



# CONSOLIDATED PLAN

2023  
Appendices

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# The City of New York

## 2023 CONSOLIDATED PLAN

### One-Year Action Plan

June 29, 2023

#### APPENDICES

1. Anti-Displacement Plan
2. Emergency Solutions Grant Written Standards

## Appendix 6 – Anti-Displacement Plan

In accordance with 24 CFR 42.325(a), the City will continue to take all reasonable steps to minimize the displacement of families and individuals from their homes and neighborhoods as a result of a federally assisted project activity assisted with funds provided under (1) the Community Development Block Grant (CDBG) Entitlement Program (24 CFR 570), or (2) the HOME Investment Partnerships Program (24 CFR 92).

### Part 1: Displacement Mitigation

Consistent with 24 CFR Part 42, the City will take the following steps to minimize the displacement of persons from their homes and neighborhoods:

#### I. Preserve Existing Affordable Housing

The City is working on multiple fronts to keep New Yorkers in their homes and ensure the City's housing stock is in good financial and physical condition. The City, through the Department of Housing Preservation and Development (HPD), preserves existing affordable housing in four important ways: (1) financing physical improvements to buildings, which increases the quality, conditions, and energy efficiency of residential buildings in exchange for restrictions on the rents owners can charge; (2) developing and implementing neighborhood-based anti-displacement strategies that will preserve affordability and ensure that residents have the choice to stay in their homes and neighborhoods; (3) enforcing the Housing Maintenance Code (HMC) to ensure compliance and, if necessary, that repairs are made; and (4) expanding efforts to support low-income residents who face harassment by landlords or eviction to prevent them from being displaced.

##### 1. *Financing and Safeguarding Affordability*

HPD administers loans and tax incentives to help building owners improve the quality, physical condition, and energy efficiency of their properties. In exchange for this financial assistance, property owners are required to maintain rents at levels that are affordable to tenants, as well as limit rent increases according to a regulatory agreement with the City of New York. This agreement reduces the possibility of residential displacement due to market economic pressures and the rents of the units stay affordable to households with certain incomes. HPD continues to work with building owners to extend regulatory agreements and affordability requirements to help ensure those buildings remain affordable and in good physical and financial condition. Since 2014, the City has helped preserve 142,000 affordable housing units.

HPD is working to take a more proactive approach to engage owners of buildings who are not currently assisted or monitored by a government agency but who could benefit from financing and tax incentives in exchange for maintaining affordable rents. HPD recently expanded the length of the pilot Landlord Ambassador Program, which offers technical assistance through community non-profit organizations to help owners navigate City loan programs, tax incentives, and other forms of assistance until FY2024. HPD is also in progress to expand the services of LAP and transition the program from a pilot program to a citywide Owners Resource Center Program that will include technical assistance to HDFC cooperatives.

HPD and the New York City Housing Development Corporation (HDC) will also continue to ensure long-term affordability across the City's Mitchell-Lama housing portfolio. These efforts include low-cost, long-term financing through HDC's Mitchell-Lama Reinvestment Program, HPD Section 8 vouchers dedicated to rent-burdened residents of Mitchell-Lamas and HDFCs, and outreach about rent freeze and voucher options to senior residents in Mitchell-Lama developments that implement rent increases.

HPD, in coordination with New York City Human Resources Administration (HRA) and New York City Department of Homeless Services (DHS), will begin administering the “Unlocking Doors” pilot initiative, which will help New Yorkers experiencing homelessness into stable housing. The program will grant reimbursement up to \$20,000 for the rehabilitation of rent stabilized homes that have been vacant for at least one year on the condition that the rehabilitated units are leased to New Yorkers experiencing homelessness with CityFHEPS vouchers.

Once the City Council passes implementing legislation that was recently authorized by the State legislature, HPD is preparing to begin administering a new J-51 property tax incentive program. The program is expected to provide a tax abatement to rental buildings in which no less than 50% of the dwelling units have rents that would be affordable to individuals or families whose household income does not exceed 80% of Area Median Income, adjusted for family size. The program will encourage a variety of alterations and improvements aimed at improving the quality, condition, and energy efficiency of existing housing stock. Protections for tenants of rental units in the program will include a private right of action for owner violations of the program requirements, as well as a waiver to the collection of any rent adjustment granted by the New York State Division of Housing and Community Renewal pursuant to rent regulation that is attributable to eligible construction.

## *2. Develop Neighborhood-Based Anti-Displacement Strategies*

HPD is expanding the recently completed pilot of its Partners in Preservation program to additional neighborhoods throughout the city. The program, which focuses on informing and organizing tenants in rent-regulated buildings, is a collaboration between HPD, tenant organizing groups, legal services providers, and other City agencies to address landlord harassment and prevent deregulation and displacement in neighborhoods at risk of rapidly losing affordable housing. The pilot program, which lasted 18 months, has facilitated 356 tenant leadership trainings, 284 consultations and referrals, and the successful establishment of 72 tenant associations.

The agency has secured funding to expand its Homeowner Help Desk citywide. The Help Desk is a partnership with HPD, the Center for NYC Neighborhoods, and local community-based organizations. The Homeowner Help Desk provides support to 1-4 family homeowners through outreach and education and legal, housing, and foreclosure counseling. The citywide Help Desk will serve all homeowners who are facing displacement pressures, with a special focus on marginalized and historically underserved homeowners, who have been disproportionately impacted by predatory lending practices, scams, and racially discriminatory public policies. During the 2021-2022 pilot program, the Homeowner Help Desk engaged more than 47,000 homeowners and assisted more than 2,300 homeowners with their housing challenges. Approximately 80% of the people served during the pilot were homeowners of color and more than half were senior citizens.

Finally, the City is working to embed shared-equity models and inclusive ownership opportunities into more of its work in order to promote community control of land, create wealth building opportunities, and preserve long-term affordability. Moving forward, HPD will evaluate opportunities to implement these models on certain suitable projects in order to advance the goals of inclusive growth in the COVID-19 recovery. Alongside this initiative, the City will continue to support and invest in community land trusts (CLTs). To date, HPD has financed or plans to finance over 1,200 units of housing on CLTs. HPD will continue to identify additional public sites for transfer to CLTs and will launch new programs and tools to help CLTs acquire private sites. The agency will also expand the technical assistance and operational support available to CLTs that are establishing themselves across the city.

### 3. *Promote Safe and Healthy Housing*

The City will continue to allocate Community Development Block Grant (CDBG) funds to HPD to enforce the City's Housing Maintenance Code (HMC). HPD employs a team of housing inspectors who respond to housing maintenance complaints reported through 311 (the City's 24/7 call center), calls from residents to the agency, Housing Court, and referrals from community-based organizations and elected officials. Housing inspectors issue violations, HPD can make emergency repairs for critical services like heat and water, and HPD can bring litigation in Housing Court if owners do not comply by making necessary repairs. Enforcement aims to keep New Yorkers in safe and healthy housing and ensure that owners respond to maintenance complaints in a timely manner. This work mitigates the possibility of displacement due to substandard living conditions. In some cases, the City may proactively identify and inspect distressed multifamily buildings and engage those buildings' owners around City loan and tax incentive programs to make necessary repairs in exchange for ensuring long-term affordable rents.

HPD will also make permanent its work leading the City's enforcement of the New York State Abandoned Property Relief Act, which requires lenders and mortgage servicers to inspect, maintain, and report vacant and abandoned small homes. Through this initiative, HPD tracks properties in jeopardy, ensures lender compliance, and creates pathways to return them to productive use as affordable housing. To date, HPD has conducted 1,684 surveys of potential "zombie homes" and settled 53 cases, collecting \$1,256,800 in civil penalties, with more than 90 cases still pending. HPD is also working closely with external partners to develop and implement an acquisition program targeting homes in communities hardest hit by the COVID-19 pandemic.

### 4. *Protect Tenants from Harassment and Reduce Evictions*

The City is fighting tenant harassment through a variety of strategies to ensure renters are aware of their rights and are not displaced due to harassment by their landlords:

- HPD's Anti-Harassment Unit (AHU), launched in 2019, continues to identify buildings and portfolios where harassment may be occurring, initiate litigation seeking correction of tenant-harassing conditions, address issues in buildings where lack of maintenance is being used as harassment, and connect tenants with legal service resources. Additional resources have been dedicated to the unit for FY24.
- A network of City agencies, coordinated by HPD, is working with community-based partners to host tenant resource fairs and attend community events across the city to ensure tenants are aware of their rights and have access to important housing resources that can help prevent displacement.
- The City will continue to publish informational materials with the following aims: educating tenants about safe housing conditions and how to file complaints; sharing resources for tenants facing poor conditions, eviction, or harassment; and addressing specific types of tenant harassment that have arisen in the City, such as harassment based on source of income. One example is the recently launched NYC Housing Resource Portal. The online portal compiles over 90 housing resources from across the city and is mobile-friendly, multi-lingual, and designed around an intuitive search engine that helps New Yorkers quickly find the housing resources they need.
- The Mayor's Public Engagement Unit (PEU) conducts proactive outreach in communities and buildings subject to displacement and harassment to inform tenants of their rights and connect them with City

resources. PEU has been operating the Tenant Helpline since 2020 to serve as a one-stop shop connecting tenants with tailored resources to prevent displacement. In anticipation of a surge in eviction proceedings following the end of the state eviction moratorium in 2022, the City is providing additional resources to the Tenant Helpline.

- The City is working to proactively share information to prevent illegal evictions. Some of this work includes creating informational materials for tenants to explain what constitutes an illegal eviction and their right to remain in their homes. City staff have also compiled resources guides for owners who may need assistance to keep up their properties if tenants fall behind on rent. In addition to this public-facing work, the City is presenting to agency staff who may interact with clients who have experienced illegal evictions to better inform them of applicable rights and resources.
- Established in 2018 and re-authorized in 2021, the Certification of No Harassment (CONH) Pilot Program targets buildings where tenants are at risk of harassment. Buildings covered by the CONH program cannot be demolished or significantly altered unless the owner obtains a CONH from HPD. The purpose of requiring the CONH is to ensure that owners have not used harassing tactics to push tenants out of their homes to the ends of converting their buildings. Owners seeking building permits must prove they did not harass tenants in the previous five years. The 2021 re-authorization extends the applicability of some criteria (severe physical distress and multiple ownership changes) from 11 pilot Community Districts to any eligible building citywide. They also adjust the criteria due to a full vacate order to remove administrative hurdles for owners that would delay restoring tenants to their homes.

The City is also working to reduce evictions throughout the five boroughs to combat displacement:

- The City has expanded its Right to Counsel program, the first of its kind in the country, providing access to legal services for tenants facing eviction proceedings in Housing Court and NYCHA termination of tenancy proceedings. Free legal services for tenants facing eviction as well as other housing issues such as harassment and repairs are now available citywide and have benefitted over 625,000 New Yorkers since 2014. In 2022, 63% of tenants appeared in housing court with a lawyer, compared to 1% in 2013 before the Right to Counsel program was established, according to state court records. A 2022 Office of Civil Justice report found that 78% of households represented by an attorney in evictions proceedings were able to stay in their homes. The City will continue to expand the reach of Right to Counsel as Housing Court works through the backlog of cases following the end of the New York State eviction moratorium.
- In order to receive City financing for most affordable housing projects, developers and managing agents are now required to complete an eviction reporting questionnaire and an eviction prevention training. Respondents must provide eviction rates across their portfolios in recent years, and respondents with unusually high rates must provide additional information, including an explanation of why their rates are high and any eviction prevention policies they employ. HPD and HDC review all responses and determine any appropriate remedies before closing. The City will also use questionnaire data to better understand what drives evictions from affordable housing and create proactive eviction prevention policies.

## II. Develop New Affordable Housing

As the City invests in new housing, infrastructure, and services in neighborhoods across the City, it is important that residents have access to resources that enable them to stay in the neighborhood and enjoy these benefits if they choose. When the City finances new affordable housing, residents of the community district in which the project is located typically receive a preference for a portion of any units marketed through a lottery, per HPD's community preference policy.

In order to combat patterns of displacement that can be exacerbated by a lack of new housing and subsequent pressure on existing rental inventory, the City uses an array of strategies to promote and support affordable housing development, including: (1) using affordable housing financing programs for development on public and private land that can address a diverse set of housing needs; (2) implementing Mandatory Inclusionary Housing (MIH), which requires that 20 to 30 percent of all new residential developments in neighborhoods rezoned for housing growth include affordable homes; and (3) supporting mission-driven organizations that are interested in developing affordable housing on their underutilized sites.

### *1. Affordable Housing Financing Programs*

The City aims to affirmatively further fair housing and support economically diverse neighborhoods by financing the development of housing that is affordable to families with a wide range of incomes and needs. The City uses a balanced approach for its affordable housing development, including building mixed-income housing in low-income neighborhoods and requiring the market to provide affordable housing in higher cost areas through zoning requirements or tax incentives. Some of HPD's program term sheets have recently been updated to both deepen the subsidy for extremely and very low-income household and encourage multiple income tiers to provide a broader range of mixed-income housing. In some cases, owners are required to offer retention and stabilization services to formerly homeless tenants who are referred to homeless-set aside units. By providing affordable housing at a range of incomes, the City fulfills its goals of preventing residential displacement (through the provision of new affordable housing), promoting mobility to low-affordability areas (through its requirements and incentives for developers to provide low-income housing in higher cost areas), and investing in areas in need of concerted revitalization because of a lack of investment historically.

Since 2014, the City has supported the production of approximately 82,000 newly constructed affordable homes across the city, both on publicly-owned land and on vacant or underutilized privately-owned land, in order to maximize residential development opportunities throughout the City.

### *2. Mandatory Inclusionary Housing*

The City's Mandatory Inclusionary Housing (MIH) program requires developers to provide 20 to 30 percent of the housing to be permanently affordable in new buildings whenever land is rezoned for increased or new residential development. By creating housing for people earning a range of incomes in every new building, MIH ensures economic diversity as neighborhoods change while also providing affordable housing opportunities for low- and moderate-income tenants within new developments that may otherwise be priced out and displaced from their changing neighborhoods. The City also offers financing to incentivize the development of affordable housing that exceeds the minimum percentage required in MIH. Projects subject to MIH requesting certain City subsidies are required to provide an additional 15 percent permanently affordable housing.

### *3. Support for Mission Driven Organization to Develop Underutilized Sites*

HPD is increasing efforts to encourage mission-driven organizations to develop their underutilized land as an additional tool to increase affordable housing development. The agency published a pre-qualified list of owner

representatives, developers, and real estate consultants, who have technical expertise and experience to help mission-driven organizations explore development options for their underutilized land. In addition, the City, in partnership with a non-profit partner, launched the New York Land Opportunity Program, which will provide dedicated technical assistance to mission-driven owners with development sites. The City also offers grants specifically for these organizations to procure professional services to assist in the redevelopment and remediation of their vacant land.

### III. Increase Access to Affordable Housing

Access to affordable housing is crucial to fighting the displacement of low-income tenants. The City has implemented three main strategies to help ensure access: (1) increasing education around the affordable housing application process; (2) expanding awareness of open housing lotteries, (3) continuing to refine marketing strategies to reach New Yorkers most in need; and (4) educating tenants, owners, developers and managing agents about their fair housing rights and responsibilities.

#### 1. *Education on the Housing Application Process*

HPD has invested in an array of educational initiatives to help ensure that low-income tenants understand the affordable housing application process and offer more support in applying for affordable housing in neighborhoods across the city. These include developing a step-by-step brochure and video guide on preparing for and applying to the affordable housing lottery, redesigning the affordable housing application website for a better applicant experience and lease-up process, and training local community groups to provide free technical assistance on applications through the Housing Ambassador Program.

#### 2. *Expanding Awareness of Housing Opportunities Offered Through Lottery*

HPD has made efforts to improve how apartments marketed through its affordable housing lottery are advertised to help ensure community members know when new affordable units are becoming available in their neighborhood. Through the latest version of the housing lottery portal, Housing Connect, applicants can search and filter for housing opportunities they are interested in. Additionally, applicants can now opt into re-rental and resale opportunities that match their household profiles. The City will continue to increase the pool of housing opportunities that are made available through this centralized lottery system.

#### 3. *Refine Marketing Guidelines*

HPD has made changes to marketing guidelines that govern tenant selection for affordable housing in order to remove barriers for the most at-need applicants. Tenant selection criteria no longer allow for applicants to be rejected based on credit score alone, or an existing conviction from previous justice involvement. The City also offers free financial counseling to help applicants prepare for housing searches and to accurately complete application forms. HPD is committed to continuously reviewing our guidelines to identify areas for improvement, most notably removing requirements on applicants that may prevent them from accessing housing opportunities, where possible.

#### 4. *Education on Fair Housing*

The City has emphasized proactive strategies to protect tenants from housing discrimination, focusing in particular on targeted education and outreach efforts. Through HPD and the New York City Commission on Human Rights (CCHR), the City conducts regular fair housing trainings and workshops for tenants, owners, developers and managing agents about their fair housing rights and responsibilities. HPD and CCHR also



maintain a dedicated fair housing website with resources for both tenants and owners.

#### IV. Promote Neighborhood Stabilization through Economic Opportunity

The City leverages its investment in affordable housing development to promote neighborhood stabilization through the economic opportunity these projects create. The City has implemented policies and programs that require developers who receive City financing for affordable housing development to use the City's workforce development and placement services for construction jobs and to include local, diverse small businesses in the design and construction of affordable housing that reflect the diversity of the neighborhoods being developed.

These policies and programs include:

- HireNYC – A targeted hiring program that enables the City to use its investments to connect more New Yorkers to well-paying jobs and helps local businesses find skilled workers. HireNYC requires any housing development receiving \$2 million or more in City subsidy to post certain open positions with the Workforce 1 Career Centers, the City's publicly-funded career development centers located throughout the city, and to consider qualified candidates for entry- and mid-level positions associated with those developments.
- Creating Careers for Those in Affordable Housing – Through the Housing Career Pathways program, led by Enterprise, HPD, and NYCHA, a non-governmental entity, Brooklyn Workforce Initiative, will train and connect low-income New Yorkers living in affordable housing to a range of permanent jobs in affordable housing development, management, and preservation. If successful, HPD will identify ways to scale up this program to serve more residents of affordable housing.
- The City also requires developers seeking to develop City-owned land to devise and submit community outreach plans for local hiring which are considered when awarding a site to a developer. Developers are required to report on progress.
- M/WBE Build Up Program: This program aims to increase contracting opportunities for M/WBEs in the City's development activities. Through the program, projects receiving more than \$2 million in HPD or Housing Development Corporation (HDC) funding are required to spend at least 25% of those supported costs on M/WBEs. Since launching in 2017, the program has grown to 298 projects and is expected to generate over \$1.37 billion in M/WBE spending. To date, actual spending on M/WBEs is approximately \$1.48 billion.
- Qualified Marketing Agents for Affordable Housing – under the umbrella of the Pathways to Opportunity, the Qualified Marketing Agents training program provided training to 58 M/WBEs and nonprofits firms to equip them with the essential skills to act as marketing agents for affordable housing projects.

#### **PART 2:**

As described in 24 CFR 42 Subpart C, the City will replace occupied and vacant occupiable lower-income housing that is converted to a use other than lower-income housing or is demolished as a result of activities paid for in whole or in part with funds provided by HUD under the CDBG Entitlement Program or the HOME program.

To the extent that the specific location of the replacement housing and other data required by paragraphs (c)(4) through (c)(7) of 24 CFR Part 42.375, are not known, the City shall identify the general location of the housing on a map and complete disclosure and submission requirements when the specific data are available.

### Relocation Assistance

In accordance with 24 CFR 42.325(a), the City will continue to take all reasonable steps to minimize the displacement of families and individuals from their homes and neighborhoods as a result of a project activity assisted with funds provided under (1) CDBG Entitlement Program (24 CFR 570), or (2) the HOME Investment Partnerships Program (24 CFR 92).

In cases where these funds are used for preservation programs, the funds help preserve low-income housing and do not result in displacement. In some cases, existing tenants must be temporarily relocated during rehabilitation of the building. Owners must sign temporary relocation agreements, which cover the existing tenants' temporary relocation costs and guarantee their return upon completion of the preservation project. The successful renovation of existing occupied buildings may require that rents be restructured for existing tenants. Such restructured rents generally do not exceed the applicable fair market rent for existing housing. Low-income tenants who are unable to afford restructured rents resulting from this rehabilitation will be assisted by the City in applying for and obtaining Housing Choice Vouchers (HCV), if available. For existing tenants who do not qualify for HCV, they will be offered a preferential rent set to 30 percent of their income and capped by the applicable AMI for their unit.

In cases where these funds are used to enforce the HMC and HPD finds a building to be unsafe for habitation, then HPD issues a vacate order for the safety of residents. However, HPD's Emergency Housing Services (EHS) provides relocation assistance, including access to emergency temporary shelter, case management and counseling, housing search assistance, housing placement coordination, public benefits and general advocacy, and referrals to social and supportive services outside of HPD. Relocation assistance is provided in accordance with Section 18-01 of Chapter 18 of Title 28 of the Rules of the City of New York – Services to Individual Temporarily Displaced by Vacate Orders. The rule specifies eligibility for relocation services including temporary shelter and provides that HPD will assist relocatees in applying for housing and will refer the relocatee to one standard apartment. Relocatees must cooperate in the housing search. While staying in temporary shelter, relocatees must seek out lawful dwellings themselves, and provide regular progress reports to a case manager. They must also abide by shelter rules. Violation of the relocation rules can result in notice of a hearing for termination of relocation services. The rules provide the procedures for hearings and terminations.

The City has also undertaken an initiative to ensure that relocation activities are conducted in accordance with local, state and federal fair housing laws. Relocation managers have been trained on basic fair housing laws and are aware of New York City's Commission on Human Rights fair housing program, which provides counseling services for tenants who allege discrimination. Tenants who have been displaced by government action are informed of their Fair Housing rights in the Tenants Assistance Policy literature that is part of the informational package given to potential relocatees. This policy delineates the basic fair housing laws and the remedies available for any tenants who believe they have encountered housing discrimination.



**New York City Emergency Solutions Grant (ESG)**

**Written Standards – January 2019**

### Written Standard Review and Revisions

Version Number	Approval Date
Version 1	September 2014
Version 2	January 2019

### Purpose and Overview

The goal of these standards is to clarify key elements of the U.S. Department of Housing and Urban Development's (HUD) regulations for projects funded under HUD's Emergency Solutions Grant (ESG) Program and how DHS' ESG-funded programs meet those regulatory standards. See [ESG Interim Rule](#) for detailed program regulations.

## Table of Contents

- I. Introduction**
- II. New York City Coalition on the Continuum of Care**
- III. Coordinated Entry**
- IV. Definitions**
  - A. Homeless
  - B. At-Risk of Homelessness
  - C. Chronic Homelessness
- V. Department of Homeless Services and Human Resources Administration ESG Programs**
  - A. Street Outreach
    - Approach
    - Eligibility
    - Intake and Assessment
    - Case Management Services
    - Housing Assistance
    - Documentation Standards
  - B. Drop-In Center
    - Eligibility
    - Intake and Assessment
    - Case Management Services
    - Respite Beds
    - Documentation Standards
  - C. Safe Haven
    - Eligibility
    - Case Management Services
    - Documentation standards
  - D. Intake and Assessment for Single Adults
    - Eligibility
    - Intake and Diversion
    - Assessment
    - Documentation Standards
  - E. Program Shelters for Single Adults
    - Shelter Programs
    - Case Management Services

- Documentation Standards
- F. Intake and Eligibility for Adult Families
  - Definition of a Family
  - Documentation Standards
- G. Emergency Shelter for Adult Families
  - Eligibility
  - Case Management Services
  - Documentation Standards
- H. Homelessness Prevention
  - Eligibility
  - ESG Income Criteria and Definitions
  - ESG Income Documentation standards
- I. HMIS
- J. ESG Reporting - Consolidated Annual Performance and Evaluation Report (CAPER)

**VI. Appendix**

- A. Callahan Consent Decree

## **I. Introduction**

The City of New York receives McKinney Vento - Emergency Solutions Grant (ESG) funds from the U.S. Department of Housing and Urban Development (HUD) and applies those funds to help individuals and families in New York City experiencing homelessness, as well as those at risk of becoming homeless, in the areas of street outreach, emergency shelter, homelessness prevention, rapid re-housing, and a Homeless Management Information System (HMIS).

Under the umbrella of the City's Department of Social Services (DSS), the Department of Homeless Services (DHS) and Human Resources Administration (HRA) oversee and manage the provision of ESG-funded programs in New York City for single adults and adult families who are homeless, people experiencing street homelessness, and individuals and families at risk of becoming homeless. All ESG-funded programs must meet the standards below, as required by Federal regulation.

## **II. New York City Coalition on the Continuum of Care**

The New York City Coalition on the Continuum of Care (CCoC) is a broad-based coalition of homeless housing and shelter providers, people with lived experience, community members, advocates, and government representatives, working together to shape citywide planning and decision-making. The CCoC, which includes DSS representatives from both DHS and HRA, is charged with the following:

- Identifying the gaps and needs of households experiencing homelessness in New York City and participate in the process of prioritizing local and state funding to meet these needs;
- Coordinating citywide applications for homeless housing and service funding including, but not limited to, the City's annual application for HUD McKinney-Vento funding;
- Tracking trends and adjusting priorities to meet the changing needs of households that are homeless; and
- Advocating together for increased federal funding to meet the needs of New Yorkers who are homeless or at risk of becoming homeless.

## **III. Coordinated Entry**

DSS is the Collaborative Applicant for the NYC CCoC as well as the ESG funding recipient. This role enables DSS to coordinate extensively with the CCoC and the Consolidated Plan jurisdiction (see New York City's five-year Consolidated Plan (Con Plan)). Goals of the Con Plan are made around shared goals of the CCoC strategic plan, which includes: investing in proven strategies to reduce the number of individuals who are street homeless; preventing adult families and individuals at risk of homelessness from entering shelter; and ensuring that shelter is a short-term solution to a housing crisis by rapidly re-housing people who are homeless. The Con Plan

aims to end homelessness, with an emphasis on unaccompanied youth, people who are chronically homeless, and veterans who are homeless.

The Con Plan also sets forth strategies for Coordinated Entry - defined as a process to ensure that all people experiencing a housing crisis have fair and equal access and are quickly identified, assessed for, referred to, and connected to - housing and assistance based on their strengths and needs, as required by HUD regulations. A core strategy in this effort is the development of the Coordinated Assessment and Placement System (CAPS).<sup>1</sup> CAPS streamlines and improves the assessment, prioritization, housing match, and placement system for households who are homeless or at risk of becoming homeless within the CCoC geographic region.

CAPS assesses individuals and families who are homeless or at risk of homelessness for potential housing options, provides detailed instructions on how to apply for those housing options, prioritizes referrals (based on a Standardized Vulnerability Assessment), performs a housing match for the household, and places applicants according to verified information on their eligibility, preferences, and available vacancies.

All ESG-funded projects are expected to participate with the eligibility screening processes developed for CAPS.

Currently, if CAPS indicates potential eligibility for supportive housing, the referral source should complete the Coordinated Assessment Survey (the "Survey") before starting a supportive housing application. Information from completed surveys is used to generate a list of supportive housing and rental subsidies for which the household is potentially eligible and is used to guide the applicant's housing choice. While there are no set time requirements for Survey completion, it should be completed within the first two (2) weeks of an applicant's arrival at the relevant access point. (Access points include shelters, street outreach teams<sup>2</sup>, hospitals, jails, prisons, drop-in centers, and anyone who has access to the HRA PACT web-based supportive housing application system.) Assessors typically complete the Survey during regular business hours; however, it is a web-based system so there will be 24/7 access to the Survey at every access point.

#### **IV. Relevant HUD Definitions**

Federal regulation sets applicable definitions for ESG funded programs to guide localities in determining eligible projects and eligible clients.<sup>3</sup>

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<sup>1</sup> The CCoC's written standards include general eligibility requirements of CAPS and can be found on the CCoC's website: [www.nyhomeless.com](http://www.nyhomeless.com)

<sup>2</sup> For street outreach teams and drop-in centers, the Survey should be completed within the first two (2) weeks of an applicant willingly engaging with the service provider and providing relevant information.

<sup>3</sup> See 24 CFR 576.2.



- A. Homeless: An individual or family experiencing homelessness meets the following criteria:
1. Lacks a fixed, regular, and adequate nighttime residence, meaning:
    - A primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation (including car, park, abandoned building, bus/train station, airport, or camping ground);
    - A publicly or privately-operated shelter or transitional housing, including a hotel or motel paid for by government or charitable organizations; or
  2. If being discharged from, or exiting, an institution where the person has been a resident for 90 days or less and the person resided in a shelter or place not meant for human habitation immediately prior to entering that institution.
  3. If the person will imminently lose their primary nighttime residence within 14 days, has not identified a subsequent residence, and lacks resources or supports needed to obtain other permanent housing.
- B. At-Risk of Homelessness: An individual or family who meets the following three (3) criteria:
1. Has an annual income below 30% of median family income for the area; AND
  2. Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the “homeless” definition; AND
  3. Meets one of the following conditions:
    - Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; OR
    - Is living in the home of another because of economic hardship; OR
    - Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; OR
    - Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; OR

- Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; OR
- Is exiting a publicly funded institution or system of care; OR
- Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved Con Plan

C. Chronically Homeless

- HUD chronically homeless: As defined in the McKinney-Vento Act, and amended by the HEARTH Act a homeless individual with a disability. They must have been living in a place not meant for human habitation, in an emergency shelter, or in a safe haven for the last 12 months continuously or on at least four occasions in the last three years *where those occasions cumulatively total at least 12 months*;

The updated definition of "homeless individual with a disability" requires that the condition be of *long and continuing duration; substantially impedes the individual's ability to live independently; and, is expected to improve with the provision of housing*. To be eligible for permanent supportive housing generally, an individual or family member must be considered a "homeless individual with a disability", therefore, HUD adopted this term into the definition of chronically homeless to ensure consistency;

Additional requirements of the HUD chronic homeless definition include:

- Occasions are defined by a break of at least **seven nights** not residing in an emergency shelter, safe haven, or residing in a place meant for human habitation (e.g., with a friend or family). Stays of fewer than seven nights residing in a place meant for human habitation, or not in an emergency shelter or safe haven do not constitute a break and count toward total time homeless; and
- Stays in institutions of fewer than 90 days where they were residing in a place not meant for human habitation, in an emergency shelter, or in a safe haven immediately prior to entering the institution, do not constitute as a break and the time in the institution counts towards the total time homeless. Where a stay in an institution is 90 days or longer, the entire time is counted as a break and none of the time in the institution can count towards a person's total time homeless.

- DHS safe haven: To be eligible for services, a person must be chronically homeless under the local definition as having spent a minimum of nine (9) of the last 12 months on the street.

**V. Department of Homeless Services and Human Resources Administration ESG-Funded Programs**

A. Street Outreach

- *Approach*

The DHS Division of Street Homeless Solutions manages and provides an array of services to people who are street homeless. Multidisciplinary street outreach teams work 24/7, 365 days a year to locate people living in public spaces and link them to services with the goal of bringing them indoors. These outreach teams cover each borough throughout New York City, including end of line subway outreach, and prioritize focus on the most vulnerable of those living outdoors to ensure they are safe and/or are not at risk for injury or death.

- *Eligibility*

Individuals served by outreach teams must meet the definition of “homeless” in order to be eligible for such services. Outreach teams will engage anyone observed to be unsheltered on the street, within the subway system, or other public place, and determines, based on engagement, whether such individual lacks a fixed, regular and adequate nighttime residence.

- *Intake and Assessment*

Outreach teams canvass extensively throughout all five boroughs. They respond to 311 calls and accept information from various community stakeholders about people who are street homeless in their respective catchment areas, as well as information from public and governmental entities. They meet with participants – on the street as needed – to support them as they take initial steps toward obtaining permanent housing.

Outreach teams complete an initial assessment with participants, which includes a risk assessment for self-harm and harm toward others. This assessment helps the team to learn more about the persons unique needs and preferences, which allows the team to determine how best to serve the individual with the goal of bringing them indoors. Following an assessment, information is recorded within the DHS system of record and, if eligible, an individual is added to the outreach team caseload.

- *Case Management Services*

Using a harm reduction approach, outreach teams focus efforts on engagement and building relationships with people who have historically rejected services; staff meet participants “where they are.” People who have been on the street for any period of time are brought onto caseload regardless of their willingness to engage in services. A harm reduction approach applies to substance use, as well as overall health and wellbeing.

Outreach teams offer opportunities for safe use and treatment at a participant's pace in an effort to improve their health.

Each outreach participant is assigned a case manager. Outreach staff is expected to be skilled in, and use, motivational interviewing techniques to encourage a participant's active decision-making and goal setting.

Case managers provide or link participants to services and supports including, but not limited to, the following:

- Mental health treatment
- Substance use treatment
- Medical treatment
- Benefits (e.g., cash assistance, SSI/SSD, Medicaid, Veterans Affairs (VA) benefits)

Outreach teams work to place individuals into transitional housing or permanent housing as quickly as possible. They assist with interview preparation and apartment/room visits.

- *Housing Assistance*

Outreach staff will conduct or arrange for family mediation, counseling, and travel assistance in cases where reunification with family is possible.

Outreach teams also have the ability to place participants into other transitional housing options such as stabilization beds or safe havens.

- *Documentation Standards*

Outreach teams collect client-level information throughout their work with each participant, including aftercare once a participant is safely housed. Participant services are documented by use of initial intake assessment, monthly or quarterly service plan, bi-weekly progress notes, case conference notes, housing progress notes, discharge notes, psychosocial assessments, and psychiatric evaluations. Staff records information in case files, the Client Assistance and Rehousing Enterprise System (CARES), which is the DHS system of record, StreetSmart, and the provider's own case management database, as applicable.

#### B. Drop-In Center

A crucial part of the DHS Division of Street Homelessness Solutions portfolio, a drop-in center is a low-barrier setting generally geared towards people who are chronically street homeless or other hard-to-reach populations experiencing street homelessness. Drop-in centers are also open to people generally without stable housing. Drop-in centers do not have beds, but through on-site services and referrals, participants have access to respite beds.

- *Eligibility*

A drop-in center services any person who is street homeless or is using precarious nighttime sleeping arrangements, those who would be living on the streets if not for the drop-in center, and/or people who refuse to enter traditional shelters and may become homeless. Drop-in centers screen people who may be street homeless and refer such individuals outreach teams.

- *Intake and Assessment*

Participants complete an initial intake questionnaire when entering a drop-in center. A more extensive evaluation process with a social worker or case manager will occur within the first few engagements following intake. Staff engages the participant in a conversation about available services and encourages participants to take an active role in decision-making. Participants will be encouraged to provide the screener with short-term goals surrounding their housing and overall health needs with the ultimate goal of placing the participant into housing. The drop-in centers will provide services for individuals who are street homeless and would be living on the streets if not for the drop-in center, or, those facing the threat of becoming homeless by refusing to enter traditional shelters.

- *Case Management Services*

Drop-in centers provide seating, hot meals, showers, laundry facilities, clothing, medical care, recreational space, employment referrals, storage for belongings, and other social services to eligible participants. Staff also can help participants connect to more appropriate systems of care, and find a safe and secure place to sleep.

- *Respite Beds*

Respite bed providers offer overnight lodging for individuals using drop-in centers. The respite bed provider is expected to deliver a fixed number of beds to the drop-in centers every night. Drop-in centers are responsible for determining the assignment of respite beds and for filling capacity. In order to ensure capacity needs are met, the drop-in and respite providers must communicate daily. All participants at a drop-in center have the option of sleeping in a respite bed. Drop-in center staff are expected to encourage participants to accept respite beds.

- *Documentation Standards*

Client-level information will be collected for each participant throughout the duration of their stay at both drop-in and safe haven facilities and includes the following:

- Outreach referral documentation
- Drop-in or safe haven initial intake assessment
- Monthly or quarterly service plan
- Bi-weekly progress notes
- Case conference notes

- Housing progress notes
- Discharge notes

Staff enters all information in CARES, StreetSmart, and the provider’s own case management database.

C. Safe Haven

The Street Homelessness Solutions Division provides a low threshold, easily accessible alternative to people who are homeless but who avoid traditional shelter. Safe havens follow a harm reduction model where abstinence from substances and compliance with mental health treatment, for example, are not necessary to access services, nor are they prerequisites for housing consideration. Safe haven staff promotes a safe environment that encourages participants to take steps towards permanent housing at a comfortable pace. A low barrier environment, a high staff to client ratio, and an acknowledgement of participant strengths and self-determination are some of the ways safe havens begin to introduce a safer and healthier standard of living for those who are among the hardest to engage on the street.

- *Eligibility*

The single point of access into a safe haven is through a referral by a DHS-contracted street outreach team. Eligibility is established by assessing whether the individual is chronically homeless and historically has not accepted other placement options

- *Case Management Services*

Safe haven staff have a number of case management responsibilities, which include, but are not limited to, the following:

- Developing clear exit strategies for clients with realistic target dates;
- Assisting participants with securing public benefits
- Providing timely services that include the collection of documents, housing search assistance, and referrals to social services, such as medical and mental health treatment;
- Collecting health screenings, immunization documents, employment and entitlement documentation;
- Providing employment referrals and vocational training referrals if needed;
- Helping participants in their search for supportive or permanent housing

- *Documentation Standards*

Client-level information will be collected for each participant throughout the duration of their stay at both drop-in and safe haven facilities and includes the following:

- Outreach referral documentation,
- Drop-in or safe haven initial intake assessment,
- Monthly or quarterly service plan,

- Bi-weekly progress notes,
- Case conference notes
- Housing progress notes
- Discharge notes

Staff enters all information in CARES, StreetSmart, and the provider's own case management database.

#### D. Intake and Assessment for Single Adults

The DHS Division of Adult Services provides intake, assessment and program shelter services to single men and women experiencing homelessness. Under the ambit of a long-standing consent decree in *Callahan v. Carey*, Index No. 42582/79 (Sup. Ct. N.Y. County 1979), the City must provide shelter to all homeless men who apply for it provided they meet the standards for safety net assistance, or, "by reason of physical, mental or social dysfunction is in need of temporary shelter." This right was extended to single adult women in *Eldredge v. Koch* in 1983.

- *Eligibility*

The NYC right-to-shelter mandate, as described in the Callahan consent decree, establishes a legal right to shelter for individuals who are homeless in New York City. The Callahan litigation was filed in 1979 on behalf of homeless men in New York City, and argued that a right to shelter for the homeless existed under the New York State Constitution.

Under Callahan, there is no means testing for shelter or an eligibility process. Any single adult who is medically appropriate can apply for shelter in New York City.

- *Intake and Diversion*

All applicants for shelter must conduct an intake application, which collects various demographic and housing-related information designed to establish the need for emergency shelter, the appropriateness for shelter, and the potential for diversion. Through the Client Application and Rehousing Enterprise System (CARES), the DHS electronic system of record, the following information is collected:

- Basic demographic information to create a unique identifying CARES identification number for the participant
- The reported reasons for homelessness and any prior living arrangements, including prior shelter stays;
- Fingerprinting through the Automated Finger Imaging System to ensure there has not been a duplication of services, and to record participant information for public assistance usage;
- Health information, including information pertaining to medical appropriateness for shelter; this includes, but is not limited to, being able to complete activities of daily living independently.

The initial application for temporary housing assistance also includes a pre-screening that DHS uses to identify any immediate diversion services. All applicants are screened to ensure they consider all their housing options and resources, and explore options of assistance to prevent homelessness when possible. Diversion services are available to applicants upon intake, which include, but are not limited to, the following:

- on-site rent arrears assistance
- family reunification
- residential and non-residential substance use treatment
- room rentals
- landlord mediation

Participant identification is useful but not required. All participants applying for shelter are offered shelter services the day of their application. Participants with no immediately viable housing options are then assigned to a single adult assessment shelter, where diversion efforts are continued and an appropriate program shelter is identified.

- *Assessment*

Before being assigned to a program shelter, all single adult shelter clients must complete an assessment at an assigned assessment shelter. This 21-day assessment allows staff to appropriately assess participant strengths, needs, and barriers to housing. Staff is also expected to help participants with identifying and gathering important documents, completing a brief biopsychosocial, TB testing, and psychiatric evaluations as needed.

E. Program Shelters for Single Adults

Following intake and assessment, single adult clients are assigned to a program shelter for the duration of their shelter stay. This program shelter becomes their official shelter unless or until they are transferred or they have been out of the shelter system for over one year. If a participant is out of shelter for more than one year, they must return to a single adult intake site for a new assessment and shelter placement determination.

- *Shelter Programs*

There are different types of program shelters, which are variably appropriate based on client needs, as determined through intake and assessment:

- **General Population:** Participants do not show a need to receive a specific type of service outside of housing search and placement and they also possess a high probability to find long-term housing.
- **Employment:** Participants have demonstrated that their biggest obstacle in obtaining housing is finding or maintaining employment and income.



- **Mental Health:** Participants have been assessed to have a history of Mental Health challenges and/or diagnoses and need to be provided services tailored to their mental illness.
- **Substance Use:** Participants have been assessed to have a history of substance misuse and need to be in a shelter that will provide services to address this issue.
- **Special Populations:** Within the shelter types there are a subset of shelters that offer the same services, however their population is based on other additional factors such as age, LGBTQI determination, and veteran status or based on community agreements and previous housing history (applies only to residents of specific community districts/boards). Additionally, through the reasonable accommodation process, participants that are identified as having mobility restrictions, are unable to navigate certain building types, and in some instances, are unable to return or be placed in certain communities due to legal, gang related, or domestic violence situations are granted placement within appropriate program shelters that will meet their needs.

- *Case Management Services*

Program shelters provide daytime and evening social services to all shelter clients designated to develop independent living plans (ILPs) to guide participants through the process of moving to permanent housing. Shelters also refer to community-based organizations, as needed, for housing referrals, legal services, clothing banks, job placement, medical and outpatient services, etc. Case managers, housing specialists and job developers are on site to assist participants in navigating the system and the access to city services, with a focus on available housing subsidies for those eligible.

- *Documentation Standards*

Single adult participants seeking to access NYC Department of Homeless Services shelter are not required to provide any documentation. Participant identification documents are helpful during the intake process, but not required. Staff copies and scans all documents provided by the participant into the CARES Document Management System and included in the participant's case record at the shelter. Documentation maintained in CARES consists of, but is not limited to, the following:

- Photo Identification (ID, passport, Benefits Card, Social Security Card, etc.)
- Medical documentation
- All signed DHS forms provided to participant
- Release of information forms
- Biweekly progress notes
- Case conference notes
- Housing progress notes
- Independent Living Plans (ILPs)

- Appointment notices

Staff enters all information in CARES and the provider's own case management database, if applicable.

Individuals in shelter actively participate in the process and take strides toward independent living. When the caseworker and participant develop an Independent Living Plan (ILP), the document outlining relevant goals to exit shelter and return to self-sufficiency is printed and signed by the participant. The signed ILPs are maintained in a paper record by the shelter. Program shelters must also include Public assistance application appointment notices, interviews, pay stubs/schedules, housing applications, psychiatric evaluations, documentation provided by the participant, and all relevant DHS forms part of the participant case record. Participant records are maintained in the shelters per the NYC records management policies. In addition to participant records physically located at the shelters, staff is expected to update CARES with relevant information about the participant's case, including the ILP and other meetings with the participant. Whenever possible, staff should also scan and upload documents in CARES.

#### F. Intake and Eligibility for Adult Families

DHS provides emergency shelter to adult families through a standalone set of shelter resources. DHS considers an adult family to be any family without minor children. In collaboration with their case manager, households develop an Independent Living Plan (ILP), a document that outlines relevant goals to exit shelter and return to self-sufficiency. Adult families in shelter must actively participate in this ILP development process including applying for Public Assistance (PA) and completing all requirements necessary for establishing and maintaining eligibility for PA benefits. If able to work, DHS encourages participants to actively seek employment and accept a suitable job offer when it is offered. Participants are expected to work closely with their case manager or housing specialist to locate and view available apartments.

- *Definition of a Family*

Adult families applying for shelter services must **verify** their household constitutes a family as described below and can demonstrate that they have resided with one another for 180 days within the year immediately prior to the date of their application.

Examples of households constituting a family:

- A legally married couple who present a valid (original) marriage certificate; or
- A domestic partners couple who present a valid, original domestic partnership certificate; or
- Adults who provide, as part of their application for Temporary Housing Assistance, proof establishing the medical dependence of one applicant upon another;

- Two or more adults who can provide birth certificates to prove a parent and child or sibling family relationship or share a "caretaking" (emotionally or physically supportive) relationship, including:
  - aunt or uncle to niece or nephew
  - grandparent to grandchild
  - parent to child or stepchild
  - siblings

- *Eligibility*

All Adult Families seeking shelter must apply at the DHS Adult Family Intake Center (AFIC). At AFIC, families complete a Temporary Housing Application, upon which families must describe their need for emergency shelter and provide a one-year housing history, and also provide demographic and health related information. Other assessments at this time include but are not limited to eligibility, psychiatric evaluations, health screenings, and domestic violence.

Following shelter application, adult families are conditionally assigned to shelter placement for up to 10 days while DHS investigated their eligibility for shelter. Eligibility for shelter is based on State regulation and guidance, including 18 N.Y.C.R.R. 352.35 and 16 ADM-11 (OTDA), and includes a determination that the family has fully cooperated in their shelter application and has no viable non-shelter housing resources. All households have a right to a legal conference at AFIC if they are found ineligible and disagree with the DHS decision. Families may request a fair hearing from New York State within 60 days of being found ineligible for shelter.

- *Diversion*

In addition to intake and assessment, all applicant Adult families are referred for a diversion interview. During this interview, the AFIC caseworker explored potential non-shelter housing options and resources, and explains emergency housing options available and shelter diversion services including family mediation, anti-eviction legal services, out-of-city relocation assistance, or a one-shot deal through HRA. Case managers will obtain information on their prior living situation, if available, to inform the selection of appropriate services.

- *Documentation Standards*

Staff documents the assessment in CARES, as well as a thorough intake case note. This includes a housing assessment.

## G. Emergency Shelter for Adult Families

Either directly placed from AFIC, or following a determination of eligibility and a placement at an assessment shelter, DHS places eligible adult families into an official shelter placement.

- *Case Management Services*

DHS encourages all participants who enter shelter, if possible, to obtain and maintain employment while seeking housing. All participants develop an Independent Living Plan (ILP) collaboratively with their case managers, which outlines their path towards permanency. Staff works with participants on an individual basis to tailor services to their specific needs. Staff provides assistance in the following areas:

- Applying for Public Assistance
- Applying for jobs
- Housing assistance through local, state or federal subsidies or supportive services including, but not limited to, family reunification, and vouchers

Adult families found eligible for shelter have certain responsibilities that they must meet, including obtaining and maintaining employment for all those who are able to work. With the assistance of their caseworkers, households will develop an Independent Living Plan (ILP), a document that outlines relevant goals to exit shelter and return to self-sufficiency. Now, more than ever, employment-focused programs and work supports remain a cornerstone of DHS' efforts to help participants move back to permanency. Individuals and adult families in shelter must actively participate in this process and take strides toward independent living.

As part of a continuum of services, DHS utilized the Client Application and Rehousing Enterprise System (CARES), a web based application that records and maintains the ILP and centrally records participant's progress and pertinent information to assist with housing. All eligible participants are assigned to a unit and are provided case management, and allowances for meals through Public Assistance. With the cooperation of the family and case worker, reasonable accommodations can be made for families as needed; language translation services are also available for participants that require the assistance. Adult families in shelter are expected to and encouraged to, with the assistance of social services to take all steps toward obtaining permanent housing.

- *Documentation Standards*

Documentation for adult families in emergency shelter includes, but is not limited to, the following:

- Photo Identification (ID, passport, Benefits Card, Social Security Card, etc.)
- Medical documentation
- All signed DHS forms provided to participants
- Release of information forms
- Biweekly progress notes
- Case conference notes
- Housing progress notes

## H. Homelessness Prevention

DHS firmly believes that individuals and families are best served in their communities through prevention efforts and that temporary emergency shelter is a last resort when experiencing an immediate housing crisis. New York City provides prevention services through a program called Homebase, a neighborhood-based homelessness prevention network. There are 24 Homebase offices located in communities throughout the city to serve New Yorkers at risk of homelessness. Homebase staff work with each participant to review their individual situation and apply for services. Homebase staff helps participants develop a stable housing plan before their housing situation becomes an emergency. Homebase provides eviction prevention, assistance obtaining benefits, financial counseling, landlord and family mediation, employment services/referrals, and linkages to community resources.

Homebase prevention services through Services for the Underserved, Veterans Administration services including direct Veteran Affairs liaison and provider based coordination with Supportive Services for Veteran Families programs, and CBOs that conduct outreach for veterans who are at risk or homeless. Homeless veterans in need of short-term housing continue from DHS intake/assessment shelters to the Veterans Services Unit (VSU), where they receive referrals to transitional housing at one of two veteran-specific facilities: the Borden Avenue Veterans Residence, a 243-bed short-term housing facility for male veterans and Porter Ave.

Activities or programs designed to prevent the incidence of homelessness include, but are not limited to: (1) short-term subsidies to defray rent and utility arrears for families that have received eviction or utility termination notices; (2) security deposits or first month's rent to permit a homeless family to move into its own apartment; (3) mediation programs for landlord-tenant disputes; (4) legal services programs that enable representation of indigent tenants in eviction proceedings; (5) payments to prevent foreclosure on a home; and (6) other innovative programs and activities designed to prevent the incidence of homelessness.

- *Eligibility*

To be eligible for ESG-funded prevention assistance, prevention programs must assess and document that the household is at risk of homelessness, and that such household would become homeless but for the ESG assistance. A household at risk of losing their present housing may be eligible if it can be documented that their loss of housing is imminent and they do not have sufficient resources or support networks, e.g., family, friends, faith-based or social networks, immediately available to prevent them from becoming homeless.

Homebase determines a household's eligibility for ESG-funded services through use of a risk assessment instrument provided by the Human Resources Administration. This instrument determines whether an applicant is at imminent risk of homelessness. Providers must assess, document and verify (when possible) the household's risk of homelessness.

To be eligible for ESG-funded Homebase prevention services, the applicant must meet all of the following criteria:

- **Household Composition** - The household must be either a single adult or adult family.
- **Risk of Homelessness** - The household must receive an assessment using a risk assessment instrument provided by HRA and determined to be at imminent risk of homelessness, scoring above the threshold set by HRA.
- **Resources & Network** - The household does not have sufficient resources or support networks, e.g., family, friends, faith-based or social network, immediately available to prevent them from becoming homeless.
- **Recertification** - *Recertification* is a re-evaluation of the program participant's eligibility and type of assistance needed is required at least once every three (3) months for households receiving assistance greater than 90 days. ESG-funded programs should determine the re-certification date based on the original ESG eligibility assessment date. The intent of the recertification rule is to ensure programs are fully evaluating households that are receiving ongoing financial assistance and/or other ESG assistance to ensure the household remains eligible and needs continued assistance to prevent homelessness. ESG-funded programs may be monitored to ensure appropriate documentation is obtained and included in ESG participants' files.

- **Documentation**

*ESG Income Criteria and Definitions*

To be eligible to receive ESG-funded assistance, an applicant household must have a current gross annual income of all adult household members that is at or below 30% of the Area Median Income (AMI), which is determined by the state and by the local jurisdiction in which a household resides and is dependent on the number of household members. The table providing income limits by local jurisdiction, including 30% AMI, is adjusted periodically and can be accessed through the following link:

<https://www.huduser.gov/portal/datasets/il.html>.

*Income* is money that goes to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member. Annual income includes the current gross annual income of all adult household members.

*Gross Income* is the amount of income earned before any deductions (such as taxes and health insurance premiums) are made. Earned income, business income, interest & dividend income, pension/retirement income, unemployment & disability income, TANF/public assistance, alimony, child support and foster care income, and armed forces income are the types of income that must be counted when calculating gross income.

*Current income* is the income the household is currently receiving at the time of application for assistance. Income recently terminated should not be included. Documents and

information collected to verify income should be recent and dated within 30 days prior to the time of application. However, for public assistance benefits (e.g., SSI, cash assistance), a benefits statement received any time within the 12 months prior to the time of application and reflecting current benefits received by an applicant household is allowed. A copy of a recent bank statement indicating direct deposit of benefit(s) is also acceptable.

Adult full-time students who are not the head of household are excluded from gross income calculations

- *ESG Income Documentation Standards*

Various types of documentation, ranging from third party verification to applicant self-declaration are acceptable. Documentation standards, in order of preference, are as follows:

1. **Third Party Verification:** The documents for the program staff to complete for the Third Party Verification process are Written Third-Party Verification of Income Form (WTP-2) and the Oral Third-Party Verification of Income Form (OTP-2).
2. **Source (Notices/Statements):** Official communication on letterhead or statement template; document must be signed and dated (when appropriate). Examples include; paystub, most recent financial statement, statement of income from employer/income source.
3. **Written (Written Letters/Referrals):** Official communication issued on agency stationary or program template; document must be signed and dated by appropriate representative of third party. Examples include; letter from employer/income source, income source.
4. **Oral (Recorded Oral Statements):** Oral statement recorded by intake staff of 3rd party providing verification;
5. **Self-Declaration:** Written statement by the individual/head of household applying for assistance. The statement must be completed on the Self-declaration of Income form (SD1-2) and certified (i.e. signed and dated by applicant) as true and complete. Program staff must describe efforts to obtain third party information (phone logs, email correspondence, copies of certified letters etc.) and details of outcome, including obstacles. Once completed, the form must be signed and dated by intake staff as true and accurate.

I. Homelessness Management Information System (HMIS)

An HMIS is a computerized data collection application designed to capture participant-level information over time on the characteristics and service needs of people experiencing homelessness, while also protecting participant confidentiality. It is designed to aggregate participant-level data to generate an unduplicated count of participants served within a

community's system of homeless services. An HMIS may also cover a statewide or regional area, and include several continuums of care. The HMIS can provide data on participant characteristics and service utilization. HMIS is an eligible budget activity. All ESG-funded projects are expected to participate in the NYC CCoC HMIS data warehouse. DHS and the CCoC use HMIS for federal reporting purposes to ensure NYC is compliant with requirements and standards put forth by the Department of Housing and Urban Development (HUD).

Specifically, HMIS is used for regular reporting including the following:

- Annual Homeless Assessment Report
- Consolidated Annual Performance and Evaluation Report
- Housing Inventory Chart-Housing Inventory Count,
- System Performance Measures and the Notice of Funding Availability.
- DHS and federally funded CCoC programs also use HMIS to ensure data quality, completeness, accuracy, and consistency with the goal of improving program performance. Data collected and uploaded into HMIS, by DHS' CARES system for Emergency Shelter, and by Providers for Transitional Housing and Permanent Housing, is used to run statistical reports for up-to-date information on a host of metrics used to assess program performance and track a variety of demographics. HMIS is also used to monitor system and individual level performance for the CCoC and function in coordination with ESG funded programs. HMIS will support regular monitoring to ensure NYC's progress in meeting the goals outlined in Home Together, HUD's federal strategy to prevent and end homelessness.

#### J. ESG Reporting

##### Consolidated Annual Performance and Evaluation Report (CAPER)

The Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the CPD formula block grant programs: Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program, **Emergency Solutions Grants (ESG) Program**, and Housing Opportunities for Persons with AIDS (HOPWA) program.

The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. Grantees report on accomplishments and progress toward Consolidated Plan goals in the Consolidated Annual Performance and Evaluation Report (CAPER). Recipients with HUD funding received through the Emergency Solutions Grants (ESG) Program are required to submit a Consolidated Annual Performance and Evaluation Report



(CAPER) to HUD annually. Data collection for the ESG portion of the CAPER is aligned with the most recent version of the Homeless Management Information System (HMIS) Data Standards.