

Testimony of
Coalition for the Homeless
and
The Legal Aid Society

on

**The City of New York's Plan for the Provision of Shelter and Other Vital Services
During Emergency Conditions**

Presented before

The New York City Council
Committee on Public Safety

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The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the Committee on Public Safety regarding planning and preparation for future weather disasters and other emergency conditions.

About the Coalition and The Legal Aid Society:

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which now continues past its third decade. The Coalition also protects the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates twelve direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers, and demonstrate effective, long-term solutions. These programs include supportive housing for families and individuals living with AIDS, job-training for homeless and formerly-homeless women, rental assistance which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, and permanent housing for formerly-homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen distributes 900 nutritious meals each night to street homeless and hungry New Yorkers. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention assistance, client advocacy, referrals for shelter and emergency food programs, and assistance with public benefits.

The Coalition also represents homeless men and women as plaintiffs in *Callahan v. Carey* and *Eldredge v. Koch*. In 1981 the City and State entered into a consent decree in *Callahan* in which it was agreed that, "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *Eldredge* case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless adults.

The Legal Aid Society: The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal and juvenile rights matters, while also fighting for legal reform.

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The Society's legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society's law reform representation for clients benefits some two million low-income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the *Callahan* and *Eldredge* cases. The Legal Aid Society is also counsel in the *McCain/Boston* litigation in which a final judgment requires the provision of lawful shelter to homeless families. Together, the Coalition and The Legal Aid Society act as New York City's first responders, protecting and enforcing the legal rights of homeless families and individuals in New York City.

Providing Shelter after an Emergency Event

In February, Coalition for the Homeless and The Legal Aid Society testified before the General Welfare Committee about the City's response to Hurricane Sandy (attached). Among the problems we witnessed were poor shelter conditions for evacuees, unmet medical needs, a severe lack of accountability, and inadequate re-housing assistance.

We are extremely grateful that the City Council has listened to affected New Yorkers and community advocates in proposing a plan for future emergencies. We support the Council's legislative efforts to propose amendments to the local law to address the needs of New Yorkers in emergencies. In this testimony, we highlight some of the key initiatives that the Council has proposed and make some recommendations for the Council's consideration as part of this effort.

Already, the City of New York has existing legal obligations to provide adequate shelter and services for homeless individuals and families as laid out in *Callahan v. Carey* and *Boston v. City of New York*. These obligations establish the minimum standards for safe, secure, and adequate shelter and must continue to guide the provision of emergency shelter following all future emergency events.

In preparing for future storms, it is imperative that the City work to limit the amount of time evacuees spend in large-scale congregate shelters and, if necessary, quickly transition households to locations more suitable for longer term stays. In all emergency sheltering locations, but particularly in large-scale congregate shelters, the City must ensure that food, medical, bathroom, and other special needs are addressed adequately for all individuals.

The Council's proposed bill on sheltering will require descriptions of shelter staffing and accountability, assessments of emergency supply stockpiles, plans for shower and laundry

facilities, provision of adequate food, the continued provision of public benefits, and mechanisms for tracking the census. We support all of these requirements.

Additionally, one of the most common problems Coalition and Legal Aid monitors witnessed was a lack of assistance for individuals with medical needs. Many individuals came into shelter after having lost all their prescription medication, or with only a small supply. Most were unable to reach their doctors or health care providers, who were often based in the same affected neighborhoods. There were potentially serious health risks posed to these individuals, many of whom were not in special medical needs shelters. It is therefore imperative that trained health care staff be present in all congregate shelters in addition to staff who are able to assist individuals in obtaining new prescriptions. We stand ready to work with the Council to address this need.

Almost eight months after Hurricane Sandy, there are still hundreds of displaced families living in temporary hotels and shelters throughout New York City. We agree with the Council that the best solution for any future disaster is to reduce the need for temporary shelter wherever possible. Accordingly, the City Administration should commit to making permanent affordable housing options available much more quickly after all future emergency events, thus reducing the need to rely on expensive emergency shelter.

Other Bills/Special Medical Needs Outreach

Regarding Intro 1065, In Relation to the Creation of an Outreach and Recovery Plan to Assist Vulnerable and Homebound Individuals Before, During and After Emergency Conditions.

We applaud the thoughtful and detailed nature of this proposed local law. In addition to assisting with recovery efforts after an emergency, we suggest that it be made clear that the Door-to-Door Task Force has a responsibility to provide assistance to vulnerable and homebound clients *before* anticipated emergencies. Specifically, the plan should outline evacuation procedures for vulnerable and homebound people which include culturally and linguistically appropriate in-person assistance. The need for such an approach is demonstrated by the fact that, after Superstorm Sandy, a Legal Aid Society staff member visited elders in Coney Island who did not evacuate because language barriers kept them from fully understanding evacuation information.

In addition to evacuation procedures in the plan, we recommend that the required registry of homebound and vulnerable individuals created by the Door-to-Door Task Force should record information about the caretakers of vulnerable individuals, including both informal supports and formal home care arrangements. Updated versions of this registry should be available to other agencies, community-based organizations, and volunteers, and should be created prior to emergency conditions. After the storm, for example, a Legal Aid Society staff member spoke with a home attendant who had stayed with her elderly patient in a high-rise public housing project for nine straight days because her agency could not find anyone to relieve her. In addition to the care she provided for her own patient, this home attendant worked around the clock to take care of the many frail elderly residents on the upper floors of the building who needed assistance carrying supplies up the stairs. Advance outreach to the caretakers of vulnerable individuals could help prevent situations like this.

We also respectfully suggest that the Human Resources Administration (“HRA”) be included among the agencies required to cooperatively plan for disaster and recovery operations for vulnerable individuals. HRA’s Adult Protective Services (“APS”) has primary responsibility for

assisting these New Yorkers during times of personal crisis. Furthermore, in its public assistance operations, HRA has a code in its WMS computer indicating which individuals on their caseload are home bound. After the Storm, HRA admitted to Legal Aid staff that it took no action before or after Sandy to identify homebound individuals who resided in affected areas and failed reach out to them before or after the storm.

Regarding Intro 1076, In Relation to a Traffic Management Plan in Response to Emergency Conditions

Based on our experience during and after Sandy, we recommend that the traffic management plan require communications, written or otherwise, to the affected communities to be available, to the extent possible, in the languages that reflect the communities impacted. Additionally, many of the communities most affected by the transportation disruptions are low-income isolated New Yorkers, such as in Far Rockaway. The plan should include consideration of, during and after emergency conditions, the elimination of fares for buses, subways and ferries, and fare limitations on other modes of transportation in low-income isolated communities.

Regarding Intro 1054, In Relation to the Creation of a Community Recovery Plan to Respond to Emergency Conditions

We respectfully suggest that the community recovery plan require that communications, written or otherwise, to the affected communities be available, to the extent possible, in the languages that reflect the communities impacted. The plan should include provisions that, to the extent possible, the recovery directors, deputy recovery directors and office staff be drawn from and have familiarity with the anticipated impacted areas and communities. The plan should also include a mechanism for feedback from impacted communities, both prior to and after an emergency situation, in order to better plan for future events.

Regarding Intro 1069, In Relation to Developing and Implementing a Food and Water Access Plan in Response to Emergency Conditions

We respectfully suggest that the food and water access plan require that communications, written or otherwise, to the affected communities be available, to the extent possible, in the languages that reflect the communities impacted. A major problem after Superstorm Sandy was that the ability for the public to access emergency food aid through the D-SNAP program was limited to one location in Brooklyn and one part-time location in Staten Island, making it nearly impossible for the most vulnerable and isolated New Yorkers to access these emergency benefits. The plan should prioritize the ability of affected communities to access emergency benefits locally to the extent possible, and it should take into consideration the transportation disruptions within these communities and ensure that those communities have services brought to them.

Regarding Intro 1077, In Relation to A Fuel Management Plan in Response to Emergency Conditions

We respectfully suggest that the fuel management plan require that communications, written or otherwise, to the affected communities be available, to the extent possible, in the languages that reflect the communities impacted.

Regarding Intro 1072, In Relation to A Small Business Recovery Plan in Response to Emergency Conditions

We respectfully suggest that the Department of Small Business Services (SBS) require a survey communication to small business service providers and small business owners to identify critical resources necessary to ensure that businesses are able to function during and after a disaster. SBS should also collect data from their list of clients and actions through evaluation of previous disasters in order to determine the potential impact of disruptions on small businesses caused by unforeseen disasters. Based upon this information, SBS could develop an initial recovery plan that would contain written information for small business owners on how to prepare for emergency conditions.

We further suggest the implementation of a disaster alert communication to be disseminated in various languages through a phone hotline, email, radio and TV public service announcements. This alert should also be distributed through pamphlets or facts sheets and posted in local newspapers and magazines, ensuring that low-income small businesses in traditionally underserved communities also receive notice. SBS should coordinate with State, federal and municipal agencies and organizations in addition to non-profit groups to assist small business owners with loan and grant applications and to provide counseling, technical assistance, and legal services. SBS could compile a list of government agencies and non-profit organizations that can assist small business owners to facilitate and expedite recovery if impacted by emergency conditions. SBS should use small business technical assistance providers and organizations that assist low-income small businesses in predominantly low-income and underserved communities to disseminate recovery information and conduct/distribute surveys. We believe that the recovery plan should consider information and recommendations provided by local, state and federal agencies that assisted small businesses after prior emergency conditions.

Thank you again for seeking our comments on this important Council initiative. We look forward to continuing to work with the Council on these matters, as we did during and after Sandy.

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February 5, 2013

Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council about the City of New York's provision of shelter and emergency services to people displaced by Hurricane Sandy.

About the Coalition and The Legal Aid Society

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Hurricane Sandy and New York City's Historic Homelessness Crisis

Hurricane Sandy devastated much of New York City, but it was particularly savage for New Yorkers in the affected areas who were already living on the edge. Many of the hardest-hit neighborhoods – from Far Rockaway to Red Hook, from Coney Island to Midland Beach in Staten Island – are low-income communities. The storm instantly displaced thousands of poor New Yorkers, who have struggled ever since to obtain food, clothing or alternative housing. More than three months after the storm, government efforts to shelter victims remain chaotic, leaving many in need of basic necessities and, ultimately, stable long-term housing.

Sandy also worsened New York City's already historic homelessness crisis. The thousands displaced by the storm have added to the all-time record number of homeless people bedding down each night in the municipal shelter system. Before Sandy, 48,700 people were in shelter each night, including more than 20,000 children. And we have yet to see long-term housing assistance to help kids and adults who were homeless both before and after Sandy – so those numbers will continue to climb.

Preventing Harm During the Storm

In the days before Sandy hit, the New York City Department of Homeless Services and not-for-profit service providers made extraordinary efforts to protect homeless New Yorkers from immediate harm. Shelters and intake centers that were located in flood zones were evacuated and nearly 1,200 homeless single adults and 300 homeless families were relocated to other facilities across the city. DHS temporarily stopped barring families it had found ineligible from entering the shelter system, and a directive was issued to ensure single men and women would not be turned away from emergency shelter.

After the storm struck, many municipal shelters were left without electricity and some without heat, particularly those in Manhattan below Midtown. Many shelters were able to operate with emergency generators while City workers and non-profit shelter providers continued to provide food and other vital services to residents.

A number of other private shelters were also hit. In the immediate aftermath of the storm, facilities housing HIV/AIDS patients had no heat and had run out of blankets – their residents left literally shivering in the dark as the days wore on. One of the premier shelters for LGBT youth – the Ali Forney Center – was completely demolished. Men and women who had suffered through the storm on the streets were in desperate need of assistance. Food was scarce, and the need was dire.

As soon as the storm passed, the Coalition's Grand Central Food Program vans hit the streets to feed hundreds of hungry storm victims, many of whom had no power and no access to a hot meal. When the first refugees were placed in hotels and YMCAs in Manhattan, the Coalition was there with extra meals, dry clothing and warm blankets – working closely with the Legal Aid Society to provide comprehensive care to homeless evacuees.

Planning for Storm Evacuees

In the first few days after the storm, thousands of people sought refuge in emergency evacuation shelters, set up mostly in large spaces like high school gyms. While these locations served the purpose of keeping thousands of men, women, and children out of harm's way during the immediate crisis of the storm, it quickly became clear why these sorts of congregate shelters are, except in the most severe emergencies, unlawful for families. As the days wore on, the significant risks of congregate shelters, including crime, contagious disease, lack of accommodations for people with disabilities, and the threat such settings pose to the mental health of people who have just experienced a catastrophe – let alone people who were already experiencing mental health needs before the storm – were all manifest. These problems were worsened because the City had failed to prepare for the food, medical, and other special needs of evacuees; the co-location of children, adults, and seniors; and the possibility of long-term displacement. Other possible providers, including the Red Cross and FEMA, failed to step in to remedy the situation.

It was also clear that no one undertook an organized canvas of affected neighborhoods to determine where people in need might still be trapped, waiting for help. While this did occur in some neighborhoods, such as Red Hook, where the not-for-profit Red Hook Initiative maintained a database on all the homebound individuals in the community and sent volunteers to check on them on at least a daily basis, in other communities no one knew where or even whether anyone needed help. HRA has acknowledged to Legal Aid that it made no effort to reach out to its clients who it knew to be homebound in the affected zip codes. In Coney Island, Legal Aid staff at the FEMA site were handed a handwritten list by Red Cross staff of people in need of assistance in their homes, but City workers on site refused to even take the list. One notation, for a disabled woman still living in her destroyed basement apartment, read, "client requests welfare check—still alive?" When Legal Aid staff went to her home, they found her medical needs to be so extreme that they helped her call 911, and she left the home immediately in an ambulance.

The Legal Aid Society and Coalition for the Homeless began regular outreach in evacuation shelters shortly after the storm. About two weeks after the storm, the City started shutting down some evacuation sites and transferring evacuees to other large-scale shelters, many of them in existing DHS shelter facilities. Families, single adults, seniors, and people with disabilities were transferred to multiple sites, including armory drill floors in existing DHS shelters, and often crowded together.

Hundreds of evacuees ended up on drill floors at the Franklin Armory in the Bronx, the Bedford Atlantic Armory in Brooklyn, and the Fort Washington Armory in Manhattan. They were placed far away from their home neighborhoods, and conditions were terrible. A scathing *New York Times* article relayed the experience of those being moved and the conditions at Franklin¹:

"It's like you were being processed to go to jail," Mr. Etienne said, echoing many others who described waiting for hours in the cold to enter a vast sea of cots under constant fluorescent lights, with one shower for everybody and one toilet for men, where guards yelled into two-way radios all night and, Mr. Etienne and a Salvation Army official said, a couple had sex in the open.

Indeed, Coalition and Legal Aid staff witnessed firsthand many of the deplorable conditions in armory shelters and elsewhere. A lack of bathroom facilities for men at the Franklin armory (there was one toilet) was a serious problem, because dozens of men had been placed there. Families with young infants had no cribs, resulting in at least one baby falling from a cot to the floor. Many other individuals spent weeks without access to medical care or essential prescription medication. One family we recently spoke with at the end of January said her 7-year-old daughter is still traumatized from her experience at Franklin and any mention of it causes her to experience extreme anxiety. A Legal Aid social worker found that she, like many of the people we continue to meet through our outreach, suffers from Post Traumatic Stress Disorder (PTSD).

Unmet Medical Needs

In the days after the storm, The Legal Aid Society's Health Law Unit was inundated with calls about people in need of assistance. Of particular concern were the calls about the disabled or elderly residents of high-rise apartments. Without elevators, these residents were unable to access any of the distribution centers that had been set up to supply the community with food, water, blankets, and flashlights. Many of these residents also needed new medications and durable medical equipment. Legal Aid Society staff walked up flights of stairs, dozens of floors high, to bring assistance to those in need.

These disabled and elderly residents of high-rise apartments were forced to rely on the coordinated efforts of community members and volunteers for the most basic necessities. A Legal Aid Society staff member spoke with a home attendant who had stayed with her elderly patient for nine straight days because her agency could not find anyone to relieve her. She worked around the clock taking care of the many frail and elderly residents on the upper floors of that fourteen-floor building, walking gallons of water up to the top floors.

Evacuees able to leave their apartments still experienced tremendous barriers when trying to access health care. Immediately after the storm the New York State Department of Health (NYSDOH) released emergency pharmacy guidelines to help consumers access needed medication. The guidelines were not distributed and were only posted on the State website without official letterhead. Consequently, residents and local pharmacies in Far Rockaway and Coney Island were unaware of the temporary emergency rules.

A Legal Aid Society staff member met a woman in Far Rockaway who had been without insulin or epilepsy medication for over two weeks. She was one of the many people in her building who were turned away at the pharmacy for failing to obtain a new prescription. The woman in need of insulin explained that her doctor's office was closed and she didn't know where else to go to get a prescription. This resident would have benefited greatly from the emergency guideline

which directed pharmacists to refill certain medications without a new prescription. Unfortunately this needed information did not reach the affected communities, or else reached them too late.

While some Medicaid health plans worked hard to help consumers locate alternative providers, others offered no help at all. Because information about access to care was inconsistent and uncoordinated, residents of affected areas spent significant time coping with an array of unmet medical needs. The City's oversight and education of Medicaid managed care plans was not sufficient to meet the needs of those affected by the storm. The lack of information about access to healthcare in affected communities similarly highlighted the need for enhanced education and outreach efforts.

Lack of Accountability

Throughout this entire process in the weeks after the storm, there was no accountability or transparency regarding the City's organization of relief efforts, nor any clear indication of who was in charge, leaving evacuees and advocates in the dark. Indeed, in many cases, it seemed as though no one was in charge. At Brooklyn Tech High School evacuation shelter, a volunteer had taken over responsibility for coordinating food, services, and medical care to the frail evacuee population, which included over 200 patients with mental health issues evacuated from group homes. A 52 year old schizophrenic man went missing from this shelter. According to the *Daily News*²:

The two city agencies run the temporary shelter – the health and homeless services departments – declined to say how many staff from the city or from either of the group homes – Surf Manor or Chai - were on hand when Thomas wandered off.

It was additionally unclear who was making decisions to move large groups of people to armory drill floors and why those groups included a mixing of single adults, families, elderly and disabled individuals. Repeated calls for clarification from advocates and evacuees went ignored. When on-site staff were present at these sites, they indicated that they had not been given any information about the needs of the populations they were there to serve.

Ongoing Needs

Right before Thanksgiving, after the media exposure of the conditions on drill floors, the City began moving evacuees to hotels, YMCA's, and, tragically, to some hazardous "flophouse" hotels and rooming houses.

In early December, Coalition staff found an 85-year-old woman who was placed on the third floor of the Park Avenue Hotel, a decrepit East Harlem hotel with no elevator that is, to this day, still used by the City to shelter evacuees. She was dehydrated, unable to get up and down the stairs and had to rely on one compassionate security guard – himself homeless– who bought her food with money from his own pocket. Coalition workers reconnected this elderly woman with her Coney Island seniors' residence and moved her back to safety.

As December rolled on, the Coalition and Legal Aid staff met scores of displaced families, unable to find affordable apartments with their FEMA grants, on the brink of eviction to the streets because their hotel stays were being terminated. We battled with government officials to get their hotel stays extended so they would not be forced into the bursting-at-the-seams municipal shelter system.

Lack of food, transportation, medical services, social services, and looming FEMA and City hotel deadlines continue to be major problems with the thousands of storm evacuees who remain displaced. Moreover, conditions at some locations where the City has placed evacuees are not only bad, but potentially dangerous. A recent *New York Daily News* exposé highlighted such conditions³:

Another garden spot where Sandy victims wound up is a fleabag at 104 W. 128th St. in Harlem — a building the city has said is chopped up into illegal apartments. The Buildings Department issued a stop-work order there in January 2012, but the owners kept operating as an SRO. After Sandy hit, the city began placing Sandy victims there. As of last week, there were 34 open housing code violations.

Legal Aid and the Coalition have continued outreach efforts at some of the locations where evacuees remain and continue to find unmet needs on a daily basis. The majority of evacuees we have met are struggling to survive on very low incomes. Many were in precarious housing situations even before the storm—in illegal conversions, renting rooms or apartments without a lease, doubled up, or living in illegal boarding houses, known as “three-quarter houses.” The impact of the storm has been particularly severe on these individuals and families, who now have even fewer resources and greater needs.

Nearly all evacuees have been placed in hotels or shelters far from their original neighborhoods, making it difficult and more expensive to travel back and forth for school, doctor’s appointments and other necessities. Many students have missed days and even weeks of school as a result. Some evacuees have been forced to put medical treatments on hold or have been unable to see their physicians and psychiatrists for necessary appointments.

Additionally, most evacuees have been placed in settings where cooking or preparing meals is impossible and buying prepared meals is expensive, especially since many of these families are food stamp recipients. Many families placed in midtown Manhattan hotels cannot afford higher-priced groceries and many stores in the neighborhood do not accept food stamps. Some families on food stamps have tried to apply for the additional restaurant allowance, but have been unsuccessful when hotels refuse to provide necessary documentation about the lack of cooking facilities.

Urgent Housing Needs

Apart from the immediate needs of food and transportation, the broader need of permanent, affordable housing for low-income evacuees remains the biggest challenge. Our informal assessment that most evacuees are struggling to survive on very low incomes was confirmed just last week in the *Wall Street Journal*, which reported that of the 1,100 families that have applied for assistance through HPD so far, over three-quarters are ineligible because their incomes are too low.⁴

It is clear that the majority of households who are still homeless after being displaced by Sandy – including the unknown number of displaced people who are not residing in hotels and shelters, and who are living doubled up or sheltering in place – will require long-term housing assistance. Indeed, similar needs emerged quickly after Hurricanes Katrina and Rita devastated the Gulf Coast. Sadly it took years before the Federal government and Congress allocated Section 8 voucher resources to assist thousands of low-income households left homeless by those storms.

It is therefore urgent that every level of government involved in the Sandy recovery and rebuilding work rapidly to ensure that people displaced by the storm are guaranteed stable, long-term housing aid and that they are not left to languish in hotels or unsafe settings for months and months.

Thank you for the opportunity to share this testimony. And, as always, we look forward to working with the Committee and the City Council in the coming months and years on efforts to assist New Yorkers displaced by the storm and to reduce New York City's homeless population.

¹ Bernstein, Nina. November 20, 2012. Storm Bared a Lack of Options for the Homeless in New York. *The New York Times*. Online: <http://www.nytimes.com/2012/11/21/nyregion/storm-worsens-shortage-of-nyc-housing-for-homeless.html?ref=ninabernstein>

² Smith, Greg B. November 7, 2012. Mental patient disappears from a Hurricane Sandy evacuation shelter at a Brooklyn high school. *The New York Daily News*, online: <http://www.nydailynews.com/new-york/brooklyn/mental-patient-disappears-hurricane-sandy-shelter-article-1.1198254#ixzz2HbS5K18K>

³ Smith, Greg B. January 27, 2013. City wasting Hurricane Sandy FEMA cash on roach-infested hotels and single room occupancies. *The New York Daily News*, online: <http://www.nydailynews.com/new-york/city-wasting-hurricane-sandy-fema-cash-roach-infested-hotels-article-1.1248619#ixzz2Ja3vCwnY>

⁴ Kusisto, Laura. January 27, 2013. No Panacea for Sandy's Displaced. *The Wall Street Journal*. Online: http://online.wsj.com/article/SB10001424127887324539304578263983439125290.html?mod=googlenews_wsj

The New York Times

November 20, 2012

Storm Bared a Lack of Options for the Homeless in New York

By NINA BERNSTEIN

Even before Hurricane Sandy, New York was sheltering more homeless people than any city in the United States: a record 47,000 women, men and children, in a system strained to the breaking point. Overnight, as the storm bore down on urban flood zones, city officials ramped up emergency spaces to shelter thousands more people, mostly in public schools and colleges.

And that was the easy part.

In the three weeks since, the city has repeatedly relocated evacuees on short notice. To reopen schools, it bused many to armories, turning drill floors into open dormitories for the first time since a 1980s lawsuit halted the practice. Amid complaints of chaotic, unsanitary conditions, it then scattered hundreds of those people to \$300 hotel rooms, from Midtown Manhattan to remote parts of Brooklyn and Queens.

This week, officials closed all evacuation centers but two on Staten Island. Now they plan to rely solely on hotels, even as they brace for a new wave of people displaced from storm-damaged housing where they are facing winter without heat or hot water.

Hurricane Sandy was a disaster without modern precedent for the city that, in one night, created a new homeless population of thousands. But longtime advocates for the homeless, and families repeatedly dislocated since the storm, say it exposed and worsened the city's acute lack of affordable housing options.

"Moving people from drill floors to hotel rooms makes a lot of sense, but it begs the question: From there, where?" said Steven Banks, the chief lawyer of the Legal Aid Society, a veteran advocate for the homeless.

"The city gets high marks for the actual planning and execution of the evacuations," Mr. Banks added. "But now the harsh reality is that the city didn't have a recovery plan."

Seth Diamond, commissioner of the Department of Homeless Services, drew a distinction between the "new homeless" and the "traditional homeless," arguing that court-ordered rules on shelter do not apply to short-term shelter from a natural disaster.

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"We've moved people to give us some time to assess the options," Mr. Diamond said.

"If you look at the scope of what the city has done, the resources are there," he added, noting that the Federal Emergency Management Agency was expected to cover hotel costs. "The same kind of resources will make sure that people are not left without a place to go."

But desperation filled the accounts by weary evacuees who had been shuffled from one end of the city to the other, like the Etiennes, a family of seven flooded out of their \$1,250 first-floor rental in Far Rockaway, Queens. They had moved there a year ago after their landlord emptied their Queens apartment building and sold it.

"Total disaster — like 11 feet of water altogether," said Taresté Etienne, 56, a former cabdriver disabled by a heart ailment, who more recently worked as a street vendor to help support his four children. The flood destroyed his whole stock.

"Everything is finished," he said last week at the LaGuardia Airport Hotel, after hunting in vain for a store in the area where he could use food stamps to feed the family. He looked shellshocked as he watched his youngest, Cedric, 7, sleeping on a real bed for the first time in weeks in a hotel room that they will have to vacate on Dec. 2.

Their landlady rescued them before the storm, he said, providing two unheated rooms with no way to cook. As the dimensions of the disaster unfolded, they moved to cots in a warm hallway of an evacuation center at York College in Queens, grateful for hot meals. But on Nov. 6 they were roused in the night, herded onto buses with hundreds of others and left at the Franklin Avenue Armory in the Bronx.

"It's like you were being processed to go to jail," Mr. Etienne said, echoing many others who described waiting for hours in the cold to enter a vast sea of cots under constant fluorescent lights, with one shower for everybody and one toilet for men, where guards yelled into two-way radios all night and, Mr. Etienne and a Salvation Army official said, a couple had sex in the open.

On the third day, the family fled back to the landlady's cold rooms, then started over at another high school evacuation center. By then, the remaining evacuees included children with autism and elderly and disabled people, many from nursing homes and halfway houses.

Mr. Diamond defended the decision to turn to social service contractors to open drill floors a week after the storm, when 4,000 people were still in evacuation centers, down from 7,000. (There are now just over 1,100, nearly all in hotels, but the cold-weather influx is still to come.) He would not respond to specific complaints about conditions or about treatment by staff members.

"It was a crisis," he said. "Everyone was provided a safe, secure, warm place to stay, with food if necessary."

"We had to move very quickly," he added, noting that even with 90,000 hotel rooms in the city, vacancies run at only 10 percent, and that this is high tourist season. "The drill floors represented a good short-term solution. We recognized that they were not ideal, but they allowed us to open the schools, which was important for millions of New York City schoolchildren."

Confusion about who was in charge made the chaos worse, said Annette Bethea, 49, another evacuee from the Rockaways. After the armory experience, she said, she sent her two younger sons, 12 and 9, to stay with different relatives who could ferry them to their distant schools. She also has a 21-year-old son in a wheelchair after a car accident, his surgery schedule derailed by the storm.

The hurricane claimed her job as a home health aide. With a dwindling \$1,500 nest egg from FEMA, she is now at the Comfort Inn in Flushing, Queens, hunting for an apartment to reunite the family. "I don't even know who put me up in this hotel," she said.

To handle evacuees at the Franklin Avenue Armory, city officials had turned abruptly to Samaritan Village, an agency that specializes in substance abusers and runs a Brooklyn men's shelter under contract to the city. Unprepared for babies, it had no cribs the first night. Some babies fell from cots to the floor, said Patrick Markee, director of the Coalition for the Homeless.

A spokeswoman for Samaritan, Sheila Greene, responded in an e-mail, "We provided a safe and secure environment for all evacuees."

The drill space is normally used for recreation and meals for 300 chronically homeless women who sleep on upper floors, in a program run by another city contractor, the Salvation Army. Maj. James Foley, a Salvation Army spokesman, said his agency was blamed for Samaritan's mistakes.

"At a moment's notice we were told this was going to happen," Major Foley said. "We didn't understand it, but we just did what we were told. We have women that attack one another, mentally unstable women. We had to confine them to the second and third floor."

For some families, like the young parents of Zayden Lewis, a sturdy 6-month-old, the storm only escalated a continuing search for housing — but brought a surreal silver lining.

Zayden's maternal family lost its so-called Advantage apartment in Brooklyn on Aug. 30, after the city ended that rental subsidy program in a dispute with the state over money. Officially,

they were not homeless, since their application for shelter was repeatedly denied in the months before the storm, the baby's mother, Shabria Covington, 19, explained.

But with no room for them in her aunt's apartment in Canarsie, Brooklyn, they ended up sleeping in her aunt's Toyota van outside. It was wrecked by the storm.

Redefined as evacuees, she and the baby's father, Zamond Lewis, 23, were soon sent with their infant son to the Park Central Hotel, on Seventh Avenue and 56th Street in Midtown, with a view of Carnegie Hall. They are grateful, if bewildered.

"Better than sleeping in a car," said Mr. Lewis, who had a few dollars from his last job as a carpenter's helper. "But now we're inside this expensive hotel where we can't even feed ourselves."

City officials explained that people moved to hotels were handled under a longstanding city contract with the American Red Cross that helps families burned out of their apartments. That contract does not include food, but Mr. Diamond said a food voucher program was being added.

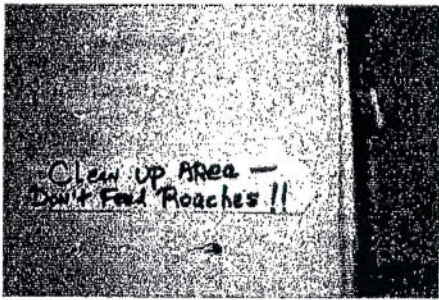
Out at the LaGuardia Airport Hotel, Mr. Etienne tried to put the family's ordeal in perspective, recalling how his daughter Isabelle, 11, asked him at one shelter, "Daddy, don't you hate your life?"

His answer: "We are lucky to be alive."

City wasting Hurricane Sandy FEMA cash on roach-infested hotels and single room occupancies

EXCLUSIVE: As of Friday, 800 Sandy households were still living in 50 hotels and SROs in the city. The Mayor's Office of Recovery has refused to release the complete list, but a spot-check investigation by The News found five that were full of safety and health issues.

BY GREG B. SMITH / NEW YORK DAILY NEWS
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JOE MARINO/FOR NEW YORK DAILY NEWS

A sign on the wall in an SRO at 1038 Faile St. in the Bronx warns displaced victims of Hurricane Sandy not to "feed roaches."

Cast adrift by Hurricane Sandy, dozens of storm victims have been placed by the city in squalid SROs and fleabag hotels plagued by vermin, housing code violations and fire safety problems, a Daily News investigation has found.

As of Friday, there were 800 Sandy households still living in 50 hotels and SROs around town. The Mayor's Office of Recovery refused to release the full list, but a spot check by The News found five full of safety and health issues.

"In the beginning, it was kind of shocking," said a stoic Antonio Ramirez, 60, who was placed in a decaying SRO at 1038 Faile St. in the Bronx that has been cited repeatedly for vermin and fire safety issues.

Ramirez's tiny, bare-walled apartment has no smoke detector, and outside next to a stove in the hallway a hand-written sign reads, "CLEAN UP AREA — DON'T FEED ROACHES!!!"



JOE MARINO/FOR NEW YORK DAILY NEWS

Antonio Ramirez, 60, has been residing in an SRO at 1038 Faile St. in the Bronx since being displaced by Hurricane Sandy from his lower east side basement apartment.

In July, the owners were cited when a broken drain pipe jutting out of a third-floor wall began spilling raw sewage into the air shaft.

That building and a sister SRO at 1033 Falle St. that also houses Sandy refugees currently have 45 open housing code violations. Neither building is registered with the city Housing Preservation & Development Department as required.

The Falle St. SRO was Ramirez's fourth stop after being washed out of his first-floor apartment near the East River in Manhattan by Hurricane Sandy.



JOE MARINO/FOR NEW YORK DAILY NEWS

A man who did not want to reveal his name lost all of his furniture when his Far Rockaway apartment was flooded. He now resides at the Park Avenue Hotel in East Harlem.

Last week, he says, a nonprofit agency that works with the city came to his apartment and told him, "You're going to have to leave the room because there's someone waiting for the room."

On Friday, Bloomberg recommended that Sandy homeowners choosing to stay in homes without heat seek the "alternative" of taxpayer-funded hotels, admitting with some understatement, "The alternatives are not living at the Ritz-Carlton."

FEMA spokeswoman Hannah Vick said all the hotels and SROs examined by The News were picked by the city and though the city can request reimbursement for costs, it has yet to do so.

The Recovery office spokesman Peter Spencer said the city has received only a handful of complaints from tenants at the rooms found by The News: "All those locations have been determined to be safe and the city continues to provide case management services to address any issues that arise and to get them to a permanent housing solution as quickly as possible."



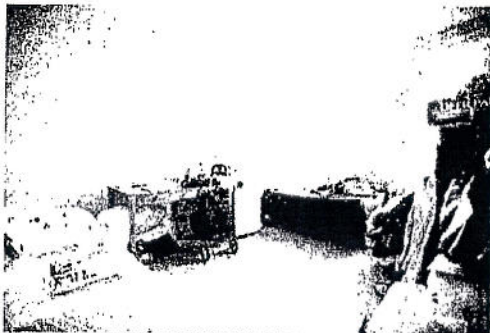
JOE MARINO/FOR NEW YORK DAILY NEWS

The SRO Antonio Ramirez lives in in the Bronx has been cited for vermin, fire safety issues and a broken drain pipe that spilled raw sewage into the air shaft. His apartment also does not have a smoke detector.

While some lucky refugees were sent to Holiday Inns, Double Trees and even the W Downtown, the unlucky ones wound up in rundown rooms and were "given the runaround, moved again and again," said Giselle Routhier of the Coalition for the Homeless.

"It seems like the most marginalized people, the poorest people ended up in these places," she said. One of these places is the Park Avenue Hotel at 100 E. 125th St. in East Harlem, blocks away and a

world apart from Park Ave.'s Waldorf-Astoria.



JOE MARINO/FOR NEW YORK DAILY NEWS

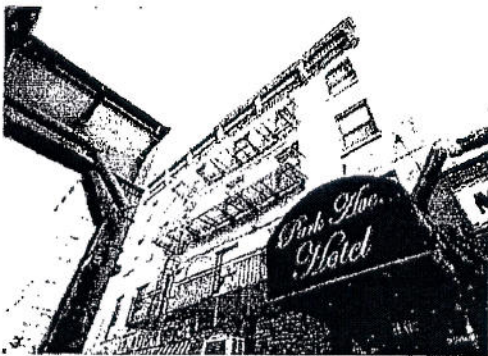
The Mayor's Office of Recovery has yet to release the complete list of hotels and SROs housing Sandy victims, but The News found five full of safety and health issues during a recent investigation.

There, single males and females and couples who were displaced from the Rockaways and Brooklyn have found themselves dealing with fistfights and angry disputes in the hallways.

"I had no idea where I was going, but it wasn't what I was really expecting," said a 20-year-old man staying in a cramped bedroom at the Park Avenue after losing his bed, sofa, TV and radio when his Far Rockaway apartment was flooded.

The Park Avenue has been the site of criminal activity in the recent past, including an August larceny arrest there and a 2010 incident in which a thug mugged an elderly tenant in the hallway.

The Rockaway refugee, who spoke on the condition of anonymity, said he kept to himself in his tiny room where the double bed takes up most of the space. "I don't get along with anybody here," he said. "I hear them arguing but I don't pay attention. It's not really too safe. Nobody knows you so they be looking at you," he said.



JOE MARINO/FOR NEW YORK DAILY NEWS

One Sandy refugee was placed at the Park Avenue Hotel, located at 100 E. 125th St. in East Harlem. The establishment has been the site of criminal activity, including a larceny arrest and an incident where an elderly tenant was mugged. Residents have also complained of fistfights and angry disputes in the hallways.

The Park Avenue has 10 open housing code violations and the Buildings Department cited the owners in 2011 after the building's steel awning nearly collapsed onto the sidewalk.

Another garden spot where Sandy victims wound up is a fleabag at 104 W. 128th St. in Harlem — a building the city has said is chopped up into illegal apartments.

The Buildings Department issued a stop-work order there in January 2012, but the owners kept operating as an SRO. After Sandy hit, the city began placing Sandy victims there. As of last week, there were 34 open housing code violations.



TODD MAISEL/NEW YORK DAILY NEWS

Mayor Michael Bloomberg, pictured right with Brooklyn Borough President Marty Markowitz, recommended that Sandy homeowners living without heat seek "alternatives" to taxpayer-funded hotels, noting that the public-paid options would not be comparable to "living at the Ritz-Carlton."

Days before Christmas, the city fielded yet another call about the illegal apartments there with more than the allowed six bunk beds per room.

That apparently was enough. On Jan. 18 — after Hurricane Sandy victims had spent months there — the city moved them to 2416 Atlantic Ave. in Brooklyn, listed as the King's Hotel.

In June, the Fire Department found no second means of exiting at that building, records show.

Then there's 1236 Atlantic Ave., where Sandy victims have been placed in a quasi-hotel that sits hard by the rumbling Long Island Rail Road and above a car wash. On Wednesday, undercover cops were seen handcuffing a suspect on the sidewalk a block away.

In recent months, the Department of Homeless Services began housing families there who have a 10 p.m. to 6 a.m. curfew. A guard is posted at the reception desk.

One tenant there who didn't want to give his name said he had lost his home in the Rockaways and had been at the Atlantic Ave. address for weeks. He said he had no idea what was going to happen next.

The building has no certificate of occupancy from the city and in August inspectors investigated allegations of inadequate fire protection there, records show.

In agency records, an inspector asks, "Does BLDG require self-closing fireproof doors on all floors?" A tenant who spoke to The News described how residents routinely leave the stairwell doors open — a dangerous condition that can cause fires to spread from floor to floor.

The building also is not registered as required with HPD, the agency that monitors conditions in multiple dwelling buildings. Currently, there are 11 open housing code violations there, including citations for multiple smoke detectors that don't work.

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Read more: <http://www.nydailynews.com/new-york/city-wasting-hurricane-sandy-fema-cash-roach-infested-hotels-article-1.1248619#ixzz2Jl5woAFq>

The Wall Street Journal

http://online.wsj.com/article/SB10001424127887324539304578263983439125290.html?mod=googlenews_wsj#

No Panacea for Sandy's Displaced

Storm Victims Haven't Flocked to Vacant Apartments as Government Officials Planned, Leaving Thousands in Hotels

By [LAURA KUSISTO](#)

Two months after government officials struck a landmark deal with landlords to set aside 2,500 affordable units to house victims of superstorm Sandy, one apartment lease has been signed.

Many of those displaced by the storm are too poor to pay rent even for apartments restricted to city residents with low or middle incomes, while others don't want to move far from their homes in the Rockaways or Staten Island.

Finding temporary housing for families has proved one of the biggest challenges in Sandy's aftermath: The city has a historically low rental-vacancy rate of about 3%, and there is little empty land to put up temporary trailers or build new housing. "It's a housing market, a rental market that is different than anywhere else in the country, in the world. It's presented a unique set of challenges for us," said Hannah Vick, a spokeswoman for the Federal Emergency Management Agency.

[Enlarge Image](#)



PJ Smith for The Wall Street Jo

Devon Lawrence, 48, is one of hundreds of people in the city still without heat three months after superstorm Sandy, but like many he's chosen to tough it out rather than leave his home in Far Rockaway.

Officials had once seen the vacant units as an important piece of the puzzle. Instead, New York and New Jersey announced a fourth extension of FEMA's hotel housing system, for two weeks, for nearly 2,000 households still living in hotels in New York and about 1,500 in New Jersey. The hotel program so far has cost about \$50 million in New York and more than \$24 million in New Jersey.

Hotel living is beginning to wear on people such as Mark McGregor, 38 years old, who is living with his wife and three children in the Park House Hotel in Borough Park, Brooklyn. His two-bedroom apartment in Queens' Howard Beach neighborhood was badly hit, and he said he didn't want to move back because living conditions were bad even before the storm.

He said the city helped connect him with a couple of landlords willing to take people displaced by Sandy, but the so-called affordable apartments were too expensive.

"They want like sky-high prices, \$1,700, \$1,800, \$2,000. I'm not going to take that chance jumping out, paying the rent and then get stuck. I'd be right back to ground zero again," said Mr. McGregor, who added that he paid \$1,375 in Howard Beach.

He and his wife were both born in Brooklyn, and their two daughters attend school there, so he said he is hesitant to leave the borough. The city is helping him apply for public housing, but he is worried that it may be dangerous or far away from their former home.

The FEMA hotel program now expires on Feb. 9, but even if the state extends it again, federal officials said hotels aren't an acceptable alternative to providing interim housing in apartments.

"That is never a long-term solution for anyone's housing needs," Marty Bahamonde, a FEMA spokesman said.

In December, private landlords agreed to give priority to Sandy victims for hundreds of market-rate apartments. Since the process of renting these apartments was done privately, it is difficult to say how many Sandy victims found housing.

Aid workers said few of those who remain displaced can afford market rents. "The folks who are having trouble getting out [of the hotels] are elderly, disabled, but many of them are low-income and isolated," said Ann Dibble, director of the storm-response unit at the New York Legal Assistance Group.

The city's Department of Housing Preservation and Development has also tried to connect Sandy victims with about 2,500 vacant affordable apartment units, which typically rent for just over \$900 for a one-bedroom. Officials said about 1,100 households applied for those units, and more than 800 were matched for interviews. One lease has been signed in the Bronx, but city officials said a couple of dozen leases could be signed in the next two weeks.

Officials found that three-quarters of the families that applied had incomes below the level needed to qualify for affordable units. For instance, a family of four must have an income of about \$25,700 or more to qualify. FEMA helps cover rent on a temporary basis, but landlords generally want to know that people can continue paying it once assistance expires, officials said.

City officials are helping those families apply for public housing through the New York City Housing Authority, but the waiting list for those units is often years, and it isn't clear whether Sandy victims would be able to jump the line.

Many of the affordable units that landlords made available are also located in northern Manhattan and the South Bronx, an upheaval for people whose friends, jobs, medical care and children's schools are located in Staten Island or the Rockaways.

City officials said they can act as a matchmaker between displaced families and landlords but can't do much more.

"We're here to provide guidance and to do the best we can to make that match and get interviews facilitated, but we can't force somebody to move and sign a lease; that's a decision each family has to make for themselves," a Department of Housing Preservation and Development spokesman said.

Ron Moelis, a principal at L+M Development Partners, set aside about 170 affordable units primarily in northern Manhattan and the South Bronx for Sandy victims, but he said interest has been surprisingly low.

"We've had very little success getting people to come up to the Bronx or Harlem. We've had a lot of calls, but people don't want to do it. They don't want to leave Staten Island or the Rockaways or wherever they were," Mr. Moelis said.

By contrast, a building he recently purchased near Far Rockaway has proved a rare bright spot. Located by hard-hit areas, Ocean Village has units ranging from just over \$700 a month for some studios to about \$1,700 a month for a five-bedroom. At least five families displaced by Sandy could move in soon. "It's a testament to neighborhoods. New York is one city, but it's a lot of neighborhoods," he said.

—Heather Haddon, Danny Gold and Allison Fox contributed to this article.