



Testimony of
Coalition for the Homeless

before the Fiscal Committees
of the NYS Legislature

NYS Executive Budget Proposal
for Human Services 2021

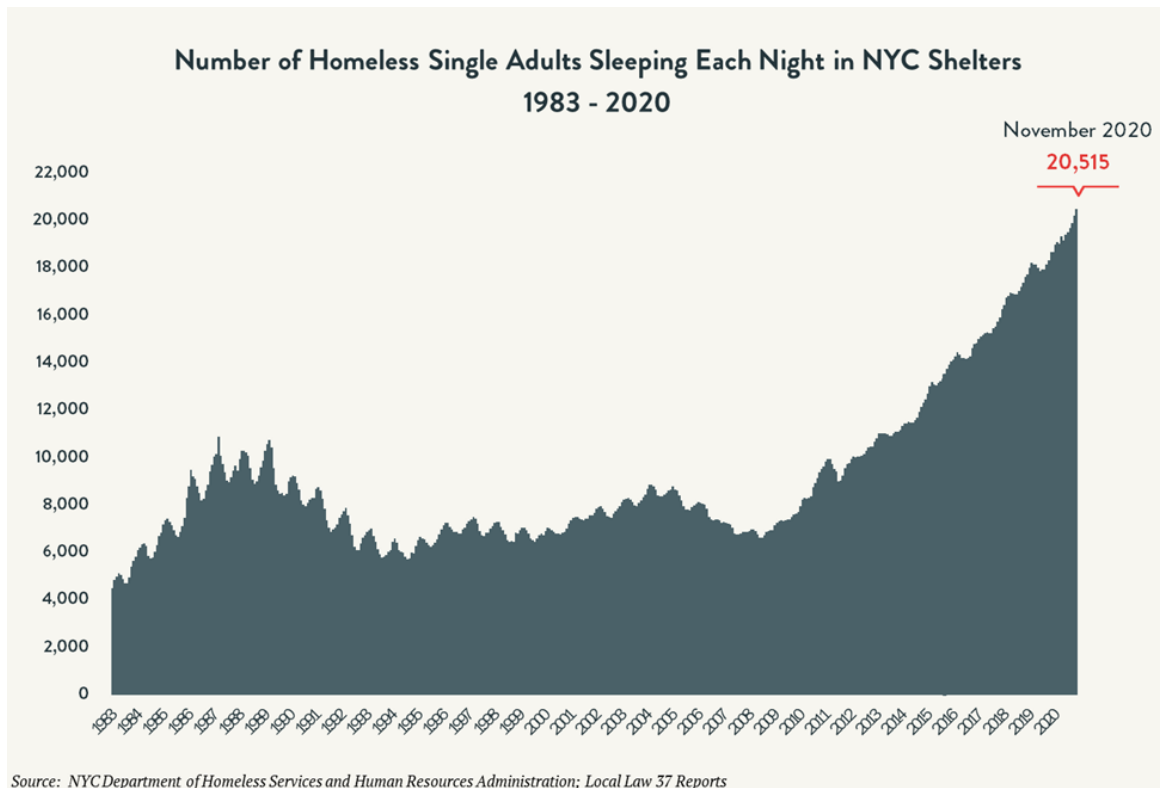
submitted by

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February 9, 2021

Thank you for the invitation to testify today. I am submitting written testimony given the expected large number of people seeking to testify online. My name is Shelly Nortz, and since 1987 I have had the privilege of working for the Coalition for the Homeless in Albany to secure State support for programs and policies that prevent and address homelessness and the socio-economic problems that cause homelessness.

As we [testified](#) last year, the pandemic has had a devastating impact on homeless New Yorkers, and it continues to present a dangerous threat to those who sleep in shelters, those living unsheltered on the streets, and those who are at risk of becoming homeless due to the economic fallout. While the number of people sleeping in New York City shelters has fallen in the past year, largely due to the eviction moratoria, the number of single adults sleeping in shelters has continued to reach ever-higher record levels.



So many individuals are precariously housed – renting rooms by the week, living doubled-up, surviving paycheck-to-paycheck – and their fragile hold on a safe place to stay in the midst of a pandemic is dissolving every month. Too often they are left with a choice between entering a shelter system that still relies too heavily on congregate shelters and double-occupancy hotel rooms where they may be exposed to aerosol transmission of the deadly coronavirus, or sleeping rough on the streets, where they may die of exposure or as a result of a violent act.

The type of shelter setting and prevalence of risk factors among homeless people affect their exposure to the novel coronavirus and vulnerability to COVID-19. As of the end of October 2020, the age-adjusted mortality rate for families with children in Department of Homeless Services shelters (who generally have private units with bathrooms and kitchens) was roughly the same as the NYC general population at 227 per 100,000 people, while the rate for sheltered adult families without minor children was 53 percent higher at 353 per 100,000 people and the rate for sheltered single adults was 79 percent higher at 413 per 100,000 people. Moreover, between May and the end of October, the mortality rate due to COVID-19 for all of NYC increased by 22 percent, and for sheltered single adults during the same time period, it increased by 47 percent.

A significant proportion of homeless New Yorkers are at higher risk of serious illness or death due to COVID-19, including seniors as well as adults and children with underlying health conditions. According to the [United States Centers for Disease Control and Prevention](#):

Adults of any age with the following conditions are at increased risk of severe illness (hospitalization, admission to the ICU, intubation or mechanical ventilation, or death) from the virus that causes COVID-19:

Cancer

Chronic kidney disease

COPD (chronic obstructive pulmonary disease)

Down Syndrome

Heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies

Immunocompromised state (weakened immune system) from solid organ transplant

Obesity (body mass index [BMI] of 30 kg/m² or higher but < 40 kg/m²)

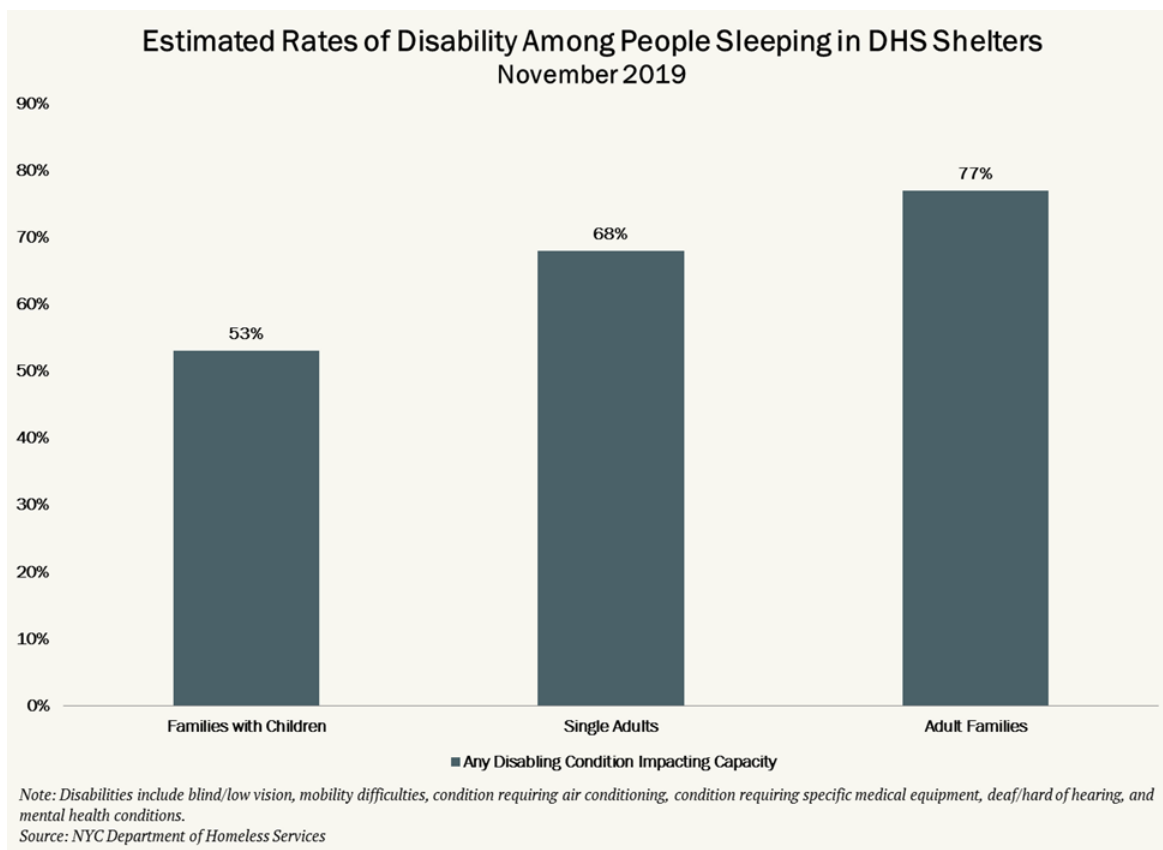
Severe Obesity (BMI ≥ 40 kg/m²)

Pregnancy

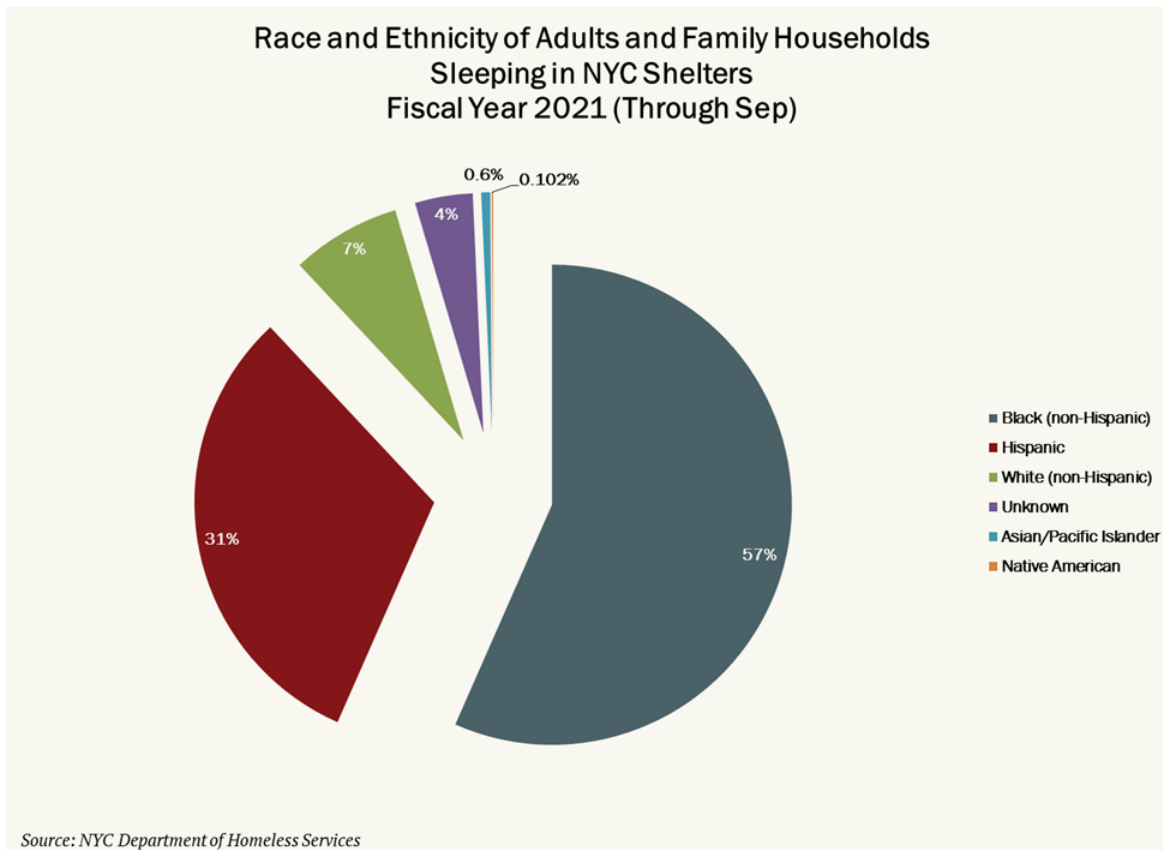
Sickle cell disease

Smoking

Type 2 diabetes mellitus



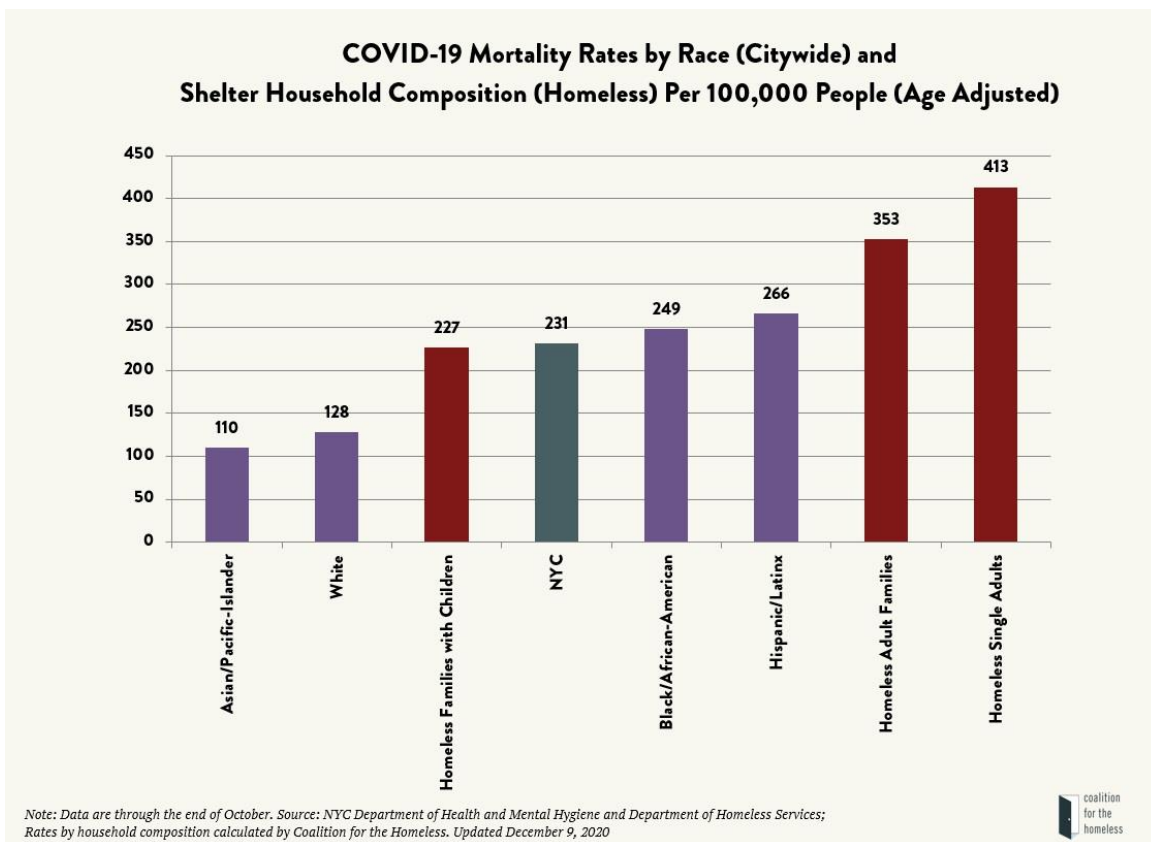
Furthermore, due to systemic racism and persistent inequities, New Yorkers of color are both more likely to experience homelessness and more likely to succumb to the virus. New York City calculates the age-adjusted mortality rates among racial and ethnic groups, showing the disproportionate impact that COVID-19 has had on Black and Hispanic/Latinx communities. Nearly 90 percent of single adults and family heads in NYC shelters are Black or Hispanic/Latinx.



The lack of a private living space creates a heightened risk of exposure to the coronavirus, particularly in congregate shelters and facilities with shared dining and/or bathrooms, which typically serve homeless single adults and some adult families without minor children. It is therefore no surprise that:

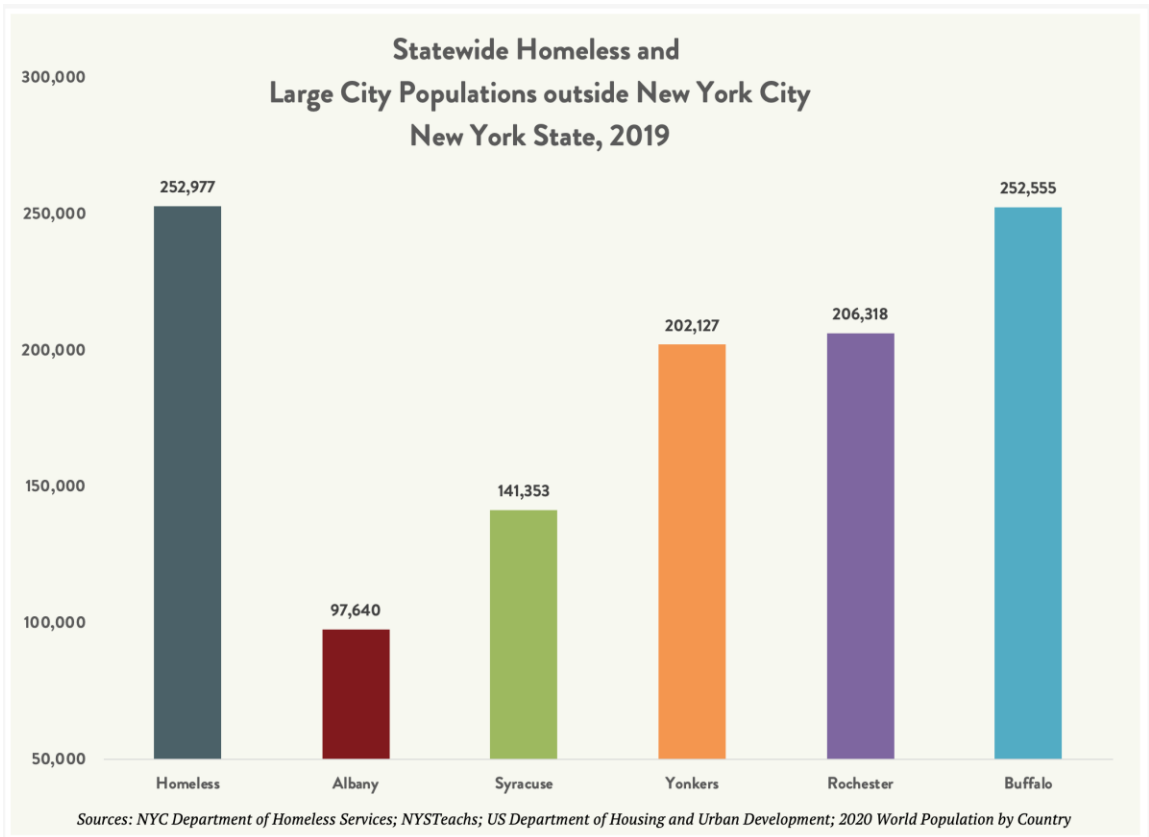
- The age-adjusted mortality rates at the end of October for homeless single adults (413 per 100,000) and adult families (353) surpassed those of Black and Hispanic/Latinx New Yorkers (249 and 266 per 100,000, respectively);
- The age-adjusted mortality rate for homeless families with children, who generally have private dwelling units, kitchens, and bathrooms, was about the same as the overall NYC rate; and

- The age-adjusted mortality rate for homeless single adults was 222-percent higher than White New Yorkers overall, underscoring the vast inequities that place this group in such grave danger of death due to COVID-19.

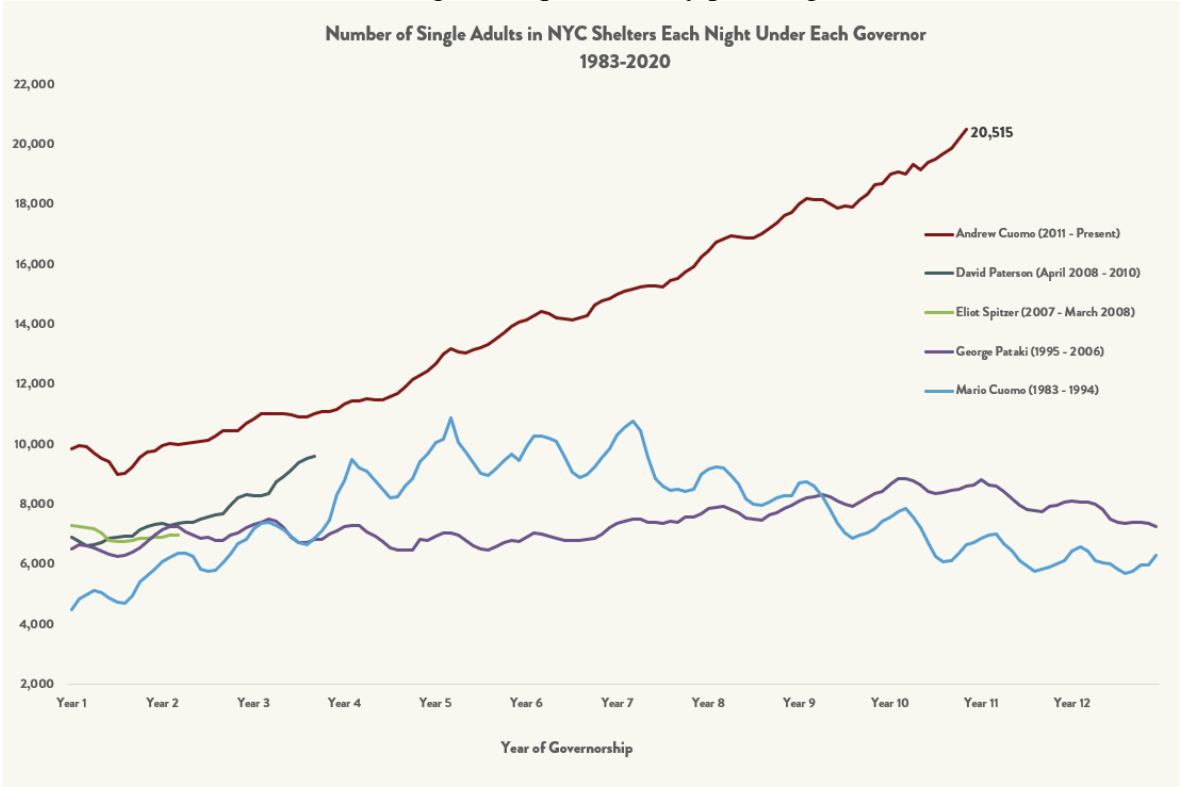


In 2019, there were more than 250,000 homeless New Yorkers who were homeless at some point (statewide), exceeding the entire population of Buffalo.

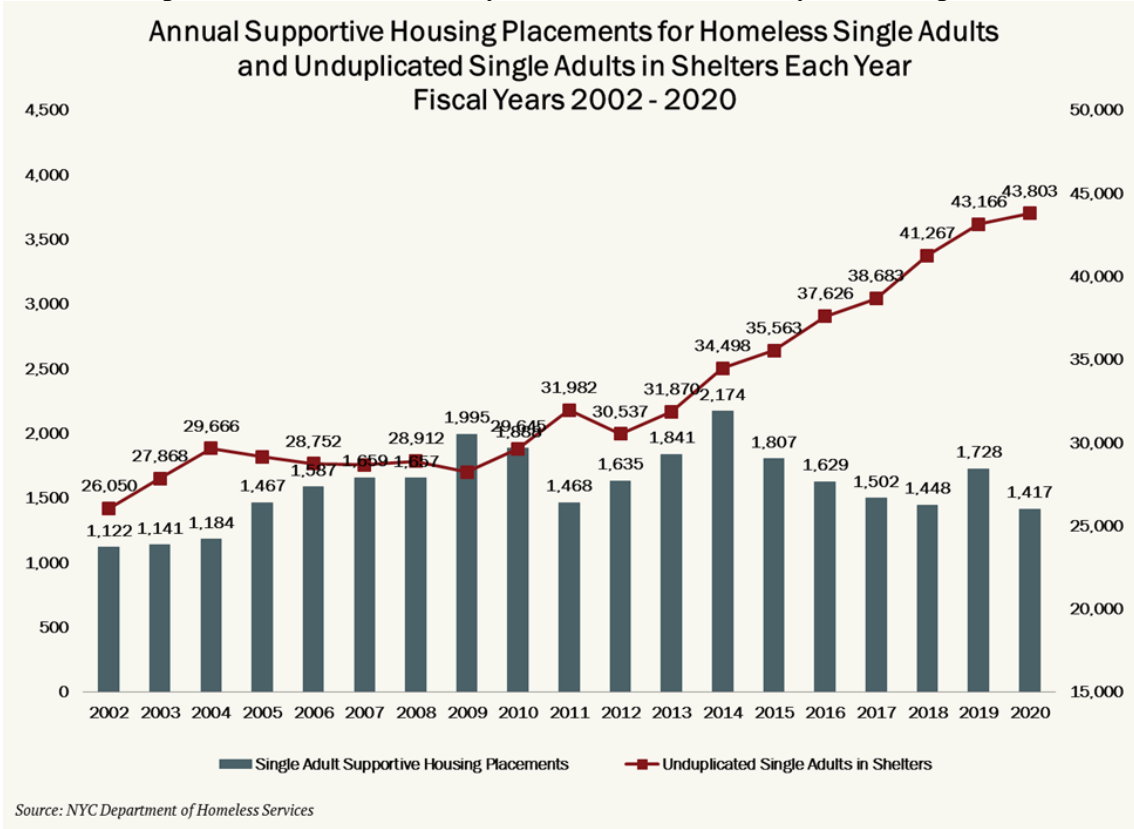
New York City, where 85 percent of the state’s homeless population lives, remains the epicenter of the worst homelessness crisis since the Great Depression. And, as the epicenter of the COVID-19 crisis, there is no doubt that the city has only seen the beginning of the next wave of displacement and homelessness that will strike with the expiration of eviction moratoria.



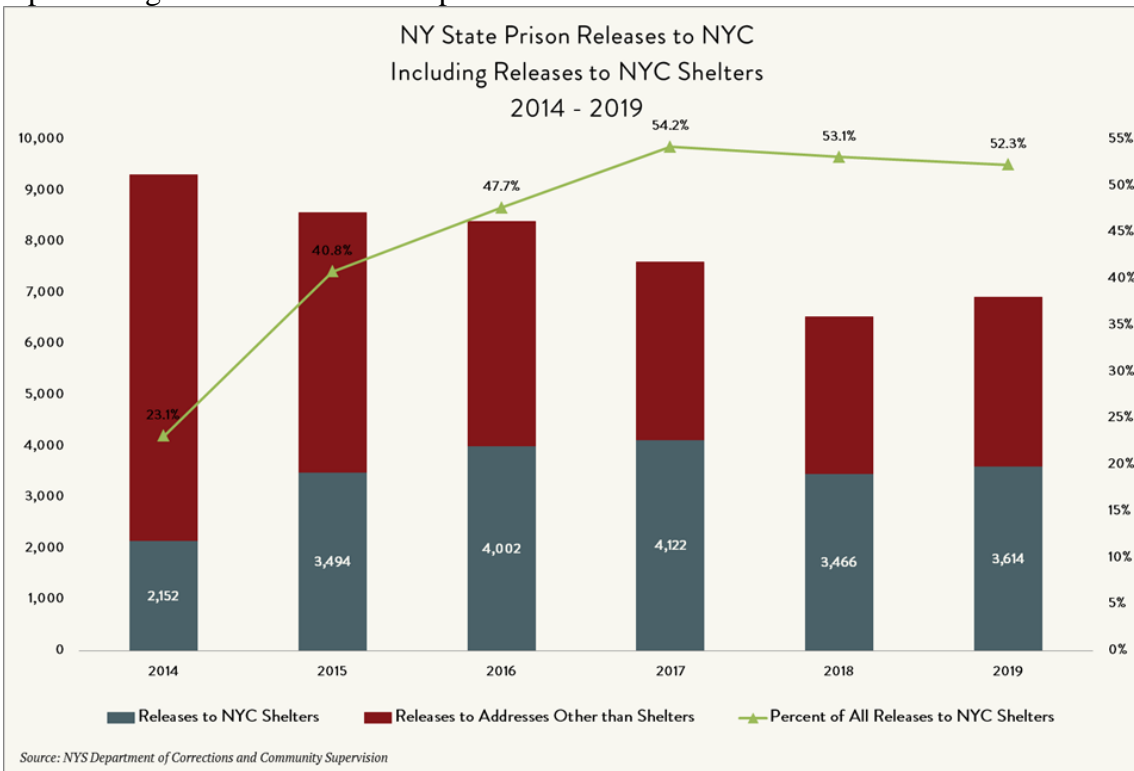
Indeed, there are far more single individuals seeking shelter each night in New York City now than during the terms of any other governor since modern mass homelessness began. The reasons for this are clear: Gov. Cuomo not only eliminated State funds for a mediocre rent subsidy program without replacing it with a better one during his first term, but he also dragged out the process of starting a new State supportive housing program for years, and has released increasing numbers of people from state prisons directly to NYC shelters rather than investing in adequate reentry planning.



In fact, Gov. Cuomo’s unnecessary delay in funding and initiating supportive housing production has created a worsening shortage of supportive housing placements for homeless single adults in New York City: Just 1,417 single adults were placed in supportive housing in 2020, or merely 3.2 percent of all single adults who spent time in shelters that year – down dramatically from 6.3 percent in 2014.



Further, NYS prison releases directly to NYC shelters contributes to record homelessness for single adults, representing more than half of all prison releases to NYC.



Clearly, the data show that homelessness has deepened as a crisis in the midst of the pandemic, and that this crisis stands to become truly catastrophic in the coming years. Our budget recommendations reflect this reality and the hope that the NYS Senate and Assembly will heed our advice on the related fiscal and programmatic issues.

Budget Recommendations

Emergency Rental Assistance

As we are all aware, the budget includes \$1.3 billion for emergency rental assistance, an amount that includes the Federal allocations made directly to a number of localities, including New York City. This resource should be handled through a reportedly planned ***common application portal***, and we urge the ***inclusion of undocumented households***¹ in the eligibility criteria. Allocation of the State's share should be based on proportional local shares of rent-burdened households so as to reach those in the greatest need.

Emergency Homeless Needs

The Executive Budget includes \$1 million for emergency homeless needs that supports the Coalition for the Homeless and other organizations in our eviction prevention, crisis intervention, and emergency food distribution efforts, and we urge the Legislature to retain this appropriation.

Ongoing Rental Assistance

First and foremost, the time has come to enact the [Home Stability Support \(HSS\) program](#), legislation originally introduced by Senator Krueger and Assemblymember Hevesi and co-sponsored by dozens of Senators and well over 100 members of the Assembly. Coalition for the Homeless helped design and draft this legislation with our esteemed sponsors and colleagues at The Legal Aid Society, Empire Justice Center, and the NYS Coalition Against Domestic Violence. More than 100 community groups have endorsed this legislation, and it has earned the support of the NYS Poor People's Campaign and the Housing Justice for All Campaign, as well as dozens of local officials, Congressional representatives, and faith leaders across the state.

The supply of apartments affordable to low-income renters, including those relying on a public assistance shelter allowance, has rapidly disappeared, and many New Yorkers have been shut out of the housing market entirely. Since the lack of affordable housing is the fundamental cause of the homelessness crisis, it is fiscally prudent and, at the same time, far more humane to bridge the difference between incomes and rents to enable people to stay in their homes and communities instead of being forced into the costly and impermanent shelter system, and to help those who are already homeless move out of shelters.

A 2016 analysis used to help design HSS found that two-thirds of the 171,000 households receiving public assistance shelter allowances have rents that exceed their allowances, placing them at risk of homelessness. Of these, more than 80,000 households were then on the brink of homelessness; surely their number has grown and their circumstances have become more acute since then.

According to the NYS Action Plan [Amendment](#) filed in September 2020:

“Over 59,000 individuals are at-risk of being homeless each year,” and “966,000 (79%) of the state's 1.22 million extremely low-income (ELI) households are simply or severely cost-burdened...”

¹ As envisioned in S. 481 (Persaud)/ A. 1997 (Cruz), states are permitted to include undocumented people otherwise excluded by Federal law from public benefits, provided the state enacts a statute to authorize their inclusion ([8 USC § 1621](#)).

They face an estimated statewide shortage of 595,900 affordable and available housing units... financial cost burdens in conjunction with the shortage of affordable units (which) puts these extremely low-income households at continuous risk of homelessness.”

In fact, according to the most recent City and State plans submitted to the U.S. Department of Housing and Urban Development (prior to the impact of the pandemic), 23,000 more New Yorkers become homeless than escape homelessness each year. Because homelessness rose so dramatically, between 2011 and 2019, New York had to add 31,918 new shelter beds (up 62 percent in that time) even as the State cut back on funds for local housing assistance and shelter operations, shifting many of these costs to municipal governments and taxpayers. As discussed above, homelessness among single adults has continued to skyrocket, and many more households will be at risk of homelessness when evictions fully resume.

HSS is a rent supplement designed to help individuals and families receiving public assistance remain housed when they are at risk of displacement due to eviction, hazardous conditions, or domestic violence, and also to help those who are already homeless obtain and retain stable housing.

Critical to the design of the program is that these groups – those who are homeless and those at risk of homelessness – be helped simultaneously. This is the best way to ensure that the costly shelter system can become smaller as the number of families and individuals receiving subsidies grows. An estimated 80,000 households would benefit from receiving HSS subsidies once fully implemented.

To place this in context, just over 229,000 households receive Federal Housing Choice Vouchers (Section 8) in New York State, but the waiting lists for this assistance are largely closed. HSS could increase the number of households receiving long-term rental assistance by about 35 percent.

The FY2020 Fair Market Rent for a two-bedroom apartment in New York City is \$1,951, but the public assistance shelter allowance for a typical family of three with at least one child is only \$400 per month. HSS would require New York State to supplement these inadequate shelter allowances up to 85 percent of the Fair Market Rent. Localities would have the option to cover the additional amount needed to bring maximum rents up to 100 percent of Fair Market Rents as may be needed given local market conditions.

HSS supplements would be considerably less expensive than the \$72,515 annual cost of emergency shelter for each family in New York City. As NYC Comptroller Scott M. Stringer projected in 2017, HSS could reduce New York City’s shelter population by 80 percent among families with children and 40 percent among single adults in a decade, saving New York City about \$316 million in its tenth year through foregone shelter costs and streamlined services.

The State has largely left localities to fund shelters and preventive services on their own in recent years, so the State’s investment in HSS would represent a long-overdue course correction. All levels of government must work together to tackle homelessness.

Coalition for the Homeless has long supported the idea of creating a State housing voucher program like Federal Housing Choice Vouchers (Section 8). The best proposal we have seen to date is Senator Kavanagh and Assemblymember Cymbrowitz’s ***Housing Access Vouchers*** bill. This legislation, like Home Stability Support, seeks to address the needs of both homeless New Yorkers and those at risk of becoming homeless through the creation of a new State-funded housing voucher program to be administered by local public housing authorities. It has the potential to help a broader spectrum of New Yorkers struggling with housing, such as those receiving disability income or who may otherwise be ineligible for public assistance, and enable even more families and individuals to avoid the indignity and trauma of homelessness.

We are pleased that this bill is being advanced, and hope that, like Home Stability Support has, it will gain the broad-based support needed to ultimately become law. Our [support](#) for the Housing Access Voucher legislation is contingent on the adoption of certain amendments, and we believe that the most sensible course is for it to be adopted in addition to HSS (given the distinct target populations). It should be amended to: deduct child support payments and medical expenses from income; eliminate the maintenance of effort requirement to avoid under-cutting HSS; distribute the half of the funds dedicated to those who are homeless based on local proportional shares of the shelter population; distribute the balance based on local shares of the severely cost-burdened renter population; and specify a role for social services districts in reaching those who are homeless or in receipt of public assistance or disability benefits.

Supportive Housing

We are pleased that Gov. Cuomo provided additional funds for more supportive housing in his Executive Budget proposal, and ***urge that the Legislature include these \$250 million in capital appropriations in the final budget.*** Given that supportive housing placements for single adults in New York City are at an all-time low, even as the shelter census rises, it is literally a matter of life and death for the most vulnerable New Yorkers facing homelessness as well as serious mental illnesses and other disabilities. We are heartened to note that the Capital Plan includes the expectation that capital appropriations at these levels will be forthcoming in the five years ahead, a fact that should provide additional investor confidence in this important public good that also serves as an economic engine.

Involuntary Commitment and Kendra's Law

We are extremely dismayed to see that Gov. Cuomo has once again advanced the idea of involuntarily removing homeless people from the streets by force, and taking them to hospitals and other locations against their will. We are also opposed to the proposed amendments to Kendra's Law. There are three profound errors in the logic and design of these recommendations. The first is the idea that dragging people off the streets is helpful: It is not. It will cause people to further withdraw from the support they need, at a time when we all know we should reduce, not increase, police interactions with people in psychiatric crisis. The second faulty premise is that the law would only affect dozens of those sleeping on the streets when it could actually affect thousands, given the breadth of the proposed language. Last is the precept that this group of people is dangerous to the point that their civil liberties and due process rights should be suspended – a dangerous precedent. Too often, people in psychiatric crisis encounter insurmountable obstacles when they seek inpatient or outpatient mental health care on a voluntary basis. A far more urgent area crying out for reform is the mental health system itself: Regrettably, it has largely been dismantled through the commercialization of mental health care as a “managed care” Medicaid benefit that benefits few.

Current law provides ample authority to retain people who present an immediate danger to self or others and to quarantine those with infectious diseases. The Cuomo Administration labors under the false impression that dozens of people are sleeping in the subways, infecting the public with the coronavirus. In fact, the number of unsheltered people testing positive for the coronavirus is very small, and all but a handful of those who have tested positive for the virus are either hospitalized or staying in an isolation facility while they recover. In short, we cannot allow the unfounded fear of unsheltered New Yorkers spreading the virus to justify an egregious violation of civil liberties. ***We urge the Legislature to reject the expansion of involuntary commitment measures proposed by the Executive.***

Crisis Intervention Centers

Coalition for the Homeless supports the expansion of Crisis Intervention Centers proposed by the Executive, ***provided the services they provide are entirely voluntary*** and they are never used as a destination for involuntarily transported patients.

Medical Respite Licensure

Coalition for the Homeless is pleased to see the licensure proposal for Medical Respite programs to serve homeless New Yorkers who cannot be served in a shelter setting upon discharge from a hospital, and ***we urge its adoption***. We have long recommended such a measure to ensure that facilities serving this population are properly regulated and offer quality care.

Personal Needs Allowance

Coalition for the Homeless ***urges the Legislature to increase the Personal Needs Allowance for homeless individuals and families*** – for most, a paltry allowance of just \$22.50 twice a month provided in lieu of public assistance – that has not been increased in decades.

Reverse Cost-shifting

NYS should participate equally in the non-Federal share of the costs of shelters and rent supplements (other than HSS) to prevent and address homelessness, and the Legislature should ensure that this is effected in the final budget.

Prohibit Shelter Savings and Shelter Rent

The Legislature should ***repeal the NYC Shelter Savings law and prohibit Shelter Rent requirements***.

Re-entry Housing

The Legislature should invest in the creation of a robust re-entry housing program to help the thousands of New Yorkers returning from prison into a state of literal homelessness, with additional capital and operating support dedicated specifically to this purpose. New York can and should do better than the current prison-to-shelter trajectory for people who have served time and need to get back on their feet.

Thank you for the opportunity to submit testimony. We look forward to working with the Legislature in the coming weeks and months as you work on the budget and legislative remedies to address homelessness.