

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON VETERANS

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December 15, 2014
Start: 1:20 p.m.
Recess: 1:58 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: Eric A. Ulrich
Chairperson

COUNCIL MEMBERS:

Fernando Cabrera
Andrew Cohen
Alan N. Maisel
Paul A. Vallone

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

Peter Kempner
Legal Services NYC

Lionelle Hamanaka
Military Families Speak Out

CHAIRPERSON ULRICH: Chair of the City Council Veterans Committee. We are pleased to be joined today by one of our members of the committee, Council Member Andrew Cohen of the Bronx. Before we begin, I want to acknowledge the passing of a staunch veteran's advocate who attended so many of these hearings in the past and who was very active on behalf of veteran's issues, Ed Daniels. Ed was a resident of New York City for more than 40 years and spent most of his life in public service, beginning with his service in the Air Force during the Vietnam War. After leaving the military, Ed worked tirelessly to help his fellow veterans with educational and employment opportunities and with reintegrating themselves back into their communities in civilian life. He was a staple of this committee room and will be deeply missed, not to mention me, and we are so grateful for his service to our country and we ask that everyone keep his family and his loved ones in your prayers during this very difficult time. I'd also like to take a moment for US Army Sergeant First Class Ramon S. Morris. Sergeant Morris was a New York City native and was killed this past Friday by an IED near Kabul, Afghanistan. Our thoughts and

prayers are also with his family and his loved ones.

Today, the committee will look at the critical issue of affordable housing for veterans by considering Proposed Resolution 261A, a resolution calling up on the New York State Legislature to pass and Governor Cuomo to sign Senate Bill 1702 to amend the public housing law in relation to veteran's eligibility for public housing. Every day, thousands of veterans across New York City struggle to find affordable and safe housing. As we heard last month, too many veterans in our city are forced to cut corners and cut spending on food and other necessities because of the high cost of living in New York. And of course, many veterans are compelled to enter into homeless shelters or tragically live on the streets and be homeless. Senate Bill 1702 introduced by State Senator Tony Avella addresses these issues in two important ways. First, it expands eligibility for NYCHA housing to post 9/11 vets and their surviving spouses. These veterans currently face high unemployment, high rates of mental and physical health difficulties and other challenges which make it essential that they can access affordable housing. Additionally, the legislation would also create a

NYCHA preference for service-connected disabled veterans and their families. As veterans transition back into civilian life, it is crucial that they are provided with the supportive services necessary for them to live comfortable, independent lives. Ensuring that they have access to affordable housing is an important step in recognizing the service and the sacrifices they have made on our behalf. With that said, we are going to go to the first panel, but before we do, I want to acknowledge we've been joined by another member of the committee, Council Member Paul Vallone. The first panel will consist of Peter Kempner, Legal Services NYC, and we also have Lionelle Hamanaka representing Military Families Speak Out. The clerk will swear in the first panel.

COUNCIL CLERK: Can you raise your right hand, please? Do you affirm to tell the truth, the whole truth and nothing but the truth in your testimony before this committee and to respond honestly to Council Member questions?

CHAIRPERSON ULRICH: We'll start with Legal Services and we'll ask the Sergeant at Arms to put five minutes on the clock for the testimony.

PETER KEMPNER: Good afternoon. My name's Peter Kempner. I'm the Coordinator of Veterans Litigation and a Staff Attorney at the Veterans Justice Project of Legal Services NYC. Legal Services NYC is the largest provider of free civil legal services in the nation, and with offices in all five boroughs where we serve over 60,000 New Yorkers annually. The Veterans Justice Project represents low income veterans, active duty service members and their families who are need of civil legal services in the areas of housing, housing law, public benefits eligibility, employment law, and other essential needs. Our attorneys and paralegals answer calls on our citywide hotline for veterans and staff multiple legal clinics at veteran's facilities throughout the city. Since launching this project a few years ago, we have provided free civil legal services to thousands of New York City's veterans, active duty service members and their families. Based on our experience, the number one single legal issue affecting our veterans is housing. And the most common housing need affecting veterans is the threat of eviction for the nonpayment of rent. Veterans with housing problems are often

underemployed or are disabled, and their sole source of income is either VA service connected disability benefits or disability benefits from the Social Security Administration. In New York City where rents continue to climb at an astronomical pace, veterans receiving service connected disability benefits from the VA often finds these funds are insufficient to find affordable housing. For instance, a veteran with a 50 percent disability rating only receives 822 dollars per month from the VA. While a veteran receiving a 60 percent disability rating receives 1,041 dollars per month. Even a veteran receiving 90 percent or a 100 percent service connected disability benefits receives only 1,714 dollars a month or 2,858 dollar a month respectively. Most rents for apartments on the private market are still unaffordable to these veterans receiving these benefits. With the exception of the Federal Government's HUD VASH program, little is being done to ensure that veterans have long term affordable housing options. One obvious solution is to provide veterans preferences for placement in public housing developments. New York State uses veterans preferences in many unique and effective ways to

ensure those that served in our military are given advantages to successfully reintegrate into civilian life. There are veteran's preferences for vending licenses, veterans preferences for civil service jobs and preferences for Mitchell-Lama housing eligibility as well. When the Mitchell-Lama housing preference was created in 2007, the State Legislature amended the private housing finance law to include a preference for disabled veterans. Then in 2010, the statute was amended to include all veterans who had served in a time of war, thereby expanding the housing preference to veterans of the Iraq and Afghanistan conflicts in a similar way to this bill would for public housing. In justifying the 2010 amendments, the sponsor of the bill stated, and I quote, "Many New Yorkers have volunteered and continue to volunteer their service to our country to promote and protect freedom around the world. It is important for our state to honor and recognize the sacrifices of these brave men and women and to support them when they return home." The Mitchell-Lama housing program was a way for people to afford housing in communities throughout New York State. Unfortunately, the current law only makes veteran's

preferences available to a subset of all those who have served in the time of war. This bill would broaden the standards to extend such a preference to all combat veterans. This is one way to ensure that our fellow New Yorkers who are serving in the military know that they always will be welcomed home. This approach, the states approach to Mitchell-Lama housing could be effectively replicated in the public housing arena as well. The proposed amendment to Public Housing Law Section 156 not only extends the income cap exception to veterans who have served in Iraq and Afghanistan, it also expands the existing veteran's preference to veterans receiving service connected disability, or creates a veterans preference for veterans receiving service connected disability. It is clear that veterans who rely solely on disability benefits from the VA for income will continue to struggle to pay rent in New York City, and will need to look for alternative housing solutions. Applying for an apartment through NYCHA is not a reliable solution to the homelessness problem amongst veterans, because veterans wanting will be on the NYCHA waiting list for years before they are getting access to an apartment. A veteran's

preference for disabled veterans as proposed by Senate Bill 1702 will ensure that veterans seeking public housing actually will have a chance of getting that housing, and they won't have to worry about choosing between finding affordable rent and whether they'll be able to feed themselves. We thank the committee and the council for seeking innovative ways to address the housing crisis for our city's veterans and look forward to working with you to ensure that New York City's veterans can find safe and affordable housing.

CHAIRPERSON ULRICH: Thank you for your testimony. Before we hear from the next speaker, I do want to recognize that we have been joined by the remaining members of the committee. So, it's a full—we got a full deck today. We have Fernando Cabrera of the Bronx and Alan Maisel of Brooklyn. So, all five of us are here, and I know this is a very important issue for all of my colleagues, particularly Council Member Cabrera who represents many NYCHA housing developments in the Bronx, and actually it was Andy Cohen who brought up the point that there is no Assembly sponsor of this bill. It's only in the state senate, so maybe Alan with all of

his connections in Albany might be able to find an Assembly--exactly. So, but we do need an Assembly Member to introduce this bill. It's a worthwhile bill. We'll hear from the next speaker, and we'll see if any of my colleagues have any questions.

LIONELLE HAMANAKA: Okay. My name is Lionelle Hamanaka. I'm a member of Military Families Speak Out. We're related to soldiers from the current wars who served since 9/11, and our slogans are, "Bring the troops home now, and take care of them when they get here." So, you know, there's no better Christmas present to a military family than to see their loved one come home, and when they come home sometimes they don't have a home. For example, if a family was living on a base abroad and doesn't, you know, have any place to come back to on their own. We were involved in passing Senate Law 6279 in 2009, which applied to Mitchell-Lama housing, NYCHA [sic] city housing, and the New York State Legislature passed it unanimously. The main problem was getting it enforced. The backers of this law were the congressman whose district I was a member of, Congressman Rangel, Eric Adams who is the head of the New York State Veteran's Committee, our Speaker

Quinn, Gale Brewer, and Bill Perkins, and everybody up in Albany was very, very supportive of the law. So, I think that's going to happen with this one too. I just want to warn everybody whose involved in this that they should have somebody on their staff assigned to follow through after it gets passed, which I think it will, because what happened is the co-op boards would like close their list or claim that they didn't have anybody, any more places available. So, like, they'd take one or two veterans, but then think to themselves, "Oh, we've done enough for Uncle Sam," and then like close their lists. So you have to follow through, otherwise it won't, you know, the effectiveness will not be as much as it could be. Now, I'd just like to say--I'm going to digress for a minute, sorry. I would like to say a word in praise of Ed Daniels. I knew Ed Daniels for 12 years, and he was always a staunch representative of veterans and he was the kind of guy who would go into prison and find people who had fallen through the cracks and stand up for them. So, it's going to very hard to find someone to replace him in the veterans activist community, and I hope that someone comes forward to do that. But we all owe him thanks

because I think one of the reasons why they set up those veterans' courts in New York is because for so many years he had fought on behalf of veterans who were in jail or who had been deported despite the fact that they'd served this country. I just want to close saying housing is the most important factor in stabilizing the veteran population. In Los Angeles there are successful programs where they did provide before New York housing for veterans. They were able to help them with substance abuse problems, PTSD and finding a job, and I'd like to comment that if you don't have an address, it's very hard to fill out a job application, much less take a shower. So, this is really, really important so that we have a, you know, stable return of veteran population, and not only that, but they're going to bring hundreds of millions of dollars to the New York economy. And any politician who does not think that veterans, because we're only comprised--they only comprise 200,000 people or so in New York City should remember that they have a nuclear family, a mother, a father, a sister, a brother, husband, wife, children that can vote. So, it's not as small as you think it is, and I think nationally we're about 100 million people,

because there are 25 million veterans in the United States. Thank you very much. Thank you.

CHAIRPERSON ULRICH: Okay, thank you for your testimony. Do any of my colleagues have any questions? Nothing yet. I'll ask a few. If you have any, just chime in and we'll let the committee counsel know. I have a few questions, actually. We had some prepared in advance. I'd like to ask Legal Services from your perspective, if this bill in Albany were to pass, how would this differ from the preferences that were passed previously to assist Korean War vets and Vietnam era vets that came back and were accommodated with preferences in NYCHA? I mean, are you aware of any differences between the two programs?

PETER KEMPNER: Yeah. Yes. You know, the big difference with this bill is there's actually preferences with admission, not just expansion of the income cap, and so as much as the existing statute does allow for veterans and their families to have more income than a normal applicant for NYCHA apartments are allowed to have, the big difference here, this actually affects where you are on the waiting list. So, it's great that you're eligible at

a higher income level, but you get on the waiting list and you have to wait years, and you know, we often have conversations with veteran clients who are facing evictions because they can't afford their rent. They say to us, "Well, I've applied for NYCHA, and they said I'm on the list. So, that'll happen for me." And I have to say to them, "Look, that's not a short term solution. You could be on that list for years if not decades. And so, I think that's what's important here is being able to advance on the list, get that preference moved to the top so it becomes a realistic short term option for veterans who are facing homelessness.

CHAIRPERSON ULRICH: Right. My Great Grandfather is going to be 93. He lives in public housing in Staten Island. He's a World War II veteran, US Army, and he's one of the first tenants of the La Guardia Housing Development right off Clausen [sp?] Avenue if you take the expressway. But he's been in that apartment I think since 1961, and the apartment is too big for one person. I think they've tried to get him out at least a dozen times, but he ain't going anywhere. He might live to be 100, God willing, but the point is that there were

programs and services in place when he came back from serving in the military, serving his country. He got a job working for the postal service. There was employment assistance. He got a housing. He found stable, you know, permanent affordable housing. I don't even want to know what his rent is. It's probably a lot cheaper than any of us have ever paid in our lives, but--and we're thankful for that, but are we doing enough now to help the veterans coming back from Iraq and Afghanistan? They're not even part of this program as the law states now, which is why Albany's trying to pass this bill is to, you know, close the gap there, because we offer it to other veterans but not all veterans.

PETER KEMPNER: Right. I couldn't agree more. And there's bits and pieces of this. And like I had said, veteran's preferences are not something that is foreign to Albany. They have really a fantastic array of veteran's preferences, but they don't have it in public housing, and that's really I think where one of the needs is greatest for the lowest--

CHAIRPERSON ULRICH: [interposing] Well, this is an area where they can definitely help. I

know my colleague, Council Member Cabrera who represents a large constituency that lives in public housing had a few questions or comments that he wanted to make. Council Member Cabrera?

COUNCIL MEMBER CABRERA: Thank you so much to the Chair and thank you for your leadership again in helping our veterans. I have a couple of questions. One, I noticed in the report that we were given that this group of veterans coming back from Afghanistan and Iraq wars, they present us with even more challenges than previous groups because 22 percent are--will come back--let me just be exact here. Yeah, 22 percent with some kind of a diagnosis of post-traumatic stress disorder or a depression. My question to you, have you seen--have you seen this reality become almost like a stumbling block almost because of a stigma that sometimes is attached to veterans and landlords basically saying, "Well, you know, I don't want to have veterans because they coming back with post-traumatic stress or chronic depression." And then, what else do you suggest, the second part of the question, what can we do about that if that's the reality?

PETER KEMPNER: You know, we see a very mixed reaction from landlords to veterans. I was just in court the other day, and a land lord said to me, "Oh, we love having veterans. They're so, you know, diligent as tenants." But at the same time there are those veterans who really suffer from the hidden scars of war and you know, those veterans the landlords are not so happy to have them. And, you know, I don't know if landlords are really making that connection necessarily between the veteran status and the mental illness that they see from a tenant, but you know, one of the things that we want to ensure is that you know, where veterans are suffering they're getting the necessary treatment to address those needs, and they're getting a combination of those disabilities as well. So, you know, certainly we have represented veterans who are facing eviction because the landlord's alleging they're a nuisance or, you know, some other behavior that really is caused by their PTSD or TBI or other things that they're suffering because of their service. So we want to make sure that those veterans are protected. I think in the Housing Court, I think one of the nice things would be to have the court ask

people "Are you a veteran?" to make sure that veterans are able to get hooked up with services such as, you know, legal services so that they get representation that veteran status is brought to the front and we will try to prevent the eviction of any other veterans adding to a problem that we're trying to solve at this time, which is veteran homelessness.

COUNCIL MEMBER CABRERA: And in June of 2012--thank you for that answer. In June of 2012, the New York State Comptroller found, and this I think you were alluding to, that few veterans actually benefitted from the preference in the Mitchell-Lama program and alluded to disregard, a national [sic] disregard by housing companies and lax oversight by HPD. So, let me--the second part is one of government. What can--what can we do? What do you suggest that we as a body and what we should say to the administration is to take place by HPD to make sure that we could take that adjective of lax for the oversight?

PETER KEMPNER: I have personally been involved with two suits against HPD and one suit against DHCR, where they have failed to enforce the veteran's preferences. In one situation, there was a

veteran, he was an individual who had served in the Marines. He was honorably discharged from the Marines, and then when he got out he enlisted with the Army. His mother had applied for Mitchell-Lama housing, and he was in Iraq at the time so he couldn't sign the application, and so his mom signed as head of household, listed him as co-head of household and in this situation, the development was actually really very good and they showed them the apartment. They had put them at the top of the list, and HPD had said, "No, the veteran has to be the head of household or the spouse of head of household in order to get the preference." We brought suit against them, and thankfully they got the apartment, but HPD continues to take the stand that the veteran has to be the head of household. And so I think that's problematic. There's also an issue where HPD says veterans have to go through a lottery first before they're able to get the veteran's preference and be placed on a Mitchell-Lama waiting list. And so that's something that we've sought to challenge. Unfortunately, HPD is still taking that stance. And so, you know, I think that the court certainly, and legal services providers, bringing suit in courts

could seek to tighten up what's lax about what's going on here. But at the same time, I think here needs to be more oversight, and I think the City Council and this committee in particular would have a great role in bringing HPD here and asking them the questions. Why do you think veterans need to go through the lottery first? Why do you think the veterans need to be the head of household? We could envision a circumstance where, you know, we have an Iraq or Afghanistan war veteran who suffers from really traumatic brain injury and is effectively a vegetable and that person's mother or father applies for Mitchell-Lama housing and they're not--the veteran is not the head of household. And under HPD's current stance, that veteran, that truly disabled veteran who has been--whose life has been altered forever because of their service, would not get the veteran's preference of Mitchell-Lama housing. And I find that's seriously problematic. And I think a lot of what this committee has done to say, you know, the Mayor's Office of Veterans Affairs should be a Department of Veterans Affairs. It should be larger. It should be more robust. It should have more funding. It should be able to look

at these other agencies and make sure that they are doing right by our veterans. We had to also bring suit against the Department, against DCA about vending licenses, where they were denying vending licenses to veterans with mental health issues because they said, "Oh, you don't have a physical disability, it's not the same." And thankfully, you know, this administration changed that, but you know, the current set up where the Mayor's Office of Veterans Affairs is very small and doesn't have funding or staff to do the oversight is a problem, and I think that more can be done on the city level that way.

COUNCIL MEMBER CABRERA: I have to say, and I want to commend the Chair, because I think it was the last hearing that we had he was very outspoken about this very issue that we just don't want an agency, a name only with a couple of staffers, that if we're going to do something let's do it right. So we're looking forward to see what the budget's going to look like, and hopefully it will be an acceptable one. If not, I'm sure that every single one in this committee under the leadership of our chairman, that we're going to be

able to address that, but you mentioned something very important to me. You brought a couple of case studies, example here, and I'm asking because I don't know the answer to this question. Were those particular issues, are they addressed in this piece of legislation?

PETER KEMPNER: Those are not. The few case examples I gave are actually with respect to the veteran's preference at Mitchell-Lama Housing.

COUNCIL MEMBER CABRERA: Right.

PETER KEMPNER: And so in a lot of ways this bill that the Albany legislation in some ways mirrors the Mitchell-Lama legislation. You know, and the legislation is broad, and then it's left to the agency to some extent to write regulations that fill in those gaps.

COUNCIL MEMBER CABRERA: But do you think it's wise maybe to fill in the gaps now so then it's not left to, well, let's see if it's the lottery. You know, because I'm sitting here, and to be honest with you, I'm thinking when it comes to NYCHA, well, what is preferential mean? Does preferential mean before the DV cases, or you know, who gets, you know, who gets first--are there certain amount of housing

stock that is going to be separated for them? I don't know. I like clarity at the beginning. That way, nobody could try to manipulate or try to create a scenario that is--puts our veterans in a less desirable situation, and so maybe this is something to talk about, especially we're going to find an Assembly person that is going to be drawing up the bill up there that we could start inserting the language that I think that will make sense. So--

PETER KEMPNER: I mean, speaking as an attorney, you know, we always like to see clear legislative intent and, you know, good guidance for the agencies for when they implement the statute. And so I think that's a fantastic idea to make sure that they know what we're talking about here.

COUNCIL MEMBER CABRERA: Well, I want to thank you so much, very informative, and keep up the good fight and the advocacy to both of you. Mr. Chairman, thank you so much for the opportunity.

CHAIRPERSON ULRICH: Thank you very much. Council Member Maisel?

COUNCIL MEMBER MAISEL: Good afternoon. I guess its afternoon. A quick question. I know there are about 100,000 people on waiting list right

now, and the reason why there are so many people on the waiting list is people in public housing don't move. Very often if they're in public housing, they know that it's the best deal in town. Do you happen to know how many vacancies occur each year in public housing?

PETER KEMPNER: I don't.

COUNCIL MEMBER MAISEL: It'd be a interesting question to find out because--

CHAIRPERSON ULRICH: [interposing] We asked NYCHA to be here. I don't know that they were able to send someone down.

COUNCIL MEMBER MAISEL: They're only across the street. One percent of the--which is the--and of course not every apartment would be appropriate for every veteran, because there's three bedroom, there's two bedrooms, and maybe they only need the one bedroom. So, it's such a small number of apartments that become available. We obviously have to do more in every other area to find housing. And just as an aside to the Chair, there'll be a new Chairman of the Veteran's Committee in Albany in January, so we ought to start--nobody knows. They'll pull the name out of a hat probably, but when they

get a new chairman after the legislature convenes in January we'll know and we could reach out to that person.

CHAIRPERSON ULRICH: Okay, thank you very much. And we will follow up. The staff at the council will work with the Assembly and figure out who the new Chair is going to be. We certainly want to let them know what our agenda is and see what they're working on. Council Member Vallone had a few comments or questions.

COUNCIL MEMBER VALLONE: Actually, just a quick one. The legal side of me got a little excited when you started saying legislative intent and clear policy. Since you're there fighting the battle in the courts, is there any judicial remedy available for an automatic stay when you're a veteran facing eviction?

PETER KEMPNER: There's not. If you're--certainly, if you're a disabled veteran, what we would do in that situation is to refer the case to adult protective services, and then there is a stay in place like any other disabled person, but it's not something that's specifically tied to veteran status.

COUNCIL MEMBER VALLONE: Well, I think you just find our next request for legislation for Chairman and I. APS is brought in at that point if there's a disability?

PETER KEMPNER: Yes, if there is a referral. If, you know, the issue of disability is brought to the attention of any other parties or the court, if the court learns that there is a disabled person in the household, then the marshal has to first bring the case to adult protective services before the eviction could take place.

COUNCIL MEMBER VALLONE: Have you also been able to--I mean, how is that relationship been with APS and the transfer? Have you had any?

PETER KEMPNER: You know, they buy us a couple weeks usually and that's about it. You know, often times in these kind of situations it's the problem that we're addressing here today which is in the long run the veteran can't afford the apartment. And so ultimately, while we could buy some time and try to get resources whether it be HRA or SSVF or other charities to help pay arrears, if the veteran doesn't have an ongoing ability to pay the rent, then that apartment can't be saved. And so, yes, we

could slow down the process. We could do referrals to APS to try to buy some time to find an alternative for the veteran. You know, and sometimes unfortunately that alternative ends being a shelter. You know, we try to find, you know, affordable permanent housing. Sometimes it ends up being transitional housing funded through the VA's grants and per diem program, but when it comes to that point, it's usually kind of the end of things.

COUNCIL MEMBER VALLONE: Well, if we're going to do any additional judicial relief, would you see any additional requests that might be made if we're going to put in a slate?

PETER KEMPNER: Certainly, if there could be some--like I had said before, asking everybody, "Are you a veteran?" So we can identify are those resources available. Because there's a lot of people going through the courts who are veterans who never identify as such and are facing nonpayment, and they don't know that the resources that are out there are out there, and evictions could be prevented with those, in those cases. You know, one of the things that we have testified in the past, and not the subject today, is a rental subsidy for disabled

veterans in a similar way that there's a rental subsidy for HIV positive individuals through the HASA system [sic]. You know, looking at the amount of money that somebody gets on service connected disability and comparing it to rent you can see that it's just not enough, and you know, as was pointed out, there's very few vacancies in NYCHA, and even if this thing does go through, it's not going to solve the problem of service connected disabled veterans being able to find affordable housing. And so, what do you do? Well, I think rental assistance is probably part of that puzzle. So, you know, somebody getting 60 or 70 percent service connected is able to find an apartment. They have a share of the rent based on their benefits, much like they would in a NYCHA apartment or section eight apartment or something through HUD VASH, and then the rest would be picked up by HRA or some maybe through the Department of Veterans Affairs or something along those lines so veterans have the ability to rent on the private market.

COUNCIL MEMBER VALLONE: That's just what the Chair said. It's a great initiative idea because there is no really available stock of NYCHA housing.

PETER KEMPNER: Right.

COUNCIL MEMBER VALLONE: So if we create this and there's no place for them to go, if we give them a subsidy, they can stay where they are. That takes care of that. Well, that's why I find these hearings are always the best. The meeting of the minds, coming up with ideas, because your suggestions, your comments do shape where we go as Council Members and as committees. So we appreciate that. Thank you.

PETER KEMPNER: Thank you.

CHAIRPERSON ULRICH: Thank you. And I do think it's an outstanding idea, and one that we should definitely take up with the leadership at the council in our respective delegations, but we have so many initiatives that support New Yorkers in need, but for disabled veterans there is no rental housing assistance voucher currently, and that's a very good point to keep veterans in the housing they're already in to prevent them from going into homeless shelters or going on a waiting list I think would go a long way. I wonder how many that would actually be, though. I don't know how many in terms of, you know, if we had to take a census there. How many disabled

veterans, permanently disabled veterans? I mean, I guess we'd have to set a threshold probably of whatever, some--you know, because of limited funds.

PETER KEMPNER: Certainly, I mean, 10 percent service connected disabled veteran, you know, not that they're not deserving, but that's a very different category than somebody whose 70 or 80 percent--

CHAIRPERSON ULRICH: [interposing] Is there a federal or a state model of this program in effect anywhere, or in other states, do they have-- that would be interesting to see--

PETER KEMPNER: [interposing] Not that I'm aware of.

CHAIRPERSON ULRICH: done this anywhere else.

PETER KEMPNER: You know, the thing that we have always thought about modeling it on is HASA, the HIV/AIDS Services Administration.

CHAIRPERSON ULRICH: Right.

PETER KEMPNER: And those situations, it's not enough just to be HIV positive. You have to meet the clinical definition of clinical symptomatic HIV illness defined by the State AIDS Institute. So,

you know, if you set some sort of threshold whether it be, you know, 50, 40, 60 percent service connected, and at that point there's kind of a discrimination. This veteran really isn't able to enter the job market.

CHAIRPERSON ULRICH: But would that be determined by an individual's physician or by the VA, or would it--I mean--

PETER KEMPNER: [interposing] That's determined by the VA. It's--

CHAIRPERSON ULRICH: [interposing] Would have to be determined--

PETER KEMPNER: It's the level at which they're receiving benefits in those 10 percent increments.

CHAIRPERSON ULRICH: So that's important. I mean, at least it would be vetted to a certain extent, because clearly the city can't pay to assist the rent of every veteran.

PETER KEMPNER: Right.

CHAIRPERSON ULRICH: We'd love to.

PETER KEMPNER: Yes.

CHAIRPERSON ULRICH: But we just don't have the money. But I think this is a conversation

that we should take offline at some point. We should have a follow-up with the members of the committee and discuss that as an initiative as an aside, but that as Council Member Vallone pointed out, as one of the many benefits that we get out of these hearings is we get invaluable feedback and information from the advocates and from people who are literally on the ground helping veterans with housing, with homelessness, with job placement, with all of these issues, and they can help us do a better job, because as I said at the last hearing and I'll say it again today, we can always do better. Right? Alright, so there is no other testimony. No one else signed up to speak. I think we're going to close out the hearing and thank you for your testimony. Thank you for coming today.

PETER KEMPNER: Thank you.

CHAIRPERSON ULRICH: [gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date December 28, 2014