



Legislation Text

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Int. No. 2445

By Council Members Dromm and Louis

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services and the department of homeless services to report on requests for agency conferences, requests for fair hearings and representation at fair hearings for applicants denied public benefits and temporary housing

Be it enacted by the Council as follows:

Section 1. The title of subdivision c of section 21-142 of the administrative code of the city of New York, as added by local law number 170 for the year 2019, is amended to read as follows:

c. Denial report[.] for applications for ongoing cash or supplemental nutrition assistance.

§ 2. Section 21-142 of the administrative code of the city of New York, as added by local law number 170 for the year 2019, is amended by adding a new subdivision c-1 to read as follows:

c-1. Report on agency conferences and fair hearings for applicants denied any of the public benefits administered by the department. The department shall post on its website and submit to the mayor, the speaker of the council and the public advocate a report on agency conferences and fair hearings requested by applicants denied any of the public benefits administered by the department. The first such report shall be due on November 15, 2022 and shall cover the quarter that began on July 1, 2022. Subsequent reports shall be posted and submitted no later than 45 days after the end of each quarter thereafter. Such reports shall be submitted with the report required by subdivision c of this section and shall include the following information:

1. Any language used in the written notices of determination of ineligibility that the department provided to case heads to explain the department's denial of any of the public benefits administered by the department;

2. The total number and percent of applications for any of the public benefits administered by the department that the department denied, disaggregated by whether the case head requested an agency conference, requested a fair hearing or had representation at the fair hearing;

3. The total number and percent of each type of application for public benefits administered by the department that the department denied, disaggregated by whether the case head requested an agency conference, requested a fair hearing or had representation at the fair hearing; and

4. The data required by paragraphs 2 and 3 of this subdivision shall be further disaggregated by the following information:

(a) The council district the case head lives in;

(b) Such case head's reported race, ethnicity, ancestry, gender identity, sexual orientation and age category;

(c) The languages such case head speaks;

(d) Whether such case head has limited English proficiency; and

(e) Whether such case head received a reasonable accommodation for a disability from the department.

§ 3. Subdivision e of section 21-142 of the administrative code of the city of New York, as added by local law number 168 for the year 2019, is amended to read as follows:

e. The reports produced pursuant to subdivisions b, c, c-1 and d of this section shall be stored permanently and shall be accessible on the department's website. Reports required pursuant to this section shall not contain personally identifiable information.

§ 4. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-328 to read as follows:

§ 21-328 Report on agency conferences and fair hearings for applicants denied temporary housing. a. Definitions. For the purposes of this section, the term "case head" has the same meaning as provided in section 21-142.

b. The department shall post on its website and submit to the mayor, the speaker of the council and the public advocate a report on agency conferences and fair hearings requested by those applicants denied temporary housing. The first such report shall be due on November 15, 2022 and shall cover the quarter that began on July 1, 2022. Subsequent reports shall be posted and submitted no later than 45 days after the end of each quarter thereafter. Such reports shall be submitted with the report required by section 21-142 and shall include the following information:

1. Any language used in the written notices of determination of ineligibility that the department provided to case heads to explain the department's denial of temporary housing;

2. The total number and percent of applications for temporary housing that the department denied, disaggregated by whether the case head requested an agency conference, requested a fair hearing or had representation at the fair hearing; and

3. The data required by paragraph 2 of this subdivision shall be further disaggregated by the following information:

(a) The council district the case head lives in;

(b) Such case head's reported race, ethnicity, ancestry, gender identity, sexual orientation and age category;

(c) The languages such case head speaks;

(d) Whether such case head has limited English proficiency; and

(e) Whether such case head received a reasonable accommodation for a disability from the department.

c. The reports produced pursuant to subdivision b of this section shall be stored permanently and shall be accessible on the department's website. The reports required by subdivision b shall not contain any personally identifiable information.

§ 5. This local law takes effect immediately.

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