



## Legislation Text

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**File #:** Res 0477-2010, **Version:** \*

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### Res. No. 477

Resolution calling upon the New York State Legislature to override Governor Paterson's veto of A. 2565 and its companion bill, S. 2664, legislation that would amend the Social Services Law to provide that persons living with clinical/symptomatic HIV/AIDS, who are receiving shelter assistance or an emergency shelter allowance, shall not be required to pay more than 30 percent of their household's monthly income towards shelter costs, including rent and utilities.

By Council Members Mendez, Palma, the Speaker (Council Member Quinn) and Council Members Arroyo, Brewer, Cabrera, Chin, Comrie, Dromm, Ferreras, James, Koppell, Koslowitz, Lander, Mealy, Rose, Sanders Jr., Van Bramer, Vann, Rodriguez, Levin, Foster, Gennaro, Mark-Viverito, Jackson, Barron and Williams

Whereas, When the New York City Human Resources Administration (HRA) created the HIV/AIDS Services Administration (HASA), it became one of the first government agencies to respond to the AIDS epidemic; and

Whereas, Since that time, a series of laws have been passed in New York City to ensure that people living with HIV/AIDS receive access to numerous benefits, services, and housing resources; and

Whereas, HASA now provides a range of services to low income New Yorkers living with HIV/AIDS, including linkage to social services benefits such as food stamps and cash assistance, help applying for supplemental security income (SSI) and social security disability income (SSDI), improved access to medical services and Medicaid, individualized service planning, and rental assistance, among other things; and

Whereas, Since the mid-1980s, New York City has recognized the connection between stable housing and health by providing rental assistance to help persons living with HIV/AIDS maintain stable housing; and

Whereas, Persons living with HIV/AIDS need quality housing to stay healthy; and

Whereas, Studies show that persons who have stable housing are less likely to use drugs and engage in high-risk sexual activities and are more likely to adhere to complex pill regimens and receive proper medical

care; and

Whereas, As of June 2010, HASA was serving 43,875 persons and providing housing rental assistance to over 25,000 clients; and

Whereas, The New York State Assembly passed A. 2565 on January 12, 2010, and the New York State Senate passed its companion bill, S. 2664, originally on July 16, 2009 and again on April 27, 2010; this legislation would cap the rent and utility contributions of individuals with clinical/symptomatic HIV/AIDS who are receiving shelter assistance or an emergency shelter allowance at 30 percent of their household's monthly income; and

Whereas, Speaker Sheldon Silver in the Assembly and Majority Leader John L. Sampson in the Senate, as well as sponsors Assemblymember Deborah J. Glick and Senator Tom Duane, deserve our praise and gratitude for their vital role in passing this important legislation; and

Whereas, This legislation only applies to HASA clients who are both living independently and have supplemental sources of income; and

Whereas, HASA clients who are in "independent living" are individuals who are living in private market apartments, not in supportive housing units; and

Whereas, Supplemental sources of income that would qualify clients for the 30 percent cap are SSI, SSDI, and veterans benefits, as well as earned income; and

Whereas, According to HRA's monthly "HASA Facts" Report for June 2010, at that time 13,790 HASA clients were receiving either SSI, SSDI, or veterans benefits and 981 clients had earned income; and

Whereas, Currently, HASA clients who are recipients of either SSI, SSDI, veterans benefits, or who have earned income are not entitled to a cap limiting the amount of income that they must pay towards shelter costs; and

Whereas, If the HASA rental assistance program were funded like many federal supportive housing programs and Section 8, HASA clients would be entitled to a cap limiting their monthly contribution to their

shelter costs to 30 percent of their income; and

Whereas, Instead, HASA clients often find that as much as 50 percent to 70 percent of their benefits are spent towards shelter costs each month, leaving them on average with a little over \$11 per day to pay for other expenses; and

Whereas, Currently, the costs of the rental assistance program are shared between the State and the City; and

Whereas, When Governor Paterson vetoed A. 2565/S. 2664 on September 18, 2010, he stated that, without an identified source of funding, the bill would impose financial burdens on the State and the City during a time of fiscal crisis; and

Whereas, Mayor Bloomberg supported the Governor's veto, stating that the Governor's action saved State and City taxpayers millions of dollars; and

Whereas, Supporters of the bill contend that the cost estimates relied upon by Mayor Bloomberg and Governor Paterson are greatly overstated and do not account for the savings that would come from HASA clients who, with the support provided by the legislation, would be more likely to stay housed and healthy, and therefore be less likely to need costly medical or eviction prevention services and emergency housing services; and

Whereas, A. 2565/S. 2664 would allow HASA clients to keep more of their earnings to pay for essential expenses other than rent and utilities; and

Whereas, the City Council passed Resolution 2145 of 2009 on September 30, 2009, which called upon the State Assembly to pass and the Governor to sign A.2565/S. 2664; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to override Governor Paterson's veto of A. 2565 and its companion bill, S. 2664, legislation that would amend the Social Services Law to provide that persons living with clinical/symptomatic HIV/AIDS, who are receiving shelter assistance or an emergency shelter allowance, shall not be required to pay more than 30 percent of their

household's monthly income towards shelter costs, including rent and utilities.

MEH  
9/29/10  
5:15pm