

## ADMINISTRATIVE PROCEDURE

The New York City Department of Homeless Services (“DHS” or the “City”), pursuant to Social Services Law §20(3)(a) and 18 N.Y.C.R.R. § 300.6, hereby submits to the New York State Office of Temporary and Disability Assistance (“OTDA”) for its review and approval, the proposed administrative procedure (the “Procedure”) pursuant to which DHS shall determine whether a family with children seeking shelter is eligible for temporary housing assistance.

Once approved by OTDA, this Procedure will not become effective until the judgments in Boston v. City of New York, et al., Index No. 402295/08, McCain v. Bloomberg, et al., Index No. 41023/83, Lamboy v. Doar, et al., Index No. 41108/85, Slade v. Bloomberg, et al., Index No. 45177/86, and Cosentino v. Carrión, et al., Index. No.43236/85, have been approved by the Hon. Jacqueline W. Silbermann and entered by the Court. In the event any of these judgments is not approved by the Court, this Procedure will be of no further force or effect.

1. The City shall conduct an adequate investigation to verify whether a family with children seeking shelter (hereinafter “family” or “families”) has other housing available to them.
2. Families have an obligation to cooperate in the investigation and provide evidence of homelessness by providing reasonably available information and documents regarding their need.
3. The City shall assist families in the investigation by providing information, guidance and support in understanding the process and by assisting them in securing necessary information and documents from government agencies and third parties to the extent reasonably available.
4. Families will not be found ineligible for shelter solely because of the non-cooperation of third parties or solely based on their inability to provide requested documentation where the family has otherwise cooperated with the investigation. Documents or other evidence submitted at any time during the eligibility process will be considered.
5. The City shall consider all relevant facts throughout the eligibility process to determine whether a family seeking shelter is eligible to receive shelter, including whether housing resources are unsafe or overcrowded and therefore not available to the family.
6. The determination whether a family is eligible to receive shelter shall be based on the totality of the circumstances, with an individual analysis of each family’s situation.

7. In determining whether a family is eligible for shelter and in making appropriate shelter placements, and expedited placements where necessary, the City shall consider domestic violence, medical or child welfare issues in the family's household.
8. In determining whether a family is eligible for shelter, the City shall ask the family whether there are any domestic violence, medical or child welfare issues in the household of the primary tenant and shall consider such issues.
9. The City shall promptly refer any member of a family who may be a domestic violence victim to a worker specifically trained to deal with these issues whose determination regarding domestic violence issues shall govern, and all shelter eligibility investigations, with the exception of the currently pending interview, shall cease pending the specially trained domestic violence worker's evaluation and determination.