



Legislation Details (With Text)

File #: Int 0211-2022 **Version:** * **Name:** Requiring the mayor’s office of operations to report on the exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities.

Type: Introduction **Status:** Filed (End of Session)

In control: Committee on General Welfare

On agenda: 4/28/2022

Enactment date: **Enactment #:**

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring the mayor’s office of operations to report on the exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities

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Indexes: Report Required

Attachments: 1. Summary of Int. No. 211, 2. Int. No. 211, 3. April 28, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 4-28-22, 5. Minutes of the Stated Meeting - April 28, 2022, 6. Committee Report 5/3/22, 7. Hearing Testimony 5/3/22, 8. Hearing Transcript 5/3/22

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	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 211

By Council Members Ayala, Brewer, Sanchez, Stevens, Restler, Krishnan, De La Rosa, Ung, Schulman, Dinowitz, Williams, Cabán, Gutiérrez, Abreu, Moya, Rivera and Hanif

A Local Law to amend the administrative code of the city of New York, in relation to requiring the mayor’s office of operations to report on the 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 40 for the year 2011, is renumbered section 3-113.2.

§ 2. 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 renumbered and amended to read as follows:

§ [3-113] 3-113.2 Reporting on the utilization of city-administered facilities, exits from city-administered facilities to permanent housing and financings, starts and completions of permanent housing for those exiting city-administered facilities.

a. Definitions. For the purposes of this section, the following terms [shall] have the following meanings:

421-a affordable housing. The term “421-a affordable housing” means housing in a building subject to the 421-a tax exemption program pursuant to section 421-a of the real property tax law.

[(1) “Adult” shall mean] 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[;].

[(4) “City-administered facilities” shall mean] City-administered facilities. The term “city-administered facilities” means hotels, shelters 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 are financed with city funds.

[(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[;].

DHS CJ shelters. The term “DHS CJ shelters” means city-administered facilities that provide short-term housing for people with prior criminal justice involvement.

[(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 crisis shelters. The term “DYCD-administered crisis shelters” 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 facilities. The term “DYCD-administered transitional independent living facilities” 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.

Housing New York. The term “housing New York” means the city’s affordable housing plan set forth in the publication entitled “2014 Housing New York: A Five-Borough, Ten-Year Plan” and any subsequent iterations 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 providing emergency shelter to individuals or families displaced from their homes managed by a provider under contract or similar agreement with HPD[;].

[(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 terms “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;] HASA.

[(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] HASA.

JISH. The term “JISH” means the city justice-involved supportive housing program.

Made own arrangements. The term “made own arrangements” means a household informed DHS, DYCD, HPD or HRA of a planned exit from a city-administered facility.

Mandatory inclusionary zoning. The term “mandatory inclusionary housing” means the city program requiring permanent affordable housing when developers build in an area zoned for mandatory inclusionary housing, whether rezoned as part of a city neighborhood plan or a private rezoning application.

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.

NYCHA. The term “NYCHA” means the New York city housing authority.

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

Other city-financed homeless set-aside units. The term “other city-financed homeless set-aside units” means city-financed homeless set-aside units not administered by HDC or HPD.

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 and includes but is not limited to the public assistance shelter allowance provided by such department as established by section 131-a of the social services law, section 159 of the social services law, section 349 of the social services law, or any codes, rules and regulations, as well as subsidies provided through the administration for children’s services housing subsidy, the 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 supplement, 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.

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, HRA HASA supportive housing, JISH, New York city 15/15 supportive housing and New York/New York supportive housing.

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

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] report to the speaker of the council and post on the office of operations website the following:

[(1) 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
- 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:

C. 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. DHS safe havens, disaggregated by single men, single women and total single adults;

E. DHS stabilization beds, disaggregated by single men, single women and total single adults;

F. DHS veterans shelters, disaggregated by single men, single women and total single adults;

G. HPD-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;

H. HPD emergency facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

I. 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;

J. 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. 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. 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. 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

N. 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:

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

A. type of DYCD-administered facility; and

B. families with children, adult families, total families, single men, single women, and total single adults youth.

(7) the average length of stay disaggregated by:

A. families with children, adult families, total families, single men, single women, and total single adults;

B. type of DHS-administered facility, excluding DHS drop-in centers and DHS faith-based beds;

C. type of DYCD-administered facility, excluding DYCD-administered drop-in centers;

D. type of HPD-administered facility; and

E. type of HRA-administered facility.

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

1. The average daily overnight census and the number of unduplicated persons, disaggregated by total single adults, single men and single women, for (i) DHS drop-in centers, (ii) DHS faith-based facilities, (iii) DHS safe havens, (iv) DHS stabilization beds, (v) DHS veterans shelters and (vi) DHS CJ shelters;

2. The average daily overnight census and the number of unduplicated persons or families, disaggregated by total families, families with children, adult families, total adults in families, total children, total single adults, single men and single women, for (i) all city-administered facilities - excluding DYCD-administered facilities, (ii) DHS-administered facilities, (iii) HPD-administered facilities, (iv) HPD emergency

facilities, (v) HPD emergency hotels, (vi) HRA-administered facilities, (vii) HRA domestic violence shelters, (viii) HRA HASA emergency housing and (ix) HRA HASA transitional housing;

3. The average monthly utilization rates and the number of unduplicated runaway and homeless youth utilizing (i) DYCD-administered facilities, (ii) DYCD-administered crisis shelters, (iii) DYCD-administered drop-in centers and (iv) DYCD-administered transitional independent living facilities;

4. The average length of stay, disaggregated by families with children, adult families, total families, total single adults, single men and single women, for each (i) DHS-administered facility, excluding DHS faith-based facilities, (ii) HPD-administered facility and (iii) HRA-administered facility;

5. The average length of stay for runaway and homeless youth in (i) DYCD-administered crisis shelters, (ii) DYCD-administered drop-in centers and (iii) DYCD-administered transitional independent living facilities; and

6. 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 the same location on the NYCStat website as the data posted pursuant to subdivision b of this section,] report to the speaker of the council and post on the office of operations website [the following data for those seeking admission and entrance to DHS-administered facilities,] the total number and percentage of the following for DHS-administered facilities, disaggregated by total families, families with children, adult families, total single adults, single men and single women:

[(1) the total number of:

A. applications;

B. unduplicated applicants;

C. applicants found eligible for shelter;

D. entrants to DHS administered facilities; and

E. unduplicated entrants to DHS-administered facilities.

The data required by subparagraphs A, B, C, D and E of this paragraph shall be disaggregated by families with children, adult families, total families, single men, single women, and total single adults;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Applications;

2. Unduplicated applicants;

3. Applicants found eligible;

4. Eligible families who submitted (i) one application, (ii) two applications, (iii) three applications, (iv) four applications, (v) five applications and (vi) six applications or more;

5. Entrants; and

6. Unduplicated entrants.

d. Reporting on exits from city-administered facilities. Commencing on September 1, 2019 and no later than the first day of each month thereafter, the office of operations, for each month, calendar year and fiscal year, shall report to the speaker of the council and post on the office of operations website, unduplicated information regarding the exits of (i) families with children, (ii) adult families, (iii) single adults and (iv) runaway and homeless youth from city-administered facilities, disaggregated by (i) DHS-administered facilities, (ii) DYCD-administered facilities, (iii) HPD-administered facilities and (iv) HRA-administered facilities to the following housing:

1. Supportive housing, disaggregated by (i) empire state supportive housing initiative, (ii) federal department of housing and urban development and veterans administration, (iii) HRA HASA, (iv) JISH, (v) New York city 15/15, (vi) New York/New York and (vii) other;

2. City-financed homeless set-aside housing units, disaggregated by (i) HDC set-aside units financed by housing New York, (ii) HDC set-aside units not financed by housing New York, (iii) HPD set-aside units financed by housing New York, (iv) HPD set-aside units not financed by housing New York, (v) other set-aside units financed by housing New York and (vi) other set-aside units not financed by housing New York;

3. Other affordable housing, disaggregated by (i) 421-a affordable housing, (ii) housing New York housing, (iii) mandatory inclusionary housing, (iv) NYCHA public housing and (v) other housing;

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

5. A private rental market apartment with no rental subsidy;

6. Transitional housing operated by or under contract or similar agreement with DHS, DYCD, HPD or HRA;

7. Residential drug treatment and detoxification;

8. Made own arrangements; and

9. Unknown or unable to validate.

e. Reporting on financings, starts and completions of permanent housing for those exiting city-administered facilities. Commencing on September 1, 2019 and no later than the first day of each month thereafter, the office of operations, for each month, calendar year and fiscal year, shall report to the speaker of the council and post on the office of operations website, unduplicated information regarding the financings, starts and completions of the following permanent housing, or subsequent iterations of such housing, for those exiting city-administered facilities:

1. Supportive housing disaggregated by (i) empire state supportive housing initiative, (ii) federal department of housing and urban development and veterans administration, (iii) HRA HASA, (iv) JISH, (v) New York city 15/15, (vi) New York/New York and (vii) other;

2. City-financed homeless set-aside units, disaggregated by (i) HDC set-aside units financed by housing New York, (ii) HDC set-aside units not financed by housing New York, (iii) HPD set-aside units financed by housing New York, (iv) HPD set-aside units not financed by housing New York, (v) other set-aside units financed by housing New York and (vi) other set-aside units not financed by housing New York; and

3. Other affordable housing, disaggregated by (i) 421-a affordable housing, (ii) housing New York housing, (iii) mandatory inclusionary housing, (iv) NYCHA public housing and (v) other housing.

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

f. The reports published by the office of operations prior to the enactment of this local law required by subdivisions b and c of this section shall remain the same.

§ 3. This local law takes effect 30 days after it becomes law.

LS 8737
4/13/2022

Session 11

NLB
LS #8070
Int. #1642-2019