



Legislation Text

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**File #:** Res 0655-2015, **Version:** \*

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Res. No. 655

Resolution calling upon the New York State Office of Temporary and Disability Assistance to promulgate a rule which would require family shelter facilities to post the list of residents' rights and protections in a public area.

By Council Members Williams, Barron, Chin, Cumbo, Eugene, Johnson, Koo, Palma, Richards, Rosenthal and Mendez

Whereas, New York City is experiencing record levels of homelessness which have not been seen since the Great Depression; and

Whereas, As of February 25, 2015, 11,900 families were residing in the Department of Homeless Services (DHS) shelter system; and

Whereas, Families with children are living in shelters for longer than ever, with the average length of stay for Fiscal Year 2014 reaching 427 days; and

Whereas, DHS has the legal obligation to house every eligible family, and must guarantee families certain rights and protections during their time living in the shelter system; and

Whereas, Pursuant to Section 900.9 of Title 18 of the Compilation of Codes, Rules and Regulations of the State of New York (NYCRR) shelter facilities housing homeless families must guarantee each family certain rights and protections; and

Whereas, Such rights found in the NYCRR include the following: the right to remain in the facility and not be discharged or involuntarily transferred, except as provided by law; the right to receive visitors in designated areas of the shelter; the right to exercise one's civil rights; the right to religious liberty; the right to have private written and verbal communication including the right to meet with legal representatives; the right to present grievances; the right to manage one's own financial affairs; the right to confidential treatment of

personal, social, financial, and medical records; the right to receive courteous, fair and respectful care and treatment; the right to be free from restraint or confinement; the right to receive and send mail without interference or interception; and the right to leave and return to the facility at reasonable hours in accordance with facility rules; and

Whereas, However, pursuant to the NYCRR, the shelter facility only has the obligation to provide each family with a copy of such rights upon their admission to the facility; and

Whereas, According to DHS, the main reasons for families entering the shelter system are eviction, overcrowding, and domestic violence; and

Whereas, Families with children must prove their eligibility for shelter before they receive placement and are required to do things such as provide extensive personal documents, provide proof of previous housing for the preceding two years, explain why they left each location, and disclose personal resources such as friends, family, or others who applicants believe can offer living arrangements; and

Whereas, According to data from the Local Law 37 of 2011 report on Temporary Housing Assistance Usage for January 2015, almost 40 percent of families admitted to the shelter system had to apply on more than one occasion before being found eligible; and

Whereas, Therefore, it is likely that families are under high levels of stress upon first entering the shelter system and having a facility only provide to them their list of rights and protections at that single moment is likely insufficient to fully inform such families of their rights; and

Whereas, Each shelter should post the list of rights and protections in a common area of the shelter so all families are fully aware of their protections under the law; now, therefore, be it,

Resolved, That the Council of the City of New York calls upon the New York State Office of Temporary and Disability Assistance to promulgate a rule which would require family shelter facilities to post the list of residents' rights and protections in a public area.

02/28/2015