The New York City Council

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Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance, exits from city -administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities

Sponsors: Diana I. Ayala, Pierina Ana Sanchez, Althea V. Stevens, Nantasha M. Williams, Lincoln Restler, Shekar Krishnan, Sandy Nurse, Julie Won, Farah N. Louis, Shahana K. Hanif, Carmen N. De La Rosa, Sandra Ung, Lynn C. Schulman, Eric Dinowitz, Tiffany L. Cabán, Jennifer Gutiérrez, Gale A. Brewer, Shaun Abreu, Erik D. Bottcher, Amanda C. Farías, Mercedes Narcisse, Alexa Avilés, Kevin C. Riley

Indexes: Report Required

Attachments: 1. Summary of Int. No. 212-A, 2. Summary of Int. No. 212, 3. Int. No. 212, 4. April 28, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 4-28-22, 6. Minutes of the Stated Meeting - April 28, 2022, 7. Committee Report 5/3/22, 8. Hearing Testimony 5/3/22, 9. Hearing Transcript 5/3/22, 10. Proposed Int. No. 212-A - 6/9/22, 11. Proposed Int. No. 212-B - 7/8/22, 12. Committee Report 7/13/22, 13. Hearing Transcript 7/13/22, 14. July 14, 2022 - Stated Meeting Agenda, 15. Hearing Transcript - Stated Meeting 7-14-22, 16. Minutes of the Stated Meeting - July 14, 2022, 17. Int. No. 212-B (FINAL), 18. Fiscal Impact Statement, 19. Legislative Documents - Letter to the Mayor, 20. Local Law 79

Date	Ver.	Action By	Action	Result
4/28/2022	*	City Council	Introduced by Council	
4/28/2022	*	City Council	Referred to Comm by Council	
5/3/2022	*	Committee on General Welfare	Hearing Held by Committee	
5/3/2022	*	Committee on General Welfare	Laid Over by Committee	
7/13/2022	*	Committee on General Welfare	Hearing Held by Committee	
7/13/2022	*	Committee on General Welfare	Amendment Proposed by Comm	
7/13/2022	*	Committee on General Welfare	Amended by Committee	
7/13/2022	B	Committee on General Welfare	Approved by Committee	Pass
7/14/2022	B	City Council	Approved by Council	Pass
7/14/2022	B	City Council	Sent to Mayor by Council	
8/14/2022	B	Administration	City Charter Rule Adopted	
8/15/2022	B	City Council	Returned Unsigned by Mayor	

Int. No. 212-B

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By Council Members Ayala, Sanchez, Stevens, Williams, Restler, Krishnan, Nurse, Won, Louis, Hanif, De La Rosa, Ung, Schulman, Dinowitz, Cabán, Gutiérrez, Brewer, Abreu, Bottcher, Farías, Narcisse, Avilés and Riley

A Local Law to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance, exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities

Be it enacted by the Council as follows:

Section 1. Section 3-113 of the administrative code of the city of New York, as added by local law number 37 for the year 2011, is amended to read as follows:

[§ 3-113] § 3-119.6 Reporting requirements regarding multi-agency emergency housing assistance. a. Definitions. For the purposes of this section, the following terms [shall] have the following meanings:

[(1) "Adult" shall mean] 421-a affordable housing. The term "421-a affordable housing" means dwelling units in a multiple dwelling that is receiving real property tax exemption benefits pursuant to section 421-a of the real property tax law by meeting the affordability requirements of such section where such dwelling units, upon initial rental and upon each subsequent rental following a vacancy during the applicable restriction period, are affordable to and restricted to occupancy by individuals or families whose household income does not exceed the specified percent of the area median income, adjusted for family size, when such household initially occupies such dwelling unit;

Adult. The term "adult" means an individual 18 years of age or older;

[(2) "Adult families" shall mean] Adult families. The term "adult families" means families comprised of adults and no children under the age of 18;

[(3) "Children" shall mean] Children. The term "children" means individuals under the age of 18 physically accompanied by a parent or legal guardian;

[(4) "City-administered facilities" shall mean] City-administered facilities. The term "city-administered facilities" means hotels, shelters, stabilization beds, safe havens, veterans shelters, faith-based centers, short-term reentry housing, overnight drop-in centers and other accommodations or associated services, managed by

or provided under contract or similar agreement with any city agency, provided to individuals or families who need temporary emergency housing or assistance finding or maintaining stable housing;

City-financed homeless set-aside housing units. The term “city-financed homeless set-aside housing units” means affordable housing set aside for formerly homeless households that is financed with city funds in accordance with section 26-2802;

[(5) "DHS" shall mean] DHS. The term “DHS” means the department of homeless services;

[(6) "DHS-administered facilities" shall mean] DHS-administered facilities. The term “DHS-administered facilities” means city-administered facilities managed directly by DHS or by a provider under contract or similar agreement with DHS;

[(7) "DHS drop-in centers" shall mean] DHS drop-in centers. The term “DHS drop-in centers” means city-administered facilities that provide single adults with hot meals, showers, laundry facilities, clothing, medical care, recreational space, employment referrals and/or housing placement services, but not overnight housing;

[(8) "DHS faith-based beds" shall mean] DHS faith-based beds. The term “DHS faith-based beds” means city-administered facilities that provide overnight housing to individuals, are affiliated with one or more religious groups and receive client referrals through organizations under contract with DHS;

[(9) "DHS safe havens" shall mean] DHS safe havens. The term “DHS safe havens” means city-administered facilities that provide low-threshold, harm-reduction housing to [chronic] street homeless individuals, who are referred to such facilities through a DHS outreach program, without the obligation of entering into other supportive and rehabilitative services in order to reduce barriers to temporary housing;

[(10) "DHS stabilization beds" shall mean] DHS stabilization beds. The term “DHS stabilization beds” means city-administered facilities that provide a short-term housing option for a [chronic] street homeless individual while such individual works with his/her outreach team to locate a more permanent housing option;

[(11) "DHS veterans shelters" shall mean] DHS veterans shelters. The term “DHS veterans shelters”

means city-administered facilities that provide short-term housing for people who actively served in the United States military;

[(12) "DYCD" shall mean] DYCD. The term “DYCD” means the department of youth and community development;

[(13) "DYCD-administered crisis shelters" shall mean] DYCD-administered runaway and homeless youth crisis services programs. The term “DYCD-administered runaway and homeless youth crisis services programs” means city-administered facilities that provide short-term emergency housing for runaway and homeless youth and are managed by a provider under contract or similar agreement with DYCD;

[(14) "DYCD-administered drop-in centers" shall mean] DYCD-administered drop-in centers. The term “DYCD-administered drop-in centers” means city-administered facilities that provide runaway and homeless youth and their families with services, counseling and referrals from trained youth workers;

[(15) "DYCD-administered facilities" shall mean] DYCD-administered facilities. The term “DYCD-administered facilities” means city-administered facilities managed by a provider under contract or similar agreement with DYCD;

[(16) "DYCD-administered transitional independent living facilities" shall mean] DYCD-administered transitional independent living support programs. The term “DYCD-administered transitional independent living support programs” means city-administered facilities that provide long-term residential services to runaway and homeless youth for up to 18 months and are managed by a provider under contract or similar agreement with DYCD;

Empire state supportive housing initiative. The term “empire state supportive housing initiative” means the state supportive housing services and operating program;

[(17) "Families with children" shall mean] Families with children. The term “families with children” means families with children under the age of 18, couples including at least one pregnant woman, single pregnant women, or parents or grandparents with a pregnant individual;

HASA. The term “HASA” means the HIV/AIDS services administration within HRA;

HDC. The term “HDC” means the housing development corporation;

Homeless youth. The term “homeless youth” means individuals under the age of 18 experiencing homelessness who are not in the physical custody of a parent or guardian or individuals aged 18 to 24 who are experiencing homelessness;

Housing New York. The term “Housing New York” means the city’s affordable housing plan and any subsequent iteration of such plan;

[(18) "HPD" shall mean] HPD. The term “HPD” means the department of housing preservation and development;

[(19) "HPD-administered facilities" shall mean] HPD-administered facilities. The term “HPD-administered facilities” means city-administered facilities managed by a provider under contract or similar agreement with HPD;

[(20) "HPD emergency facilities" shall mean] HPD emergency facilities. The term “HPD emergency facilities” means shelters providing emergency shelter managed by a provider under contract or similar agreement with HPD;

[(21) "HPD emergency hotels" shall mean] HPD emergency hotels. The term “HPD emergency hotels” means hotels managed by a provider under contract or similar agreement with HPD providing emergency shelter to individuals or families displaced from their homes [managed by a provider under contract or similar agreement with HPD] by emergencies, such as fire or flooding, or city-issued vacate orders;

[(22) "HRA" shall mean] HRA. The term “HRA” means the human resources administration;

[(23) "HRA-administered facilities" shall mean] HRA-administered facilities. The term “HRA-administered facilities” means city-administered facilities managed directly by HRA or by a provider under contract or similar agreement with HRA, excluding non-emergency supportive housing;

[(24) "HRA domestic violence shelters" shall mean] HRA domestic violence shelters. The term “HRA

domestic violence shelters" means shelters for victims of domestic violence managed directly by HRA or by a provider under contract or similar agreement with HRA;

[(25) "HRA HASA emergency housing" shall mean] HRA HASA emergency housing. The term "HRA HASA emergency housing" means single room occupancy hotels managed by a provider under contract or similar agreement with HRA to provide emergency shelter for recipients of services from the HIV/AIDS Services Administration;

[(26) "HRA HASA transitional housing" shall mean] HRA HASA transitional housing. The term "HRA HASA transitional housing" means congregate facilities managed by a provider under contract or similar agreement with HRA to provide emergency shelter for recipients of services from the HIV/AIDS Services Administration; [and; and]

JISH. The term "JISH" means the city's justice-involved supportive housing program;

Mandatory inclusionary housing. The term "mandatory inclusionary housing" means the affordable housing units as defined in section 23-911 of the zoning resolution of the city of New York that are created pursuant to the city program requiring permanently affordable housing when developers build in a mandatory inclusionary housing area as defined in section 12-10 of such zoning resolution, whether rezoned as part of a city neighborhood plan or a private rezoning application in accordance with such zoning resolution;

New York city 15/15. The term "New York city 15/15" means the New York city 15/15 supportive housing program that is financed with city funds and administered by the city;

New York/New York. The term "New York/New York" means the New York/New York supportive housing programs that are jointly financed and administered by the city and state;

Other affordable housing. The term "other affordable housing" means affordable housing consisting of 421-a affordable housing, Housing New York, mandatory inclusionary housing and NYCHA public housing;

Rental subsidy. The term "rental subsidy" means financial assistance provided by the department of social services for the purpose of paying a recipient's rent on an ongoing basis including, but not limited to, the

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city fighting homelessness and eviction prevention supplement, the special one-time assistance program, the fair market rent pilot program subsidy, the family homelessness and eviction prevention supplements, the home tenant-based rental assistance program, and any successor program to the foregoing programs. The term “rental subsidy” also includes federal rental assistance pursuant to the section 8 project-based rental assistance program, or any successor program, or any programs under the United States housing act of 1937, as amended, providing rental assistance for the purpose of paying a recipient’s rent;

Short-term reentry housing. The term “short-term reentry housing” means JISH and any facility managed directly by the mayor’s office of criminal justice or by a provider under contract or similar agreement with the mayor’s office of criminal justice;

Supportive housing. The term “supportive housing” means the empire state supportive housing initiative, federal department of housing and urban development and veterans administration supportive housing, HASA supportive housing, JISH, New York city 15/15, and New York/New York; and

[(27) "Unduplicated" shall mean] Unduplicated. The term “unduplicated” means counted only once within the reporting period.

b. Reports of citywide utilization data. [The mayor's office of operations shall create a portal on the NYCStat page of the city’s website, or any successor pages of such website that are substantially similar in form and function, in order to publish citywide data regarding the utilization of city-administered facilities.] Commencing on November 1, 2011, and no later than the first day of each month thereafter, the mayor's office of operations shall for each month, calendar year and fiscal year [publish via such portal the] post the following information, if known, on its website and the single web portal established pursuant to section 23-502, provided that any information listed in this subdivision that was not required to be included in reports commencing on November 1, 2011, shall be included in reports commencing on July 1, 2023:

[(1)] 1. the average daily overnight census[for each of the following categories:

A. DHS drop-in centers, disaggregated by single men, single women and total single adults; and

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B. DHS faith-based facilities, disaggregated by single men, single women and total single adults.

(2) average daily overnight census; and,

(3) number of unduplicated persons or families utilizing city-administered facilities for each of the following categories:], disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; and

2. the total number of individuals utilizing city-administered facilities for each of the following categories:

[C.] (a) all DHS-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

[D.] (b) short-term reentry housing, disaggregated by single men, single women, total homeless youth and total single adults;

(c) DHS drop-in centers, disaggregated by single men, single women, total homeless youth and total single adults;

(d) DHS faith-based facilities, disaggregated by single men, single women, total homeless youth and total single adults;

(e) DHS safe havens, disaggregated by single men, single women, total homeless youth and total single adults;

[E.] (f) DHS stabilization beds, disaggregated by single men, single women, total homeless youth and total single adults;

[F.] (g) DHS veterans shelters, disaggregated by single men, single women and total single adults;

[G] (h) JISH housing, disaggregated by single men, single women, and total single adults;

(i) HPD-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women, total homeless youth and total single adults;

[H.] (j) HPD emergency facilities, disaggregated by families with children, adult families, total families,

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total adults in families, total children, single men, single women and total single adults;

[I.] (k) HPD emergency hotels, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults, as feasible;

[J.] (l) HRA-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

[K.] (m) HRA domestic violence shelters, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

[L.] (n) HRA domestic violence Tier II/transitional shelters, disaggregated by families with children, adult families, total families, total adults in families, and total children;

(o) HRA HASA emergency housing, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

[M.] (p) HRA HASA transitional housing, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; [and]

(q) DYCD-administered facilities, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults;

(r) DYCD-administered crisis services programs, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults;

(s) DYCD-administered drop-in centers, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults;

(t) DYCD-administered transitional independent living support programs, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults; and

[N.] (u) all city-administered facilities, [excluding DYCD-administered facilities,] disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single

women and total single adults.

[(4) average monthly utilization rates; and (5) number of unduplicated persons or families utilizing city-administered facilities for each of the following categories:

A. DYCD-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

B. DYCD-administered crisis shelters, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

C. DYCD-administered drop-in centers, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; and

D. DYCD-administered transitional independent living facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults.

(6)] 3. the number of individuals who are on wait-lists for DYCD-administered facilities, to the extent such wait-lists exist, disaggregated by:

[A.] (a) type of DYCD-administered facility; and

[B.] (b) families with children, adult families, total families, homeless youth, single men, single women, and total single adults.

[(7)] 4. the average length of stay, disaggregated by:

[A.] (a) families with children, adult families, total families, homeless youth, single men, single women, and total single adults;

[B.] (b) type of DHS-administered facility, excluding DHS drop-in centers and DHS faith-based beds;

[C.] (c) type of DYCD-administered facility, excluding DYCD-administered drop-in centers;

[D.] (d) type of HPD-administered facility; and

[E.] (e) type of HRA-administered facility.

[(8)] 5. the total number of facilities, disaggregated by DHS-administered facilities and facilities not administered by DHS.

c. Application and entrance data. Commencing on November 1, 2011, and no later than the first day of each month thereafter, the mayor's office of operations shall for each month, calendar year and fiscal year [publish in] post on the same location on [the NYCStat] its website as the data posted pursuant to subdivision b of this section, the following data for those seeking admission and entrance to DHS-administered shelter facilities, provided that any information listed in this subdivision that was not required to be included in reports commencing on November 1, 2011, shall be included in reports commencing on July 1, 2023:

[(1)] 1. the total number of:

[A.] (a) applications;

[B.] (b) unduplicated applicants;

[C.] (c) applicants found eligible for shelter;

[D.] (d) entrants to [DHS administered] DHS-administered facilities; and

[E.] (e) unduplicated entrants to DHS-administered facilities. The data required by subparagraphs [A, B, C, D and E] (a), (b), (c), (d) and (e) of this paragraph shall be disaggregated by families with children, adult families, total families, single men, single women, anyone of another gender, and total single adults;

[(2)] 2. the number of families with children found eligible for city-administered facilities;

[(3)] 3. the percentage of eligible families with children who submitted one application;

[(4)] 4. the percentage of eligible families with children who submitted two applications;

[(5)] 5. the percentage of eligible families with children who submitted three applications;

[(6)] 6. the percentage of eligible families with children who submitted four applications;

[(7)] 7. the percentage of eligible families with children who submitted five applications;

[(8)] 8. the percentage of eligible families with children who submitted six applications or more;

[(9)] 9. the number of adult families found eligible for city-administered facilities;

[(10)] 10. the percentage of eligible adult families who submitted one application;

[(11)] 11. the percentage of eligible adult families who submitted two applications;

[(12)] 12. the percentage of eligible adult families who submitted three applications;

[(13)] 13. the percentage of eligible adult families who submitted four applications;

[(14)] 14. the percentage of eligible adult families who submitted five applications; and

[(15)] 15. the percentage of eligible adult families who submitted six applications or more.

d. The data required [to be published in] pursuant to subdivisions b and c [above] of this section shall be [published] posted electronically on the portal specified in subdivision b [in a commonly available non-proprietary database format that is suitable for analysis].

e. Commencing on July 1, 2023, for each month, the report required pursuant to this section shall include a cover page that lists the total number of persons utilizing all city-administered facilities listed in subdivision b of this section in the following forms:

1. a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed overnight in a city-administered facility on that night;

2. a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in a DHS-administered facility;

3. a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in an HPD-administered facility;

4. a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in an HRA-administered facility;

5. a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in a DYCD-administered residential facility, excluding DYCD-administered drop-in centers;

6. a monthly average of the number of people in all city-administered facilities as a single total; and

7. the total number of unduplicated individuals and household types and vacancies across all systems

over the course of the monthly reporting period.

f. Commencing on July 1, 2023, the cover page required in subdivision e of this section shall additionally include the total number of persons utilizing all city-administered facilities listed in subdivision b of this section, disaggregated by the number of adults and children under the age of 18 and the number of families with children, adult families, single men and single women.

g. Reporting on exits from city-administered facilities. Commencing on July 1, 2023, and no later than the first day of each month thereafter, the mayor's office of operations, for each month, calendar year and fiscal year, shall report to the speaker of the council and post on the mayor's office of operations website, disaggregated information, if known, regarding the number of families with children, adult families, single adults who have not returned within two monthly reporting cycles, and runaway and homeless youth from city-administered residential facilities that exited DHS-administered facilities, DYCD-administered residential facilities, HPD-administered facilities and HRA-administered facilities and entered into the following types of housing:

1. Supportive housing;

2. City-financed homeless set-aside units, disaggregated by, units financed jointly by HPD and HDC under Housing New York, HDC set-aside units financed under Housing New York, and HPD set-aside units financed under Housing New York;

3. Section 8 voucher housing, disaggregated by NYCHA, HPD and New York state homes and community renewal, and further disaggregated by project-based or tenant-based vouchers;

4. Other affordable housing, disaggregated by 421-a affordable housing, Housing New York, mandatory inclusionary housing and other housing;

5. A private rental market apartment with a rental subsidy, disaggregated by the type of such subsidy;

6. Private housing that is not an entire apartment with a rental subsidy, disaggregated by a private room and an unsubsidized single-room occupancy that is not supportive housing;

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7. A private rental market apartment with no rental subsidy, including those moving out of state;

8. Transitional housing operated by or under contract or similar agreement with DHS, DYCD, HPD, United States department of housing and urban development or HRA;

9. Discharges to settings with higher levels of medical care, disaggregated by inpatient hospitalization, medical rehabilitation centers, medical respite care and long-term care facilities;

10. Residential drug treatment and detoxification;

11. Housing of friends or family;

12. Unknown or unable to validate;

13. Rapid re-housing funded by the United States department of housing and urban development; and

14. Moved back to vacated building;

h. Reporting on financing, starts and completions of permanent housing for those exiting city-administered facilities. Commencing on July 1, 2023, and no later than each month thereafter, the mayor's office of operations for each month, calendar year and fiscal year, shall report to the speaker of the council and post on the mayor's office of operations website, unduplicated information regarding the financings, starts and completions of the following permanent housing or subsequent iterations of such housing, set aside for individuals or families experiencing homelessness:

1. Newly constructed supportive housing units, disaggregated by service contracts funded by empire state supportive housing initiative, federal department of housing and urban development and veterans administration, HRA HASA, JISH, New York city 15/15, New York/New York and any other category the mayor's office deems appropriate; and

2. Newly constructed city-financed homeless set-aside units, disaggregated by units financed jointly by HPD and HDC under Housing New York, HDC set-aside units financed under Housing New York and HPD set-aside units financed under Housing New York.

i. No information that is required to be reported pursuant to this section shall be reported if it would

violate any applicable provision of federal, state or local law relating to the privacy, confidentiality, use or disclosure of that information.

j. If a category contains between one to nine households, or allows another category to be narrowed to be between one to nine households, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero.

§ 2. This local law takes effect immediately.

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Session 11
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