



Testimony of

Coalition for the Homeless and
The Legal Aid Society

before the Committee on General Welfare
of the New York City Council

submitted by

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The Coalition for the Homeless (“Coalition”) and The Legal Aid Society (“Legal Aid”) welcome this opportunity to testify before the New York City Council’s Committees on General Welfare. We are the court- and City-appointed independent monitor of the DHS shelter system and counsel in the historic *Callahan*, *Eldredge*, and *Boston* cases that created the right to shelter in NYC. Accordingly, we are uniquely situated to provide insight about Code Blue, Red and Grey Policies and access to shelter.

Changes Needed to the City’s Approach to Unsheltered Homelessness

The extreme winter weather that killed at least several homeless New Yorkers this year highlights the gaps and shortcomings of the City’s approach to outreach to unsheltered people. Soon, we will be experiencing extreme heat and Code Red notifications that will endanger the health of people who have nowhere else to sleep but public spaces, and potentially Code Grey alerts relating to dangerous air quality. There is real urgency to reform how the City performs outreach by focusing on meeting the short- and long-term needs of unsheltered individuals.

Outreach

Even the best-trained outreach teams can only be effective if they are able to offer unsheltered people what they want and need. The standard offer that outreach teams can make to unsheltered New Yorkers is transportation to a large congregate shelter, which most people sleeping on the streets or in the transit system already have experienced but found that it was inaccessible or otherwise did not meet their needs. According to hundreds of interviews conducted by the Coalition, the majority of unsheltered New Yorkers surveyed had in fact tried the municipal shelter system but felt that staying in the system forced them to give up safety, dignity, and agency.¹ Those who ended up sleeping in public spaces after having stayed in the NYC DHS shelter system were most frequently those who had been placed in one of the large congregate facilities. The record is clear that unsheltered people are willing to come off the street when offered low-barrier shelters, such as stabilization beds and safe havens, but the City does not have enough capacity in these models to accommodate everyone known to outreach teams.

In addition, NYC DHS-contracted outreach teams have had difficulty building trust with people because they have not offered life-sustaining items that could help them survive, such as warm clothing and food, out of a misguided belief that supporting people on their own terms would make them less likely to come into shelter.

¹ Coalition for the Homeless, "View From the Street: Unsheltered New Yorkers and the Need for Safety, Dignity, and Agency," April 2021, <https://www.coalitionforthehomeless.org/wp-content/uploads/2021/04/View-from-the-StreetApril-21.pdf>.

In contrast, in its first weeks, the new administration quickly stood up a new model of street outreach that resolved these deficits and may have saved dozens of lives. The WARM ambulettes operated by the Health and Hospitals Corporation brought clinical care to people where they were situated, allowed them to come inside a mobile warming space, offered them material support they needed, offered to transport them to wherever they might go to come indoors and, most crucially, had access to low barrier beds that could be offered to people in the moment. If you go where people are, ask them what they need, and give it to them, they will accept your offer and come inside. This should be the model for all street outreach going forward.

Shelter

The NYC DHS outreach workers working year-round, and deployed in force during “Code Blue,” are unable to offer people what they need and want: first and foremost, permanent affordable housing; but in the absence of that, placement in a low-barrier shelter . Many New Yorkers do not access available shelter because it is not accessible to them or do not feel safe in the traditional NYC DHS shelter system. For single adults, NYC DHS shelters are traditionally congregate facilities where clients lack any form of privacy and, for many, security. Clients regularly report to our staff that safety issues and NYC DHS’s failure to accommodate their disabilities are reasons why they do not feel safe entering NYC DHS shelter.²

For individuals living with mental illness, they often feel especially unsafe sleeping in large dormitories with people they do not know. Despite NYC DHS developing a process for clients to request reasonable accommodations, requests for single rooms are rarely approved. In the most recent data we received, only 20% of these requests were granted. Even when granted, it can take weeks or months for NYC DHS to identify a facility with a single room available.

Unlike single adults, adult families (families with no minor children) must undergo an eligibility screening before they can access shelter. In the past few months, Coalition staff have seen at least five adult families wrongfully denied shelter. Several families spent multiple nights sleeping outdoors as a result of being wrongfully turned away. Runaway and homeless youth have also been particularly vulnerable during the recent extreme weather event, as there is no guaranteed access to youth shelters and drop-in centers during Code Blue .

² The Legal Aid Society, “Butler v. City of New York,” May 15, 2015, accessed March 12, 2026, <https://legalaidnyc.org/court-case/butler-v-city-of-new-york/>.

After decades of mismanagement and prior mayoral administrations' aggressive use of "sweeps" and involuntary removals from public spaces, many unsheltered New Yorkers do not trust the City's outreach workers deployed during Code Blue. Too often, the City has used law enforcement to simply further displace unsheltered New Yorkers, without offering them a safe or appropriate shelter placement or, ideally, connecting them with permanent housing.³ Unsheltered New Yorkers are often deeply distrustful of outreach workers, and it will take time to build back that trust. The first step to establishing such trust will be offering people what they need and want: low-barrier shelter options and permanent affordable housing.

The best long-term solution to solving unsheltered homelessness remains the creation of more permanent affordable housing options, including supportive housing, for homeless and extremely low-income New Yorkers. However, increasing the housing stock takes time, time that unsheltered New Yorkers do not have as the weather remains deadly for people sleeping outside. The City must continue to increase the supply of single unit low-barrier shelter beds, such as in many safe havens and stabilization units. These shelter models are "reduced density" facilities and have fewer rules than the traditional NYC DHS shelter system for single adults. Clients who have had negative experiences in congregate NYC DHS shelters are more receptive to accepting placements in safe haven or stabilization beds, where they have more privacy, few, if any, roommates, more flexible rules, and access to more supportive resources.

Supportive Housing

Supportive housing remains one of the best tools available to meet the needs of unsheltered New Yorkers living with mental illness or other disabilities. Not only does supportive housing provide long-term stability for the individuals housed, but it also saves taxpayers approximately \$10,000 per year in averted costs for shelters, emergency rooms, justice involvement, and other government agencies and services. However, access to supportive housing typically requires people to enter the shelter system and navigate a long and complicated application process. In FY 2024, there were only 1,748 single adult exits from shelters to permanent supportive housing.⁴ Meanwhile, thousands of people continue to sleep unsheltered and remain vulnerable to extreme weather events.

³ New York City Comptroller, Press Release "Comptroller Audit Found that Only 3 People Secured Permanent Housing Out of 2,308 Caught in Mayor Adams' Homeless Sweeps," June 28, 2023, accessed March 12, 2026, <https://comptroller.nyc.gov/newsroom/comptroller-audit-found-that-only-3-people-secured-permanent-housing-out-of-2308-caught-in-mayor-adams-homeless-sweeps/>.

⁴ Coalition For the Homeless, "State of the Homeless 2025" August 28, 2025, 22, <https://www.coalitionforthehomeless.org/state-of-the-homeless-2025/>;

Despite the scale of the need, thousands of supportive housing units are sitting vacant. In June 2025, there were 5,092 vacant supportive housing units.⁵ Of those units, 41% are units contracted by the City, with 56% contracted by the State, and 3% contracted by the federal government. The City should utilize these vacant units to quickly house unsheltered people using a “Housing First” approach. Housing First is a proven model that prioritizes getting people into housing first, without the preconditions and lengthy application process that pose significant barriers, and without requiring unhoused people to first enter shelter. Despite Housing First being invented in NYC and proven successful, the City has not renewed or expanded Housing First programs, apart from a recent small, but successful, pilot that utilized supportive housing units that were City-funded and vacant for long periods.⁶ Expanding this pilot to other vacant and habitable units in the City would provide immediate housing for the most vulnerable New Yorkers.

The City should identify and assess all other vacant supportive housing units in order to provide unsheltered New Yorkers with a proven pathway to housing stability, modeling the effort on the successful program that reduced chronic homeless among veterans to functional zero. These vacant units may need repairs or alternations, but a review of these long-vacant units will allow the City to address the issues delaying their occupancy. For example, some units are designed to be shared by two people, which are frequently neither appropriate nor desirable for people with psychiatric disabilities. Some units have been online for decades and need renovations. Addressing these needs requires fewer resources than bringing new units online, bringing to bear existing resources to house our unsheltered neighbors.

Coupled with housing placements is keeping at-risk individuals stably housed. Accordingly, the City should require supportive housing providers to assess the needs of tenants in their units before precipitously moving to evict them for non-payment of rent or other reasons that could be addressed through a reasonable accommodation process.

Proposed Legislation

Int 0139-2026 (Cabán): The proposed legislation requires the Department of Social Services to provide a benefits interview confirmation notice. We support this legislation. The interview is a

⁵ Testimony of Administrator Scott French before the New York City Council, 6/18/2025, <https://legistar.council.nyc.gov/View.aspx?M=F&ID=14568976&GUID=713FC30B-E475-4BA6-95EE-DF82DD9CBAB6>

⁶ “Street to Home: A Housing First Approach to Ending Chronic Homelessness.” Volunteers of America-Greater New York, November 5, 2025. <https://www.vo-a-gny.org/services/street-to-home-pilot-program/>.

crucial step in the application and recertification process and clear confirmation that this step was completed helps to eliminate the risk of erroneous denial or case closure.

Int 0232-2026 (Hudson): The proposed law would reduce the required housing history from two years to one year in order for families with children to demonstrate their eligibility for entry into the NYC DHS shelter system. It would additionally require NYC DHS staff to upload all documents relevant to an applicant's housing history to a digital case record and communicate with an applicant about any missing documents through electronic methods.

We fully support any reduction in the housing history requirement. In January 2026, only 35.2% of families with children who sought shelter from NYC DHS were deemed eligible.⁷ Furthermore, 38% of families with children applying for shelter in January 2026 had to submit two or more applications before being found eligible, and 5% had to submit four or more applications.⁸ Providing two years of housing history creates a significant barrier to shelter, as families can move from place to place and double-up in the homes of others before they seek shelter from the City. This makes it hard for families to prove where they were living. Too often, families languish in limbo waiting for shelter eligibility determinations. While a family is waiting for a shelter eligibility determination, they are ineligible for CityFHEPS and other re-housing programs. Changing housing history would align this housing history documentation requirement with the current standard used for adult families (families without minor children).

While the bill would give families with children at least 30 days in temporary shelter pending a determination of their eligibility for shelter, subject to the approval of the State Office of Temporary and Disability Assistance, we note that State regulations require 15 days in temporary shelter pending an eligibility determination.⁹

This bill would also require NYC DHS to create an informational pamphlet listing examples of documents that could demonstrate proof of housing history and ensure that such pamphlet is posted online and distributed to families with children at the PATH intake center. The bill would further require NYC DHS to maintain a digital case record that is accessible online to the applicant. While we support creating more ways for families to navigate the shelter eligibility process, digital access is not a substitute for in-person support and ensuring that families can easily submit physical documents. Families at intake are not currently provided with enough assistance and direction, often leaving them unclear about requirements and next steps.

⁷ New York City Local Law 79 of 2022.

⁸ *Ibid.*

⁹ 18 N.Y.C.R.R. Part 900.9(c).

T2026-1352 (Abreu): This bill would require the commissioner of homeless services coordinating with hospitals to distribute informational materials on certain weather events to patients and make services directly available to discharged patients during such events.

We support this bill but urge the Council to go further and ensure that all people using hospitals during extreme weather events are provided with services and support, including assistance to access shelter for those who wish to do so. As demonstrated in the past two months, the “best efforts” required of NYC DHS in section (2)(b) of the bill are insufficient to prevent deaths. While flyers, pamphlets, and recommended procedures are useful, they ultimately do not ensure that all hospital staff implement life-saving procedures relating to homeless individuals seeking refuge from extreme weather.

First, we recommend a requirement that NYC DHS send outreach workers to both NYC Health + Hospitals and private hospitals during Code Blue, Red, and Grey events to make services available to homeless individuals. This will ensure that hospital staff can directly coordinate with NYC DHS to provide resources and supplies. Second, we recommend a mandate that services are provided to all homeless individuals utilizing hospitals during extreme weather events. The use of the term “discharged patients,” limits services to only those who are formally admitted to the hospital. This excludes people who receive treatment from a hospital but who are not admitted. It also excludes people who seek refuge from the weather at hospitals but do not access healthcare.

Finally, we would note that there is no commissioner of homeless services. Responsibility should lie with the Commissioner of Social Services, who oversees both NYC DHS and the Human Resources Administration.

T2026-1353 (Abreu): This bill would require the commissioner of homeless services to coordinate with hospitals to make certain supplies available to discharged patients during certain weather events.

We support all efforts to provide homeless individuals with the supplies and resources they need. As above, we urge the Council to require that NYC DHS send outreach workers to hospitals during Code Blue, Red, and Grey events to make services available to homeless individuals. This would facilitate the distribution of supplies. We also recommend that amendments to require all outreach to unsheltered individuals include provision of these and other supplies. The need for these items does not exist solely during extreme weather events. Unsheltered people should have ready access to the supplies listed in the bill year-round and the list should include other basic items like socks, hygiene kits, electrolyte drink solutions, first aid and wound care kits, and food.

NYC DHS should also regularly consult with outreach workers and unsheltered individuals to determine what other supplies are commonly requested and needed.

We note that there is no commissioner of homeless services. Responsibility should lie with the Commissioner of Social Services, who oversees both the NYC DHS and the Human Resources Administration.

T2026-0008 (Restler): This bill would require an integrated and confidential data system to track all engagement with street homeless individuals. To the extent that the intent of this bill is to better connect unsheltered individuals to the housing and services that they want and need—which we would support—the focus should not be on collecting more information. The City should instead focus on reducing the barriers to entry to housing and services that exist, particularly the intensive documentation and proof required simply to be deemed eligible for supportive housing. We also have serious concerns about the collection of this data and the possibility of it being used by law enforcement or other entities to target unsheltered individuals. We question whether the information would be useful and reliable, as some outreach teams may not know a person’s name or identity even while providing intensive services and building relationships of trust. The creation of such a system would be costly and its effectiveness questionable. Meanwhile, there are low-cost solutions that could eliminate the barriers to entry to supportive housing.

We look forward to working with the Council to address the need for more permanent affordable housing for our clients and to increase the supply of low-barrier shelter options for unsheltered New Yorkers.

About The Legal Aid Society and Coalition for the Homeless

The Legal Aid Society: Legal Aid, 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.

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

Legal Aid'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 Legal Aid's Pro Bono program. With its annual caseload of nearly 200,000 legal matters, Legal Aid 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.

Legal Aid'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 nearly 200,000 individual cases and legal matters, Legal Aid's law reform representation for clients benefits more than 1.5 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.

Legal Aid is uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. Legal Aid is counsel to the Coalition and for homeless women and men in the *Callahan* and *Eldredge* cases. Legal Aid is also counsel in the *McCain/Boston* litigation in which a final judgment requires the provision of lawful shelter to homeless families. Legal Aid, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. Legal Aid, along with institutional plaintiffs Coalition 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, Legal Aid along with Coalition continued to support homeless New Yorkers through litigation, including *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.

Coalition for the Homeless: Founded in 1981, Coalition 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 12 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. Since the pandemic, we have been 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 the independent court-appointed 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 Legal Aid 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 Legal Aid 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.