

## **What is NYC 15/15 Project-Based Rental Assistance with Supportive Services?**

The NYC 15/15 program is a New York City-funded rental assistance program that assists eligible families and individuals, who are homeless or at risk of homelessness, by providing an affordable apartment and offering supportive services to help participants achieve long-term stability.

There are six parties involved in the NYC 15/15 program: tenant(s), owners, social service providers, the New York City Human Resource Administration (HRA), the New York City Department of Health and Mental Hygiene (DOHMH), and HPD.

This rental assistance is administered through long-term contracts with owners of private buildings under which HPD issues monthly rental assistance payments for apartments occupied by eligible households. Assisted households are responsible for paying approximately 30% of their adjusted incomes towards their rent. HRA and DOHMH administer social service contracts with provider(s) to offer onsite social services to participating households.

## **What are the eligibility requirements for NYC 15/15 subsidy?**

- In order to qualify, the family's Head of Household (HoH) must meet the following eligibility criteria which, includes, among other factors: can be found in our Rental Subsidy Program Administration Plan here: Eligibility for NYC 15/15 includes:
  - Individuals/Families currently homeless or at risk of being homeless;
  - Be referred to HPD by another agency for project-based supportive housing;
  - Requesting an accommodation as a result of being a victim of domestic violence, dating violence, sexual assault, and/or stalking;
- Must provide all requested information to HPD.

To read more about eligibility for NYC 15/15 please read our Rental Subsidy Program Administration Plan, here: <https://www.nyc.gov/site/hpd/services-and-information/supportive-housing.page>.

## **How does HPD determine the eligible unit (apartment) size?**

The size of a unit that a household is eligible to occupy is determined by HPD's subsidy standard, or the number of bedrooms available to the household based on family size.

Based on HPD's subsidy standard, updated on August 15, 2023, HPD will allot one bedroom per person, with the exception of married or partnered adults, who will be allocated one shared bedroom. Single-member households may reside in a one-bedroom, studio or Single Room Occupancy (SRO) unit.

The following table outlines HPD’s subsidy standard by apartment size:

<b>HPD Subsidy Standard by Apartment Size</b>		
<b># of Household Members</b>	<b>When <u>no</u> household members are partnered</b>	<b>When <u>any two</u> household members are partnered</b>
<b>1</b>	1	1
<b>2</b>	2	1
<b>3</b>	3	2
<b>4</b>	4	3
<b>5</b>	5	4
<b>6</b>	6	5
<b>7</b>	7	6

Within these parameters, the following guidelines will apply:

- Any single live-in aide approved by HPD to reside in the unit will be counted as a household member for the purpose of determining the appropriate unit size and will be issued a separate bedroom;
- Children specified in joint custody agreements will be considered family members if the agreement specifies that they live with the parent at least 183 days (six months) a year;
- Foster children will be included in determining unit size only if they will be in the unit for at least 180 days (six months) a year (this does not apply to families receiving assistance through the Family Unification Program);
- A child who is temporarily away from home (for less than 180 consecutive days) due to placement in foster care or another non-permanent situation may be considered a member of the family and included in determining voucher size;
- In the case of documented pregnancy by a member of the household, HPD will consider the unborn child as a household member for the purpose of determining the appropriate size unit; and
- Space may be provided for a family member who is away at school but who lives with the family during school recesses.
- If you are pregnant at the time of your application please make sure to indicate your pregnancy as this will entitle you to an additional bedroom.
- Foster children and live-in aides must be added to the household composition. Please submit "Form 2: Request to Add a Household Member, available on HPD’s website here: <https://www.nyc.gov/site/hpd/services-and-information/supportive-housing.page>. You must submit proper documentation, including “Verification of foster adult/child” to receive approval by HPD to add foster children to your household.

### **What is an Overhoused Family?**

An overhoused family is defined by HPD as a family that lives in a unit that has more bedrooms in it than is allowed for the number of household members according to HPD’s subsidy standards. For example, a one-person household is considered overhoused in a two-bedroom apartment, a two-person household in which both members are single is considered overhoused in a three-bedroom

apartment. A one-person household or a two-person household is appropriately housed in a studio or one-bedroom apartment.

<b>HPD Subsidy Standard vs. Overhoused by Apartment Size</b>						
<b># people in Household</b>	<b>SRO</b>	<b>Studio</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3 Bedroom</b>	<b>4 Bedroom</b>
<b>Subsidy Standard</b>	1	1 or 2	1 or 2	2-4	3-6	4-8
<b>Overhoused</b>	N/A	N/A	N/A	2-partnered persons <b>or</b> 1 unpartnered person	2-unpartnered persons <b>or</b> fewer; or 2-partnered persons <b>with</b> 1 child	3-unpartnered persons <b>or</b> fewer; or 2-partnered persons <b>with</b> 2 children or fewer

If your family is overhoused with NYC 15/15 subsidy, one of two things will happen:

- If an appropriately-sized NYC 15/15 unit is available and offered to you, you must move to that unit.
- If an appropriately-sized NYC 15/15 unit is not available, you may remain in your current apartment until one is offered to you.
- Exceptions will only be considered by HPD for households where a family member has a documented disability and the HoH requests a reasonable accommodation from HPD.

### **What is an Overcrowded Family?**

An overcrowded family is defined by HPD as a family that has more household members than the maximum number of people that the NYC 15/15 program allows to live in the unit.

NYC 15/15 program rules allow a maximum of two people per bedroom or living space, including both bedrooms and living room. If your household is overcrowded, HPD cannot provide you with rental subsidy.

For example, five people living in a one-bedroom apartment would be considered overcrowded. The following table outlines the number of people that will make a household overcrowded by apartment size.

<b>HPD Subsidy Standard vs. Overcrowded by Apartment Size</b>						
<b># people in Household</b>	<b>SRO</b>	<b>Studio</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3 Bedroom</b>	<b>4 Bedroom</b>
<b>Subsidy Standard</b>	1	1 or 2	1 or 2	3-4	5-6	7-8
<b>Overcrowded</b>	2+	3+	5+	7+	9+	11+

### **How does HPD determine your income?**

HPD calculates your household's income based on a review of all sources of income and any

allowable deductions according to HPD's Rental Subsidy Program Administrative Plan.

HPD first calculates your gross income, which includes:

- Income from all sources, for all family members. This includes (but is not limited to):
  - Wages (before taxes)
  - Social Security (SS) or Social Security Insurance (SSI)
  - Public Assistance
  - Pensions
  - Unemployment benefits
  - Self-employment
  - Child support
- Income from assets. This includes (but is not limited to):
  - Bank accounts
  - Investment accounts
  - Equity in real estate property
  - Retirement savings accounts
  - Company retirement or pension accounts
  - Lump sum payments
  - Personal property held as investment

You are required to report all income from your household. Some income sources do not count towards your gross income. These are considered “excluded” from your income. Examples of excluded income include: earned income of minors and payments for care of foster children. HPD will determine if any of your household's income is considered excluded.

Making a false statement, leaving out information, or hiding information in order to obtain assistance or to reduce the amount of rent you pay are all considered **fraud**.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with the NYC 15/15 rental assistance program. You may also face arrest and criminal prosecution.

After HPD calculates your gross income, HPD makes deductions for the following:

- Seniors and persons with disabilities: disabled or elderly (age 62+) head of household, or spouse.
- Disability Assistance Expense: unreimbursed expenses for a disabled family member(s) that allow any adult in the household to be employed.
- Medical expense: Unreimbursed medical expenses that exceed 3% of the household income for any member of an elderly or disabled family.
- Minor children: any minor 17 or younger.
- Childcare expense: expenses for minors 12 or younger that allow the head of household to be employed and/or further education.

Finally, HPD subtracts the amount of your allowable deductions from the amount of your gross income to determine your adjusted income. Your adjusted income is used to calculate your total tenant payment (rent share plus any tenant-paid utilities).

**Your gross income (before taxes)**

$$\begin{aligned} & - \underline{\text{Your allowable deductions}} \\ & = \text{Your adjusted income} \end{aligned}$$

### How does HPD determine your share of the rent?

Your tenant share is the largest of the below numbers minus an allowance for any utility costs if you pay for any utilities such as electricity, heat, or hot water:

- 30% of your monthly adjusted income
- 10% of your monthly gross income
- Welfare rent (if applicable)

### What is the family's role in the program?

The assisted household signs a lease with the owner, must comply with the program's family obligations<sup>1</sup>, and must comply with the lease requirements.

### What do you need to do after you start receiving NYC 15/15 assistance?

- You must **report** any changes in your household composition to HPD within 30 days of the change.
- You must **recertify** your household's composition and income to HPD at least once every three years by submitting a recertification package and any other documents requested by HPD. You must **respond** to HPD's annual recertification mailing within 30 days.
- You may also **report** any decrease in your household income to HPD at any time so that HPD can adjust your tenant share of the rent.
- Your unit must pass HPD's Housing Quality Standards (HQS) inspection for you to remain in your unit. This ensures that your unit is safe and healthy for participants. You must **allow HPD access to inspect** your apartment when scheduled.

### What are the family obligations? In order to remain subsidized, you are required to:

- Supply all information requested by HPD by the requested deadline.
  - All information must be true and complete, including when responding to Requests for Additional Information (called A.I. Notices).
- Sign required consent forms.
- Allow HPD to inspect your apartment.
- Allow management access to make required repairs in your apartment.
- Correct any Housing Quality Standards (HQS) failures that are determined to be the tenant's responsibility by an HPD inspector.
- Notify HPD if your family will be absent from the apartment for 90 days or more.

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<sup>1</sup> Your family obligations under the NYC 15/15 program are detailed in this briefing packet and in HPD's Rental Subsidy Program Administrative Plan: <https://www.nyc.gov/assets/hpd/downloads/pdfs/services/rsp-admin-plan.pdf>.

- Reside in the apartment. The subsidized apartment must be your only residence. This means that you may not sublet or rent out the subsidized apartment or rooms in the apartment.
- Notify HPD if you have been given court papers by management or an eviction notice.
- Comply with all of the terms and conditions of the lease between you and the landlord, including paying your tenant share of rent timely, as required by your lease.
- Report any changes in your household composition to HPD immediately:
  - Do not allow any person to move into your household without prior approval from HPD unless that person is your spouse, domestic partner or child (including through adoption or court-awarded custody) of you or a current household member.
  - Spouses, partners, and children of current household members must be reported to HPD within 30 days of their move-in.
- Additionally, you may not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. This also applies to all other members of the family.
- For any member of the family who commits drug-related criminal activity or violent criminal activity, HPD will take into consideration if the perpetrator household member is currently engaged in a drug treatment or harm-reduction program.

Your obligations to the owner are described in detail in your lease and any corresponding riders.

### **What happens if you don't meet the family obligations?**

If you do not meet your family obligations, HPD may terminate your participation in the program. HPD will notify you in writing if you are terminated from participation. This notification will include instructions on how to appeal HPD's decision.

If you have committed fraud or committed a crime, you may be referred to state and local law enforcement agencies for prosecution.

### **When will your rental assistance end? (Review the RSP Plan for details:**

<https://www.nyc.gov/assets/hpd/downloads/pdfs/services/rsp-admin-plan.pdf>)

#### **HPD must terminate your assistance if:**

- Any family member fails to sign and submit required consent forms for obtaining information.
- Your family vacates, abandons, or is evicted from the assisted unit.
  - If you, as the eligible head of household, die or vacates the unit, NYC 15/15 subsidy for any remaining household members will end with 120 days' notice from HPD.
- Your family is absent from the assisted unit for more than 180 days for any reason under any circumstances.

#### **HPD may terminate assistance if:**

- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with the NYC 15/15 program.

- Any family member commits drug-related criminal activity or violent criminal activity. However, HPD will take into consideration if the perpetrator household member is currently engaged in a drug treatment or harm-reduction program.
- There is reasonable cause to believe that a family member's criminal activity threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Anyone in your family has engaged in or threatened abusive or violent behavior toward HPD personnel.
- Anyone in your family has misrepresented income, household members, or other reported information.
- Your family has violated one of the family obligations.
- Your family is absent from the assisted unit for more than 90 days without prior written approval from HPD.
- Your family has failed to provide requested information or failed to attend a mandatory conference.
- Your family has failed to reimburse HPD for amounts paid to an owner under an NYC 15/15 contract due to the family's failure to report information.

### **Fraud and Program Integrity**

Fraud and program abuse are single acts or a pattern of actions that are intended to deceive or mislead. Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered fraud and program abuse.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

If you know of anyone who provided false information on a housing assistance application or recertification, or if anyone tells you to provide false information, report that person to:

- HPD's Program Integrity and Compliance Unit at **917-286-4300** and follow the prompts in the menu.
- The New York City Department of Investigation at: **212-825-5900**.
- Call **311**.

### **What are the owner's obligations?**

- Screen, select, and enter into leases with NYC 15/15-eligible tenants.
- Comply with local nondiscrimination, fair housing, and equal opportunity requirements.
- Comply with the NYC 15/15 Rental Assistance Contract (RAC) and lease.
- Carry out normal owner functions, including enforcing the lease, collecting tenant share of the rent, and charging tenants for damage.
- Offer all services as listed in the NYC 15/15 supportive service grant.

- Maintain the apartment.
- Must NOT charge any extra amounts to the family except for what is listed in the Rent Breakdown letter and reasonable charges to tenants for damages.
- Landlords may request a rent increase annually at lease expiration. You are not responsible for any increases in the rent until the rent increase is approved by HPD. Both you and your landlord will then receive a rent breakdown letter listing the new contract rent, family share, and HPD share.

### **What if you have a problem and need repairs in your apartment?**

Contact management directly to notify them first of the problem. If you are unable to resolve the problem, contact 311 to request a Housing Quality Standards (HQS) inspection of your apartment.

### **What happens to the NYC 15/15 rental assistance if you move out of your NYC 15/15 unit?**

Your NYC 15/15 assistance is tied to your unit. This subsidy cannot be used to move out of the apartment. In certain documented circumstances HPD may approve a transfer from one assisted unit to another. These transfers must be approved by HPD in advance.

If you are transferring to another NYC 15/15 unit, the unit must pass a HQS inspection and the transfer must be approved before you move.

If you want to move, but require an affordable apartment, you may apply for other affordable housing developments, including other project-based developments in HPD's Moderate Rehabilitation (Mod Rehab) program. More information about available affordable housing in New York City can be found at NYC Housing Connect: [www.nyc.gov/housingconnect](http://www.nyc.gov/housingconnect).

You must notify HPD immediately if you will be temporarily relocated from your unit for any reason (including rehabilitation of the unit).

### **Remaining Household Members:**

NYC 15/15 program rules require that at least one household member qualify (called the qualifying member) for the supportive services offered at the development.

If the qualifying member leaves the household, due to death; abandoning or relinquishing the unit; being evicted from the unit; or absence from the unit, HPD will provide the household members remaining in the assisted unit with 120 days' notice before terminating the NYC 15/15 rental assistance, during which time they are strongly encouraged to search for other housing.

### **What if I don't agree with HPD's decisions about my eligibility or amount of my assistance?**

You may **appeal** a decision made by HPD affecting your eligibility or the amount of your assistance, including if your assistance is denied or your subsidy is terminated. The instructions for filing an appeal will be sent with your denial or termination notice.

### **Housing Discrimination**

HPD will not deny any family or individual the equal opportunity to apply for or receive



assistance under the program on the basis of age, alienage or citizenship status, race, color, sex, religion, creed, national or ethnic origin, lawful occupation or source of income, family or marital status, handicap or disability, sexual orientation, gender identity, prior arrest or conviction record, status as a veteran, or status as a victim of domestic violence.

If you have been a victim of housing discrimination, you may make a complaint to the NYC Human Rights Commission by calling 311. More information about filing a complaint is available at: <http://www1.nyc.gov/site/cchr/enforcement/complaint-process.page>.

**Important things to Remember:**

- Keep this package as a reference so that you know your rights and responsibilities as a program participant.
- Be sure to read all letters, notices, or forms that you receive from HPD. Pay special attention if there is an appointment date or a deadline to return materials to HPD. If you do not completely understand something, contact us for assistance.
- Supply all information requested by HPD and respond to all HPD requests for information on a timely basis. All of the information you provide to HPD must be true and complete.
- Keep copies of all documents that you submit to HPD.