

# FY 2022 Borough Budget Consultations

## Manhattan - Human Resources Administrations

Meeting Date 9/18/2020

### AGENDA ITEM 1: General Agency Funding Discussion

The purpose of holding the Borough Budget Consultations is to provide Community Boards with important information to assist in drafting their statement of District Needs and Budget Priorities for the upcoming fiscal year. As you know, Community Board Members are volunteers who may not be familiar with the budget process and how agencies' programs are funded. At the same time, Community Board members are very knowledgeable about local service needs.

This year's Manhattan agendas have three sections:

I. Agencies faced unprecedented cuts and new funding requirements this year due to COVID 19. Can you list the previously unplanned cuts to the FY 21 budget due to COVID and the new initiatives necessitated by the emergency? Please discuss the expected timeline for the new initiatives. What programs and capital projects will be continued uncut. Of the cuts in spending for FY 2021, please identify the most significant cuts that are currently expected to be permanent [or continued at the reduced level into FY 2022].

What is the overall budget decrease for FY 21 adopted budget compared to FY20 budget?

II. Then, the agenda continues with Community Boards asking about specific program funding.

III. Lastly, the agendas include Boards' requests on district-specific budget questions. We request that the agency respond in writing, but have any further discussions on these items with the Community Boards outside of the consultation.

For the first section, please present on the four topics below for 10-15 minutes at the beginning of our Consultation. Also, please provide written responses or even a PowerPoint presentation that we can use to fully and accurately educate our Board Members.

1. What are your priorities and operational goals for FY21 and projected priorities and operational goals for FY22?
2. What are the current proposed FY21 and FY22 service and operational goals and proposed funding?
3. Which programs is the agency adding, dropping, or changing for FY21 and projected for FY22?
4. What are your benchmarks for new and existing programs and what are your benchmarks/key performance indicators for measuring success?

### AGENCY RESPONSE:

- I. [The FY21 Adopted Budget has been significantly impacted by COVID-19. The Plan includes anticipated COVID-related costs. As of the FY21 Adopted Financial Plan, the total HRA/DSS budget is \$10.525B (\$8.12B City) in FY20 and \$9.54B (\$7.16B City) in FY21.
  - For COVID emergency response work, federal funding of \$50M was added in FY21.
  - The HRA FY21 Adopted Budget includes the following:
    - Improving rental assistance prioritization by targeting long-term stayers in the DHS single adult

- population.
- Personnel Vacancy reduction/ hiring freeze.
- Employment program savings, in part due to decreased utilization during COVID period.
- Fair Fares savings due to decreased utilization during COVID period.
- Indirect cost rate adjustment for contracted service providers.

The Five-Year HRA Capital Strategy (FY20-24) totals \$330 million (\$237 million City). The Capital Plan funds and funds:

- Maintenance and renovation of HRA administrative and field offices;
- Telecommunications and IT projects and infrastructure;
- Projects for the City's non-mayoral elected officials (\$23 million)

III. DSS/HRA's budget has been significantly impacted by COVID 19. The agency will continue to monitor benefits and service delivery. Below are some steps the agency took to rapidly continue to provide benefits and services:

- Suspended in-person appointments
- Benefits provided online and by phone
- Modernized services and processes to meet demand for record increase in applications by redeploying staff to process applications and providing phone interviews
- Enhanced Burial/Funeral Assistance

The agency's main priority is to continue to focus on benefit delivery to clients amid this pandemic.

You can learn more about these efforts in the Executive Budget Testimony from May 2020, found at:

[https://www1.nyc.gov/assets/hra/downloads/pdf/news/testimonies/2020/Testimony\\_FY21%20Exec%20Budget\\_051820\\_FINAL.pdf](https://www1.nyc.gov/assets/hra/downloads/pdf/news/testimonies/2020/Testimony_FY21%20Exec%20Budget_051820_FINAL.pdf)

The agency produces key statistics and performance matrixes. Please see 2020 Mayor's Management Report.

[https://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2020/2020\\_pmmr.pdf](https://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2020/2020_pmmr.pdf)

## MEETING NOTES:

## NEW INFORMATION:

## FOLLOW-UP COMMITMENTS:

## AGENDA ITEM 2: Legal Services and Eviction Prevention

The last two years we have asked about funding for eviction prevention legal services. HRA responded that free legal assistance for New Yorkers facing eviction and displacement had been expanded, increasing funding for free legal services for tenants more than 20-fold, from roughly \$6 million in FY13 to more than \$120 million in FY20.

Considering the economic crisis brought on by the COVID-19 pandemic and its resulting financial hardship for countless NYC households:

1. What is the level of funding for free legal services in the Adopted FY 21 budget and projected for upcoming years in comparison to FY 20? Is HRA able to recruit and hire the necessary number of lawyers?
2. Is this funding sufficient to meet the increased need due to the ongoing economic crisis? If not, what

measures are being implemented to mitigate the hardship of renters?

3. Does HRA have funding to provide free legal services to anyone facing eviction in NYCHA as was stated in your report last year? If so, what the amount of funding allocated for these services?

Last year, HRA acknowledged that “based on a preliminary analysis of turnovers and immediate serious recruitment and retention challenges, and the historic underfunding of contracts by prior administrations, that we must invest to create pay parity for our public defenders and civil legal services providers”.

4. Please provide an update on the “pay parity implementation joint process to address high turnover, and serious recruitment and retention challenges” which you said would be “finalized by March of 2020, in time for the Executive Budget for FY2021”.

## AGENCY RESPONSE:

1. **Fiscal Year 2021 includes the largest annual investment ever by a Mayoral Administration in civil legal services.**
  - OCJ’s FY2021 budget for tenant legal services includes funding totaling **\$199 million**, which breaks down as follows:
    - **\$136 million** for legal services programs for tenants, which includes **\$93 million** for eviction defense legal services for low-income tenants in Housing Court – including further implementation of the City’s “tenant’s right to counsel” law through the Universal Access initiative – as well as **\$43 million** for legal services to protect tenants and combat harassment. The program budget in FY21 reflects increases compared to FY20 and previous years, and this increased funding will support anticipated additional implementation of the initiative and growth in the availability of legal services.
    - **\$31 million** for legal assistance programs for immigrant New Yorkers, which includes **\$20 million** in Administration funding for the Immigrant Opportunities Initiative (IOI) and **\$2 million** in immigration legal programs supported by Community Service Block Grant (CSBG) and City Tax Levy (CTL) funding, as well as **\$9 million** for legal and navigation services and outreach through the ActionNYC program operated by MOIA in partnership with DSS.
    - In addition, HRA is overseeing **\$32 million** in discretionary funding added by the City Council for legal and educational services for low-wage workers; immigration legal defense services for detained individuals, unaccompanied minors, and families with children facing deportation; assistance for survivors of domestic violence and veterans; and general support for civil legal services providers.
  - Recruitment and hiring of lawyers
    - OCJ manages and oversees the City’s tenant legal services programs, and in that capacity contracts with a wide range of legal services organizations that provide legal representation and brief legal assistance to tenants in need of help. Each of these organizations recruits and hires its own legal staff.
    - OCJ is working with its provider partners to develop and implement a plan to analyze and address recruitment and retention challenges faced by legal providers for low-income New Yorkers and to compare attorney pay at provider organizations to appropriate and comparable positions within the New York City Law Department. The Administration is providing initial funding for providers in FY2020 and will be working together with legal providers to build a full implementation plan to reach an equitable attorney pay structure that will also take into consideration the changing dynamics as a result of legal reforms and programs and services that seek to increase fairness for low income New Yorkers.

2. Current funding for tenant legal services is sufficient in light the challenges faced by providers in expanding services and the City's current fiscal climate.
3. Funding for tenant legal services supports these services for all eligible tenants, including those who live in NYCHA housing. There is no separation between funding for NYCHA and non-NYCHA tenants. See above for more detailed funding information.
4. See above.

## **MEETING NOTES:**

## **NEW INFORMATION:**

## **FOLLOW-UP COMMITMENTS:**

### **AGENDA ITEM 3: SNAP Benefits**

1. What percent of eligible people are registered for SNAP benefits?
2. Is your outreach program to reach unregistered eligible people sufficiently funded for FY 21? Has this funding been expanded in to meet increased demand due to the economic crisis? Many impacted households, unfamiliar with public benefits, will be newly eligible and will require targeted outreach.

### **AGENCY RESPONSE:**

1. Our 2018 estimated Manhattan SNAP participation rate is 65.8%.  
Our 2018 estimated citywide SNAP participation rate is 72.6%, an increase from 70.9% in 2017. A small decline in the SNAP caseload was outpaced by a larger decline in poverty.  
(see <https://www1.nyc.gov/assets/hra/downloads/pdf/facts/snap/SNAPParticipationNYC.pdf>)

In FY 2020, there were 233,470 SNAP clients in Manhattan.

2. DSS has a dedicated SNAP outreach team to promote access to SNAP benefits in the community through pre-screening, informational tabling, presentations for members of the public, training for CBO providers, and one-to-one assistance with SNAP enrollment and ongoing case management (recertifications, periodic reports, case changes, document submission, etc., as required by federal and state law). These services are traditionally provided at several dozen locations in the community each month, including schools, hospitals and clinics, libraries, senior centers, and WIC offices. Since this work transitioned to virtual outreach during the COVID-19 crisis, staff continued to engage frequently with their contacts at community sites to accept referrals of new applicants and to provide regular updates on HRA's response to COVID-19 and specifically around access to SNAP benefits.

Another outreach team is dedicated to working closely with NYC's robust network of community-based provider organizations. Particularly during the pandemic, these CBOs have served as a vital link to community members looking for more information or support in accessing SNAP benefits. Over the last five months, we have trained over 3,200 community-based providers to assist clients with SNAP applications and case management through ACCESS HRA and the ACCESS HRA Provider Portal. We have fully transitioned our trainings for community providers online. We are also offering remote, online SNAP presentations for community providers and the general public.

Since the start of the COVID-19 crisis, Commissioner Banks has held weekly calls with community partners to provide briefings on important updates to HRA and DHS programs and services and answer questions. Following these calls, we send a weekly communication to nearly 6,000 community partners detailing updates and compiling past information to ensure that information on SNAP and other key benefits and services is widely available and up-to-date. Our website continues to be updated frequently with key information about SNAP benefits, including a dedicated SNAP FAQ page.

DSS Outreach also started to hold weekly calls with SNAP benefits assistance providers to address concerns, answer questions, and provide updates in real-time. Through funding allocated by the NYC Department of Sanitation and matched by the Robin Hood Foundation, three of these organizations: Food Bank for NYC, Hunger Free America, and Met Council received grant funding to significantly expand their staff and provide increased benefits enrollment support remotely, with some sites beginning to provide in-person services by appointment only. We are working with these providers to ensure they have the support they need and have collaborated with the Mayor's Office of Food Policy to streamline 311 referrals to these providers for New Yorkers who indicate a need for food assistance.

We are prepared to continue offering remote outreach services for the duration of the COVID-19 public health emergency. Funding for SNAP Outreach services has remained constant from FY 20 to FY 21. However, resources are being allocated in new ways to strategically engage current clients and first-time applicants. In FY 21, we will continue identifying and exploring new ways to reach and engage SNAP-eligible New Yorkers, including those who are newly eligible and may require alternate engagement strategies.

#### **MEETING NOTES:**

#### **NEW INFORMATION:**

#### **FOLLOW-UP COMMITMENTS:**

### **AGENDA ITEM 4: HIV/AIDS Services Administration (HASA)**

HASA- all NYC residents with HIV or AIDS who meet financial need requirements are now eligible for HASA services. Last year you reported an increase in staffing of 18 people for this area.

1. Has there been additional staff increase and is increase projected for FY 21 to continue to meet the increase of people eligible for services? Providers report need both for capital (cost of acquisition and construction) and expense for operating/services.
2. Please discuss planned funding for this.

#### **AGENCY RESPONSE:**

There has not been additional staff added for FY21. In partnership with Housing Works, we have implemented a series of pilots to evaluate models of service delivery in light of changing caseload dynamics.

#### **MEETING NOTES:**

## NEW INFORMATION:

## FOLLOW-UP COMMITMENTS:

### AGENDA ITEM 5: Eviction Vulnerable Tenants and Buildings

Please give an update on the success of universal right to legal representation for tenants below the poverty line facing eviction.

1. How is the success of this program being measured? If there are metrics being used, what are they?
2. What is the FY 21 and projected FY 22 funding for nonprofits to provide ground level organizing education with tenants as well as other outreach and pre-litigation services?
3. What is the FY 21 and projected FY 22 funding for the Anti-Harassment and Tenant Protection program, which provides tools to empower tenants in areas of high displacement and provides opportunities to address crucial landlord-tenant issues without waiting for numerous summary eviction proceedings to be commenced against the various tenants as individuals?

### AGENCY RESPONSE:

1. **New York City continues to be a leader in the country in fighting poverty by preventing homelessness, using every tool at our disposal and recognizing there is no one-size-fits-all solution for addressing the complicated nationwide challenge of rents outpacing incomes.** An unprecedented 41% decline in evictions achieved in New York City marks a milestone in the Administration's efforts to combat homelessness and protect housing stability including its landmark Universal Access initiative to provide legal services for every New York City tenant facing eviction:
  - As of December 31, 2019, approximately 400,000 New Yorkers had received legal representation, advice, or assistance in eviction and other housing-related matters since the start of the de Blasio Administration in 2014 through tenant legal services programs at the Human Resources Administration's Office of Civil Justice, including through the Universal Access program, the nation's first and largest initiative ensuring that every tenant facing eviction in Housing Court can access free legal services.
  - Fiscal Year 2019 was the first year that OCJ's tenant legal services programs provided assistance to over 100,000 New Yorkers in a single year.
- **As part of our prevention-first strategy for addressing housing instability and homelessness,** helping individuals and families in need remain in their homes and neighborhoods, this Administration has aggressively expanded free legal assistance for New Yorkers facing eviction and displacement, increasing funding for free legal services for tenants more than 20-fold, from roughly \$6 million in FY13 to more than \$136 million in FY2021.
  - **Legal representation up:** Increases in legal services for tenants have led to substantially higher rates of legal representation citywide and specifically in areas targeted for assistance:
    - ✓ In 2013, 1% of tenants in eviction cases in NYC Housing Court had legal representation, according to state court officials. As of December of 2019, 38% of tenants facing eviction cases in Housing Court had representation, and in the high-need neighborhoods targeted through the Universal Access initiative, the percentage was 67%.

- ✓ In other words, 1 in 100 tenants facing eviction in housing court had lawyers in 2013. Now more than 1 in 3 do because of the Administration's efforts.
- **Evictions down:** In 2019, there were fewer than 17,000 residential evictions by marshals, a 41% decrease compared to 2013, when there were close to 29,000 such evictions.
- **Major milestone:** In 2017, HRA formally launched the Universal Access initiative implementing New York City's first-in-the-nation "tenants' right to counsel" law, which was developed and overseen by the Office of Civil Justice (OCJ) at HRA. The first phase of Universal Access included increasing access to free legal representation in Housing Court to low-income New Yorkers in fifteen Zip Codes across New York City that were identified as having high levels of evictions, shelter entry, and rent regulated housing. During the next two phases other high-risk zip codes were added, one in each borough, for a total of 25 Zip Codes across the city. These 25 Zip Codes include:
  - Brooklyn:
    - 11221 Bushwick/Bed-Stuy
    - 11216 Bed-Stuy/Crown Heights
    - 11207 East New York
    - 11225 Flatbush
    - 11226 Flatbush
  - Manhattan
    - 10029 East Harlem
    - 10027 Harlem
    - 10026 Harlem
    - 10025 Upper West Side
    - 10034 Inwood and Washington Heights
    - 10031 Washington Heights and Sugar Hill
  - Queens
    - 11433 Jamaica
    - 11434 Jamaica
    - 11373 Elmhurst
    - 11385 Ridgewood and Glendale
    - 11691 Far Rockaway
  - Bronx
    - 10453 Central Bronx
    - 10468 Fordham/Bronx Park
    - 10462 Parkchester and Pelham Parkway
    - 10457 Tremont
    - 10467 Williamsbridge
  - Staten Island
    - 10303 Mariners Harbor
    - 10302 Port Richmond
    - 10310 West Brighton
    - 10314 Mid-Island
- ✓ In these Zip Codes, the impact has been significant:
  - For example, in 2015, 16 percent of tenants facing eviction in Housing Court in the zip codes first targeted for Universal Access services had legal representation. By December 31, 2019, that rate had more than quadrupled to 67% percent.

- ✓ 400,000 New Yorkers facing eviction are expected to receive legal assistance annually when the program is fully implemented in 2022, with annual funding for legal services for tenants increasing to \$166 million.

- **COVID-Related Program Changes:** In the wake of COVID, OCJ is shifting from this Zip Code-based expansion model to a citywide approach. Before March 2020, these legal services were accessible in courtrooms, through judge referrals and courthouse walk-ins, and through community law offices. With courthouses closed, this was no longer feasible, and OCJ immediately designed and pivoted to a new operational model to connect tenants with housing attorneys:
  - **Emergency Case Referrals:** Throughout the emergency, Housing Court has continued to accept and process emergency cases (tenants locked out of their homes without court order; tenants seeking emergency repairs; tenants seeking critical services like heat or hot water). By March 16<sup>th</sup>, OCJ had set up a legal representation referral protocol with OCA for emergency cases filed by unrepresented tenants.
  - **Legal Hotline:** OCJ has worked with the Mayor’s Office and providers to stand up a live legal advice hotline accessible via the City’s Tenant Helpline and nonprofit Housing Court Answers. Tenant Helpline and HCA staff will refer any tenants with pre-COVID warrants directly to OCJ for assignment of counsel.
  - **Outreach and Access for Those at Risk of Eviction:** OCJ has conducted outreach to households which may be subject to pre-March 16 court-ordered eviction warrants, providing information about how to access free legal assistance through OCJ.
  - **Counsel for Tenants in Cases Pending in Court:** Right now, eviction proceedings, including new cases filed since June 20, are stayed for the time being *except* for certain cases in which both the tenant and the landlord are represented by counsel.
    - ✓ OCJ has started work with OCA for the assignment of legal counsel to unrepresented tenants in pending eviction proceedings when those cases are ready for processing/hearing by the Housing Court (projected to be this fall) – expected to be a combination of direct referrals by OCJ and assignments by the court.

OCJ’s FY21 budget for tenant legal services includes funding totaling **\$136 million** for legal services programs for tenants, which includes **\$93 million** for eviction defense legal services for low-income tenants in Housing Court – including further implementation of the City’s “tenant’s right to counsel” law through the Universal Access initiative – as well as **\$43 million** for legal services to protect tenants and combat harassment. The program budget in FY21 reflects increases compared to FY20 and previous years, and this increased funding will support anticipated additional implementation of the initiative and growth in the availability of legal services.

In early 2015, the de Blasio Administration launched the Anti-Harassment and Tenant Protection (AHTP) legal services program at HRA. In addition to providing eviction defense legal representation for tenants in Housing Court, legal provider organizations contracted under AHTP have offered tenants counsel to represent them in proactive litigation against unscrupulous landlords causing unsafe or unlivable conditions, as well as legal advice and advocacy strategies intended to avoid litigation on behalf of individual tenants and tenant groups facing harassment. Funding for the AHTP program is \$43 million in FY2021.

## MEETING NOTES:



## **NEW INFORMATION:**

## **FOLLOW-UP COMMITMENTS:**

### **AGENDA ITEM 6: Family Housing Eviction Protection Supplement (CityFHEPS) Rent Supplement (Referred to HRA by DHS)**

Last year, you explained that “the CityFHEPS program had replaced all of the Living in Communities (LINC I, II, III, IV and V) programs, along with the Special Exit and Prevention Supplement (SEPS), and City Family Eviction Prevention and Exit Plan Supplements (CityFEPS) with a single unified rental assistance program to simplify the process of identifying and securing permanent housing opportunities that enable New Yorkers experiencing housing instability to exit shelter or avoid entering shelter altogether”.

1. What has been the number of households served? What is the absolute number of households this program has the capacity to serve?
2. After combining of rent supplement programs, have you found that a higher percentage of landlords is using this program?
3. What are the penalties for landlords found to not be accepting of households participating in the CityFHEPS program? How many landlords have been so penalized? Does HRA maintain a public database of landlords who are repeat offenders?

### **AGENCY RESPONSE:**

1. Since 2014, the Administration has helped more than 147,000 New Yorkers move out of shelters or avoid homelessness altogether through rental assistance and rehousing programs.
2. Landlords recognize the simplification of the program and we have continued to move households out of shelter and into permanent housing.
3.
  - Under NYC Human Rights Law, landlords can be penalized up to \$250, 000 per violation of the Source of Income law. They can also be required to enter into compliance agreements and pay compensatory and emotional suffering damages.
  - We do not have this information as complaints can be filed with multiple other agencies, including the City Commission on Human Rights, as well as in court.
  - HRA does not maintain a public database of “repeat offenders”, in part because we take action to prevent repeated violations when cases are reported to us.

Families that encounter discrimination from landlords based on their CityFHEPS voucher can make a report to The Source of Income (SOI) Unit at DSS. The SOI Unit will investigate the matter to determine if a violation of the law occurred. In cases where landlords are in violation of the law, the SOI unit will intervene to help secure the housing opportunity if it remains available.

While DSS does not have authority to file cases on behalf of individuals, we can take legal action where we have identified a pattern or practice of voucher discrimination. For example, in 2019, we filed a case in New York Supreme Court against a large Staten Island brokerage and landlord alleging a pattern or practice of SOI discrimination. We also entered into 6 compliance agreements with landlords and brokers following cease and desist letters that were sent to address discriminatory

practices. Additionally, a landlord we sued in 2018 has accepted over 20 voucher families since entering into a compliance agreement.

## **MEETING NOTES:**

## **NEW INFORMATION:**

## **FOLLOW-UP COMMITMENTS:**

### **AGENDA ITEM 7: Domestic Violence Programs**

1. Has there been an increase in the demand for DV shelters?
2. What percentage of the demand for DV shelters is currently being met?
3. What funding would be required to meet all perceived DV shelter needs?
4. How is the success of services evaluated?

### **AGENCY RESPONSE:**

1. In CY 2019, HRA DV programs served a total of **11,123** adults and children in emergency domestic violence shelters and Tier II shelters an increase from 9,981 in CY 2018. Due to the expansion in DV shelter capacity more families have access to vital emergency shelter.
2. The HRA DV system is fully operating and providing shelter to DV survivors seeking assistance, and there is capacity to accommodate the demand.
3. Domestic Violence programming including temporary residential services is funded by federal, state and local funds in accordance statutory mandates. The State Office of Children and Family Services (OCFS) and the State Office of Temporary Disability Assistance (OTDA) set the per diem rate for the cost of providing shelter and DV services in NYS.
4. As part of HRA's contract monitoring practices, contract managers conduct annual performance evaluations for all DV program services in accordance with contract requirements.

## **MEETING NOTES:**

## **NEW INFORMATION:**

## **FOLLOW-UP COMMITMENTS:**