



Testimony of

**Coalition for the Homeless**

And

**The Legal Aid Society**

On

Oversight – Three-Quarter Housing  
Int 0153 – In relation to a three-quarter housing task force

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

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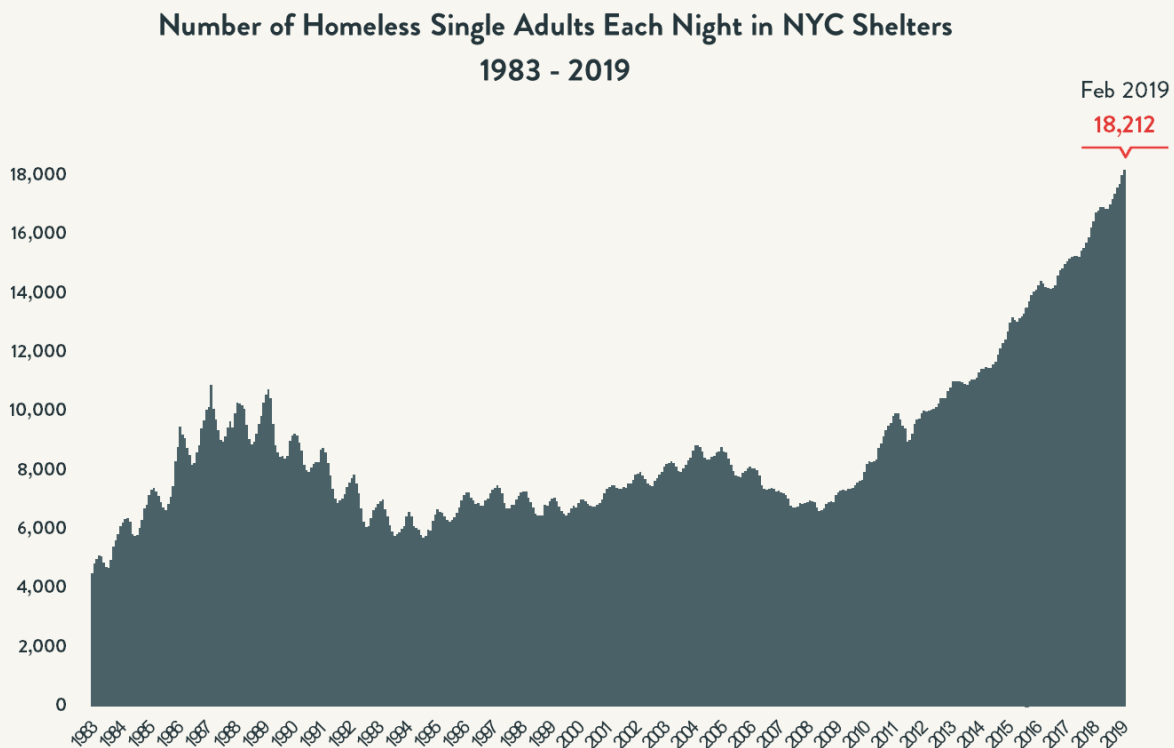
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The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the Committees on General Welfare and Housing and Buildings regarding oversight on three-quarter houses.

### **Record Homelessness in NYC**

New York City remains in the midst of the worst homelessness crisis since the Great Depression, as 63,615 men, women, and children sleep in shelters each night. Record homelessness is fueled by a steep and ongoing increase in the number of homeless single adults. In February 2019, an all-time record 18,212 single adults slept in NYC shelters each night.



Source: NYC Department of Homeless Services and Human Resources Administration; Local Law 37 Reports

### **Three-Quarter Houses and Intro. 153**

The problem of three-quarter houses goes back over a decade and has exacerbated homelessness and housing instability among the most vulnerable individuals. Three-quarter houses are typically one- or two-family dwellings that have been converted to boarding houses by cramming bunk beds into every corner of the building – sometimes upwards of 50 beds in one house. These dwellings are characterized by the following conditions: illegal occupancy, extreme overcrowding, persistent health and safety violations, failure to acknowledge tenancy rights, fraudulent use of public benefits by operators, and serious fire safety hazards.

The direct referral of homeless individuals from shelters to three-quarter houses has been largely abated due to a rule promulgated in 2010 prohibiting such referrals, in response to heavy

pressure from the City Council, which was ready to pass a Local Law to forbid the practice. However, operators have found other sources of residents to fill their beds, including parolees, people with disabilities, people with substance use histories who are seeking treatment, and others who are unwilling to access DHS shelters. Many individuals in three-quarter houses struggle with housing instability, criminal justice involvement, and a lack of access to appropriate health and mental health care and substance use treatment. The lack of appropriate housing subsidies or other paths to stability for this population means that these vulnerable New Yorkers remain trapped in dangerous and unlawful three-quarter houses.

Coalition for the Homeless and the Legal Aid Society therefore support Intro 153-A, codifying a three-quarter house task force with authority to enforce existing laws, provide assistance to residents of three-quarter houses, and report regularly on progress.

Furthermore, the fact that New Yorkers with extremely low incomes struggle to find more stable housing placements than three-quarter houses underscores the urgent need to increase the supply of permanent affordable housing. The continued existence of substandard three-quarter houses is one manifestation of the affordable housing crisis in New York City. We have urged Mayor de Blasio to rectify this issue by committing more of his *Housing New York 2.0* plan to homeless and extremely low-income New Yorkers. The House Our Future NY Campaign calls on Mayor de Blasio to set aside 30,000 apartments for homeless New Yorkers, including 24,000 newly constructed apartments, in order to realign his housing plan with the reality of record homelessness. Additionally, the City should accelerate the pipeline of new permanent supportive housing for people struggling with mental health and substance use issues, rather than leaving vulnerable New Yorkers with few choices other than three-quarter houses. We appreciate the Council's steadfast support in calling for these desperately needed permanent housing resources.

### **Conclusion**

We thank the Council for the opportunity to testify and for your work on curbing the abuses of three-quarter houses. We look forward to working together on our mutual goal of ending homelessness in New York City.

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## About The Legal Aid Society and Coalition for the Homeless

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 2,000 attorneys, social workers, 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 uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. 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. The Society, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. The City of New York*, a federal class action lawsuit on behalf of RHY in New York City. Our goal in litigation is to ensure that the City creates and maintains enough youth-specific beds to meet the needs of *all* youth seeking shelter. The Society, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled – NY, settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness.

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, the right to reasonable accommodations for those with disabilities, 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. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws.