



Legislation Text

File #: Res 0465-2023, **Version:** A

Proposed Res. No. 465-A

Resolution calling upon the New York state legislature to pass, and the Governor to sign, S.1631, which would support the expansion eligibility for the CityFHEPS (New York City Family Homelessness and Eviction Prevention Supplement) program in New York City.

By Council Members Sanchez, Hanif, Ayala, Cabán, Louis, Hudson, Restler, Farías, De La Rosa, Brewer, Ossé, Narcisse, Avilés, Marte and Richardson Jordan

Whereas, In New York City there are a number of public benefits that support residents to secure access affordable housing; and

Whereas, One such program is CityFHEPS (New York City Family Homelessness and Eviction Prevention Supplement); and

Whereas, CityFHEPS assists individuals or families with rental subsidies to help them access and keep safe housing; and

Whereas, Typically, a CityFHEPS applicant must meet one of the following criteria: 1) the household includes someone who served in the U.S. Armed Forces and is at risk of homelessness; 2) the household gets Pathway Home benefits and would be eligible for CityFHEPS if they were in a Department of Homeless Services (DHS) or Human Resources Administration (HRA) shelter; or 3) the household was referred by a CityFHEPS qualifying program, and Department of Social Services (DSS) determined that CityFHEPS was needed to avoid shelter entry; or 4) the household is facing eviction in court (or was evicted in the past year) and includes someone: who has previously lived in a DHS shelter, who has an active Adult Protective Services (APS) case or is in a designated community guardianship program; or lives in a rent-controlled apartment and will use CityFHEPS to stay in that apartment; and

Whereas, In addition to meeting one of the above listed criteria, a household was also previously required to earn a gross income at or below 200 percent of the federal poverty level; and

Whereas, However, in order to broaden the scope of eligibility, late last year, Mayor Adams removed this requirement so that single adults working full-time can apply, even if their income is above 200 percent of the federal poverty level; and

Whereas, Although these and other changes made to CityFHEPS should allow more people to access the rental supplement program, there are still large proportions of vulnerable populations that are excluded; and

Whereas, For instance, undocumented immigrants are largely prohibited from benefiting from CityFHEPS, due to restrictions under federal law; and

Whereas, According to research from the Mayor's Office of Immigrant Affairs (MOIA), there were approximately 476,000 undocumented immigrants in New York City in 2021; and

Whereas, Over the past year, it is likely that this figure has grown substantially because there has been an influx of asylum seekers that have been transported to the City from some southern states; and

Whereas, According to information provided to the New York City Council by the Administration, as of January 8, 2023, there were approximately 38,700 asylum seekers, including children, that have arrived in the City since the Spring of 2022; and

Whereas, New York City is also a right to shelter city, which means that all who apply for shelter, must be given a bed for the night; and

Whereas, Recently, however, the City has struggled to meet this mandate and has, at times, violated this law; and

Whereas, At other times, the City was forced to establish temporary "tent shelters" to house some of the newly arrived asylum seekers; and

Whereas, All of this has occurred while the City is already dealing with a housing crisis; and

Whereas, Although federal law generally prohibits undocumented people from accessing benefits, there is a subdivision that allows for a state or its locality to deem undocumented persons eligible for public benefits if a state law is enacted to affirm this eligibility; and

Whereas, Currently, the New York state legislature has before it S.1631, which would support New York City to further expand CityFHEPS to undocumented immigrants; and

Whereas, This legislation would also ensure that any State funds appropriated for CityFHEPS would be available to the City to cover the expansion; and

Whereas, This change would allow the City to provide additional housing benefits to a wider range of New Yorkers; and

Whereas, Given that New York City is a city of immigrants and is a right to shelter city it is important that the State provide this authority to expand CityFHEPS; now, therefore, be it

Resolved, That the New York state legislature pass, and the Governor sign, S.1631, which would support the expansion eligibility for the CityFHEPS (New York City Family Homelessness and Eviction Prevention Supplement) program in New York City.

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