

Testimony of
Coalition for the Homeless
And
The Legal Aid Society

On

Oversight: HPD's Coordination with DHS/HRA to Address the Homelessness Crisis

Presented before

New York City Council
Committee on General Welfare
Committee on Housing and Buildings

Giselle Routhier
Policy Director
Coalition for the Homeless

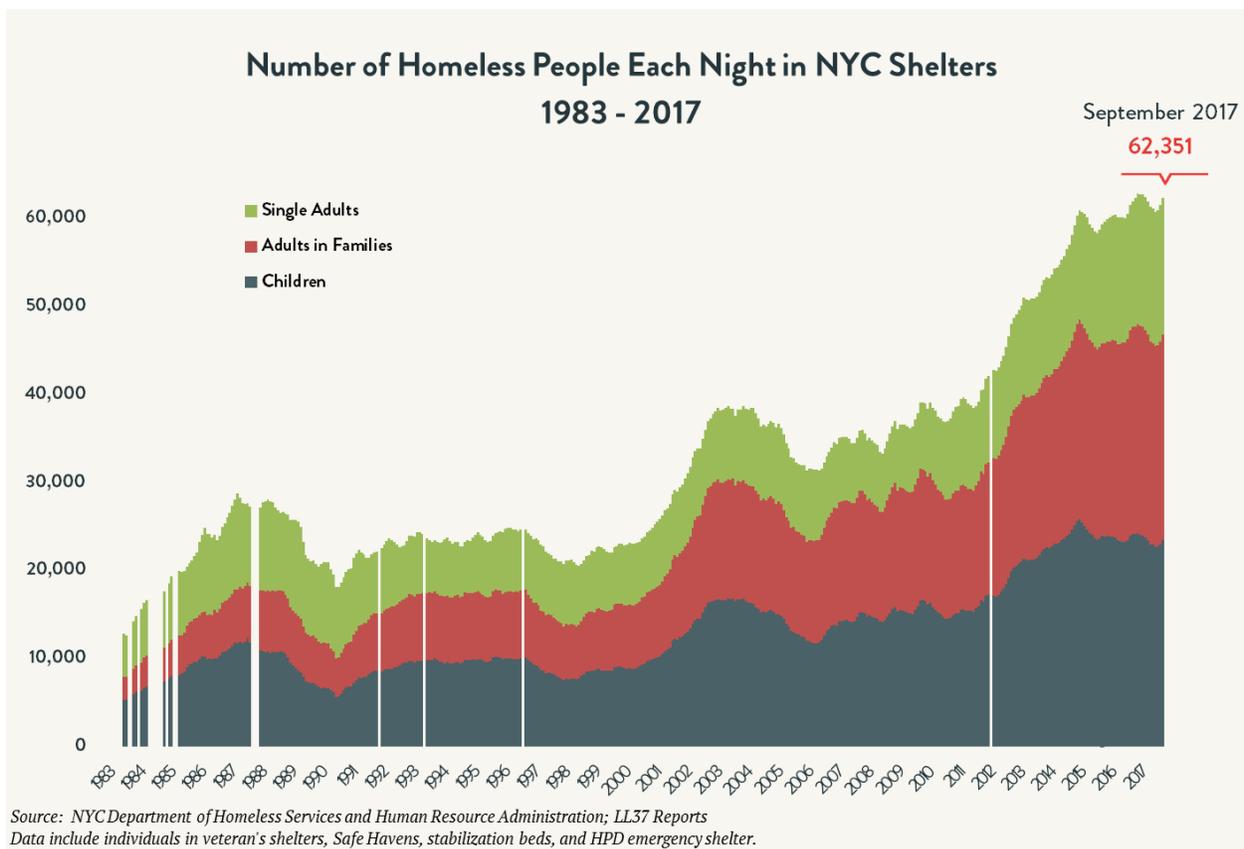
Josh Goldfein
Staff Attorney
The Legal Aid Society

November 20, 2017

The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council Committees on General Welfare and Housing and Buildings regarding HPD’s role in addressing homelessness in New York City.

Record Homelessness in NYC

New York City is facing an unprecedented homelessness crisis: Currently over 62,000 men, women, and children sleep each night in the City’s municipal shelter system, including over 23,000 children. Over the course of fiscal year 2017, a record 129,803 unique individuals spent some time in a shelter, including over 45,000 children. The emergency continues to be fueled by a chronic shortage of affordable housing – a result of the potent combination of rising rents, stagnating wages, and insufficient responses from all levels of government.



The Inadequacy of Mayor de Blasio’s Updated Housing Plan

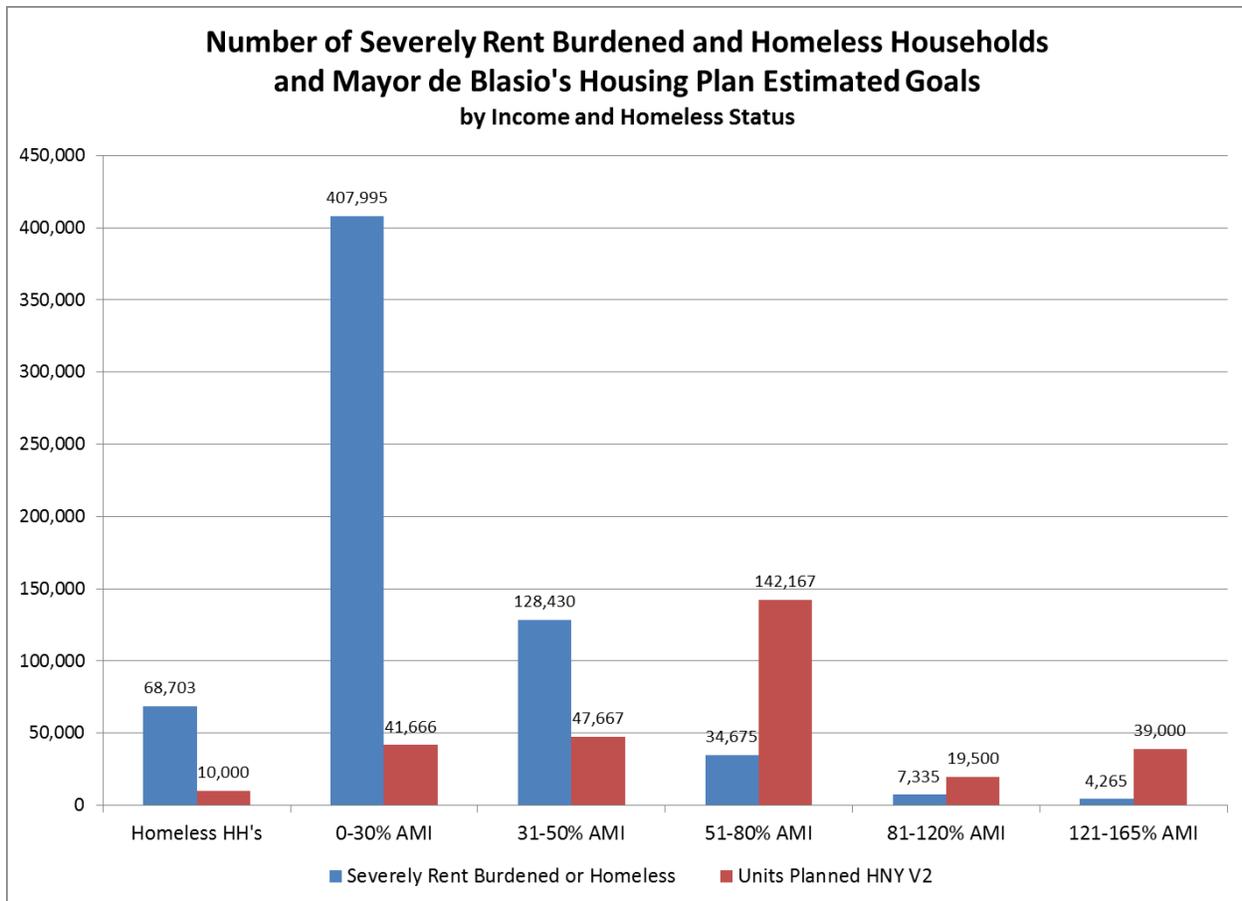
Mayor de Blasio’s record on homelessness has been muddled and in some instances wholly inadequate. He has taken positive steps: Significant new resources to prevent homelessness through a first-in-the-nation guarantee of legal assistance to low-income tenants facing eviction, an array of new rent subsidies to prevent homelessness and to assist individuals and families move out of shelters, increased investments in street outreach and low-threshold shelters, and the creation of 15,000 units of much-needed supportive housing over the next 15 years. All of these commitments are critically important, but the Mayor’s overall plan for reducing record homelessness is unambitious, lacks sufficient resources, and plainly fails to solve

the underlying problem. His *Turning the Tide on Homelessness* plan projects a decrease of just 2,500 people in shelters over the next five years. Yet, he simultaneously touts an affordable housing plan to create and preserve an unprecedented 300,000 units of housing by 2026. These vastly mismatched goals highlight the conspicuously separate tracks the Mayor has laid for dealing with homelessness and creating housing, when the two are of course deeply interconnected. Homelessness cannot be substantially reduced without the adequate creation of deeply subsidized affordable housing targeted specifically to house homeless households.

In the Mayor's revised *Housing NY* plan, he has committed to creating or preserving just 10,000 units of housing for homeless households out of his 300,000-unit goal – a paltry 3 percent. Additionally, only 4,000 of these units will be newly constructed and available for lease-up to homeless families and individuals. The remainder will be created through the preservation of occupied units serving formerly homeless households or eventually turning over to serve homeless households.

By contrast, at a time when homelessness was nearly two-thirds lower than it is today, Mayor Koch created over 15,000 units of homeless housing – a greater number and percentage than de Blasio's. Moreover, the estimated income targets in the Mayor's revised Housing New York Plan expose a serious mismatch between the housing production goals and real need, with two-thirds of all units expected to serve households who are far less likely to be struggling with severe rent burdens and/or homelessness.¹

¹ Estimated production by income band is based on current production rates.



The Path Forward

Mayor de Blasio must immediately align his housing goals with the reality of record homelessness and his touted progressive values. Specifically, he must build 10,000 new units of housing for homeless individuals and families over the next five years -- a first and achievable step given the scale of his housing plan and more importantly, the scale of the need. To succeed in truly turning the tide, the Mayor must continue this level of homeless housing production throughout the life of his housing plan. Additionally, HPD should be utilizing its network of developers to streamline the availability of rental units to shelter residents with City-initiated vouchers in hand. Currently, thousands of voucher holding families are languishing in shelters, while HPD is managing a wide portfolio of potentially suitable units for these families. This mismatch in priorities should be rectified immediately.

Another driver of the extremely limited supply of affordable apartments for people with very low incomes is the City's cluster site shelter program, which keeps thousands of rent regulated apartments off the market while they are used as shelter placements. We commend the Mayor's proposal in his *Turning the Tide* plan to phase out the use of clusters, but we are concerned that without affirmative steps to protect the affordability of these units, many will be lost from rent regulation as they come out of the program. We support Int. No. 1529, which would require the City to document its reduction in use of cluster sites, but recommend that the bill be amended to include provisions that would protect the rent regulatory status of the units. One way to do this would be to require landlords to provide notice to

tenants that the apartment was formerly a cluster site apartment and is rent regulated. The Council could also require HPD to exercise oversight of these transitions. We are happy to work with you to amend the bill to ensure it protects this valuable affordable housing resource.

These steps, taken in conjunction with doubling the number of NYCHA placements for homeless households, will have an immediate impact on record homelessness by achieving the twin goals of providing stable permanent affordable homes for homeless families and individuals and reducing the City's reliance on expensive emergency shelters.

Only with stable, affordable housing can New York help families get out of the shelter system and remain stably housed. The Mayor has the tools to reduce homelessness substantially for the first time in over a decade. We implore him to use them.

We'd like to thank the Council and Committees for the opportunity to testify today and look forward to working together to implement effective solutions to homelessness.

About Coalition for the Homeless 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 is now in its fourth decade. The Coalition also protects the rights of homeless people through litigation involving 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 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term solutions and include: Supportive housing for families and individuals living with AIDS; job-training for homeless and formerly-homeless women; 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 over 900 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries.

The Coalition was founded in concert with landmark right to shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981 the City and State entered into a consent decree in *Callahan* through which they agreed: "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, and the City has also authorized the Coalition to monitor other facilities serving homeless families.

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.

The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 1,100 lawyers, working with some 800 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

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 more than 1.7 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.