



Testimony of

**The Legal Aid Society, Coalition for the Homeless, Community Service Society of NY and
Voices Of Community Activist and Leaders**

on

Oversight - Administration of CityFHEPS before the New York City Council
Committee on General Welfare.

January 27, 2025

The Legal Aid Society (“LAS”), Coalition for the Homeless (“Coalition”), Community Service Society of NY (“CSS”) and Voices Of Community Activist and Leaders (“VOCAL-NY”) welcome this opportunity to testify before the New York City Council’s Committee on General Welfare regarding oversight of the administration of the City Fighting Homelessness and Eviction Prevention Supplement (“CityFHEPS”) rental assistance program.

First, we want to thank the City Council for securing the additional \$215 million allocated to expand the CityFHEPS voucher program as part of the City of Yes legislation. We especially appreciate the Council’s commitment to ensuring that any housing plan moving forward does not leave vulnerable populations behind—whether they are families facing eviction, individuals with disabilities, or elderly New Yorkers struggling to stay housed. We look forward to continuing to work closely with the City Council to ensure this funding is used to its fullest potential. We are committed to working together to make sure that these resources not only reduce homelessness but also provide the lasting stability that families need to thrive and build a better future.

Legal Aid, the Coalition and CSS have repeatedly encouraged the City and State to address the root cause of homelessness – the lack of affordable housing – through proven-effective policies, including housing vouchers and subsidies.

The CityFHEPS program, designed to provide critical financial assistance to prevent homelessness and promote housing stability for vulnerable households, has not met its promise. Despite its well-intentioned goals, the program has been plagued by shortcomings that hinder its effectiveness. This includes significant delays in processing, inefficiencies, inadequate support services, burdensome eligibility criteria, administrative challenges, insufficient communication between agencies, and rental assistance limits that fall short of covering actual housing costs. As a result, many needy households continue to face barriers to accessing the help they need, leaving them at risk of homelessness despite qualifying for assistance under the program.

The issues plaguing the CityFHEPS program are not new; they have persisted for years. The program's flaws have been well-documented over time, repeatedly flagged by auditors, elected officials, and other stakeholders. Yet, meaningful reforms and solutions have been slow to materialize. The persistent failure highlights a longstanding inability to effectively administer the program, leaving vulnerable households without the stability and support they desperately need. The continued recurrence of these problems raises serious concerns about the city's commitment to resolving them and fulfilling the program's promise of preventing homelessness and ensuring long-term housing security for those who qualify.

The story of “N.” illustrates how households in shelter are failed by inadequate administrative infrastructure, complex eligibility requirements and a lack of coordination between agencies. Before giving birth on Christmas Day, N. was employed and earning a steady income that would have met the CityFHEPS work and income requirements. Shelter staff verbally informed her that she could receive a CityFHEPS shopping letter. Since giving birth, N. stopped working and is currently receiving short-term disability benefits. After these benefits are exhausted, she plans to access New York State's Paid Family Leave for 12 weeks, a benefit available to all new parents. However, shelter staff have told her that short-term disability does not meet the work requirements for CityFHEPS and that they cannot assist her until she provides proof of employment income. This situation could force her to seek employment during a vulnerable time in her life, instead of focusing on recovery and bonding with her newborn. While it's possible N. does not meet the work requirement, CityFHEPS guidelines allow the Department of Social Services (“DSS”) Commissioner to waive the requirement “for good cause” when a household has a consistent work history but has temporarily lost work hours due to circumstances such as childbirth. N. has not received a denial notice. Instead, she is relying on shelter staff to accurately input her information into the Department of Homeless Services (“DHS”)/Human Resources Administration (“HRA”) system, with no proof that this is being done correctly. As a result, the burden now falls on her— a new mother—to navigate the social services network and advocate for herself, with no official

documentation to support her assertions other than her recollection of conversations with staff. This case highlights the urgent need for reform to ensure that vulnerable households receive the support they are entitled to, without unnecessary barriers or delays.

Recent Amendments to CityFHEPS

In December 2022, HRA proposed amendments to the CityFHEPS program rules aimed at improving accessibility and affordability for CityFHEPS tenants. Key changes include: making single adults earning minimum wage full-time eligible, even if their income exceeds 200% of the federal poverty level; reducing the monthly contribution for tenants in single-room occupancy units to a maximum of \$50; lowering the required work hours for households from 30 to 14 hours per week for eligibility; allowing voucher-holders to pay up to 40% of their income for apartments above the CityFHEPS maximum; expanding SSI eligibility to include any household member, not just adults; and giving the Commissioner the discretion to set the maximum room rental rate in consultation with the NYC Office of Management and Budget (“OMB”).¹ Later, in August 2023, HRA proposed further amendments to the CityFHEPS program rules that would, among other things, eliminate the 90-day length of stay requirement for single adults and families,² decrease the required weekly work hours for a household with minor children from 14 to 10 and require single adult households to work at least 10 hours per week.³

While we welcomed any attempts to improve the voucher program, the proposed rules ran the risk of leaving some of New York City’s most under-resourced households behind. Thus, we cautioned that the rule allowing voucher-holders to choose an apartment that rents above the CityFHEPS maximum and pay up to 40 percent of their income, would dangerously set some households up for failure since the rule appears to require tenants to pay, on top of their 30 percent rent share, any amount that exceeds the payment standard *minus* the utility allowance. Section 8 households with income outside of public assistance may also rent apartments above the payment standard as long as their payment of both rent and utilities will not exceed 40 percent of their income. First, this puts CityFHEPS tenants at a significant disadvantage compared with Section 8 tenants, which allows Section 8 tenants to rent an apartment for up to the full payment standard while generally capping the family contribution at 30 percent of income. Second, 68 RCNY § 10-06(b)(1) leaves open the possibility that HRA could approve rentals where tenants pay 40 percent of their income toward rent without receiving any discount or credit off their portion of rent for utilities. The failure to account for utilities could leave a family on a fixed income paying 50 percent or more of their income toward rent and utilities combined making the household severely rent burdened.

¹ NEW YORK CITY HUMAN RESOURCES ADMINISTRATION Notice of Public Hearing and Opportunity to Comment on Proposed Rule <https://www.nyc.gov/assets/hra/downloads/pdf/hra-proposed-rule-and-certifications-20221201.pdf>

² By this time, the Council already passed Local Law of 100 of 2023 which codified the end of the 90-day rule that required clients to remain in DHS shelters consecutively for three months before becoming eligible for CityFHEPS. It also repealed shelter residency requirements for youth in foster care (§ 21-145.1) and runaway and homeless youth (§ 21-145.2). Finally, it expanded the eligibility period duration.

³ Contrary to Local Law of 2023 which removed employment status as a basis for eligibility.

We also urged HRA to strengthen their decision to cap rents for individuals residing in Single-Room Occupancy (“SRO”) housing at \$50 by offering SRO residents (and all residents) *a credit toward their utilities each month* and a Utility Assistance Payment (“UAP,” i.e., a cash credit for utility payments),⁴ since such tenants subsisting on public assistance alone need additional assistance to help cover the rising cost of utilities and keep the lights on.

Additionally, we requested changes that would expand CityFHEPS eligibility to unsheltered and homeless youth, including those receiving services through the Department of Youth and Community Development (“DYCD”). Specifically, we urged expanding what constitutes “city administered facilities” and revising the definition of “Street homeless” to include providers that interact with unsheltered and homeless youth in New York City in order to expand CityFHEPS eligibility to unsheltered and homeless youth.

The regulations described above did not address the deeper, long-standing administration issues that continue to plague the program and did not go far enough to ensure fairness, particularly when it comes to utility costs and the inclusion of at-risk youth. Consequently, the program continues to be plagued by numerous failures and shortcomings. They include:

1. **Inadequate Administrative Infrastructure:** DHS has insufficient administrative systems and resources to effectively process applications and manage the CityFHEPS program. Access to the program, intended to help the most vulnerable, requires intense perseverance on the part of applicants to push through the barriers to entry. The lack of robust systems results in delays and inefficiencies, preventing timely assistance for eligible households. The City must adopt more streamlined procedures that would reduce delays and ensure timely assistance for eligible households.
2. **Lack of Coordination Between Agencies:** Another issue is the lack of coordination between the various agencies involved in homelessness services and housing assistance. This fragmentation results in delays, confusion, and missed opportunities to assist eligible households. Clients also experience changes in household composition, or move between different parts of the shelter systems. Because eligibility criteria shift between systems, clients lose access to subsidies. Improved coordination between the agencies involved in the CityFHEPS program would reduce confusion for applicant households and create a more seamless experience for those seeking assistance.

Clients in the community at risk of entering shelter have to connect with their nearest Homebase provider in order to apply for CityFHEPS. The non-profit Homebase providers

⁴ <https://www.nyc.gov/assets/hpd/downloads/pdfs/services/section-8-briefing-book-abridged.pdf> p.28

are understaffed, often having to make difficult prioritizing decisions that determine whether a family gets a same day intake appointment or one that will be weeks or months out. Wait times for appointments have recently ranged between two and six months. One family living in shelter who is working with the Coalition finally found an apartment but needs an appointment with Homebase to begin the lease-up process; the soonest appointment they could receive is for April. Additionally, each Homebase operates differently. There does not seem to be a common intake process; that is, clients who visit a Homebase in Queens may have a completely different experience from clients who visit a Homebase in The Bronx. Unfortunately, they all share extraordinary wait times in common.

3. **Complex Eligibility and Documentation Requirements:** The Comptroller Audit notes that the complex and sometimes unclear eligibility criteria, along with burdensome documentation requirements, create barriers for many households. When applying, households struggle to provide the required documents. Often, the full process is not clearly explained. This leads to unnecessary delays and rejections. A family residing in shelter cannot apply directly for CityFHEPS. Instead, they must rely on shelter staff to have their correct information in the DHS system and to distill the labyrinthic rules of the program. The bureaucracy involved in the process is a significant obstacle for vulnerable populations. By reducing the complexity of the application process and making the requirements more transparent and accessible, the City could increase the likelihood that households will successfully apply for and receive assistance in a timely manner. It is also problematic that a household whose application is denied is not issued a written notice of denial that explains the nature of the denial, especially since denials are often based on incorrect household information or other human error.
4. **Low Rent Limits:** The rental assistance caps set under the CityFHEPS program are often lower than the actual market rents in high-cost neighborhoods. As a result, eligible households may find it difficult to secure housing that fits within the program's limits, which leaves them without the support they need to avoid homelessness or eviction. To better align the program with current market realities, the rental assistance caps should be increased to reflect the actual cost of housing in high-demand areas. This would allow households to secure housing that meets their needs without being forced into inadequate or unaffordable housing options. In addition, this will combat the concentration of poverty seen with voucher usage and further the City's professed goal of affirmatively furthering fair housing.
5. **Underfunding of Support Services:** Enhanced support services, such as case management housing placement assistance and follow-up services, are crucial for ensuring that households do not just receive financial aid, but also receive the ongoing support needed to maintain stable and safe housing and achieve long-term success. Without sufficient funding for critical

supportive services households will struggle to maintain long-term housing stability, reducing the effectiveness of the program. Furthermore, Case managers, especially in shelter, must receive adequate training in public benefits since a lack of knowledge can impact a client's ability to access City FHEPS.

- 6. Inadequate Program Oversight and Monitoring:** Another contributing factor to the failures of CityFHEPS is the lack of effective oversight and monitoring mechanisms. Inadequate tracking and evaluation of the program's performance makes it difficult to identify and address issues in a timely manner. The City should implement stronger oversight mechanisms to monitor the CityFHEPS program's performance such as tracking outcomes more effectively, conducting regular evaluations, and taking corrective action when issues arise. Improved oversight would help ensure that the program meets its goals and serves the needs of eligible households.

These systemic issues hinder the program from meeting its goals of preventing homelessness and moving eligible households from shelter to stable housing. Vulnerable people still struggle unnecessarily to access rental assistance. Without addressing the fundamental systemic failures outlined above, the program remains ineffective. Furthermore, while the City introduced provisions like allowing voucher holders to pay a higher portion of their income toward rent, this does little to solve the core problem of low rental caps that fail to meet the real cost of housing in high-demand areas. The reforms, though a step in the right direction, have not translated into meaningful improvements, and the CityFHEPS program continues to fall short of its promise to prevent homelessness and provide stable housing for those in need.

The October 2024 Office of the New York State Comptroller audit of CityFHEPS ("Comptroller Audit") chronicles these shortcomings.⁵ To little surprise, the report cited numerous concerns about the program's efficiency, its ability to meet the needs of vulnerable populations, and its overall effectiveness in addressing homelessness and housing insecurity in New York City. The report highlighted the lack of comprehensive support services, oversight and accountability issues, inadequate communication, failure to serve all eligible households, delays in processing applications and inadequate rental assistance.

Recommendations

⁵ New York City Department of Social Services: Administration of the CityFHEPS Program for Department of Homeless Services Shelter Residents <https://www.osc.ny.gov/files/state-agencies/audits/pdf/sga-2025-23n1.pdf>

The City must do the following to ensure that households are able to transition from shelter into safe housing and that New Yorkers facing eviction are able to stay in their homes and avoid homelessness:

1) Implement the CityFHEPS Reform Laws

In the summer of 2023, the City Council passed four laws expanding CityFHEPS eligibility criteria and making other program improvements designed to combat the grave threat that homelessness and housing insecurity pose to New York City households. In developing this package of legislation, the Council listened to extensive live testimony from a wide range of expert stakeholders and reviewed hundreds of pages of written testimony, including statistical analyses.

The duly enacted laws: increased the income eligibility criteria for applicant households to 50% of the area median income from 200% of the federal poverty level (see Local Laws 100, 102); for households residing in a shelter, eliminated the 90-day shelter residency requirement (see Local Law 100); removed the requirement that a household be currently or previously living in a DHS shelter to qualify for help (see Local Laws 100, 101); eliminated the weekly work requirements for voucher eligibility (see Local Law 102); and prohibited DSS from deducting a utility allowance from the maximum rental allowance for a CityFHEPS voucher (see Local Law 99).

Unfortunately, save for the 90-day shelter requirement, the Mayor and DSS have refused to implement these critical program changes. As a result, every single day New York City households eligible for CityFHEPS under the reform laws are evicted from (often longtime) low-rent apartments and enter our overcrowded shelter system, and households languishing in shelter are denied access to CityFHEPS because they earn too much, despite still qualifying as low income. HRA should take immediate action to implement the CityFHEPS reform laws.

2) Target High-Risk Households for CityFHEPS Expansion to Maximize Impact

We commend the additional \$215 million allocated for expanding the CityFHEPS voucher program, a significant step secured through the City of Yes legislation.⁶ While this funding may not cover all households at risk of eviction, it has the potential to significantly reduce homelessness and help low-income households remain in their homes. To maximize its impact, we recommend prioritizing households facing eviction in Housing Court, living in rent-regulated housing, and those with elderly, disabled, or minor children members. Additionally, targeting households earning 200% or less of the poverty line, paying rent at or below CityFHEPS limits, and using the voucher to stay in their current home would help prevent eviction and homelessness, both of which are more costly to address in the long term.

⁶ Council Land Use Committees Vote on Comprehensive Housing Plan for City to Modify Zoning for Housing Opportunity with Commitments to City for All Investments into Communities <https://council.nyc.gov/press/2024/11/21/2752/>

3) Expand Eligibility Pool

a) Elderly and disabled tenants: As per the Community Service Society’s analysis of the 2017 Housing Vacancy Survey (“HVS”), there are 9,463 rent-regulated apartments with low-income tenants who are severely rent-burdened and have a head of household over the age of 65. However, these households, some of which rely on public assistance, do not currently qualify for CityFHEPS. Demonstrating a continuation of this trend, the 2023 HVS further indicates that more than 38 percent of households with disabled or elderly family members are severely rent-burdened.⁷ While all such households should qualify for vouchers, creating even just 5,000 vouchers for rent-regulated seniors and people with disabilities already living in the community would reduce homelessness, preserve affordable housing, and maintain community stability.

b) Non-citizens: Local law grants New York City the authority to offer CityFHEPS to all residents, irrespective of their immigration status. However, at present, only those non-citizens who are eligible for cash assistance seem to be receiving the subsidy. No household should be excluded from CityFHEPS based on immigration status. Non-citizen households are often the most in need of support. Even when some members of a mixed-status family qualify for CityFHEPS, the subsidy is typically too small to make permanent housing affordable. The penalty that affects these mixed-status households must be eliminated.

c) Homeless and unsheltered youth: HRA should make unsheltered and homeless youth and young adults, including those receiving services through the DYCD categorically eligible for CityFHEPS vouchers without having first to enter the DHS shelter system. Many unsheltered young people interact with services other than DHS, including: DYCD-funded outreach providers, NYS Office of Mental Health Safe Options Support (SOS) outreach providers, federally funded outreach providers, Port Authority, MTA, and others. Despite the previous administration initially promising youth in the DYCD system access to vouchers by the end of 2017 in its report, “Turning the Tide on Homelessness in New York City” this promise was not kept.⁸ In an attempt to finally give youth in the DYCD system access to CityFHEPS vouchers, City Council successfully passed Intros 2405-A and 148-B in 2021, and Local Laws 170 and 157 went into effect in April of 2022. Despite the clear intent of the Council when Local Laws 170 and 157 were passed, DSS interpreted them to require youth experiencing homelessness in the DYCD-funded RHY programs as well as youth transitioning out of Administration for Children’s Services (ACS) care to enter DHS shelter to be eligible for CityFHEPS, thus depriving these young people of equal access to CityFHEPS vouchers. When it passed the larger package of bills to strengthen the CityFHEPS program that became law in February of 2024, it once again included youth in DYCD-funded RHY programs and ACS custody by removing the requirement that the applicant be currently or previously living in DHS shelter to

⁷ <https://www.nyc.gov/assets/hpd/downloads/pdfs/about/2023%20NYCHVS%20Selected%20Initial%20Findings.pdf>

⁸ <https://www.nyc.gov/assets/dhs/downloads/pdf/turning-the-tide-on-homelessness.pdf>

qualify. The current administration's refusal to implement those laws leaves youth and young adults experiencing homelessness in the DYCD RHY system without any access to subsidized housing.

Unsheltered young people and adults should not be deemed ineligible for CityFHEPS because they sought support from non-DHS outreach staff. DSS needs to uphold Local Laws 157 and 170 of 2022 as the community and council intended, and grant youth experiencing homelessness in DYCD-funded RHY programs as well as youth transitioning out of ACS care, who are otherwise eligible, access to HRA-funded CityFHEPS vouchers without forcing them to enter a DHS shelter.

4) Facilitate Access to Safe Housing in Areas of Opportunity and Successful Participation

a) Adopt the Exception Payment Standard: For both CityFHEPS rooms and apartments, HRA should adopt the "Exception Payment Standard" ("EPS") used by the NYC Department of Housing Preservation and Development ("HPD"), NYC Housing Authority ("NYCHA") and the Emergency Housing Voucher program or the maximum amount of subsidy HRA will pay for an apartment that matches the local market.⁹ The EPS allows those with rental subsidies to enter markets from which they have been historically excluded. Not only does the EPS open additional housing options to those with rental subsidies, but it allows households to reside in high-opportunity areas close to desirable amenities such as hospitals, public transportation, high-quality schools and childcare, and parks and other greenspaces. Currently, the HPD Section 8 program and NYCHA use the EPS. In addition, like HPD, HRA should publish their CityFHEPS payment standards each year in advance of January 1st.

b) Combat Source of Income Discrimination: Despite clear prohibitions against voucher discrimination under both the City and State Human Rights Laws, source of income discrimination remains widespread. Unfortunately, homeless New Yorkers continue to face persistent rejections or receive no responses at all from brokers and landlords due to their use of vouchers. The lack of government response harms households trying to escape shelters, forcing them into substandard housing located far from areas of greater opportunity. There is an urgent need for a genuine governmental commitment to addressing this issue and sending a strong message to the real estate industry that such discriminatory practices will not be tolerated. While the Mayor's June 2022 housing plan pledged a "coordinated enforcement and outreach effort" to combat source-of-income discrimination, its execution has been vague and lacking in detail.¹⁰ Correspondingly, in March 2023, the City announced that HPD would allocate funds to external organizations that would target housing providers who violate the law. It is unclear why HPD, instead of the New York City Commission on Human Rights ("CCHR"), was chosen to administer the funds. More importantly, these funds have not been distributed.¹¹ The lack of clear execution and the failure to distribute promised funds reflect a lack of urgency and effective action to combat source of income

⁹ HPD 2024 Payment Standard and Exception Payment Standard <https://www.nyc.gov/assets/hpd/downloads/pdfs/services/ps-and-eps-values.pdf>

¹⁰ Housing Our Neighbors: A Blueprint for Housing and Homelessness
<https://www.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Housing-Blueprint.pdf>

¹¹ <https://gothamist.com/news/after-touting-3m-housing-discrimination-crackdown-nyc-has-yet-to-issue-the-funds>

discrimination, leaving vulnerable populations without the support they need. The City should adequately fund CCHR's source of income discrimination unit both to prosecute discriminatory activity as well as to engage in early interventions to ensure housing unstable and homeless New Yorkers can secure apartments.

Additionally, the Mayor's Public Engagement Unit ("PEU") should expand its focus to include assisting prospective tenants who experience discrimination. While not directly involved in finding apartments, the PEU provides crucial support by connecting individuals with affordable housing programs, such as the NYC Housing Connect portal, and by offering resources for housing assistance and eviction prevention. It also ensures that people from marginalized groups—such as immigrants, low-income households, and those with limited English proficiency—can access housing opportunities through multilingual services and in-person workshops. Additionally, the PEU partners with community-based organizations to provide outreach and case management, helping people apply for housing lotteries and access legal or financial assistance when facing eviction. Given the complexities of the housing process, particularly in a city as large as New York, PEU should expand its outreach efforts, including more targeted education on the housing lottery system and increased support for vulnerable populations, to ensure that all residents, regardless of background, have equitable access to affordable housing opportunities. Additionally, there should be a clear pathway for immediately connecting tenants who face discrimination to CCHR, to ensure that tenants' rights are upheld and they can access the housing they are entitled to.

c) Eliminate the Rent Reasonableness Rule: The rent reasonableness rule prevents CityFHEPS voucher holders from accessing apartments that meet the established payment standard, and its implementation creates uncertainty even when a tenant has found a potential home. Shelter residents seeking apartments can never know in advance whether a unit they have found will be considered "reasonable," even if the rent is at or below the payment standard. These New Yorkers undergo the arduous rental application process and then wait weeks or months only to learn that the rent was rejected as "not reasonable," and they have to restart their search. Further, tenants in eviction cases who rely on CityFHEPS to retain their current apartments cannot predict what rent HRA will approve, and therefore cannot agree to a specific rent obligation as required by Housing Court settlement agreements. The City Council should ensure tenants are not unfairly prevented from renting apartments at or below the full payment standard because of the rent reasonableness requirement.

d) Ensure Access to Utility Benefits: HRA adopted a rule that provides for a reduction in the tenant share to cover utilities, meaning that some tenants are now receiving a direct check for the difference in utility costs, provided they submit the required utility form. This change aligns the program with Section 8's utility allowance scheme. However, households receiving CityFHEPS assistance are not prompted to submit this form, creating a gap in access to the benefit. Renewal applications for these households should include the utility form, along with information about the

benefit, to ensure they do not miss out. For those receiving cash assistance, the small monthly HEA and SHEA allowances are subtracted from the payment to the tenant, rather than providing the full utility deduction to the tenant or the utility company. While HRA can pay the utility deduction directly to the utility company, the current utility form does not offer an option to facilitate this payment method. This is particularly problematic for clients who mail money orders instead of paying online, as they are responsible for covering the mailing costs. It is recommended that the utility form be updated to allow for direct payments to the utility companies, easing the burden on clients and ensuring they do not have to incur mailing costs.

5) Eliminate Processing Backlogs and Fix the Delays that Cause Missed Opportunity

The rampant source of income discrimination tenants with rental assistance vouchers face can sometimes be attributed to the extreme delays associated with CityFHEPS paperwork, inspections, and check issuance. These delays are both well-documented and commonplace.

Even after a landlord agrees to rent an apartment, New Yorkers regularly wait for up to six months in shelter while the City evaluates their applications. Voucher holders navigate a byzantine lease-up process in which the smallest error – a misspelled address or a typo in transcribing a broker’s license number – causes weeks or months of delays, often leading to the loss of a housing opportunity. Meanwhile, the collateral effects of homelessness – joblessness, mental health challenges, familial instability, and poor living conditions – compound.

Unless HRA adopts affirmative regulations to change the lease-up process, CityFHEPS will not serve its purpose of allowing New Yorkers to escape the shelter system and live in homes with dignity. The following changes will significantly reduce CityFHEPS delays:

a) Streamlining the review process:

- Requiring DSS reviewers to review an entire package for mistakes before sending it back to the shelter provider for corrections;
- Reducing the amount of paperwork required for lease-up, including the requirement of obtaining multiple leases from the landlord;
- Make application packet forms readable/fillable PDF forms that can be signed electronically and emailed back, while still allowing for a paper process for those unable to electronically process;
- Have re-housing staff fill out portions of the pre-clearance application relating to the Fire Department and Department of Buildings, which require specialized knowledge to complete.
- Requiring DSS reviewers to correct and approve packages with minor clerical errors, like an address that says “street” instead of “place”;

- Streamline the documentation process for landlords who have previously successfully leased to CityFHEPS tenants. Specifically, for large-scale properties such as Housing Connect buildings with hundreds of units, documentation requirements should be simplified for each new lease-up. Instead of requiring the same documentation for every unit, pre-clearance and approval should be transferred between units, particularly in new buildings where the landlord is already familiar with the program's requirements;
- Recertification of CityFHEPS eligibility should be processed within two (2) weeks of expiration and if the recertification has not been processed by DSS in a timely manner at no fault of the tenant, then the rental assistance should continue at the same rate until DSS issues a final determination. Currently, this process can take months, and in some cases recertification is not completed at all, leading to evictions for unpaid rent;
- Providing automatic email notifications with package updates;
- Community based organizations should be permitted to process CityFHEPS applications instead of having to go to a Homebase provider. Expanding access points for individuals to complete their applications would address capacity issues with CityFHEPS application processing and help avoid backlogs and delays;
- DSS should process shelter resident CityFHEPS applications in parallel with property management companies conducting income eligibility verification for affordable housing units. Currently, DSS waits until the household is verified as income eligible for a specific affordable housing unit before processing their CityFHEPS application. Processing both verifications together would save time for shelter households;
- Applicants that are denied assistance should receive a notice of determination that explains the nature of the denial and informs them of their options, including any applicable deadlines.

b) **Setting clear benchmarks for approving CityFHEPS packages:** DSS should approve all applications within 15 days and ensure that staff meets those goals in facilitating moves; and

c) **Re-training shelter staff:** DSS should track how long the contracted shelter providers take to facilitate move-outs. DSS must intensively re-train the shelter providers that have the most repeated delays in the lease-up process. Further, caseload limits should be established for housing providers to ensure better service delivery. One of the primary concerns is that clients are unable to reach their housing specialists to discuss eligibility or apartment options. Additionally, high turnover rates and a lack of specialized knowledge among staff make it difficult to effectively manage unusual or complex situations. Setting caseload caps would help address these issues by allowing providers to give more focused attention to each client.

Conclusion

We thank the General Welfare Committee for the opportunity to testify about the state of the CityFHEPS program, and for the Council's dedication to addressing New York City's mass homelessness crisis.

About The Legal Aid Society

The Legal Aid Society ("LAS"), 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. This dedication to justice for all New Yorkers continues during the COVID-19 pandemic.

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, LAS provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

LAS'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 LAS'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, LAS'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. LAS, in collaboration with Patterson Belknap Webb & Tyler, LLC, was counsel *C.W. v. City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. LAS, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled-NY (“CIDNY”), settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness. Also, during the pandemic, The Legal Aid Society along with Coalition for the Homeless continued to support homeless New Yorkers through litigation, including *E.G. v. City of New York*, Federal class action litigation initiated to ensure WiFi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.

About the Coalition for the Homeless

Coalition, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to address the crisis of modern homelessness, which is now in its fifth 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 illnesses 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, scalable solutions and include: permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income 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 distributed nearly 400,000 hot, nutritious meals to homeless and hungry people on the streets of the city this past year – up from our usual 320,000. Finally, our Crisis Services 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. In response to the pandemic, we are operating a special Crisis Hotline (1-888-358-2384) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

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 independent monitor of municipal shelters for homeless single adults, and the City has also authorized the Coalition to monitor the municipal shelter system 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 LAS 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. During the pandemic, the Coalition worked with LAS to support homeless New Yorkers, including through the *E.G. v. City of New York* Federal class action litigation initiated to ensure Wi-Fi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.

About the Community Service Society of NY

The Community Service Society of New York (CSS) has worked with and for New Yorkers since 1843 to promote economic opportunity and champion an equitable city and state. Through a strategic combination of data-driven research, direct services, and people-driven advocacy, we ensure New Yorkers have the power to create change in their lives and the life of our city and state. Our programs, policy analysis, legal advocacy, and campaigns expand access to health care, safe and affordable housing, employment, opportunities for individuals with conviction histories, consumer debt assistance, and more—making a tangible difference in the lives of millions.

We focus on issues that touch every facet of life in New York so that every New Yorker has the power to create change in their own lives—and the life of our city and state. CSS links people to immediate opportunities in higher education, health care coverage, living wage jobs, debt assistance, housing, and legal support while fighting long-term for more equitable systems. New Yorkers turn to us for urgent support, and we also channel their aspirations into policy and advocacy efforts that address the root causes of economic insecurity. All of the work we do in research, services, and advocacy is interconnected. Insights from one area of work inform others, ensuring our approach is

both all-encompassing and effective in making New Yorkers' lives better today and tomorrow.

We power multifaceted advocacy efforts with tenant leaders to prevent evictions and make housing more affordable. Our research and advocacy have been central to achieving important wins for New York tenants, including a right to free counsel for households facing eviction and a stronger system of rent laws that help keep people in their homes. We also equip social service providers with up-to-date, actionable information on affordable housing resources for their clients.

CSS is one of the nation's first and most impactful charitable organizations. Since our founding in 1843, we've helped generations of New Yorkers live in safe, affordable housing; pioneered the social work and public health fields; and championed America's first public social welfare programs, including the forerunner to Social Security. Our track record of innovation and our commitment to equity continues to this day.

About Voices Of Community Activists & Leaders (VOCAL-NY)

Voices Of Community Activists & Leaders (VOCAL-NY) is a statewide grassroots membership organization that builds power among low-income people affected by HIV/AIDS, the drug war, mass incarceration, and homelessness in order to create healthy and just communities. We accomplish this through community organizing, leadership development, advocacy, direct services, participatory research and direct action. VOCAL-NY is building a movement of low-income people dedicated to ending the AIDS epidemic, the war on drugs, mass incarceration, and homelessness. We fight for systemic change rooted in justice, compassion, and love. We approach this work with a firm belief in reducing harm and ending stigma, and the knowledge that the issues impacting our communities are driven by institutional oppression, not personal failings. Our campaigns have saved or improved the lives of hundreds of thousands of New Yorkers across the state.