



Legislation Text

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Res. No. 1446

Resolution calling on the New York City Housing Authority to amend the one-year residency requirement by allowing exemptions for tenants to qualify as a Remaining Family Member.

By Council Members Van Bramer, Torres and Gentile

Whereas, New York City Housing Authority is a public housing authority with 328 developments, 2,547 residential buildings, and 177,657 units, making it the largest public housing provider in North America; and

Whereas, 175,817 families and 403,275 residents live in NYCHA's public housing; and

Whereas, To reside in NYCHA housing, a person must be an "authorized family member," and must be listed in each of the tenant's annual affidavits of income; and

Whereas, NYCHA defines an authorized family member as any tenant listed on the original family roster when the tenancy began, any person that was born to or adopted by an authorized family member in the household, or any person that received permission from the development's housing manager to reside in the unit; and

Whereas, A person who is requesting to permanently join the household of an authorized family member must be either spouse, registered domestic partner, parent, grandparent, grandchild, child, or sibling; and

Whereas, A person who receives permission from the development's housing manager to permanently reside in a NYCHA unit with an authorized family member may qualify as a "remaining family member" and continue to reside in the unit after the authorized family member's tenancy ends if such person resided in the unit continuously for one year before the authorized family member died or vacated the unit (the "one-year

rule”), passes a criminal background check, has a verifiable income that NYCHA can use to calculate rent, and has the legal capacity to sign a lease; and

Whereas, According to press reports, NYCHA is issuing removal notices to persons who failed to satisfy the one-year rule, but who otherwise would have qualified as remaining family members; and

Whereas, The one-year rule can be unfair to low income tenants who gave up housing elsewhere in order to move to NYCHA, particularly when such persons relocated to provide care for terminally ill relatives; and

Whereas, Persons who move to a NYCHA unit to care for a terminally ill relative who is an authorized family member are unable to predict or plan when that family member will pass away and should not be punished for a situation that is beyond their control; and

Whereas, Creating an exception to the one-year rule may prevent such persons from becoming homeless; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Housing Authority to amend the one-year residency requirement by allowing exemptions for tenants to qualify as a Remaining Family Member.

JLC
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