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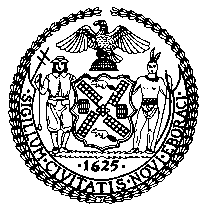
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**The Council of the City of New York**

**COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION**

**AND THE INFRASTRUCTURE DIVISION**

**Jeff Baker, Legislative Director**

**COMMITTEE ON GENERAL WELFARE**

**Stephen Levin, Chair**

**COMMITTEE ON HOUSING & BUILDINGS**

**Robert E. Cornegy, Jr., Chair**

**April 29, 2019**

**OVERSIGHT:** Three-Quarters Housing

**PROPOSED INT. NO. 153-A:** By Council Members Levin, Brannan, Rivera, Rosenthal and Cohen

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to a three-quarter housing task force

**ADMINISTRATIVE CODE**: Amends chapter 1 of title 21 by adding a new section 21-139

**Introduction**

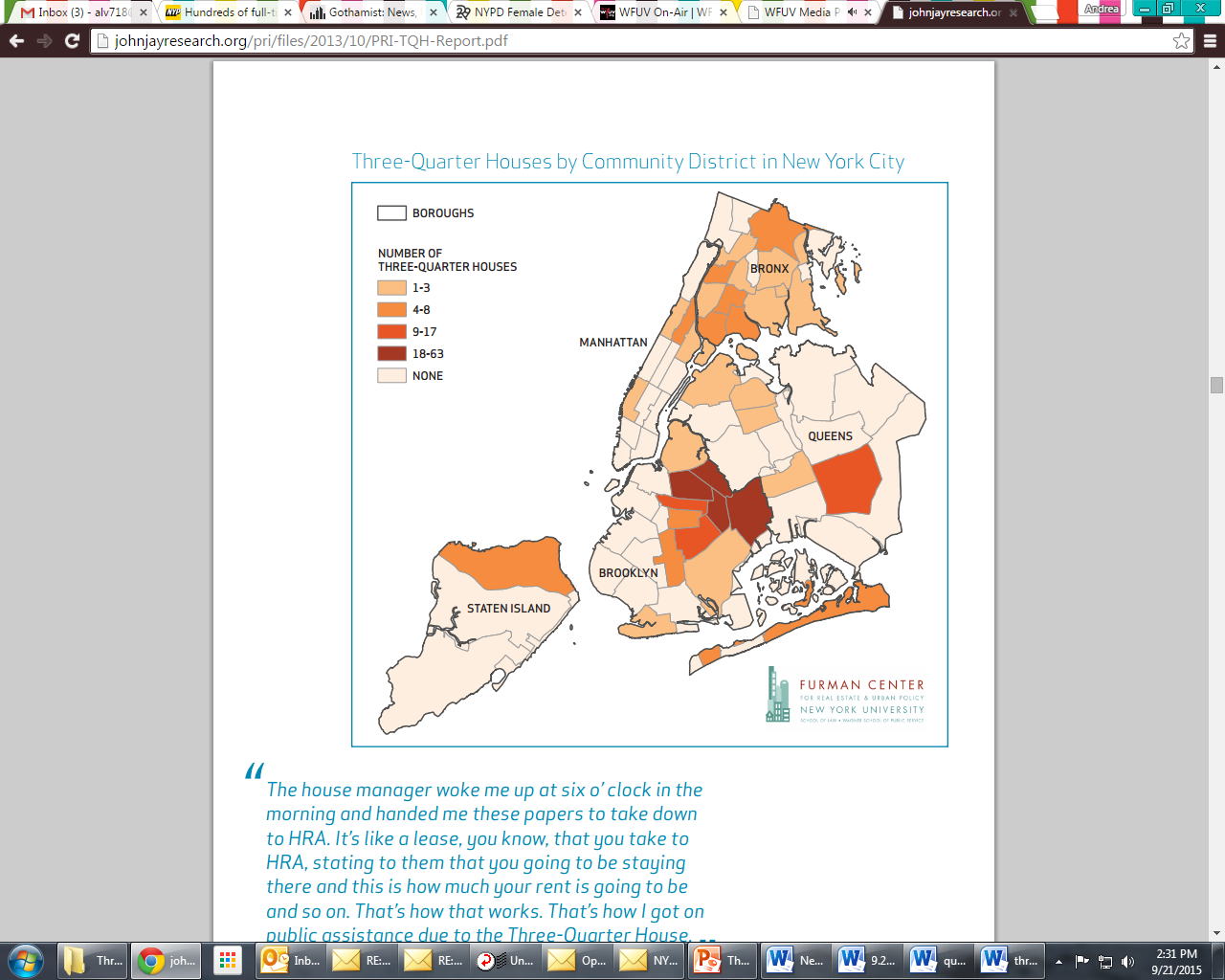
On April 29, 2019, the Committee on General Welfare, chaired by Council Member Stephen Levin, and the Committee on Housing and Building, chaired by Council Member Robert E. Cornegy, Jr., will hold a hearing, “Oversight: Three-Quarter Housing.” The Committees will also consider Proposed Int. No. 153-A, a Local Law to amend the administrative code of the city of New York in relation to a three-quarter housing task force. Representatives from the Human Resources Administration (HRA), the Department of Housing Preservation and Development (HPD), three-quarter housing tenants, advocates and other concerned individuals are expected to testify.

**Background**

*What is three-quarter housing?*

Three-quarter houses are typically one and two family homes, larger apartment buildings, or other structures run by operators who rent beds to single adults.[[1]](#footnote-1) These homes are referred to as three-quarter housing because they are seen as somewhere between halfway houses and private homes.[[2]](#footnote-2) Given that the New York City Building Code prohibits cohabitation by four or more unrelated persons,[[3]](#footnote-3) most, if not all, three-quarter houses are illegal.[[4]](#footnote-4) Many of these houses hold themselves out as “programs” but do not provide any in-house services.[[5]](#footnote-5) It has been reported that, in some instances, the operators of these houses send residents to outpatient programs run by organizations that provide kickbacks to these operators.[[6]](#footnote-6) Although reports suggest that State and City agencies and community-based organizations refer individuals to three-quarter houses, these houses are neither licensed by the City nor regulated or overseen by any City agency.[[7]](#footnote-7)

There is no precise data available on the exact number of three-quarter houses in New York City, but a 2013 report by the Prisoner Reentry Institute at John Jay College (“PRI report”) found 317 addresses of known locations, most of which are located in the City’s poorest communities, such as central Brooklyn, southeast Queens, and the southern Bronx.[[8]](#footnote-8) According to the PRI report, estimates indicate that more than 10,000 individuals live in three-quarter housing.[[9]](#footnote-9) Between June 1, 2015 and September 30, 2018, approximately 115 such houses were inspected by an interagency task force convened by Mayor Bill de Blasio (discussed below).[[10]](#footnote-10) The task force found that the 115 three-quarter houses had 3,678 violations across four agencies.[[11]](#footnote-11) According to its most recent report, the task force conducts inspections of these houses based on information provided by advocates and through 311.[[12]](#footnote-12)

.[[13]](#footnote-13)

Three-quarter houses are financed almost entirely by public funds, and rents are typically tailored to a resident’s public assistance benefits.[[14]](#footnote-14) Those in receipt of only public assistance generally pay the $215 a month maximum shelter allowance[[15]](#footnote-15) for a single adult.[[16]](#footnote-16) Tenants who receive Social Security Disability (SSD) benefits, Social Security Income (SSI), unemployment insurance benefits, or are who are employed typically pay more than the $215/month that operators charge public assistance recipients.[[17]](#footnote-17) Operators of three-quarter housing also often charge other fees, generally between $30 and $50 a month, which tenants must pay the out of their limited cash assistance.[[18]](#footnote-18) According to the PRI report, which surveyed tenants of three-quarter housing, 91% of the survey respondents’ rent was paid by HRA, and 47% of tenants were required to pay monthly fees from their public assistance cash benefits.[[19]](#footnote-19)

*Who lives in three-quarter housing?*

Three-quarter housing tenants are typically single adults who are returning from prison or jail, recovering from short-term hospital stays or residential substance abuse treatment, facing street homelessness, or dealing with unemployment, family crises or medical issues.[[20]](#footnote-20) Generally, three-quarter houses are the only alternative to the shelter system or the street for such individuals.[[21]](#footnote-21) According to the PRI report, 72% of the tenants who were surveyed were previously incarcerated, 60% had resided in a City shelter, 51% had been in a residential substance abuse treatment program, and 42% had experienced street homelessness.[[22]](#footnote-22) Among individuals who were referred to three-quarter houses, 31% were referred by a substance abuse program, 19% were referred through word of mouth, 14% were referred by parole, 14% were referred by a City shelter, 10% were referred by another three-quarter house, and 5% were referred by the courts.[[23]](#footnote-23)

*Issues in three-quarter housing*

Almost 90% of the three-quarter houses analyzed in the PRI report had Building Code complaints that resulted in at least one violation or stop-work order by the Department of Buildings (DOB). The violations included illegal conversions, lacking or violating certificates of occupancy, not having work permits, illegal single room occupancies, blocked, locked or improper egress, illegal or defective gas hookups and failure to maintain the property.[[24]](#footnote-24) One of the most significant issues with three-quarter houses is overcrowding. Often, a single room has beds for between two and eight people, with bunk beds placed on all walls, and with beds in hallways and closets.[[25]](#footnote-25)

Three-quarter houses operators also often violate tenants’ rights through unlawful evictions.[[26]](#footnote-26) Residents report that operators arbitrarily force people out without notice or court process.[[27]](#footnote-27) Additionally, there are reports that residents are required to attend a particular substance abuse treatment program, regardless of their need for such treatment.[[28]](#footnote-28) The evidence suggests that operators receive illegal kickbacks from substance abuse providers based on reports that tenants are forced to attend a particular program or face eviction, and are required to hand in daily “slips” to prove their attendance at such programs.[[29]](#footnote-29) Tenants are often illegally evicted upon successful completion of these programs.[[30]](#footnote-30) There are also reports of operators threatening tenants who are on parole or probation.[[31]](#footnote-31) According to the PRI report, 81% of the survey respondents’ houses required tenants to attend substance abuse treatment and submit proof of attendance.[[32]](#footnote-32)

*Advantages of three-quarter housing*

Despite the serious issues with three-quarter housing, many tenants report that there are benefits. The PRI report found that the tenants surveyed almost unanimously expressed their preference to live in a three-quarter house, as opposed to in a shelter or on the street.[[33]](#footnote-33) Some also reported an appreciation for the social support they received from housemates that have similar backgrounds or life experiences, and many reported that the homes struck the right balance between allocating them a degree of autonomy and providing the structure they need to recover, reenter society, and transition to more stable housing.[[34]](#footnote-34)

*Department of Homeless Services Regulation*

Based on advocacy and support from the Council, in 2010, the Department of Homeless Services (DHS) adopted a regulation prohibiting referrals of clients to buildings with vacate orders and with recorded violations typical of three-quarter houses.[[35]](#footnote-35) Although DHS has reduced its referrals to three-quarter houses since the implementation of the regulation, there continue to be reports that shelters make referrals to three-quarter houses.[[36]](#footnote-36) Further, these homes continue to proliferate due to referrals from other agencies and programs.[[37]](#footnote-37)

*Relocation Services: HPD’s Emergency Housing Services Unit*

Residents living in three-quarter houses are often displaced and required to relocate due to immediate health and safety issues discovered upon inspection of the houses. The Department of Housing Preservation and Development’s (HPD) Emergency Housing Services (EHS) unit provides emergency relocation services and rehousing assistance to households that have been displaced from their homes as a result of fires or city-issued vacate orders.[[38]](#footnote-38) In the event of such a building-wide emergency, owners of residential buildings must provide to EHS the names and apartment numbers of all legal tenants in occupancy.[[39]](#footnote-39) After being assessed, displaced households may be temporarily placed in family centers or single-room-occupancy hotels in Manhattan, Bronx, Brooklyn or Queens.[[40]](#footnote-40) Once a displaced household is relocated through EHS, they might be able to access additional support, including through HPD’s Section 8 Program, which accepts EHS referrals.[[41]](#footnote-41) According to advocates for individuals living in three-quarter houses, although such individuals are generally legal tenants of these houses, it is extremely difficult for them to access HPD’s services because they lack the documents—such as leases—that residents traditionally use to prove residency. In 2017, the Council passed Local Law 16 to address this issue (discussed below).

*New York Times’ coverage and the de Blasio Administration’s response*

Many residents within three-quarter houses are low-income and receive outpatient medical care reimbursed by Medicaid. These vulnerable individuals have often been targets of bad actors who would require them to receive substance abuse or other medical treatment from a specific provider in order to receive kickbacks, a violation of federal law. The federal Anti-Kickback Statute[[42]](#footnote-42) prohibits transactions intended to induce or reward referrals for items or services reimbursed by the federal health care programs. To address violations of federal law, in fall of 2014, HRA’s program integrity unit began working with law enforcement agencies to investigate operators of three-quarter houses that were requiring residents to participate in specific Medicaid-funded drug treatment programs as a condition of living in a three-quarter house.[[43]](#footnote-43) HRA developed a metric to identify three-quarter houses, which consists of identifying locations where 10 or more unrelated adults are receiving the $215 state-set monthly public assistance rent allowance.[[44]](#footnote-44) HRA’s Investigation, Revenue and Enforcement Administration (IREA) is responsible for helping ensure the integrity of social services programs administered by HRA, including Medicaid.[[45]](#footnote-45) IREA is comprised of three major operating units: the Office of Investigation, the Office of Revenue and Administration, and the Medicaid Provider Investigations and Audit (MPIA).[[46]](#footnote-46)

In May 2015, the New York Times released *A Choice for Recovering Addicts: Relapse or Homelessness*, an in-depth report on one particularly problematic three-quarter house called Back on Track, which was run by Mr. Yury Baumblit.[[47]](#footnote-47) Mr. Baublit was an operator of several known three-quarter houses. The report detailed the poor living conditions typical of three-quarter houses and alleged that residents of this house were forced by the operator to relapse in order to continue attending the out-patient substance abuse treatment programs.[[48]](#footnote-48) The article also alleged that Mr. Baumblit would designate the house manager to act as the Social Security payee for residents, providing them with $5-$10 a day from their disability checks, which in fact ranged from $645-$762.[[49]](#footnote-49) In 2015, prosecutors brought charges against Mr. Baumblit based on his unlawful evictions of tenants.[[50]](#footnote-50)

Shortly after the publication of the 2015 article, Mayor de Blasio announced the creation of an emergency task force to investigate three-quarter houses.[[51]](#footnote-51) The task force (discussed below) targeted known three-quarter houses based on a list compiled by HRA of all addresses where 10 or more HRA clients were receiving the State set shelter allowance of $215 a month.[[52]](#footnote-52)

In 2016, additional charges were brought against Mr. Baumblit and his wife by the New York State Attorney General’s office including grand larceny, money laundering, and violations of the law prohibiting Medicaid kickbacks.[[53]](#footnote-53) Subsequent coverage of three-quarter housing has focused on criminal penalties assessed against Mr. Baumblit. In February of 2018, Mr. Baumblit pleaded guilty to Medicaid fraud.[[54]](#footnote-54) He was sentenced in March of 2018.[[55]](#footnote-55)

*2016 City Council Hearing and Subsequent Legislation*

In October of 2016, the Council held a hearing on three-quarter housing. At the hearing, HRA testified about its efforts to curb abuses related to three-quarter housing. These efforts included “working with law enforcement agencies to investigate operators of three-quarter houses that were requiring residents to participate in specific Medicaid-funded drug treatment programs as a condition of living in three-quarter housing.”[[56]](#footnote-56) HRA also worked to identify and investigate three-quarter houses, and worked in partnership with district attorneys and the New York State Attorney General’s office, among others, to arrest and prosecute cases of Medicaid fraud. This resulted in the arrest of Mr. Baumblit.[[57]](#footnote-57)

The Committee also heard from former three-quarter house tenants, such as Anthony Colemen, who subsequently became a leader with the Three-Quarter House Tenant Organizing Project.[[58]](#footnote-58) Mr. Coleman testified about how he lived with 25 other men in a house that was infested with roaches, bedbugs and rats.[[59]](#footnote-59) He and the other tenants in the house were required to attend an outpatient treatment program, or otherwise face “discharge” from the house.[[60]](#footnote-60) Another former three-quarter house tenant testified about how the operator of the three-quarter house he resided in—Narco Freedom—required tenants in houses run by Narco Freedom to attend programs run by Narco Freedom or face eviction.[[61]](#footnote-61) Narco Freedom, which had previously been the largest provider of three-quarter housing,[[62]](#footnote-62) was forced to shut down after its operators were indicted for fraud.[[63]](#footnote-63) Narco Freedom houses in the Bronx were subsequently transferred to Samaritan Village, and Narco Freedom houses in Brooklyn were transferred to Acacia Network.

At that same hearing, Mindy Tarlow, the Director of the Mayor’s Office of Operations, discussed the creation and accomplishments of the inter-agency task force created by Mayor de Blasio.[[64]](#footnote-64) The task force reviewed residences that had been identified as three-quarter houses and conducted inspections.[[65]](#footnote-65) The task force has released seven quarterly reports since 2017, pursuant to Local Law 13 of 2017.

*Three-Quarter Housing Quarterly Report*

Local Law 13 of 2017 required the Mayor’s Office of Operations to publish a quarterly report on its website about the findings of the Mayor’s Three-Quarter Housing Task Force. The Task Force is comprised of inspectors from the HRA, Department of Buildings (DOB), the Fire Department (FDNY), HPD and the Mayor’s Office of Operations and is tasked with inspecting dwellings suspected to be three-quarter houses. The reports were required to include information on the number of violations issued to each building, and the number of individuals relocated, disaggregated by the type of assistance each individual received. Although the reports provide the number of violations, disaggregated by agency and three-quarter house, the reports do not specify the severity of the violations, the actions taken to resolve the violations, or penalties issued as a result of the violations. In accordance with the law, the first report covered data from June 1, 2015 through March 31, 2017.[[66]](#footnote-66) Local Law 13 of 2017 sunset on January 1, 2019.

Each quarterly report published and sent to the Council following the initial report has included cumulative data, with the last report covering June 1, 2015 through December 31, 2018. During this time, 115 three-quarter house sites were inspected, leading to 3,829 total violations.[[67]](#footnote-67) About 65 percent of the violations were HPD violations, over 30 percent were DOB violations, and less than 5 percent were FDNY violations.[[68]](#footnote-68) In the 3.5 years covered in the last report, 677 individuals had been relocated from 56 three-quarter houses into Temporary Emergency Housing and 803 had been placed in permanent housing.[[69]](#footnote-69) Of those placed into permanent housing, 93 percent received Special Exit and Prevention Supplement (SEPS) rental assistance.[[70]](#footnote-70) The number of open inspections varied widely from facility to facility, with five sites having no open violations and one site having 170 open violations.[[71]](#footnote-71)

The total number of three-quarter housing sites inspected increased from 108 in the first report, to 115 in the final report, meaning seven additional sites were identified by the Task Force during the reporting period.[[72]](#footnote-72) In the 2018 calendar year, 71 individuals were relocated into Temporary Emergency Housing and 73 were placed in permanent housing, with all but two receiving a SEPS voucher.[[73]](#footnote-73)

*Local Laws Enacted to Address Three-Quarter Housing*

In addition to Local Law 13 of 2017, the Council passed several other bills aimed at addressing three-quarter housing in New York City. Local Law 12 of 2017 requires HRA to provide rental subsidy recipients with a written statement explaining the protections of Section 26-521 of the New York City Administrative Code (Administrative Code), which prohibits unlawful evictions. Local Law 12 requires HRA to provide notice of their rights and protections when the applicant initially applies for the subsidy and at any point that HRA determines to be appropriate. Local Law 12 took effect on May 16, 2017.

As mentioned above, evidence suggests that residents of three-quarter houses are sometimes required to attend a specific substance abuse treatment program, even if they do not need such treatment, with operators of three-quarter house receiving illegal kickbacks from providers of such programs. Tenants have been illegally evicted upon completion of these programs. Local Law 15 of 2017 prohibits landlords from mandating medical treatment as a condition of occupancy, with the exception of family members and legitimate programs, such as rehabilitation clinics. This law also provides a cause of action to tenants who face such a mandate, allowing them to receive damages and reasonable attorney’s fees and court costs. The legislation also includes the imposition of such a mandate in the definition of harassment under the Housing Maintenance Code. The law took effect on May 16, 2017.

As mentioned, the majority of three-quarter houses analyzed in the PRI report had Building Code complaints resulting in at least one violation or stop-work order by the Department of Buildings.[[74]](#footnote-74) Additionally, 41 of 280 buildings had vacate or partial vacate orders issued by DOB.[[75]](#footnote-75) The Administrative Code requires HPD to provide relocation services for tenants of privately owned buildings who are displaced as the result of the City’s enforcement of any requirement related to “the maintanance [sic] or operation of such building or the health, safety and welfare of its occupants.”[[76]](#footnote-76) Local Law 14 of 2017 removed the time limitation for applying for relocation services and makes clear that any tenant who moves out while a vacate order is in effect is entitled to appropriate relocation assistance from HPD. This legislation also requires posting of a sign at properties subject to a vacate order and would impose a penalty of at least $5,000 for each dwelling unit that is reoccupied while a vacate order is still in effect. The law took effect on August 15, 2017.

In order to receive relocation services, tenants much be able to verify occupancy. Local Law 16 of 2017 makes clear that a tenant can verify occupancy by, at a minimum, submitting a lease or any two of the following documents:

* A valid government-issued identification showing the tenant’s address;
* A valid record from any government agency showing the tenant’s address;
* A valid record relating to medical treatment (including a prescription) showing the tenant’s address;
* A notarized written statement from the building owner;
* A valid utility bill to the tenant at the building in question;
* A notarized statement from a third-party, non-governmental service provider verifying that services were provided to the tenant at the building in question; and
* Any other form of verification that HPD determines to be appropriate.

Additionally, Local Law 16 requires HPD to provide tenants who are denied relocation services with a written notice of such decision, the basis for such decision, and information on how to appeal such decision.

**Legislative Analysis**

*Proposed Int. No. 153-A – A Local Law to amend the administrative code of the city of New York in relation to a three-quarter housing task force*

Proposed Int. No. 153-A would require there to be a three-quarter housing task force. The task would be comprised of inspectors from the Human Resources Administration, Department of Buildings, the Fire Department, the Department of Housing Preservation and Development, the Department of Health and Mental Hygiene, the Department of Corrections, the Commission on Human Rights and the Mayor’s Office of Operations, and would be tasked with inspecting dwellings suspected to be three-quarter houses. The task force would identify buildings where ten or more unrelated adults are living and issue violations. The task force would also be charged with offering assistance to individuals living in three-quarter houses in order to relocate to permanent housing, including information about rental subsidies, information about the application for supportive housing, and information about relocation services. The Mayor’s Office of Operations would be required to publish quarterly findings of the task force. Proposed Int. No. 153-A would take effect immediately.

**Conclusion**

At today’s hearing, the Committees expect to receive an update on the Administration’s efforts to address the problems associated with three-quarter houses. Specifically, the Committees expect to receive an update on the number of locations that have been identified as three-quarter houses and the number of individuals that have been relocated from three-quarter houses to permanent housing. The Committees also expect to hear from HRA and HPD how the agencies are working together to end the reliance on three-quarter houses as a form of affordable housing for individuals who often have no other options.

Proposed Int. No. 153-A

By Council Members Levin, Brannan, Rivera, Rosenthal and Cohen

..Title

A Local Law to amend the administrative code of the city of New York in relation to a three-quarter housing task force

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-139 to read as follows:

§ 21-139 Three-quarter housing task force. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Rental subsidy. The term “rental subsidy” means financial assistance provided by the department for the purpose of paying a recipient’s rent on an ongoing basis and includes but is not limited to the public assistance shelter allowance provided by the department as established by section 131-a of the social services law and defined in paragraph (1) of subdivision (a) of section 352.3 of title 18 of the New York codes, rules and regulations, as well as subsidies provided through the family homelessness and eviction prevention supplement, the home tenant-based rental assistance program, and any successor program to the foregoing programs.

Relocation services. The term “relocation services” means the same as provided in subparagraph (v) of paragraph (a) of subdivision 1 of section 26-301.

Supportive housing. The term “supportive housing” means affordable, permanent housing with support services for residents.

b. There shall be a three-quarter housing task force comprised of representatives from the department, the department of buildings, the fire department, the department of housing preservation and development, the department of health and mental hygiene, the department of corrections, the commission on human rights and the office of operations. Each such agency shall assign representatives to such task force as needed. One representative from the department housing preservation and development and one representative from the department of social services shall serve as co-chairs of the task force. The task force shall meet no less than once every two months. At each meeting the task force shall report all fines or liens placed against landlords of three-quarter housing for failing to timely correct violations. Such meetings shall be considered meetings of a public body subject to article 7 of public officer’s law, provided however that addresses of three-quarter housing shall not be made publically available.

c. The task force shall be advised on an ongoing basis by two advocates in the field of housing and/or homelessness and two individuals who have previously resided or currently reside in three-quarter housing appointed by the mayor and one advocate in the field of housing and/or homelessness and one individual who has previously resided or currently resides in three-quarter housing appointed by the speaker of the council. The task force shall meet no less than once every two months with the advocates and individuals appointed pursuant to this subdivision.

d. The task force shall identify dwellings where 10 or more unrelated adults are residing. To assist in identifying dwellings, representatives of such task force shall provide all relevant information each respective agency has collected related to such dwellings to the task force. Such task force shall be provided the addresses of three-quarter housing based on complaints the office of operations receives through 311 calls or any other mechanism.

e. The task force shall inspect, as necessary, dwellings where 10 or more unrelated adults are residing and issue violations where appropriate. The task force shall conduct an initial inspection between two to four weeks of an address being referred to such task force and shall re-inspect the dwelling no later than six months after the initial inspection.

f. During inspections, the task force shall offer individuals residing in the inspected dwellings assistance as appropriate, including but not limited to rental subsidies information about the application for supportive housing and information about relocation services to relocate to permanent housing. The task force shall also distribute information to individuals residing in the inspected dwellings on the legal rights of such individuals, how to obtain repairs from landlords, and unlawful evictions.

g. The task force shall provide to the appropriate police precincts the addresses of dwellings where 10 or more unrelated adults are residing where residents of such dwellings have submitted a complaint through 311 calls or any other mechanism and/or where the task force has information that a landlord has threatened unlawful evictions. The task force may also refer to the appropriate federal, state or city agency information about a landlord or related operator’s fraud or malfeasance.

h. The task force shall conduct an initial inspection between two to four weeks of an address being referred to the task force. The task force shall re-inspect a dwelling no later than six months from the date a partial or full vacate order was issued, where correction of any and all violations giving rise to such vacate order has not been verified.

i. The task force shall evaluate each building that is inspected pursuant to subdivision d of this section for conversion to permanent housing. Within one year of the effective date of the local law that added this section, and annually thereafter, the task force shall submit a report to the speaker of the council on the feasibility of various models to convert buildings inspected by the task force into permanent housing for tenants who remain in such houses after the task force has conducted an inspection.

j. The office of operations shall provide to the council and publish on its website quarterly reports on the findings of the task force. The first such report shall be due 30 days following the calendar quarter ending September 31, 2019, and all subsequent reports shall be due 30 days following the last day of each succeeding calendar quarter. Such reports shall include, but need not be limited to, the following information:

1. For each building inspected by the task force, the number of violations issued, disaggregated by agency, provided that each building shall be identified in such a way that does not disclose the building’s address; and

2. The number of individuals relocated from buildings inspected by the task force, disaggregated by whether such individuals were given a rental assistance subsidy, the type of subsidy provided, and the type of housing to which the individual was relocated, including but not limited to private apartments, single room occupancy dwellings or temporary housing.

§ 2. This local law takes effect immediately.

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1. John Jay College of Criminal Justice, Prisoner Reentry Institute (PRI), Three Quarter Houses: The View from Inside (Oct. 2013) at v, *available at* <http://johnjaypri.org/wp-content/uploads/2016/04/PRI-TQH-Report.pdf> (hereinafter PRI Report). [↑](#footnote-ref-1)
2. Kim Barker, “A Choice for Recovering Addicts: Relapse or Homelessness,” the new York Times (May 30, 2015) *available at* <http://www.nytimes.com/2015/05/31/nyregion/three-quarter-housing-a-choice-for-recovering-addicts-or-homelessness.html>. [↑](#footnote-ref-2)
3. NYC Bldg. Code 310.2. [↑](#footnote-ref-3)
4. PRI Report, *supra* note 1 at v. [↑](#footnote-ref-4)
5. *Id.* [↑](#footnote-ref-5)
6. Barker, *supra* note 2. [↑](#footnote-ref-6)
7. PRI Report, *supra* note 1 at v. [↑](#footnote-ref-7)
8. *Id.* at vi. [↑](#footnote-ref-8)
9. *Id.* at 7. [↑](#footnote-ref-9)
10. *See* Three-Quarter Housing Report As of 09/30/18, *available at* <https://www1.nyc.gov/assets/operations/downloads/pdf/2018_10_16_tqh_report_q3_2018_final.PDF> (hereinafter Three-Quarter Housing Report). [↑](#footnote-ref-10)
11. *Id.* [↑](#footnote-ref-11)
12. *Id.* [↑](#footnote-ref-12)
13. Three-Quarter Housing Report, *supra* note 10. [↑](#footnote-ref-13)
14. PRI Report, *supra* note 1 at vi. [↑](#footnote-ref-14)
15. 18 NYCRR 352.3. [↑](#footnote-ref-15)
16. PRI Report *supra,* note 1 at vi. [↑](#footnote-ref-16)
17. *Id.* at 7*.* [↑](#footnote-ref-17)
18. *Id.* [↑](#footnote-ref-18)
19. *Id.* [↑](#footnote-ref-19)
20. *Id.* [↑](#footnote-ref-20)
21. Kim Barker, “Landlord of ‘Three-Quarter’ Homes Faces Criminal Charges,” the new York Times (Aug. 10, 2015) *available at* https://www.nytimes.com/2015/08/11/nyregion/landlord-of-three-quarter-homes-faces-criminal-charges.html. [↑](#footnote-ref-21)
22. PRI Report *supra,* note 1 at 8. [↑](#footnote-ref-22)
23. *Id.* at 9. [↑](#footnote-ref-23)
24. *Id.* at vi. [↑](#footnote-ref-24)
25. *Id.* at 6. [↑](#footnote-ref-25)
26. *See* Barker, *supra* note 2. [↑](#footnote-ref-26)
27. PRI Report *supra,* note 1*.* at vii. [↑](#footnote-ref-27)
28. *Id.* [↑](#footnote-ref-28)
29. *Id.* at viii. [↑](#footnote-ref-29)
30. *Id.* [↑](#footnote-ref-30)
31. *Id.* [↑](#footnote-ref-31)
32. *Id.* at 13. [↑](#footnote-ref-32)
33. PRI Report, *supra,* note 1 at ix. [↑](#footnote-ref-33)
34. *Id*. [↑](#footnote-ref-34)
35. Rules of the City of New York, Title 31 § 2-01. [↑](#footnote-ref-35)
36. Barker, *supra* note 2. [↑](#footnote-ref-36)
37. PRI Report, *supra*, note 1 at 10. [↑](#footnote-ref-37)
38. *See* HPD’s Emergency Housing Services Office Description *available at* <http://www1.nyc.gov/site/hpd/about/emergency-housing-services.page>. [↑](#footnote-ref-38)
39. *Id.* [↑](#footnote-ref-39)
40. *Id.* [↑](#footnote-ref-40)
41. *See* HPD’s Section 8 ProgramDescription *available at* <http://www1.nyc.gov/nyc-resources/service/1872/hpd-section-8-program>. [↑](#footnote-ref-41)
42. 42 U.S.C. § 1320a-7b (b) [↑](#footnote-ref-42)
43. Testimony of Steven Banks, DSS Commissioner, before the Committees on General Welfare and Housing and Buildings (October 6, 2016). <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=506281&GUID=54F09344-BCD9-4B78-85AC-18E3A34865F2&Options=info&Search>= [↑](#footnote-ref-43)
44. *Id*. [↑](#footnote-ref-44)
45. *Id.* [↑](#footnote-ref-45)
46. *Id.* [↑](#footnote-ref-46)
47. Barker, *supra* note 2. [↑](#footnote-ref-47)
48. *Id.* [↑](#footnote-ref-48)
49. *Id.* [↑](#footnote-ref-49)
50. Barker, *supra* note 21. [↑](#footnote-ref-50)
51. Kim Barker, “New York City Task Force to Investigate ‘Three-Quarter’ Homes” The New York Times, (June 1, 2015) *available at* <http://www.nytimes.com/2015/06/01/nyregion/new-york-city-task-force-to-investigate-three-quarter-homes.html>. [↑](#footnote-ref-51)
52. Testimony of Steve Banks, HRA Commissioner, before the Committee on General Welfare, FY17 Executive Budget (May 12, 2016) p. 192. [↑](#footnote-ref-52)
53. Kim Barker, “Flophouse Operator Is Arrested in a Scheme to Defraud Medicaid,” The New York Times (April 13, 2016) <http://www.nytimes.com/2016/04/14/nyregion/flophouse-operator-is-arrested-in-a-scheme-to-defraud-medicaid.html>. [↑](#footnote-ref-53)
54. Kim Barker, “Operator of Notorious Flophouses Pleads Guilty to Medicaid Fraud,” The New York Times (Feb. 15, 2018) *available at* https://www.nytimes.com/2018/02/15/nyregion/three-quarter-houses-guilty-baumblit.html [↑](#footnote-ref-54)
55. Liena Zagare, “Serial Scammer Sentenced to Serve Time in State Prison,” BKLNER (Mar. 8, 2018) *available at* <https://bklyner.com/serial-scammer-sentenced-serve-time-state-prison>. [↑](#footnote-ref-55)
56. Testimony of Steven Banks, HRA Commissioner, before the Committees on General Welfare and Housing nad Buildings (Oct. 6, 2016) p.3. [↑](#footnote-ref-56)
57. *Id*. at p.4. [↑](#footnote-ref-57)
58. Testimony of TOP Leader Anthony Coleman Former three-quarter house tenant in support of three-quarter house bill package (Oct. 6, 2016). [↑](#footnote-ref-58)
59. *Id.* [↑](#footnote-ref-59)
60. *Id.* [↑](#footnote-ref-60)
61. Testimony of TOP Leader Felix Plaza Hernandez (Oct. 6, 2016). [↑](#footnote-ref-61)
62. Laura Sanicola and Stephen Rex Brown, “EXCLUSIVE: As major chain of three-quarter houses enters financial ruin, NYC scrambles to find homes for 800 residents,” New York Daily News (Jul. 27, 2015) *available at* <https://www.nydailynews.com/new-york/major-chain-nyc-three-quarter-houses-financial-ruin-article-1.2304839>. [↑](#footnote-ref-62)
63. Cole Rosengren, “Narco Freedom about to lose its three-quarter homes,” Mott Haven Herald, (Aug. 2015) *available at* <http://www.motthavenherald.com/2015/08/28/narco-freedom-about-to-lose-its-three-quarter-homes>. [↑](#footnote-ref-63)
64. *Id.* [↑](#footnote-ref-64)
65. *Id.* [↑](#footnote-ref-65)
66. Mayor’s Office of Operations, “Three-Quarter Housing Quarterly Report (First Report Period: June 1, 2015 - March 31, 2017),” *available at*

    <https://www1.nyc.gov/assets/operations/downloads/pdf/TQH_First-Period-Report_FINAL_Revised_10-18-17.pdf> [↑](#footnote-ref-66)
67. Mayor’s Office of Operations, “Three-Quarter Housing Quarterly Report (Report Period: June 1, 2015 - December 31, 2018),” *available at* <https://www1.nyc.gov/assets/operations/downloads/pdf/three-quarter-housing-quarterly-report-20190115> [↑](#footnote-ref-67)
68. *Id.* [↑](#footnote-ref-68)
69. *Id.* [↑](#footnote-ref-69)
70. *Id.* [↑](#footnote-ref-70)
71. *Id.* [↑](#footnote-ref-71)
72. Calculated using the following reports: Mayor’s Office of Operations, “Three-Quarter Housing Quarterly Report (Report Period: June 1, 2015 - December 31, 2018),” *available at* <https://www1.nyc.gov/assets/operations/downloads/pdf/three-quarter-housing-quarterly-report-20190115>; Mayor’s Office of Operations, “Three-Quarter Housing Quarterly Report (First Report Period: June 1, 2015 - March 31, 2017),” *available at*

    <https://www1.nyc.gov/assets/operations/downloads/pdf/TQH_First-Period-Report_FINAL_Revised_10-18-17.pdf> [↑](#footnote-ref-72)
73. Calculated using the following reports: Mayor’s Office of Operations, “Three-Quarter Housing Quarterly Report (Report Period: June 1, 2015 - December 31, 2018),” *available at* <https://www1.nyc.gov/assets/operations/downloads/pdf/three-quarter-housing-quarterly-report-20190115>; Mayor’s Office of Operations, “Three-Quarter Housing Quarterly Report (Report Period: June 1, 2015 - December 31, 2017),” *available at* <https://www1.nyc.gov/assets/operations/downloads/pdf/tqh_report_q4-2017_final_01-25-18.pdf> [↑](#footnote-ref-73)
74. PRI Report *supra,* note 1 at vii. [↑](#footnote-ref-74)
75. *Id.* [↑](#footnote-ref-75)
76. NYC Admin. Code § 26-301(1)(a)(v). [↑](#footnote-ref-76)