simple. Have priorities set. All these job fairs that DCAS and other agencies are having and no hires? Long processes to get called to get hired. I know. I've been through that. It makes no sense. No more budget cuts! Social services is a necessity! Child care for parents who want to work; NYCDOE is burdened with students coming from many parts of the world due to the migrant/immigrant/refugee crisis; the pandemic isn't gone. It's not leaving. It's here to stay.

People should not be waiting forever for assistance stop reviewing the CityFheps bills that were passed by City Council. There's no need for a review of the bills, they are now law and we need them now. So just implement it so we can move forward. Over 400,000 people left New York City. It's for the rich. People can't afford living here and it should be for all. That's the reason for the Statue of Liberty.

The holidays is upon us. It's getting colder. People are dying and more will die. People need to move from the shelters into their own apartments. People who are close to eviction, need to move into their own apartments. House, the homeless! No more cuts in social services. Hire more people to work in HRA, CityFheps, SOI, etc. More affordable housing! Not more surveillance. Stop funding other things like the brand new \$68 million, 40th precinct in the South Bronx. Use monies in the budget to take care of New York. That is what we're to do.

Thank you for your time and patience.

Respectfully,

Ms. Brown

Sent from my iPhone

**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: Alex Nalescio

Address: _____

I represent: Urban Upland

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: Diana Ramos

Address: Hoe Ave Bronx 10459

I represent: _____

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: 9/27/2023

(PLEASE PRINT)

Name: Marricka Scott-McFadden

Address: Deputy Commissioner for Intergov & Legislative Affairs

I represent: DSS

Address: 4 WTC

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: 9/27/2023

(PLEASE PRINT)

Name: Rebecca Chew

Address: Chief Program Officer at HRA

I represent: HRA

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: 9/27/2023

(PLEASE PRINT)

Name: Angela Johnson

Address: Executive Deputy Commissioner

I represent: Family Independence Administration

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: 9/27/23

(PLEASE PRINT)

Name: Chris Mann

Address: _____

I represent: Win

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: 9/27/23

(PLEASE PRINT)

Name: Kathleen Kelleher, Legal Aid Society

Address: 49 Thomas St. NY NY 10014

I represent: Legal Aid Society

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. all Res. No. _____

oversight in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Arday Berman

Address: 100 Pearl Street, NY NY 10004

I represent: (New York Legal Assistance Group)

Address: Same

**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: WILLIE WOODS

Address: 2nd Street Astoria NY 1102

I represent: URBAN PATHWAYS

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: _____

(PLEASE PRINT)

Name: TOPACIO NUNEZ
Address: 177 LIVINGSTON STREET BK NY 11201
I represent: BROOKLYN DEFENDER 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: 9/27/2003

(PLEASE PRINT)

Name: Luchy Perez
Address: 125 Barclay Street NY NY 10007
I represent: Eligibility Specialist II, HRA
Address: Local 1549, DC 37

**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: Helen Chandler
Address: 125 Barclay Street, NY NY 10007
I represent: Eligibility Specialist II, HRA
Address: Local 1549, DC 37

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: 9/27/2023

(PLEASE PRINT)

Name: Joyette Dowdell

Address: 125 Barclay Street NY NY 10007

I represent: Deputy Administrator, Local 1549, DC37

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: 9/27/2023

(PLEASE PRINT)

Name: Tyce Grant

Address: 125 Barclay Street NY NY 10007

I represent: Eligibility Specialist in the HR Unit

Address: Local 1549 DC37

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: 9/27/23

Name: Toufik Kowatsy (PLEASE PRINT)

Address: Prinsep St H

I represent: _____

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: _____

Name: Jenna Goudin (PLEASE PRINT)

Address: 40 Worth Street

I represent: Manhattan Legal Services

Address: _____

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