
From: Rhonda Jackson <arahjae@gmail.com>
Sent: Monday, August 09, 2021 12:52 PM
To: HRA Rules
Subject: [EXTERNAL] Rental Assistance Proposed Testimony
Attachments: RhondaTestimony_CityFHEPS.docx

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Good day,

Enclosed is my testimony for submission.

Thank you.

Testimony of Rhonda Jackson on Rental Assistance Programs Proposed Rule
August 30, 2021

Thank you for the opportunity to submit testimony on proposed changes to the CityFHEPS rental assistance program. I am a formerly homeless New Yorker who moved into an apartment with the help of a City-funded rent subsidy, but I am once again at risk of becoming homeless due to the program's strict income eligibility criteria. While I am grateful that the City is raising the CityFHEPS maximum rent levels in accordance with Intro. 146/Local Law 71 of 2021, I request that the City further help people like me achieve long-term stability by removing the income eligibility cutoff that prevents the voucher's renewal if income rises above 250 percent of the federal poverty level. I am a born-and-raised New Yorker who left the city for a period after September 11 th . I worked for the Transit Authority and was stationed directly beneath the World Trade Center, and I had a nervous breakdown following the attack. When I returned to New York in 2017, I struggled to find an affordable apartment and entered the shelter system for about nine months. It was strenuous at best because of the trauma I was still experiencing. Being confined to the shelter system did not help my mental diagnosis, but I found a way to begin to acclimate myself back into becoming a productive member of society. I did everything that was required of me, for both myself and my son. Fortunately, this hard work paid off and we moved into our apartment in February 2018 with a LINC voucher. However, every year since receiving this subsidy, there has been some type of problem with the payments. The first time I requested Homebase services was to help me get a fair hearing for non- payment of the HRA portion of the rent in 2018. I complied with all HRA directives, including seeking all appropriate services as necessary to preserve my tenancy, but inexplicably HRA was not paying rent to my landlord. Following a fair hearing, the arrears for 2019 were paid to the landlord and I was subsequently accepted for a voucher renewal from 02/01/19 to 01/31/2020. Then came the pandemic, and although I received no notification from HRA that they would not be renewing the 2021 contract, the payments stopped and I was soon facing \$3,000 in arrears. However, during the interim, I applied for a pilot program with the Family Homelessness Coalition and was accepted as a Lived Experience Fellow. It is very important to me to advocate on behalf of other people who are dealing with homelessness and housing insecurity. The fellowship's stipend, along with my disability benefits, has allowed me to continue to pay my share of the rent and stay in my apartment for

now, but I am worried about my ability to afford my rent ongoing. I am responsible for the entire rent at least until my lease ends in December 2021. Recently, I was told that I could no longer receive services from Homebase or be eligible for a subsidy because my

income was too high. Bottom line: I was told to prepare to pack up because there was no assistance forthcoming, and I will be forced to resign from the fellowship or return to the shelter system because of the stipend. Homebase is supposed to help people stay in their homes, not suggest people return to shelter and reapply for a subsidy!

I do not want to return to shelter and contribute to the rising tide of homelessness. I want to remain stably housed, as every single person or family desires after escaping shelter. I should not be collateral damage. As a formerly homeless person, the idea of going back into that system of

dehumanizing conditions is atrocious. It is not fair to send a 60-year-old woman with pre-existing medical conditions back into a system that is not equipped to deal with people like me.

Eliminating the income eligibility threshold for CityFHEPS renewals would be a way to help people like me remain housed and continue to be productive. This change would also encourage people to seek employment opportunities and eventually become self-sufficient. There should be a

consideration or waiver to have benefits naturally phase out instead of having people lose their subsidy entirely if their income rises above 250 percent of the federal poverty level. Additionally, the five-year aftercare engagement with

Homebase should be honored. This is an urgent need because we do not want to return to shelter.

I am a daughter of New York City, a public school graduate, a former transit employee, a person on disability, and in my 60s. I am just trying to live without being a burden on the already overburdened homeless and welfare systems. There should be waivers to allow people to keep their rent subsidy especially if the household's failure to meet the program's requirements was due to

circumstances beyond their control, or where non-renewal is likely to result in the household's entry into shelter.

Intro. 146 was a necessary first step, but we must do more to improve the rental assistance programs and help avert returns to homelessness. Thank you for the opportunity to testify.

From: Scott Hutchins <scottandrewhutchins@yahoo.com>
Sent: Friday, August 20, 2021 3:59 PM
To: HRA Rules
Subject: [EXTERNAL] Rental assistance amendments

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My name is Scott Andrew Hutchins, and after eight years and three months of living in the city homeless shelter system, I am in an apartment with a CityFHEPS voucher, but the rent is \$1,999 a month despite it being a homeless set-aside, so it is augmented by a voucher from HPD along with another voucher to pay for the electricity, which includes three heat pumps/air conditioners. While I am pleased at the increase in the voucher amounts, the income cliff rules that have been added in are unconscionable and need to be removed.

One rule in particular that must be stricken is § 7-20 (E): “The household must have total gross income that does not exceed 200 percent of the federal poverty level as established annually by the United States Department of Health and Human Services.”

This rule is the City Council’s collective middle finger in the face of homeless New Yorkers. Do members of the Council not know how little that is? For a single person, it’s \$25,760 a year, while the city minimum wage at full time is 31,200 a year. There are plenty of employed people in the shelter system, and many are making not only at but above minimum wage, if not by much. One need only see Mara Gay’s “Thousands of Working New Yorkers Are Living in Homeless Shelters.” *The Wall Street Journal*, April 10, 2017, Mireya Navarro’s “In New York, Having a Job, or 2, Doesn’t Mean Having a Home.” *The New York Times*, September 13, 2013, and Daniel E. Slotnik’s “She Works in a Homeless Shelter, and She Lives in One, Too.” *The New York Times*, April 16, 2021, among others about working poor living in homeless shelters, to know that housing is out of reach to a large portion of working citizens. You are effectively preventing voucher tenants from working.

In order for my apartment to be considered “affordable” under federal guidelines, I would have to make \$72,000 a year. The federal government defines paying more than 30% of your income on rent as “rent burdened,” and more than 50% of your income on rent is “severely rent burdened.” If I were to get a job that pays me \$25,761 a year, I would lose my voucher, which means that the City Council considers paying 93% of one’s income on rent is perfectly reasonable.

But wait, you say, § 10-08 (1) raises it to 250%, which I say is still a joke. That’s \$32,200 a year, or half a month’s rent more than the local minimum wage. That’s 74.5% of my income going to rent. That means it’s still far above the federal definition for severe rent burden. In effect, if I get a job, you are punishing me. And when Back to Work programs resume post-COVID, I may be forced to apply for work that would effectively put me back in the shelter system. I’m willing to accept some rent burden—if I were making, say, \$60,000 a year, I’d be better off than I am now—but putting me in a situation of severe rent burden is effectively punishing me for working.

But, as it is, § 10-08 limiting the program to four renewals is an inherent problem because the limit already placed on our income strikes us down early if we attempt to work our way up, and drops us off a cliff at the end of it, anyway. In spite of a master’s degree, I’ve never interviewed for a job where the pay, if it was stated at all, was more

than \$43,000. This means I have to accept either returning to the shelter system or severe rent burden to work my way up to the apartment becoming affordable. This is not at all reasonable.

Of course, if after these four renewals are exhausted and I don't have a job because I don't want to be punished for working, I will be sent back to the shelter, anyway, and the city, if it stays true to form, will presumably pretend that it's my fault for not trying despite the circumstances. After all, I applied for 3,895 jobs while I was homeless and from those was contacted for only 33 interviews (including temp services and known scams), which shelter staff decided meant that I was mentally ill. Because Social Security said that my physical challenges didn't prevent me from doing desk work, and they didn't understand how difficult such work is to obtain (CareerBuilder will sometimes offer you stats on a specific job posting, and has shown me 1,600+ people applying for a single data entry opening), they fell back on the homeless stereotype of mental illness that only a doctor on DHS payroll would back up after I was given independent evaluations from SCO Family Services, Project Renewal, Montefiore, Mount Sinai, CAMBA, and Housing Works that failed to show that I had anything other than stress or depression as a direct result of my situation rather than any chronic problem that would qualify me for Disability. It's clear to any reasonable person, however, that this income cliff is designed to prevent us from working. It's as though you want to follow the Republican narrative that Democrats want to keep people dependent on government. Rules like these make dependence on government inevitable, but also attach unreasonable limits seemingly put there to make the three Republicans on the Council happy.

As one of the authors of *The Business of Homelessness* report that Picture the Homeless released in 2018, I learned that many shelter CEOs make nearly half a million dollars a year while their employees make under \$40,000 a year. They say they need more money, but they need to be stopped from enriching themselves with public funds. Rules like these attached to CityFHEPS seemed designed to keep the system going as it is and not put too much of a dent in the cash cow of these shelter providers by severely limiting how many people can leave the shelter system and how many people end up back in the system just like with the Advantage program.

Scott Andrew Hutchins

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<https://soundcloud.com/user-257332521>

<http://www.doollee.com/PlaywrightsH/hutchins-scott-andrew.html>

<http://en.wikipedia.org/wiki/User:Scottandrewhutchins>

"The venerable belief in sacrifice is probably itself a behavior pattern drilled into the subjugated, by which they reenact against themselves the wrong done to them in order to be able to bear it. Sacrifice as representative restoration does not reinstate immediate communication, which had been merely interrupted, as present-day mythologies claim; rather, the institution of sacrifice is itself the mark of an historical catastrophe, an act of violence done equally to human beings and to nature."--Max Horkheimer and Theodor W. Adorno, trans. Edmund Jephcott



August 24, 2021

HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007

Subject: Rental Assistance Amendments

Dear HRA Rules:

I am writing on behalf of my organization, CAMBA Inc., to submit public comments for the proposed amendments to Title 68 of the Rules of the City of New York, for the CityFHEPS rental assistance program.

We are grateful to the agency for your shared sense of urgency to increase rent levels for CityFHEPS rent vouchers, choosing to implement the rule change months earlier than required by Int. 146-C. We are heartened to see that the rule also raises max rent levels for apartments to NYCHA Section 8 standards rather than the broader federal Section 8 regulatory range included in the legislation, clarification that SCRIE and DRIE households can also access CityFHEPS if otherwise eligible, and the simplification of the street homeless definition, as all these changes will help more households to access or maintain their permanent housing.

CAMBA makes the follow recommendations to improve the CityFHEPS program to ensure those at risk of or currently experiencing homelessness can access the program in a timely manner, and provides long-term housing stability that slowly tapers off assistance as tenants' incomes rise over time.

Eligibility Recommendations:

- *§ 10-03 (a) (1) and § 10-04 (a) (1)* **Initial eligibility income criteria should mirror Section 8 instead of 200% FPL.** Too many one and two person households make too much to currently qualify for a CityFHEPS voucher but too little to pay rent on their own. With NYC's recently implemented \$15 minimum wage it's even easier to be over-income. Someone working 35 hours a week at \$15/hr. would have a gross income of \$27,300, which is \$1,540 over-income for a 1-person household. In order to be eligible, someone earning minimum wage would need to make sure they don't work more than 33 hours a week in order to qualify (most hourly jobs operate on a 35 or 37.5 hr. schedule)
- *§ 10-08 (a) (1)* **Renewal eligibility income criteria should mirror Section 8 instead of 250% FPL.** The current 250% FPL limit is too low to allow households to earn more and rise out of poverty, forcing them to walk a tightrope to maintain their housing. Workers literally turn down raises in order to maintain their housing voucher. Under Section 8's income renewal criteria, which we feel should also be adopted for CityFHEPS, the household only becomes ineligible when 30% of their income equals the cost of their rent, allowing the household to earn more and ensuring they are not rent-burdened after the voucher ends.
- *§ 10-04 (a) (8) (A) and § 10-04 (b) and § 10-04 (c)* **Remove the 90-day qualifying shelter stay requirement for shelter residents.** Households should be eligible for a CityFHEPS rent assistance voucher once approved for residency in a qualifying shelter (e.g. DHS or HRA DV). For DHS facilities this should be when a household's conditional status ends and they become eligible for shelter services. The fallacy that housing is a draw to shelter must end and the City's housing policies should not reflect it. To mandate a family or individual in shelter to wait 90 days to demonstrate they "really" need a housing voucher is inhumane, and must end. Everyone homeless needs and is ready for housing.
- *§ 10-01 (nn)* **Clarify the "Street homeless" definition to include anyone receiving case management services at a DHS Drop-In Center, or residing in a safe haven.** Not every client on caseload at a DHS Drop-In Center or residing

in a safe haven previously received case management services from a DHS Outreach Provider. Additionally, safe havens serve the most vulnerable street homeless individuals but hardest to convince to enter shelter, and direct access to a CityFHEPS voucher will help those who do not need more supportive settings to secure permanent housing and free up limited safe-haven capacity for others in need more quickly.

- **§ 10-03 (a) (6) (B) Require a verified rent-demand letter instead of eviction proceeding to qualify for CityFHEPS in-community.** A household should not be put at greater risk of eviction in order to qualify for assistance to stabilize their housing. A verified rent-demand should suffice to prove that a household's housing is unstable, and timelier and more humane than forcing them to wait for their housing to further destabilize to the point that their landlord takes them to housing court.

Process Recommendations:

- **Establish and publicize referral processes for "qualifying CityFHEPS programs" to ensure meaningful access to CityFHEPS vouchers to avert entry into a DHS or HRA DV shelter.** While included in the original rule language, we are disheartened that processes have not yet been established to refer clients from these "feeder" systems such as RHY shelter, ACS, Corrections or APS, and the agency must now act, creating a pathway to divert individuals from housing into permanent housing.
- **Streamline the opening of Single Issuance Cases to deliver CityFHEPS for eligible households without active Public Assistance cases.**
 - **Improve communication around Single Issuance cases.** HRA staff at Centers and ACCESSHRA as well as applicants must all be informed that the household is applying for a single issuance, not ongoing Cash Assistance. Applicants are frequently told they do not qualify for public benefits when they do qualify for CityFHEPS. This miscommunication when attempting to open a single issuance results in multiple applications and wasted precious resources, creating delays and lowering tenants and landlords' interest in the program.
 - **Provide tenants with a CityFHEPS shopping letter and presumptive eligibility, while coordinating PA single issuance paperwork separately, budgeting the household and opening the single issuance when the apartment is located.** Single issuance cases are a fragile delivery mechanism to award CityFHEPS as these cases are prone to automatically closing without notice, causing the CityFHEPS application to be denied. Moving single issuances to the backend and uncoupling a household's CityFHEPS eligibility from this administrative process, would avoid CityFHEPS denials due to snags in the process where both tenants and landlords are faultless.
- **Tenants, landlords, and property managers need more robust notifications for renewal and budget issues/changes in rent levels, similar to Section 8. Additionally, tenants and landlords need a way to troubleshoot directly with HRA disruptions in Public Assistance benefits which cause CityFHEPS to "fall off" budget.** We are hopeful that the new CurRent system which is in development will assist with notifications, however landlords and property managers could benefit from a centralized HRA resource to proactively troubleshoot why their tenants' CityFHEPS fell off.

If you have any questions, please contact me via email at JoanneO@camba.org or call 718-287-2600.

Sincerely,



President/CEO
CAMBA/CAMBA Housing Ventures

From: Johnson-Avril, Jennifer <J.Johnson-Avril@housingworks.org>
Sent: Tuesday, August 24, 2021 4:39 PM
To: HRA Rules
Subject: [EXTERNAL] Comment on rental assistance amendments

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To Whom It May Concern,

My name is Jennifer Johnson Avril and I work in the Advocacy Department at Housing Works. I am writing to strongly support the immediate increase in the amount of a CityFHEPs voucher and to urge you to amend the proposed new rules to make this program truly work for the New Yorkers it is designed to serve.

The COVID-19 crisis has added a new level of urgency for action to ensure that every New Yorker experiencing or threatened with homelessness is able to secure and maintain the safe, appropriate housing required to support their health and wellbeing. I applaud DSS/HRA for fast-tracking implementation of City legislation increasing the maximum amount of CityFHEPS voucher to the Section 8 standard, making the change effective immediately as of September 2021. Setting all NYC tenant-based rental assistance at the same value is critical to ensure that no one group of vulnerable New Yorkers is left at a further disadvantage in the housing market.

I am deeply concerned, however, that the proposed rules will undermine independence and housing stability by setting income eligibility at levels so low that working people will be excluded from the program. By setting the standard for establishing eligibility at 200% of the federal poverty level (FPL), the program is unavailable to those working full time at just minimum wage. I urge DSS/HRA to set income eligibility to match the Section 8 standard of 50% of Average Median Income (AMI), or, at minimum, include households with income up to 250% of FPL. Likewise, limiting annual renewals of assistance to households with income at or below 250% of the federal poverty level will return working households to homelessness before they have sufficient income to maintain stable housing on their own. I strongly urge DSS/HRA to ensure continued eligibility for a CityFHEPS voucher renewal until a household has sufficient income to be able to afford their housing by paying no more than 30% of their income for rent, which is the Federal standard for housing affordability. No low-income New Yorker receiving rental assistance should have to choose between work and housing stability.

We cannot end homelessness in New York until we address the gross lack of housing that is affordable and accessible to low-income households. Ensuring equitable access to housing assistance across voucher programs is a key step towards this goal. However, it is essential that DSS/HRA amend the proposed program rules so that this important change to the CityFHEPS program is implemented in a manner that best enables households who have experienced or been threatened with homelessness to establish and maintain the long-term stability essential for their wellbeing and independence. I look forward to continuing to work with the City towards this vision of a transformed NYC homelessness response.

Best,

Jennifer Johnson Avril

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coalition
for the
homeless

**THE
LEGAL AID
SOCIETY
CIVIL**

Testimony of
Coalition for the Homeless
and
The Legal Aid Society

on

Rental Assistance Programs

presented before

New York City Human Resources Administration

Jacquelyn Simone
Senior Policy Analyst
Coalition for the Homeless

Beth Hofmeister
Staff Attorney
The Legal Aid Society

August 30, 2021

The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Human Resources Administration (HRA) about the increase in the CityFHEPS maximum allowable rents, as well as other changes to the CityFHEPS program. The proposed rule makes a number of changes to the CityFHEPS program, including implementing Local Law 71 of 2021, legislation passed by the City Council that raises the CityFHEPS maximum allowable rents to the levels set in accordance with the Section 8 standard adopted by the New York City Housing Authority.

New York City remains in the worst homelessness crisis in a century, with some 51,000 people living in Department of Homeless Services (DHS) shelters each night, and hundreds of thousands more at risk of losing their homes due to loss of income during the COVID-19 pandemic. The Coalition and Legal Aid have repeatedly called for the City and State to address the root of the problem — the lack of affordable housing in New York City — through investments in new housing development, rental assistance, supportive housing, and public housing. The increase in maximum allowable rents under the proposed rule, as well as efforts to combat source-of-income discrimination and commitments to new housing development, are all critical parts of a citywide strategy to address homelessness in New York.

We commend HRA for its plan to raise the CityFHEPS maximum allowable rents months ahead of its statutory deadline. HRA’s willingness to implement these changes promptly, instead of waiting until it is required to do so in December under Local Law 71, will result in many of our clients obtaining housing and moving out of shelters sooner than they otherwise would. We also applaud several other proposed changes, including the creation of a project-based CityFHEPS program, expanded CityFHEPS eligibility for unsheltered New Yorkers, and the clarification that families benefitting from SCRIE/DRIE may use CityFHEPS toward their rent.

However, we suggest HRA publish clarifications to the project-based CityFHEPS program and expand voucher access for homeless youth. In addition, we are deeply concerned that the CityFHEPS renewal eligibility criteria — the so-called “income cliff” at which households become ineligible for a CityFHEPS renewal and must pay their rent entirely out of pocket — will put our clients at risk of homelessness and undermine the program’s ability to ensure long-term housing stability. Finally, with the increase in funding for CityFHEPS, it is more important than ever that the units and buildings in the program be up to code and free of violations so that households can live in safe, stable homes.

Homeless Youth and Others Should Have Improved Access to CityFHEPS

Runaway and homeless youth living in Department of Youth and Community Development (DYCD) shelters should have improved access to CityFHEPS vouchers. While the proposed §10-01(f) and current regulations allow referrals from DYCD for CityFHEPS, HRA should not limit CityFHEPS access to “avert entry to or abbreviate a stay in an HRA or DHS shelter,” as the proposed rule provides. Rather, referrals from DYCD programs to CityFHEPS should be permitted even without imminent risk of entering an HRA or DHS shelter. Homeless youth currently do not have any meaningful City-supported access to permanent affordable housing, and limiting their access to such housing based on the system they enter undercuts the very support they need.

In addition, although §§10-01 and 10-03 define “CityFHEPS qualifying programs,” which allow for certain agencies to prevent or abbreviate a stay in a DHS or HRA shelter by making a referral for a voucher, there are no standards or procedures to regulate how clients will be referred from these qualifying programs. The lack of categorical eligibility for anyone who is homeless or is trying to avoid residing in a shelter implies that these resources will only be available on a limited basis. Indeed, prior to the City’s recent pilots for youth involved with the New York City Administration for Children’s Services (ACS) and DYCD, we had not seen such referrals in the years since the CityFHEPS program was created. Referrals should be routine and expansive based on people’s lived experience of homelessness or risk of homelessness.

The Proposed CityFHEPS Project-Based Vouchers Will Help Homeless New Yorkers Find Housing

We applaud HRA’s proposal to create a project-based CityFHEPS program that would allow eligible households to secure housing in buildings operated by non-profit providers that have entered into contracts with HRA. There are numerous benefits to such a program. First, households using project-based rental assistance may avoid one of the major challenges to the CityFHEPS program, namely, source-of-income discrimination in the private housing market. By setting aside units dedicated to voucher holders, the City will ensure that CityFHEPS households have an alternative to the challenging housing search on the open market. Second, non-profit providers operating in close contact with HRA may be less likely to abuse the program or unlawfully end participation. Finally, the program will allow households to maintain closer contact with social services after leaving shelters, as HRA has provided in § 10-16(c).

We have several questions and concerns regarding the operation of the program, however, and we encourage HRA to clarify these points in the final rule. The first is that HRA must ensure long-term eligibility for tenants benefitting from project-based rental assistance, and should not discontinue rental assistance if a household’s income rises above 250 percent of the Federal Poverty Level (FPL). Second, tenant selection for Subchapter B units should not replicate the frequent discrimination in the existing tenant-based program. As currently written, § 10-17 provides that households are only initially eligible for CityFHEPS after having “applied for and been accepted into a Subchapter B unit.” We are concerned that, without further guidance from HRA, non-profits managing project-based CityFHEPS units may disfavor households with greater needs or more checkered rental histories. We encourage HRA to play a greater role in tenant selection or prioritize households that have the greatest challenges finding housing through tenant-based CityFHEPS.

Finally, we urge HRA to require that Subchapter B units described in § 10-16 pass a safety and habitability assessment prior to tenancy by a CityFHEPS voucher household in order to ensure that tenants in project-based CityFHEPS units live in safe homes free of violations.

Setting the Maximum Allowable Rents at Levels Set by the New York City Housing Authority (NYCHA) Will Improve Housing Access for Homeless New Yorkers

We applaud HRA for two provisions in its proposed rule that maximize the benefits of the City Council’s change to the CityFHEPS allowable rents. As currently written, the proposed rule specifies at § 10-05(a) that the CityFHEPS maximum allowable rents will be set at “the standard adopted by the New York City Housing Authority” pursuant to section 982.503 of title 24 of the

code of federal regulations. Because of the high costs of the New York City housing market, NYCHA has in the recent past set its voucher payment standard at 110 percent of the published fair market rent for New York City. By clarifying that the CityFHEPS maximum allowable rents will be set pursuant to NYCHA's standards, HRA will set the voucher at levels commensurate with the city's housing market and in line with NYCHA Section 8 vouchers, thereby improving housing access for homeless New Yorkers.

In addition, HRA has moved to increase the maximum CityFHEPS rent level immediately, instead of waiting until it is required to do so in December. We commend HRA for moving expeditiously so more homeless New Yorkers can secure housing sooner than they otherwise would.

Households in Shelters Should be Immediately Evaluated for CityFHEPS

The 90-day qualifying shelter stay required for a household to become eligible for CityFHEPS should be eliminated, or at a minimum reduced. This requirement contributes to the long stays in shelters at a high fiscal cost to the City and at enormous physical and mental expense to homeless New Yorkers. Once a household enters a shelter, they should be evaluated for CityFHEPS and promptly given a shopping letter so they can be rapidly rehoused back into the community.

Follow the FHEPS Rule, Which Permits a Tenant of Record to Have a Roommate Household with CityFHEPS

CityFHEPS should have a similar rule to FHEPS¹ that permits households eligible for vouchers to move in with a tenant of record (TOR) whose income is at or under 200 percent of FPL. Under the FHEPS plan, the roommate household also must have income under 200 percent of FPL. The CityFHEPS household should remain eligible for the subsidy the second and subsequent years if their income is at or below 250 percent of FPL. The rent for the two households must be within the CityFHEPS maximum rent levels. The roommate household should have similar options to protect their tenancy from year to year as described in the FHEPS plan, including a roommate agreement to stay. Permitting roommate agreements in the community will help current tenants of record afford their housing, safeguard already available low-income housing, and prevent more households from becoming homeless. The FHEPS roommate rule has facilitated three-generation households to remain in the community, and this success could be replicated with a similar change to CityFHEPS.

Expanded CityFHEPS Eligibility for Unsheltered Homeless New Yorkers

Proposed § 10-01(mm) expands the definition of "street homeless" to include individuals who have been receiving case management services for fewer than 90 days. We commend HRA for this change and support its inclusion in the final rule. This change will make unsheltered homeless New Yorkers eligible for CityFHEPS without waiting three months, as is required under the current rule. This is an important change that reduces barriers to housing for a vulnerable population.

¹ FHEPS stands for Family Homelessness and Eviction Prevention Supplement. FHEPS is a rent supplement for families with children who receive Cash Assistance and have been evicted or are facing eviction, who lost their housing due to domestic violence, or who have lost their housing because of health or safety issues.

Clarification that CityFHEPS Can be Applied to SCRIE/DRIE Units

As currently written, HRA has clarified in § 10-15 that CityFHEPS can be applied toward rents that have been frozen as part of the Senior Citizen Rent Increase Exemption (SCRIE) and Disability Rent Increase Exemption (DRIE) programs. We commend HRA for this clarification, which we have advocated for in the past. This change will benefit numerous households living in units that are participating in the SCRIE and DRIE programs, thereby increasing their housing stability.

The CityFHEPS Renewal Eligibility and the “Income Cliff”

The CityFHEPS program is intended to help individuals and families find stable, long-term housing. However, the CityFHEPS renewal eligibility criteria unfortunately undermine that goal by ending voucher eligibility when household income exceeds 250 percent of FPL. Under the criteria at § 10-08(a)(1), a CityFHEPS household whose income rises — by, for example, securing employment after moving out of the shelter system — may lose their voucher and immediately be required to cover their entire rent out of pocket. The renewal eligibility cutoff leaves many households at risk of homelessness again if their income rises just above the threshold, but not high enough for them to afford rent on their own without becoming rent burdened.

We encourage further strengthening of the City's rental assistance efforts to ensure that participants do not experience a sudden loss of their subsidy due to changes in circumstances, which may place them at risk of becoming homeless. At a minimum, the City should prioritize moving people receiving CityFHEPS to other housing subsidies as they approach the income cliff, and it should consider creating a City-financed subsidy structured more like Section 8 that is administered by the Department of Housing Preservation and Development or the Department of Finance to accommodate this group of tenants.

Conclusion

Thank you for the opportunity to testify. We hope HRA and the City will consider amending the proposed rule to address the concerns we have raised. We welcome further opportunities to discuss these and other suggestions and are happy to answer any questions.

About The Legal Aid Society and Coalition for the Homeless

The Legal Aid Society: The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City — passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for legal reform. This dedication to justice for all New Yorkers continues during the COVID-19 pandemic.

The Legal Aid Society has performed this role in City, State, and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 2,000 attorneys, social workers, paralegals, and support and administrative staff. Through a network of

borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal, and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society's law reform representation for clients benefits more than 1.7 million low-income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

The Legal Aid Society is uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the *Callahan* and *Eldredge* cases. The Legal Aid Society is also counsel in the *McCain/Boston* litigation in which a final judgment requires the provision of lawful shelter to homeless families. The Society, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. The City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. Legal Aid, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled-NY (CIDNY), settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness, and Legal Aid is currently using the *Butler* settlement to prevent DHS from transferring disabled homeless New Yorkers to congregate shelters without making legally required reasonable accommodations. Also, during the pandemic, The Legal Aid Society along with Coalition for the Homeless continued to support homeless New Yorkers through litigation, including *E.G. v. City of New York* Federal class action litigation initiated to ensure WiFi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to address the crisis of modern homelessness, which is now in its fourth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illnesses and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term, scalable

solutions and include: Permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income women; and permanent housing for formerly homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen, which usually distributes 800 to 1,000 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx, had to increase our meal production and distribution by as much as 40 percent and has distributed PPE and emergency supplies during the COVID-19 pandemic. Finally, our Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, we are operating a special Crisis Hotline (1-888-358-2384) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

The Coalition was founded in concert with landmark right-to-shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981, the City and State entered into a consent decree in *Callahan* through which they agreed: "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *Eldredge* case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless adults, and the City has also authorized the Coalition to monitor other facilities serving homeless families. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws. During the pandemic, the Coalition has worked with The Legal Aid Society to support homeless New Yorkers, including through the *E.G. v. City of New York* Federal class action litigation initiated to ensure WiFi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregated shelters during the pandemic.

REBNY Testimony | August 25, 2021

The Real Estate Board of New York to **New York City Human Resources Administration (HRA) regarding amendments to Title 68 – City FHEPS**

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. Thank you for the opportunity to submit comments for the proposed amendments to Title 68 of the Rules of the City of New York, for the City Family Homelessness and Eviction Prevention Supplement (CityFHEPS) rental assistance program.

REBNY appreciates the urgency by the agency to implement the requirements of Intro 146-C to increase rent levels to CityFHEPS prior to the statutory deadlines. It is encouraging that the rule furthers the spirit of the legislation by raising the maximum rent levels for apartments to NYCHA Section 8 standards, including a clarification that SCRIE and DRIE households can also access CityFHEPS if otherwise eligible, and the simplification of the street homeless definition. Collectively, these changes will help more households to access or maintain their permanent housing.

In coordination with the organizations that have spearheaded efforts to increase voucher payment standards and access, REBNY echoes the calls of these groups to further improve the CityFHEPS program through the rules amendment process to ensure those at risk of or currently experiencing homelessness can access the program in a timely manner and provide long-term housing stability that slowly tapers off assistance as tenants' incomes rise over time. Current eligibility requirements are counter intuitive to fostering long term financial mobility and an overly burdensome process unduly punishes eligible tenants and creates frustration for owners and tenants alike.

The recommendations are as follows:

Eligibility Recommendations

- *§ 10-03 (a) (1) and § 10-04 (a) (1)* Initial eligibility income criteria should mirror Section 8 instead of 200% FPL to not be in conflict with minimum wage income and hourly job weekly schedules.
- *§ 10-08 (a) (1)* Renewal eligibility income criteria should mirror Section 8 instead of 250% FPL to allow households to earn more over time and rise out of poverty, forcing them to walk a tightrope to maintain their housing. Under Section 8's income renewal criteria the household only becomes ineligible when 30% of their income equals the cost of their rent, allowing the household to earn more and ensuring they are not rent-burdened after the voucher ends.
- *§ 10-04 (a) (8) (A) and § 10-04 (b) and § 10-04 (c)* Remove the 90-day qualifying shelter stay requirement for shelter residents – to mandate a family or individual in shelter to wait 90 days to demonstrate they “really” need a housing voucher is inhumane and must end. Households should be eligible for a

CityFHEPS rent assistance voucher once approved for residency in a qualifying shelter (e.g. DHS or HRA DV).

- § 10-01 (nn) Clarify the “Street homeless” definition to include anyone receiving case management services at a DHS Drop-In Center or residing in a Safe Haven facility. Direct access to a CityFHEPS voucher will help those who do not need more supportive settings to secure permanent housing and free up limited safe-haven capacity for others in need more quickly.
- § 10-03 (a) (6) (B) Require a verified rent-demand letter instead of eviction proceeding to qualify for CityFHEPS in-community. A household should not be put at greater risk of eviction in order to qualify for assistance to stabilize their housing.

Process Recommendations

- Establish and publicize referral processes for “qualifying CityFHEPS programs” to ensure meaningful access to CityFHEPS vouchers to avert entry into a DHS or HRA DV shelter.
- Streamline the opening of Single Issuance Cases to deliver CityFHEPS for eligible households without active Public Assistance cases.
 - Improve communication around Single Issuance cases across agencies.
 - Provide tenants with a CityFHEPS shopping letter and presumptive eligibility, while coordinating PA single issuance paperwork separately, budgeting the household and opening the single issuance when the apartment is located.
- Tenants, landlords, and property managers need more robust notifications for renewal and budget issues/changes in rent levels, like Section 8. Additionally, tenants and landlords need a way to troubleshoot directly with HRA disruptions in Public Assistance benefits which cause CityFHEPS to “fall off” budget.

CONTACT:

Basha Gerhards

Senior Vice President of Planning
Real Estate Board of New York

212.616.5254

bgerhards@rebny.com

From: Huang, Kitty <K.Huang@housingworks.org>
Sent: Thursday, August 26, 2021 1:49 PM
To: HRA Rules
Subject: [EXTERNAL] Comment on rental assistance amendments

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Hello,

I am a Housing Works employee, writing to strongly support the immediate increase in the amount of a CityFHEPS voucher and to urge you to amend the proposed new rules to make this program truly work for the New Yorkers it is designed to serve.

The COVID-19 crisis has added a new level of urgency for action to ensure that every New Yorker experiencing or threatened with homelessness is able to secure and maintain the safe, appropriate housing required to support their health and wellbeing. I applaud DSS/HRA for fast-tracking implementation of City legislation increasing the maximum amount of CityFHEPS voucher to the Section 8 standard, making the change effective immediately as of September 2021. Setting all NYC tenant-based rental assistance at the same value is critical to ensure that no one group of vulnerable New Yorkers is left at a further disadvantage in the housing market.

I am deeply concerned, however, that the proposed rules will undermine independence and housing stability by setting income eligibility at levels so low that working people will be excluded from the program. By setting the standard for establishing eligibility at 200% of the federal poverty level (FPL), the program is unavailable to those working full time at just minimum wage. I urge DSS/HRA to set income eligibility to match the Section 8 standard of 50% of Average Median Income (AMI), or, at minimum, include households with income up to 250% of FPL. Likewise, limiting annual renewals of assistance to households with income at or below 250% of the federal poverty level will return working households to homelessness before they have sufficient income to maintain stable housing on their own. I strongly urge DSS/HRA to ensure continued eligibility for a CityFHEPS voucher renewal until a household has sufficient income to be able to afford their housing by paying no more than 30% of their income for rent, which is the Federal standard for housing affordability. No low-income New Yorker receiving rental assistance should have to choose between work and housing stability.

We cannot end homelessness in New York until we address the gross lack of housing that is affordable and accessible to low-income households. Ensuring equitable access to housing assistance across voucher programs is a key step towards this goal. However, it is essential that DSS/HRA amend the proposed program rules so that this important change to the CityFHEPS program is implemented in a manner that best enables households who have experienced or been threatened with homelessness to establish and maintain the long-term stability essential for their wellbeing and independence. I look forward to continuing to work with the City towards this vision of a transformed NYC homelessness response.

Best,
+++++

Kitty Huang (*She/Her/Hers*)
Data Entry Specialist
Quality and Value-based Initiatives

Housing Works Community Healthcare
81 Willoughby St., Floor 2
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p 718-408-6500 x6067



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From: Meiering, Adrianna <a.meiering@housingworks.org>
Sent: Thursday, August 26, 2021 3:04 PM
To: HRA Rules
Subject: [EXTERNAL] "Comment on rental assistance amendments"

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Hello,

My name is Adrianna Meiering and I work with Housing Works in helping homeless clients get tested and vaccinated against COVID-19. I am writing to strongly support the immediate increase in the amount of a CityFHEPs voucher and to urge you to amend the proposed new rules to make this program truly work for the New Yorkers it is designed to serve.

The COVID-19 crisis has added a new level of urgency for action to ensure that every New Yorker experiencing or threatened with homelessness is able to secure and maintain the safe, appropriate housing required to support their health and wellbeing. I applaud DSS/HRA for fast-tracking implementation of City legislation increasing the maximum amount of CityFHEPS voucher to the Section 8 standard, making the change effective immediately as of September 2021. Setting all NYC tenant-based rental assistance at the same value is critical to ensure that no one group of vulnerable New Yorkers is left at a further disadvantage in the housing market.

I am deeply concerned, however, that the proposed rules will undermine independence and housing stability by setting income eligibility at levels so low that working people will be excluded from the program. By setting the standard for establishing eligibility at 200% of the federal poverty level (FPL), the program is unavailable to those working full time at just minimum wage. I urge DSS/HRA to set income eligibility to match the Section 8 standard of 50% of Average Median Income (AMI), or, at minimum, include households with income up to 250% of FPL. Likewise, limiting annual renewals of assistance to households with income at or below 250% of the federal poverty level will return working households to homelessness before they have sufficient income to maintain stable housing on their own. I strongly urge DSS/HRA to ensure continued eligibility for a CityFHEPS voucher renewal until a household has sufficient income to be able to afford their housing by paying no more than 30% of their income for rent, which is the Federal standard for housing affordability. No low-income New Yorker receiving rental assistance should have to choose between work and housing stability.

We cannot end homelessness in New York until we address the gross lack of housing that is affordable and accessible to low-income households. Ensuring equitable access to housing assistance across voucher programs is a key step towards this goal. However, it is essential that DSS/HRA amend the proposed program rules so that this important change to the CityFHEPS program is implemented in a manner that best enables households who have experienced or been threatened with homelessness to establish and maintain the long-term stability essential for their wellbeing and independence. I look forward to continuing to work with the City towards this vision of a transformed NYC homelessness response.

Best,
Adrianna Eppinger-Meiering, MPH
(she, her, hers)
Data Coordinator
HRA Mobile COVID Testing

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120 Lawrence St

Brooklyn, NY 11201

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From: Fleurantin, Brian <b.fleurantin@housingworks.org>
Sent: Thursday, August 26, 2021 3:28 PM
To: HRA Rules
Subject: [EXTERNAL] Comment on rental assistance amendments

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[Brian Fleurantin, Care Manager, I assist clients with finding housing, accessing benefits, coordinating medical and mental health care, etc.]

I am writing to strongly support the immediate increase in the amount of a CityFHEPs voucher and to urge you to amend the proposed new rules to make this program truly work for the New Yorkers it is designed to serve.

The COVID-19 crisis has added a new level of urgency for action to ensure that every New Yorker experiencing or threatened with homelessness is able to secure and maintain the safe, appropriate housing required to support their health and wellbeing. I applaud DSS/HRA for fast-tracking implementation of City legislation increasing the maximum amount of CityFHEPS voucher to the Section 8 standard, making the change effective immediately as of September 2021. Setting all NYC tenant-based rental assistance at the same value is critical to ensure that no one group of vulnerable New Yorkers is left at a further disadvantage in the housing market.

I am deeply concerned, however, that the proposed rules will undermine independence and housing stability by setting income eligibility at levels so low that working people will be excluded from the program. By setting the standard for establishing eligibility at 200% of the federal poverty level (FPL), the program is unavailable to those working full time at just minimum wage. I urge DSS/HRA to set income eligibility to match the Section 8 standard of 50% of Average Median Income (AMI), or, at minimum, include households with income up to 250% of FPL. Likewise, limiting annual renewals of assistance to households with income at or below 250% of the federal poverty level will return working households to homelessness before they have sufficient income to maintain stable housing on their own. I strongly urge DSS/HRA to ensure continued eligibility for a CityFHEPS voucher renewal until a household has sufficient income to be able to afford their housing by paying no more than 30% of their income for rent, which is the Federal standard for housing affordability. No low-income New Yorker receiving rental assistance should have to choose between work and housing stability.

We cannot end homelessness in New York until we address the gross lack of housing that is affordable and accessible to low-income households. Ensuring equitable access to housing assistance across voucher programs is a key step towards this goal. However, it is essential that DSS/HRA amend the proposed program rules so that this important change to the CityFHEPS program is implemented in a manner that best enables households who have experienced or been threatened with homelessness to establish and maintain the long-term stability essential for their wellbeing and independence. I look forward to continuing to work with the City towards this vision of a transformed NYC homelessness response.

Best,

Brian Fleurantin
Health Home Care Manager, BK5
Cell: 929-303-0897
Email: B.Fleurantin@housingworks.org
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Office: 347-473-7400

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**Comments from Enterprise Community Partners
on
HRA Proposed Amendment of Rental Assistance Program
August 30, 2021**

Thank you very much for the opportunity to provide comments on the New York City Human Resources Administration's proposed amendments to its rental assistance program rules. We want to first say, on behalf of Enterprise and the Family Homelessness Coalition, how glad we are that the CityFHEPS voucher will now reflect the actual cost of housing in the city, providing families in shelter with an effective tool for finding and affording a permanent home.

CityFHEPS has the potential to be the city's most powerful tool for abating the homelessness crisis, but the program will fall short unless the Administration also addresses a fundamental flaw in the amended rules: the income cliff.

Under the proposed rule, a household is eligible for CityFHEPS until their income exceeds 250 percent of the federal poverty level (FPL), at which point they are not eligible for the annual renewal and lose their rental assistance. For a family of three living in a two-bedroom apartment, this means that once their income reaches \$55,000 /yr, which is categorized as low-income in New York City, they lose their CityFHEPS eligibility and must pay the entire \$2,217 in rent each month unassisted. That represents nearly half of their total income, absorbed by rent. This severe rent burden is unaffordable and unsustainable, and a prime risk factor for returning to homelessness. The income cliff is even greater for a single New Yorker living in a studio apartment, who would find themselves paying 70% of their income in rent if they lose their CityFHEPS voucher at the 250 percent of FPL cut off.

The proposed amendment that sets renewal eligibility at 250 percent of FPL must be rejected, and the rules must instead be amended so that households maintain eligibility until 30 percent of their income is equal to their rent. This means that over time, a CityFHEPS household will always contribute 30% of their income to rent, even as the actual dollar amount contributed increases along with their income, until such point when they can afford rent unassisted. This gradual off-ramp from CityFHEPS is the most effective way to ensure housing affordability and protect households from rent burdens that can result in a return to homelessness.

Thank you for your attention to this important matter and we look forward to working with you to ensure that all New Yorkers have the safety and stability of a home.

From: Catherine Trapani <CTrapani@hsunited.org>
Sent: Friday, August 27, 2021 2:49 PM
To: HRA Rules
Subject: [EXTERNAL] City FHEPS hearing

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I would like to sign up to speak at the City FHEPS rule hearing on August 30th - please advise on how to join the zoom as a speaker at the appropriate time.

Thank you.

Catherine Trapani
Executive Director
Homeless Services United
ctrapani@hsunited.org
917-748-9741

From: Catherine Trapani <CTrapani@hsunited.org>
Sent: Monday, August 30, 2021 11:01 AM
To: HRA Rules
Subject: [EXTERNAL] City FHEPS rule comment

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Thank you for the opportunity to submit comments. I attempted to send this update via the website but it was flagged as spam. Upon reviewing the updated payment standards on your website we have additional comments in addition to those submitted last week. We are concerned that pegging these new payment standards to revised bedroom count and occupancy standards could undermine the purpose of the rule which, as originally conceived would promote housing choice and expand the universe of apartments available to people who would otherwise be forced to languish in shelters. Families who find an apartment that passes inspection and rents for the allowable payment standard matching their family size must be allowed to rent that apartment even if the layout has fewer official bedrooms than dictated by the chart associated with this rule. It is not at all uncommon in NYC apartments to have flex spaces generally for office or dining use be converted into a bedroom; we ought not rob families of options that would work well and be safe for their families based on some arbitrary standard absent actual evidence of overcrowding or other hazardous conditions. Therefore, we request that the City exclude bedroom count from the revised payment standard guidelines and default to existing inspection standards and resident choice when determining the appropriateness of the unit.

Thank you

Catherine Trapani
Executive Director
Homeless Services United
ctrapani@hsunited.org
917-748-9741



TESTIMONY OF:

Erin Sternlieb, Affordable Housing Specialist

Civil Justice Practice

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Human Resources Administration

August 30, 2021

I. Introduction

My name is Erin Sternlieb, and I am the Affordable Housing Specialist in the Civil Justice Practice at Brooklyn Defender Services. I want to thank the New York City Human Resources Administration for inviting us to testify today. I would like to take this opportunity to speak in support of removing barriers to accessing and using New York City Rental Assistance Programs (CityFHEPS).

Brooklyn Defender Services provides multi-disciplinary and client-centered criminal, family, and immigration defense, as well as civil legal services, social work support and advocacy, for nearly 30,000 people in Brooklyn every year. BDS' Civil Justice Practice (CJP) aims to reduce the civil collateral consequences for our clients who have had interaction with the criminal, family or immigration legal systems.

The people we serve experience housing instability in a variety of forms: we defend people from eviction in Housing Court, provide proactive relocation assistance and benefits advocacy, and guide clients through the shelter system. In my role as affordable housing specialist, I work with clients who are coming from the shelter system or facing eviction from their current housing to secure stable housing. Through this work I have seen how difficult it is for New Yorkers to use CityFHEPS vouchers to secure safe, affordable, and permanent housing.

BDS commends the City Council for passing Intro. 146 and Mayor Bill DeBlasio, Commissioner Stephen Banks, and HRA staff for expediting the rule change to allow the increased voucher amounts to go into effect this week. The new voucher amounts will drastically increase the pool of available apartments for low-income New Yorkers with City vouchers. This is an important step in reducing homelessness and making sure all New Yorkers have access to housing. This change could not come at a more crucial time, as the COVID-19 pandemic nears its second year, COVID cases continue to rise, and the eviction moratorium is set to expire completely at the end of August. Keeping New Yorkers out of shelter and moving current shelter residents into permanent housing is absolutely essential to public health and safety in New York City. We know the same populations facing housing instability and homelessness are also at greatest risk for serious illness, hospitalization, and death from COVID-9. Increasing voucher amounts to fair market rate will certainly make it easier for voucher holders to find housing. We respectfully offer the following recommendations to ensure this rule change is implemented effectively and to streamline and strengthen the CityFHEPS program.

II. Rule Change and Implementation

Neither housing service providers nor voucher holders have been given details about how this rule change will go into effect and there is no information in the proposed rules. **We ask that HRA provide information on how the rule change will be implemented and what steps clients need to take to obtain updated shopping letters as soon as possible.**

As we elaborate below, Homebase is already seriously overburdened. To reissue shopping letters for all CityFHEPS voucher holders while continuing to screen new clients would take Homebase months if not longer. HRA and the Mayor's office clearly understand, as demonstrated by the fast tracking of this rule change, that **New Yorkers facing housing instability and families and individuals moving out of shelter need these vouchers now. They cannot afford to wait months for new shopping letters to be processed. We ask that HRA directly issue updated shopping letters for tenants living in the community, without going through the lengthy Homebase voucher issuance process.**

III. Obtaining Vouchers

As important as this proposed rule change is, increasing CityFHEPS voucher amounts will only have its desired effect of reducing homelessness if the rule change is implemented efficiently and if the program runs effectively. As the CityFHEPS program operates currently, people seeking assistance face various barriers to obtaining and using their vouchers. For people in the community facing eviction, Homebase is the only organization that can screen them for voucher eligibility and issue shopping letters. Homebase offices in Brooklyn are severely understaffed and have an alarming backlog of cases to screen and process. I have many clients who have been waiting months for an initial screening call from Homebase and even longer to receive a voucher if they are eligible. One client, Ms. A who is facing eviction has been waiting 10 months for Homebase and HRA to issue her a voucher.

As an advocate, it can also be challenging for me to get in touch with Homebase staff to get information about my client's cases. Homebase caseworkers have told me that they are

understaffed, overworked, and do not have the capacity to process all the incoming cases. One caseworker told me there is a six-month waitlist for clients to get processed. A caseworker at another location told me that they are still processing cases from 2020.

New York State's eviction moratorium expires tomorrow. We anticipate that these delays will only get worse once evictions resume and even more New Yorkers are in dire need of rental assistance. During the waiting period to for vouchers to be processed, people are unable to look for housing, they are experiencing the stress of a pending eviction, and the uncertainty of not knowing where or how they will live, while often also facing harassment from their landlords or other unsafe living conditions. **In order for vouchers to be accessible to all eligible New Yorkers, Homebase must be adequately staffed and resourced. HRA must also contract with additional providers to meet this existing and growing need.**

IV. Finding Apartments and Source of Income Discrimination

Once people are issued shopping letters, they must actually find an apartment. Even with the increased voucher amounts, I believe finding apartments will continue to be a serious challenge for many New Yorkers without additional resources and better enforcement of source of income discrimination laws. When they are issued CityFHEPS vouchers, clients are given a list of real estate agencies that supposedly work with voucher holders. This list is outdated. Many of the agencies do not have any vacancies and others don't have a working phone number. Of the hundreds of clients with CityFHEPS vouchers I have worked with over the last year, every single one has been told by a landlord or broker at some point that they do not accept vouchers. Many have heard this dozens of times, or have simply been ignored or hung up on after they mention their voucher. This is extremely demoralizing and turns apartment hunting from a chore into a herculean task.

HRA's responsibility cannot end with issuing vouchers, they must work to connect voucher holders with landlords willing to work with voucher holders. The NYC Commission on Human Rights has made promising efforts to strengthen its Source of Income Discrimination enforcement, including compelling violators of the law to set aside units for voucher holders. In order for these Source of Income Discrimination protections to have teeth, HRA and Homebase must work more closely with the commission to ensure that voucher holders actually end up in apartments.

If landlords are not willing to accept vouchers, or voucher holders have no way of finding landlords willing to work with them, increasing the voucher amounts will be meaningless. **Voucher holders need more thorough information on how to identify, record, and report source of income discrimination. They need a usable list of landlords who accept their vouchers. HRA should maintain and publicly provide a list of buildings with these set-asides.**

V. Approval Process

Lastly, the approval phase of the apartment search process acts as a final hurdle preventing tenants from using their vouchers. Once people have gotten through the months-long waiting-period for a voucher, overcome source of income discrimination, and found a landlord willing to

work with them, they most go back to Homebase for approval of the apartment and payment to the landlord. Often by the time they have actually found an apartment, their case has been closed and they have to be re-assigned a new caseworker, which can take weeks or longer. Tenants often are required to resubmit documents and paperwork to demonstrate their eligibility, even though they have already been assessed at the outset to receive a shopping letter. As we all know, producing documentation can be an obstacle for many of low-income New Yorkers, causing further delays. People facing housing instability do not always have access to their documents, and people living in poverty do not always have the technology they need to scan or photograph and email their documents. **Homebase should maintain documents on file for all clients issued shopping letters. Clients should not have to resubmit their personal documentation, only documentation related to the apartment itself, unless their circumstances have changed.**

At this point in the process, communication between landlords, tenants, and Homebase is often confusing or non-existent, causing further delays and jeopardizing a person's ability to actually move into an apartment. Further, the month-long hold incentive offered to landlords does not cover the entire time the approval takes. One of my clients Ms. J found an apartment and signed a lease to start on November 1st. Homebase could not finish the approval in time, and told the landlord the lease had to be changed to the 15th of the month. The landlord and client met and re-signed the lease, only to be told leases had to start on the first of the next month. In total Ms. J waited more than two months after finding an apartment to move in and was unable to reunite with her son who was in foster care during this time. Unfortunately, this timeline is typical. Landlords often get frustrated with the wait and lack of clear communication, so they move on to applicants without vouchers who can move more quickly.

The small number of my clients who have been able to find an apartment with their CityFHEPS vouchers and complete the approval process have *all* had issues getting checks sent to their new landlords. Checks often go missing or are never processed. To get checks issued often requires follow up from our office. For tenants without advocates to troubleshoot these issues for them, this becomes an insurmountable obstacle. **This process must be streamlined. HRA must work to strengthen communication between the Rental Assistance Unit, Homebase, voucher holders, landlords, and advocates so the approval process runs smoothly and quickly and essential steps are not missed.**

VI. Conclusion

Permanent affordable housing is the foundation many New Yorkers, including the people we serve, need to find stability in their lives. Stable housing can help our clients favorably resolve their criminal cases and reunite with their children after ACS involvement. CityFHEPS vouchers set at Fair Market Rate can absolutely be the ticket to stable housing for many New Yorkers if the rule change is implemented efficiently and other key changes are made to strengthen the program. In order for vouchers to reduce homelessness they must lead to permanent housing. **We urge HRA to strongly consider our recommendations to (1) bypass Homebase for issuing updated shopping letters, (2) increase staffing and resources for Homebase offices, (3) contract additional providers to screen clients and issue CityFHEPS vouchers, (4) offer**

additional resources to connect voucher holders with landlords and to help clients overcome source of income discrimination, and (5) streamline the apartment approval process.

Thank you for your time and consideration of our comments. We look forward to further discussing these and other issues that impact the communities we serve. If you have any additional questions, please contact Alex Dougherty, Senior Attorney and Policy Counsel, at adougherty@bds.org.

TRINITY CHURCH WALL STREET

Trinity Church Wall Street - Testimony – DSS/HRA Rulemaking Hearing

August 30, 2021 | Subject: Implementation of Int. 0146

Good morning – my name is Natasha Lifton and I am the Director of Government Relations at Trinity Church Wall Street. Thank you for providing me with the opportunity to testify on behalf of Trinity at today’s rulemaking hearing on the enacted Intro. 146 to raise the value of CityFHEPS vouchers in accordance with Section 8 levels.

Trinity Church Wall Street is an active Episcopal church down the street from City Hall with more than 1,600 parishioners who represent all five boroughs and form an ethnically, racially, and economically diverse congregation. In addition to our ministry, Trinity carries out its mission of faith and social justice through direct advocacy and policy change, as well as a robust grant-making program that supports community partners citywide to help break the cycles of mass incarceration, mass homelessness, and housing instability throughout New York City.

As such, we vigorously advocated for the passage of City Council Intro. 146 to raise the value of the CityFHEPS voucher. We thank Speaker Corey Johnson, Council Member Levin, and the entire City Council, along with DSS/HRA and City Hall staff who helped enact this critical piece of legislation.

For years, our grantees and partner organizations, as well as New Yorkers impacted by homelessness, have highlighted how the CityFHEPS program failed to move people out of the shelters and into permanent housing. Even though CityFHEPS is one of the City’s primary tools to help individuals exit the shelter system, the program has made it nearly impossible for homeless New Yorkers to find housing because the value of the vouchers fell grossly short of the cost of an apartment across New York City.

We commend the City Council for working to address this problem by passing Intro. 146 and for ensuring that the final language of the bill guarantees that the value of CityFHEPS vouchers will be set at

fair market value as is the case with Section 8 vouchers. In addition, we are pleased that the legislation extends eligibility for CityFHEPS beyond the current five-year cutoff.

However, we are deeply concerned that language in the final version of the bill related to eligibility creates a steep income cliff for families and individuals who find a better job or get a raise which puts their income above 250% of the federal poverty line. This places them in the untenable position of choosing between a higher income or holding onto their CityFHEPS vouchers if they cannot yet afford their housing without the subsidy. Therefore, we recommend that the City use the rent burden standard that no CityFHEPS voucher recipient should pay more than 30% of their income for rent. This standard was included in the B version of Intro. 146 and is used by the New York City Housing Authority.

In addition, we are concerned that pegging CityFHEPS voucher payments to revised bedroom count and occupancy standards could undermine the program's objective of promoting housing choice and expanding the universe of available apartments for those who would otherwise languish in shelters. Families who find an apartment that passes inspection and rents for the allowable payment standard matching their family size should be allowed to rent that apartment even if the layout has fewer official bedrooms allowed by the current rule. Families should be able to decide for themselves what housing options work best for them if there is no evidence of overcrowding or other hazardous conditions. Therefore, we recommend that the City exclude bedroom count from the revised payment standard guidelines and default to existing inspection standards and resident choice when determining the appropriateness of housing units.

We urge HRA and City Hall to take these recommendations into consideration to ensure that the CityFHEPS program provides New Yorkers with better opportunities to find and keep safe, stable housing, preventing evictions and reentry into the shelter system.

Thank you for providing me with the opportunity to testify today.

Care For the Homeless
30 East 33rd Street, Fifth floor
New York, NY 10016

August 24, 2021

HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007

Subject: Rental Assistance Amendments

Dear HRA Rules:

I am writing on behalf of my organization, Care For the Homeless, to submit public comments for the proposed amendments to Title 68 of the Rules of the City of New York, for the CityFHEPS rental assistance program.

We are grateful to the agency for your shared sense of urgency to increase rent levels for CityFHEPS rent vouchers, choosing to implement the rule change months earlier than required by Int. 146-C. We are heartened to see that the rule also raises max rent levels for apartments to NYCHA Section 8 standards rather than the broader federal Section 8 regulatory range included in the legislation, clarification that SCRIE and DRIE households can also access CityFHEPS if otherwise eligible, and the simplification of the street homeless definition, as all these changes will help more households to access or maintain their permanent housing.

Care For the Homeless makes the follow recommendations to improve the CityFHEPS program to ensure those at risk of or currently experiencing homelessness can access the program in a timely manner, and provides long-term housing stability that slowly tapers off assistance as tenants' incomes rise over time.

Eligibility Recommendations:

- ***§ 10-03 (a) (1) and § 10-04 (a) (1) Initial eligibility income criteria should mirror Section 8 instead of 200% FPL.*** Too many one and two person households make too much to currently qualify for a CityFHEPS voucher but too little to pay rent on their own. With NYC's recently implemented \$15 minimum wage it's even easier to be over-income. Someone working 35 hours a week at \$15/hr. would have a gross income of \$27,300, which is \$1,540 over-income for a 1-person household. In order to be eligible, someone earning minimum wage would need to make sure they don't work more than 33 hours a week in order to qualify (most hourly jobs operate on a 35 or 37.5 hr. schedule)
- ***§ 10-08 (a) (1) Renewal eligibility income criteria should mirror Section 8 instead of 250% FPL.*** The current 250% FPL limit is too low to allow households to earn more and rise out of poverty, forcing them to walk a tightrope to maintain their housing. Workers literally turn down raises in order to maintain their housing voucher. Under Section 8's income renewal criteria, which we feel should also be adopted for CityFHEPS, the household only becomes ineligible when 30% of their income equals the cost of their rent, allowing the household to earn more and ensuring they are not rent-burdened after the voucher ends.
- ***§ 10-04 (a) (8) (A) and § 10-04 (b) and § 10-04 (c) Remove the 90-day qualifying shelter stay requirement for shelter residents.*** Households should be eligible for a CityFHEPS rent assistance voucher once approved for residency in a qualifying shelter (e.g. DHS or HRA DV). For DHS

facilities this should be when a household's conditional status ends and they become eligible for shelter services. The fallacy that housing is a draw to shelter must end and the City's housing policies should not reflect it. Everyone homeless needs and is ready for housing.

- **§ 10-01 (nn) Clarify the "Street homeless" definition to include anyone receiving case management services at a DHS Drop-In Center, or residing in a safe haven.** Not every client on caseload at a DHS Drop-In Center or residing in a safe haven previously received case management services from a DHS Outreach Provider. Additionally, safe havens serve the most vulnerable street homeless individuals but hardest to convince to enter shelter, and direct access to a CityFHEPS voucher will help those who do not need more supportive settings to secure permanent housing and free up limited safe-haven capacity for others in need more quickly.
- **§ 10-03 (a) (6) (B) Require a verified rent-demand letter instead of eviction proceeding to qualify for CityFHEPS in-community.** A household should not be put at greater risk of eviction in order to qualify for assistance to stabilize their housing. A verified rent-demand should suffice to prove that a household's housing is unstable, and timelier and more humane than forcing them to wait for their housing to further destabilize to the point that their landlord takes them to housing court.

Process Recommendations:

- **Establish and publicize referral processes for "qualifying CityFHEPS programs" to ensure meaningful access to CityFHEPS vouchers to avert entry into a DHS or HRA DV shelter.** While included in the original rule language, we are disheartened that processes have not yet been established to refer clients from these "feeder" systems such as RHY shelter, ACS, Corrections or APS, and the agency must now act, creating a pathway to divert individuals from housing into permanent housing.
- **Streamline the opening of Single Issuance Cases to deliver CityFHEPS for eligible households without active Public Assistance cases.**
 - **Improve communication around Single Issuance cases.** HRA staff at Centers and ACCESSHRA as well as applicants must all be informed that the household is applying for a single issuance, not ongoing Cash Assistance. Applicants are frequently told they do not qualify for public benefits when they do qualify for CityFHEPS. This miscommunication when attempting to open a single issuance results in multiple applications and wasted precious resources, creating delays and lowering tenants and landlords' interest in the program.
 - **Provide tenants with a CityFHEPS shopping letter and presumptive eligibility, while coordinating PA single issuance paperwork separately, budgeting the household and opening the single issuance when the apartment is located.** Single issuance cases are a fragile delivery mechanism to award CityFHEPS as these cases are prone to automatically closing without notice, causing the CityFHEPS application to be denied. Moving single issuances to the backend and uncoupling a household's CityFHEPS eligibility from this administrative process, would avoid CityFHEPS denials due to snags in the process where both tenants and landlords are faultless.
- **Tenants, landlords, and property managers need more robust notifications for renewal and budget issues/changes in rent levels, similar to Section 8. Additionally, tenants and landlords need a way to troubleshoot directly with HRA disruptions in Public Assistance benefits which cause CityFHEPS to "fall off" budget.** We are hopeful that the new CurRent system which is in development will assist with notifications, however landlords and property managers could

benefit from a centralized HRA resource to proactively troubleshoot why their tenants' CityFHEPS fell off.

If you have any questions, please contact me via email at ninteriano@cfhnyc.org or call 212-366-4459 x239.

Sincerely,

Nathalie Interiano
Director of Policy and Advocacy
Care For the Homeless



Comments on CityFHEPS Proposed Rule

Submitted by Neighbors Together, August 27th, 2021

Neighbors Together

Neighbors Together is a community based organization located in central Brooklyn. Our organization provides hot meals five days per week in our Community Café, offers a range of one-on-one stabilizing services in our Empowerment Program, and engages members in community organizing, policy advocacy and leadership development in our Community Action Program. We are building the power of homeless New Yorkers through grassroots organizing and centering directly impacted people in fighting for just policy solutions to the homelessness and housing crisis.

Our members come to us from across the five boroughs of New York City, with the majority living in central Brooklyn. Nearly 57% of our members are homeless or unstably housed:

- 21% stay in shelters
- 19% live in three-quarter houses, which are essentially boarding houses that hold themselves out to be licensed substance use treatment programs and rent beds out to single adults, often packing them in 4-8 people per room in bunk beds. These houses are unlicensed and unregulated by any government entity, and are known for forcing tenants to attend outpatient drug use treatment programs as a condition of maintaining their bed, while engaging in illegal Medicaid kickback schemes.
- 10% are doubled-up with relatives or friends
- 7% are living on the street
- Additionally, another 36% rent apartments or rooms in privately owned homes, the majority of which are unregulated.

A large majority of our homeless members have CityFHEPS vouchers, and Neighbors Together has been addressing the shortcomings of the voucher since its inception in 2018. Through our source of income discrimination know-your-rights work and our VALUE in Housing Campaign (*Voucher Advocates Lifting Up Equity in Housing*), we have been fighting to make CityFHEPS more effective. We supported Intro 146 and were deeply disappointed with the last minute changes inserted into the C version of the bill. Despite significant feedback from directly impacted people and advocates, the proposed final rule includes many of the problematic aspects that remained in Intro 146-C. We have highlighted a number of those issues below, and strongly encourage the Department of Social Services to use its authority to remedy them in the final rule.



Removing the Income Cliff

By limiting eligibility to 250% of the federal poverty level (FPL), the City is forcing voucher holders to choose between a living wage job and their housing. Under the current proposed rule, as soon as a person makes above 250% FPL, they lose their voucher. No one can afford to abruptly be responsible for the entirety of their rent while subsisting on 250% of the federal poverty level, which is approximately \$32,500 annually. The reality is that for most households, this would increase their rent burden from 30% to approximately 70%. If the City doesn't remove the income cliff, then people will lose their housing because they can't afford the cost shift, and will be forced back into the devastating and traumatic reality of homelessness. The income cliff traps people in a cycle of homelessness and reliance on public benefits because it provides no means of supporting them as they work toward becoming financially independent, and in fact penalizes people for securing employment. The City should adopt the language that was included in Intro 146-B and make the income eligibility for CityFHEPS vouchers match Section 8: people should be allowed to increase their income and keep their voucher until their rent is only 30% of their income, so that they can become self-sufficient while remaining stably housed.

Removing the 5 year limit on CityFHEPS

The eligibility requirements for keeping a CityFHEPS voucher after five years are too narrow. There are many households who have a CityFHEPS voucher that do not include someone who is 60 years of age or older or someone who receives or is eligible for federal disability benefits. Limiting CityFHEPS voucher holders to five years of support while also requiring them to keep their income under 250% FPL creates a similar problem to the income cliff; people will not be able to maintain their housing after their five year time limit on the voucher has passed. Although the language of the proposed rule includes a clause that says vouchers may be renewed for "good cause," the language is far too vague, and needs to be clarified. The whole section (10-08(c)) should be removed, or amended to say that all vouchers will be renewed after five years.

Removing the "reasonable rent" clause

This clause unnecessarily limits voucher holder's options for apartments. Voucher holders already face intense source of income discrimination - there is no reason to limit apartment options even further. CityFHEPS voucher holders should be able to use the maximum rent allowed by their voucher no matter where they are in the city. If this clause is meant to prevent price gouging by landlords, the rule language should be targeted at landlords, not voucher holders. The City should include language that effectively limits the amount that rent in unregulated apartments can be increased year over year for CityFHEPS holders. If the City is concerned about price gouging by landlords trying to take advantage of the increase in



vouchers, the Mayor and the Department of Social Services should publicly and vocally support the Good Cause Eviction bill (S3082/A5573) currently in the NYS legislature, which would prevent unreasonable rent hikes in unregulated apartments

The rate for rooms should be higher than \$800

If the rest of the voucher is going up, so should the room rate. \$800 is not enough to create viable options for people who prefer rooms.

Implementation of the CityFHEPS voucher increase must be clearly spelled out

- The City should immediately raise every CityFHEPS voucher to Section 8 levels, and immediately issue a new shopping letter that reflects the new voucher amount to every CityFHEPS voucher holder. This will enable people to begin searching for housing and potentially shorten their stay in the shelter system. All CityFHEPS voucher holders should have a new shopping letter with updated voucher rates in hand no later than September 1st.
- All City-contracted agencies and shelter providers who issue or renew CityFHEPS vouchers must be given clear instructions on the implementation process and provide training to their employees so that voucher holders do not receive conflicting information.
- Voucher shopping letters and renewals should be available through Access HRA
- Information about implementation of the increased voucher rates should be publicly available on the Department of Social Services website
- The City must ensure that HRA/DHS computers are reprogrammed to process the increased voucher rate by September 1st. All systems must be ready to go on September 1st to minimize confusion and delay.
- The CityFHEPS proposed rule and final rule should be written in laymen's terms so that the language is fully and easily accessible to people who are directly impacted.

Comments submitted on behalf of Neighbors Together by Amy Blumsack, Director of Organizing & Policy, amy@neighborstogether.org.

From: Rea Rahaman <r.rahaman1@housingworks.org>
Sent: Monday, August 30, 2021 11:12 AM
To: HRA Rules
Subject: [EXTERNAL] CityFHEPs voucher

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TO WHOM THIS MAY CONCERN

I am writing to strongly support the immediate increase in the amount of a CityFHEPs voucher and to urge you to amend the proposed new rules to make this program truly work for the New Yorkers it is designed to serve.

The COVID-19 crisis has added a new level of urgency for action to ensure that every New Yorker experiencing or threatened with homelessness is able to secure and maintain the safe, appropriate housing required to support their health and wellbeing. I applaud DSS/HRA for fast-tracking implementation of City legislation increasing the maximum amount of CityFHEPS voucher to the Section 8 standard, making the change effective immediately as of September 2021. Setting all NYC tenant-based rental assistance at the same value is critical to ensure that no one group of vulnerable New Yorkers is left at a further disadvantage in the housing market.

I am deeply concerned, however, that the proposed rules will undermine independence and housing stability by setting income eligibility at levels so low that working people will be excluded from the program. By setting the standard for establishing eligibility at 200% of the federal poverty level (FPL), the program is unavailable to those working full time at just minimum wage. I urge DSS/HRA to set income eligibility to match the Section 8 standard of 50% of Average Median Income (AMI), or, at minimum, include households with income up to 250% of FPL. Likewise, limiting annual renewals of assistance to households with income at or below 250% of the federal poverty level will return working households to homelessness before they have sufficient income to maintain stable housing on their own. I strongly urge DSS/HRA to ensure continued eligibility for a CityFHEPS voucher renewal until a household has sufficient income to be able to afford their housing by paying no more than 30% of their income for rent, which is the Federal standard for housing affordability. No low-income New Yorker receiving rental assistance should have to choose between work and housing stability.

We cannot end homelessness in New York until we address the gross lack of housing that is affordable and accessible to low-income households. Ensuring equitable access to housing assistance across voucher programs is a key step towards this goal. However, it is essential that DSS/HRA amend the proposed program rules so that this important change to the CityFHEPS program is implemented in a manner that best enables households who have experienced or been threatened with homelessness to establish and maintain the long-term stability essential for their wellbeing and independence. I look forward to continuing to work with the City towards this vision of a transformed NYC homelessness response.

Thank you

Rea Rahaman BA, CASAC Advanced
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Behavioral Health/OASAS 822 Program
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Housing Works is a healing community of people living with and affected by HIV/AIDS. Our mission is to end the dual crises of homelessness and AIDS through relentless advocacy, the provision of lifesaving services, and entrepreneurial businesses that sustain our efforts.

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Comment from Robin Hood
on
Human Resources Administration Proposed Amendment of Rental Assistance Program
August 30, 2021

On behalf of Robin Hood, New York City's largest organization focused on lifting families out of poverty, we recognize and appreciate the important steps the City has taken to right-size the CityFHEPS program to more closely reflect the true cost of housing in New York City.

As discussed in our recent [paper](#), produced in partnership with The Century Foundation and Next100, CityFHEPS has the potential to be a powerful engine of housing stability for New Yorkers, and setting CityFHEPS rent levels to Section 8 standards is an essential component of our policy recommendation.

However, the proposed amendment makes households ineligible for CityFHEPS as soon as their income exceeds 250 percent of the federal poverty level (FPL), despite research which shows housing and financial hardship persists even for families with income above 250 percent of FPL. Data from Robin Hood and Columbia University's Poverty Tracker show that in 2019, 180,000 families in New York City with income above 250 percent of the FPL (17 percent) faced housing hardship, meaning they missed a rent payment, doubled up in units with another household, or stayed in shelter. This shows that having income at or above 250 percent of the FPL is not protective against housing instability and hardship in New York City.

The proposed CityFHEPS amendment will create a benefits cliff for New Yorkers that could push families into periods of severe hardship. People face a benefits cliff when they receive public benefits from the government (in this case, CityFHEPS), earn a raise or modestly increase their income, and then discover that they make too much money to receive the benefit but make too little money to cover their costs and sustain their household. Under the proposed amendment, a family of three living in a two-bedroom apartment will lose CityFHEPS eligibility as soon as their annual income reaches \$55,000 and will thereafter be responsible for covering their full \$2,217 rent each month. Without CityFHEPS, rent will absorb nearly half of the family's entire income, leaving little money left over for food, transportation, child care, medical care, and utilities. Low-income households that pay 50 percent or more of their income on rent are categorized as severely rent-burdened, and research shows severe rent burdens are prime risk factors for eviction and homelessness.

The Human Resources Administration (HRA) must amend the rules so that households remain eligible for CityFHEPS until 30 percent of their income is equal to their rent. This change would mean that over time, a household receiving CityFHEPS will always contribute 30 percent of their income to rent, even as the actual dollar amount contributed increases along with their income, until such point when they can afford rent unassisted. This gradual phase-out from CityFHEPS is the most effective way to ensure housing affordability and protect households from rent burdens that can result in eviction and homelessness.

Robin Hood looks forward to partnering with HRA to ensure CityFHEPS becomes a stronger vehicle for housing stability and economic mobility. We are available to discuss any aspects of this comment in more detail.

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From: Joseph Loonam <joseph@vocal-ny.org>
Sent: Monday, August 30, 2021 2:46 PM
To: HRA Rules
Subject: [EXTERNAL] Comment from VOCAL-NY on HRA proposed amendments to Rental Assistance
Attachments: VOCAL-NY testimony 8.30.21 Council Hearing .pdf

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Hi,

Attached is public comment by VOCAL-NY on HRA proposal to amend its rental assistance program rules.

Please be in contact with Joseph Loonam, joseph@vocal-ny.org if you have any questions or concerns.

--

Joe Loonam
Housing Campaign Coordinator
VOCAL-NY
347-409-4650
joseph@vocal-ny.org



Thank you for accepting our testimony today. We are grateful for the opportunity to discuss intro 146-C, which will codify essential reforms to the cityFHEPS program into law, and ensure that the bill does what the City Council intended it to do when they passed it this spring.

Members and leaders of VOCAL-NY, as well as our allies across this City fought tirelessly for well over three years to pass intro 146, and make sure that the CityFHEPs program offered a real pathway to permanent housing and not a false sense of security and hope. While we've taken a huge step forward, the version of intro 146 that was passed falls short of the goal that advocates, and our allies in the council shared.

Under the current rule, a voucher holder stands to lose their subsidy as soon as their income reaches over 250% of the federal poverty line. To speak in concrete numbers- this means that if a cityFHEPs voucher holder's income increases from \$32,999 a year, to \$33,000 dollars a year their rent burden will go from 30% of their total income to 70% of their total income. This so-called "income cliff" is one of the key flaws in the cityFHEPs program we had hoped to address with Intro 146.

We are also deeply concerned about the roll out of this program. While we were encouraged to hear that we would begin implementation of this program in September, rather than January, people have yet to receive the basic information necessary to get people housed. No new shopping letters have been issued, and we have yet to receive any clarity about whether they will be. In the lack of guidance or information from the city, misinformation is spreading.

Landlord facebook pages are filling up with posts saying they should not trust these new vouchers, that the city will not pay the amounts being claimed. This kind of misinformation encourages source of income discrimination, and will make it significantly harder for folks to actually use these vouchers. We must have clear directives from the city, that state unequivocally that the vouchers will pay the market rent, and it is illegal for a landlord to refuse to take one.

This is a moment for our city to make a meaningful impact on a problem that has grown unabated for well over a decade. We must not let flaws in the program undue the potential progress we stand to make. We urge the de Blasio administration to work with the City Council to fix the income cliff, keep every apartment available to every voucher holder, and ensure that this program is implemented in a clear and concise manner.

We appreciate the opportunity to submit testimony on this important issue.

From: Barbara Carlson <barbcocodrilli@gmail.com>
Sent: Monday, August 30, 2021 3:08 PM
To: HRA Rules
Subject: [EXTERNAL] Comments on HRA-Proposed-Amendment-of-Rental-Assistance-Program-Rules

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Good afternoon,

Currently CityFHEPS requires a household to have income below 200% FPL to be found initially eligible and to have income below 250% FPL to continue being eligible for the program at every annual renewal. An earlier proposed version of Intro 146 had included a provision that would have ended this so-called "income cliff" by allowing for renewals indefinitely until 30% of the household income is greater than or equal to the total rent for the dwelling unit (matching Section 8 rules). ***The final version of the bill removed this proposal so the program will still operate as it currently does. I strongly advocate for the program to be updated to be more flexible on income requirements at renewals to allow people to increase their earnings without losing the voucher.*** It is my understanding that Assemblymember Levin intends to correct this problem prior to his leaving office.

I would also take this opportunity to advocate for program changes that would allow CityFHEPS to act as a ***prevention and rapid rehousing tool*** to ensure that homelessness is rare, but if it does happen that it is a brief and non-recurring experience. This would include changing the program eligibility to include more households at risk of homelessness and to eliminate the 90 day shelter stay requirement in order to be eligible for the program in shelter.

Thank you for the opportunity to comment on these proposed rules.

--
Barbara Cocodrilli Carlson
Senior Advisor, NYC Fund to End Youth & Family Homelessness and
Independent Consultant, Child and Family Policy

August 30, 2021

NYC HRA Rules
HRA Rules c/o Office of Legal Affairs,
150 Greenwich Street Room/Floor: 38th Floor
New York, New York 10007

RE: Rental Assistance Programs

Dear Madam/Sir:

The Fair Housing Justice Center (FHJC) is a regional non-profit civil rights organization dedicated to eliminating housing discrimination; promoting policies and programs that foster open, accessible, and inclusive communities; and strengthening enforcement of fair housing laws in New York City and the seven surrounding New York counties. The FHJC applauds the city's recent efforts to in passing Intro No 146, which increases the CityFHEPS voucher amounts to reflect the current cost of housing in the city, providing families in a shelter with an effective tool for finding and affording a permanent home. CityFHEPS has the potential to be the city's most powerful tool for abating the homelessness crisis, however, the Administration needs to address a fundamental flaw in the amended rules: the income cliff. The amended CityFHEPS rules set the cut-off for on-going eligibility at 250% of the federal poverty level, a level which is categorized as low-income in New York City. The solution to this income cliff is in the successful Section 8 program. CityFHEPS should stay with a household until 30% of their income is equal to their rent.

Thank you for the opportunity to submit these comments. If you have questions or need further information, please contact Britny McKenzie, FHJC Policy Coordinator at bmckenzie@fairhousingjustice.org.

Sincerely,

Britny McKenzie
Policy Coordinator, FHJC

From: Tanya Krupat <tkrupat@osborneny.org>
Sent: Monday, August 30, 2021 3:55 PM
To: HRA Rules
Cc: Wendell Walters
Subject: [EXTERNAL] Rental assistance amendments
Attachments: HRA Rules Testimony.pdf

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Thank you for the opportunity to testify this morning.
Attached is the testimony from the Osborne Association.

Sincerely,
Tanya

--

Tanya Krupat
she/ her/ hers
Director | **Osborne Center for Justice Across Generations**
The Osborne Association | 175 Remsen Street, 8th Floor Brooklyn NY 11201 United States
Phone: 718-637-6595 | Fax: (347) 498 2521

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The Osborne Association
Testimony on HRA's Proposed Rule Changes to CityFHEPS
August 30, 2021

Good morning. My name is Tanya Krupat and I am Director of the Osborne Center for Justice Across Generations at the Osborne Association. I'm delivering remarks on behalf of my colleague Wendell Walters who is our housing policy expert, but is not able to be here today. Osborne is one of the largest and oldest criminal service organizations in the NY state. We have offices in Harlem, Brooklyn, the Bronx, Newburgh, and Buffalo. We provide services across the continuum of the criminal legal system from arrest to reentry, including inside prisons and NYC jails, and serve approximately 12,000 individuals and their children and families each year, including services across the continuum of the criminal legal system from arrest to reentry.

Osborne supported the City Council bill that increased the maximum rents of City FHEPS apartments and single room occupancies. There had been calls for this policy adjustment for many years. It just did not make sense that in one of the most expensive real estate markets, NYC was not using the same fair market rent the New York City Housing Authority was using for Section 8.

It was a well-known problem that the value of the previous FHEPS voucher was inadequate. Eligible families were relegated to confined neighborhoods and if they wanted to expand their options to better fit family needs, they would have to pay much more than they could typically afford.

We want to particularly thank Councilmember and Chair of the General Welfare Committee Steve Levin for his dogged leadership on this issue. His persistence to pass the bill and gain the support of the administration will have a lasting and beneficial impact on many New Yorkers.

Osborne also supports the proposed rule to develop a project-based version of FHEPS to provide long-term rental assistance for permanent housing operated by not-for-profits. Both of these changes will provide additional housing options for those most in need and we believe the previously incarcerated are certainly in the category of those in need.

Those who have been in prison and jail face significant obstacles when looking for housing. The stigma of their conviction history has left many outside the market even after they have turned their life around. They deserve the opportunity for decent housing and not continue to be discriminated against because of their past. This is not right and that is why Osborne supports Intro 2047, the Fair Chance for Housing bill, also sponsored by Councilman Levin, that makes it unlawful for landlords and their agents to conduct criminal background checks on applicants for housing.

There are also thousands of New Yorkers returning home each year from prison and jail, and housing is critical to reintegration and stabilizing their lives. One recent report states: "In 2019, a full 52 percent of people released from New York State prisons to New York City were released directly to shelters, comprising 3,614 people, up from 3,466 individuals in 2018."¹ These individuals transition from one institutional system directly into another; with the shelter system being ill-equipped to meet their needs, already beleaguered - and expensive to operate. We need to create more housing options for these returning citizens, including finding a way to support their families to welcome them into their own homes, when possible.

With this in mind, Osborne has developed the Kinship Reentry program that is focused on providing the support necessary for families to welcome home a returning loved one. It offers support in 3 areas: direct cash support to cover expenses, extensive case management and a connection to resources, services and peer support. Our goals under the program are to provide reentry and transitional housing for people coming home, avoid shelter admissions whenever possible, and strengthen families to support successful reentry.

While the pilot is just launching, we see a future for Kinship in the City's shelter diversion and reentry housing portfolios. Kinship is cost effective in that it utilizes existing housing stock, rather than using expensive shelter builds or leasing new units. We would like to eventually see a Kinship Reentry voucher for families,

¹ Routhier, G. (2021). *State of the Homeless 2021: Housing is Health Care, a Lesson for the Ages*. New York, NY: Coalition for the Homeless (p.28). Retrieved from <https://www.coalitionforthehomeless.org/wp-content/uploads/2021/04/StateOfTheHomeless2021.pdf>

much like the FHEPS vouchers, along with the support to aid them and their returning loved one through the reentry process

We will keep the Council, HRA, DHS and DSS updated during our program pilot which we feel confident will convince us all that investing in families is a winning housing solution.

Thank you for allowing me to speak with you this morning.

For additional information, please contact:

Wendell Walters
Senior Policy Associate
Osborne Center for Justice Across Generations
wwalters@osborneny.org

Tanya Krupat
Director
Osborne Center for Justice Across Generations
tkrupat@osborneny.org

Jamaal Davis Testimony
before
The New York City Human Resources Administration
on
Proposed Rental Assistance Amendments – Title 68 of the Rules of the City of New York

August 30, 2021

Thank you for the opportunity to present testimony before the New York City Human Resources Administration (NYC HRA) on the proposed amendments to the Rules of the City of New York governing the NYC Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS) program, including changes to implement NYC Local Law 71 of 2021, passed by the City Council to increase CityFHEPS maximum allowable rents to the same levels as the Section 8 Housing Choice standards employed by the NYC Housing Authority (NYCHA).

My name is Jamaal Davis, and I work as a community partnerships account manager at Housing Works, a healing community that provides a range of integrated services for over 25,000 low-income New Yorkers annually, with a focus on the most vulnerable and underserved—those facing the challenges of homelessness, HIV/AIDS, mental health issues, substance use disorder, other chronic conditions, and incarceration. Our comprehensive prevention and care services range from over 650 units of housing, to medical and behavioral care, to job training. Our mission is to end the dual crises of homelessness and AIDS through relentless advocacy, the provision of life saving services, and entrepreneurial businesses that sustain our efforts.

I am so glad Mayor de Blasio and the Department of Social Services are fast tracking the implementation of Intro 146, increasing the maximum dollar value of a CityFHEPS voucher to match Section 8 vouchers. This will make a real difference to many New Yorkers struggling with homelessness, much like HASA vouchers made a difference in my life.

I want to tell a little of my personal story, and then speak to two points I hope DSS will consider moving forward.

I lost my last apartment while I was incarcerated on Rikers Island because HASA stopped paying my vouchers. Despite help from Legal Aid, I lost the apartment as well as many of my belongings. After I left Rikers Island, I went into long term care at Samaritan Village and then lived at The Castle at Fortune Society. In the shelter system, I saw active substance use happening, sometimes right in front of me. As someone with substance use disorder, that could

be very triggering. I'd see fights. I know from my own experience and that of friends and colleagues that the shelters can be very unsafe, and sometimes people feel safer on the streets.

It was important to me to have my own apartment again. I found a great place but I had difficulty securing it, because the amount was at the threshold, just exceeding the amount allocated by HASA. It needed approval, which was a tedious process that took three months. Luckily I had a good case worker and a landlord who was willing to work with us. Eventually I was approved and my voucher was accepted, but I still had to pay the three months of back rent incurred during the paperwork process. I'm a licensed real estate broker and I've previously worked with City Limits. I could navigate the system and knew what to ask for, and I still had a lot of difficulty securing my apartment.

I'm now in a beautiful place that I love in Harlem. I have a great location, rent I can afford, and an amazing superintendent. Most of all, I have peace of mind, and a safe place to lay my head, where I can rest, recharge and rejuvenate.

I hope my story helps shed light on how difficult it is to find a safe apartment in New York City, even when you're lucky enough to have help, support, and knowledge of the system. HASA currently pays more than CityFHEPS; so for someone receiving CityFHEPS at the current rate, it can be even more impossible.

The current price point of CITYFHEPS vouchers doesn't adequately meet the market rent prices of studio/1 bed/2bed or even 3 bed apartments. According to streeteasy.com the Citywide median asking rent remains where it has been for the past six months: \$2,500. And according to a recent article in City Limits, CityFHEPS vouchers are capped at \$1,265 a month for a single adult and \$1,580 for a family of three or four, which is way below the median rent of an average two-bedroom anywhere in New York. And as you know, voucher-holders pay up to 30% of the rent, with the subsidy covering the rest.

In contrast, Section 8 covers one-bedroom apartments priced at \$1,945 per month and two-bedroom apartments priced at \$2,217, much closer to the market rate. So I hope DSS and Mayor de Blasio will move forward in implementing Intro 146 this September and raising the price point of FHEPS vouchers to match Section 8 vouchers. This will make a real and lasting difference for people currently experiencing homelessness in NYC.

Second, I want to join Mr. King and other advocates to ask for changes to the proposed rules to make it possible for low-income New Yorkers who work to also benefit from this program. It's been a blessing to have a stable apartment. But it's just as much of a blessing to have a job

where I have truly found my purpose and I'm able to save some money for my future. I've been able to heal from being in Rikers, and to make progress in my substance use recovery. This is allowing me to spread my wings and see what's next. I would ask that you think of my story when you consider this rule change.

I believe that housing is a right. You need to feel safe to move forward and help yourself. I am proof of that. I hope that you will implement Intro 146 and the proposed rule change immediately to help as many New Yorkers as possible.

Thank you for the opportunity to submit comments on the proposed rulemaking. Please do not hesitate to contact me (jdavis3@housingworks.org) or Jennifer Avril (j.johnson-avril@housingworks.org) with questions or to provide further information.

Sincerely,

Jamaal Davis
Account Manager, Community Partnerships
Housing Works
2640 Pitkin Avenue
Brooklyn, NY 11208

2 Lafayette Street, 3rd Floor, New York, NY 10007
T 212.577.7700 F 212.385.0331 www.safehorizon.org



moving victims of violence from crisis to confidence

August 30, 2021

HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007

RE: Proposed Rule Concerning CityFHEPS

I am submitting this comment on behalf of Safe Horizon in response to the proposed amendments to Title 68 of the Rules of the City of New York regarding the CityFHEPS rental assistance program.

Safe Horizon is the nation's largest victim assistance nonprofit organization and offers a client-centered, trauma-informed response to 250,000 New Yorkers each year who have experienced violence or abuse. Our mission is to provide support, prevent violence, and promote justice for victims of crime and abuse, their families, and communities.

Many of the victims and survivors Safe Horizon assists each year come to our programs for assistance with finding a safe place to live. We provide temporary shelter and supportive programming to survivors of domestic violence through our confidential domestic violence shelters, operated under the Human Resources Administration (HRA). We provide shelter and supportive programming to runaway and homeless youth (RHY) through our Streetwork Program Drop-in Centers and overnight homeless youth shelters, operated under the Department of Youth and Community Development (DYCD). And we provide housing information, advocacy, and referrals to victims and survivors of all forms of violence across all of our programs.

We know that housing is vital to survivors' safety and healing - both short-term and long-term. Violence, especially domestic violence, is a leading driver of homelessness in New York City. New Yorkers cycle in and out of homelessness and move between the City's different shelter systems. Despite these realities, however, we have learned all too well that the housing supports and subsidies offered to New Yorkers in need have failed to meet the moment and meaningfully address our housing and homelessness crises.

Safe Horizon is extremely grateful that HRA will increase rent levels for CityFHEPS rent vouchers, choosing to implement the rule change months earlier than required by Int. 146-C. We are also grateful to see that the rule raises max rent levels for apartments to NYCHA Section 8 standards rather than the broader federal Section 8 regulatory range included in the legislation, clarifies that SCRIE and DRIE households can also access CityFHEPS if otherwise eligible, and

simplifies the “street homeless” definition. CityFHEPS vouchers will now reflect the actual cost of housing in the city and be accessible to more New Yorkers. These changes will help more households access or maintain their permanent housing and will provide families in shelter with an effective tool for finding and affording a permanent home.

CityFHEPS has the potential to be the city’s most powerful tool for addressing the homelessness crisis. However, Safe Horizon makes the following recommendations to improve the CityFHEPS program to ensure those at risk of or currently experiencing homelessness can access the program in a timely manner and to ensure that New Yorkers are able to achieve long-term housing stability and economic mobility and success.

Eligibility Recommendations:

- **Initial Eligibility**

Re: § 10-03 (a) (1) and § 10-04 (a) (1): *Initial eligibility income criteria should mirror Section 8 instead of 200% FPL.* Too many one and two person households make too much to currently qualify for a CityFHEPS voucher but too little to pay rent on their own. With NYC’s recently implemented \$15 minimum wage it’s even easier to be over-income. Someone working 35 hours a week at \$15/hr. would have a gross income of \$27,300, which is \$1,540 over-income for a 1-person household. In order to be eligible, someone earning minimum wage would need to make sure they don’t work more than 33 hours a week in order to qualify, even though most hourly jobs operate on a 35 or 37.5 hr. schedule.

- **The CityFHEPS Renewal Eligibility and Ending the “Income Cliff”**

Re: § 10-08 (a) (1): *Renewal eligibility income criteria should mirror Section 8 instead of 250% FPL.* The current 250% FPL limit is too low to allow households to earn more and rise out of poverty, forcing them to choose between housing and economic mobility. Workers literally turn down raises and job promotions in order to maintain their housing voucher. HRA should adopt Section 8’s income renewal criteria for CityFHEPS – the household would only be found ineligible when 30% of their income equals the cost of their rent. This essential change would allow the household to earn more and ensure that they are not rent-burdened after the voucher ends. CityFHEPS is intended to help New Yorkers find safe, stable, long-term housing. HRA must end the “income cliff,” which fundamentally undermines this goal.

- **Ending the 90-day Qualifying Shelter Stay**

Re: § 10-04 (a) (8) (A) and § 10-04 (b) and § 10-04 (c): *The City should remove the 90-day qualifying shelter stay requirement for shelter residents.* Households should be eligible for a CityFHEPS rent assistance voucher once approved for residency in a qualifying shelter (e.g. DHS and HRA DV). The City’s current policies reflect the false and harmful belief that New Yorkers are trying to milk the system by entering shelter for free housing. The practice of requiring unhoused families and individuals to remain in shelter for 90 days to prove they are deserving of housing is inhumane, cruel, demoralizing, and traumatizing. The City must end this arbitrary timeline and work towards rapidly rehousing people without homes.

Additionally, homeless New Yorkers should not lose their voucher when they leave shelter. When a survivor leaves a DV shelter to stay with friends or family or go back to PATH, they should be able to keep their voucher until they find permanent housing – with no expiration. Currently, they need to be residing in a DV shelter for at least 90 days, excluding gaps of 10 days to qualify, but will only maintain eligibility for a shopping letter if they move to a different shelter type. Survivors and people experiencing homelessness understand their safety and their needs better than anybody else, and their need for safe, stable, affordable housing will not go away even if living outside the shelter system.

- **Access to CityFHEPS for Runaway and Homeless Youth (RHY)**

Re: §10-01(f): *Runaway and homeless youth living in Department of Youth and Community Development (DYCD) shelters should have access to CityFHEPS vouchers.* While the proposed §10-01(f) and current regulations allow referrals from DYCD for CityFHEPS, access to these vouchers remains limited. Access to CityFHEPS vouchers should not be about “avert[ing] entry to or abbreviate[ing] a stay in an HRA or DHS shelter,” as the proposed rule provides. Rather, RHY should be connected to safe, stable, affordable housing options just as any adult in DHS or HRA DV shelter.

The runaway and homeless youth we serve currently do not have any meaningful access to permanent affordable housing options other than supportive housing, which is limited and takes a long time to access. It makes no sense that the housing resources available to a homeless New Yorker is dictated by the shelter system in which they currently reside. We ask the Agency to immediately expand access to CityFHEPS vouchers to RHY.

- **Expanding CityFHEPS Eligibility for “Street homeless” New Yorkers**

Re: § 10-01 (nn): *The Agency should clarify the “Street homeless” definition to include anyone receiving case management services at a DHS Drop-In Center or residing in a safe haven.* We commend HRA for expanding the definition of “street homeless” to include individuals who have been receiving case management services for fewer than 90 days. However, not every client on caseload at a DHS Drop-In Center or residing in a safe haven previously received case management services from a DHS outreach provider. Additionally, safe havens serve the most vulnerable street homeless individuals but hardest to convince to enter shelter. Direct access to a CityFHEPS voucher will help those who do not need more supportive settings to secure permanent housing and free up limited safe-haven capacity for others in need more quickly.

Additionally, currently single adults would technically need to either be on caseload for a DHS outreach provider, or in a DHS or HRA shelter. By limiting the options available to single homeless individuals, the Agency is inadvertently discriminating against the LGBTQ community as they do not necessarily have kids (though of course many do). Additionally, transwomen are the highest homeless population, but if they do not have kids, their shelter and housing options are limited. We would like for the Agency to explore defining “Street homeless” to be more inclusive to ensure that New Yorkers experiencing homelessness who may not seek help from mainstream (and oftentimes unsafe) programs are still able to access CityFHEPS vouchers. Alternatively, the Agency could expand the

list of qualifying “feeder” programs to ensure that vulnerable New Yorkers are ensured access to these life-saving vouchers.

- **Expanding CityFHEPS Eligibility for New Yorkers at risk of eviction**

Re: § 10-03 (a) (6) (B): *The Agency should accept a verified rent-demand letter instead of eviction proceeding to qualify for CityFHEPS in-community.* A household should not be put at greater risk of eviction in order to qualify for assistance to stabilize their housing. A verified rent-demand should suffice to prove that a household’s housing is unstable, and timelier and more humane than forcing them to wait for their housing to further destabilize to the point that their landlord takes them to housing court.

Process Recommendations:

We echo the demands of our community of advocates in calling for the following changes:

- *Establish and publicize standards, procedures, and referral processes for “qualifying CityFHEPS programs” to ensure meaningful access to CityFHEPS vouchers to avert entry into a DHS or HRA DV shelter.* While included in the original rule language, we are disappointed that processes have not yet been established to refer clients from these “feeder” systems such as RHY shelter, ACS, Corrections, or APS. The Agency must act now, creating a pathway to connect individuals to permanent housing. Referrals should be routine and based on people’s lived experience of homelessness or risk of homelessness.
- *Streamline the opening of Single Issuance Cases to deliver CityFHEPS for eligible households without active Public Assistance cases.*
 - *Improve communication around Single Issuance cases.* HRA staff at Centers and ACCESSHRA as well as applicants must all be informed that the household is applying for a single issuance, not ongoing Cash Assistance. Applicants are frequently told they do not qualify for public benefits when they do qualify for CityFHEPS. This miscommunication when attempting to open a single issuance results in multiple applications and wasted precious resources, creating delays and lowering tenants and landlords’ interest in the program.
 - *Provide tenants with a CityFHEPS shopping letter and presumptive eligibility, while coordinating PA single issuance paperwork separately, budgeting the household, and opening the single issuance when the apartment is located.* Single issuance cases are a fragile delivery mechanism to award CityFHEPS as these cases are prone to automatically closing without notice, causing the CityFHEPS application to be denied. Moving single issuances to the backend and uncoupling a household’s CityFHEPS eligibility from this administrative process would avoid CityFHEPS denials due to snags in the process where both tenants and landlords are faultless.
- *Additionally, we ask that the Agency remedy bureaucratic and disruptive hurdles that too often cause additional harms to survivors.* The domestic violence survivors we serve face

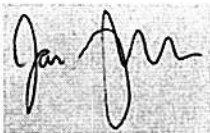
so many issues while seeking assistance from HRA that impede their ability to navigate the process of finding and securing housing. For example, the ADVENT unit contact information is outdated. When attempting to move a survivor's PA case to ADVENT, it has become impossible or takes an unreasonable amount of time.

- *Tenants, landlords, and property managers need more robust notifications for renewal and budget issues/changes in rent levels, similar to Section 8. Additionally, tenants and landlords need a way to troubleshoot directly with HRA disruptions in Public Assistance benefits which cause CityFHEPS to "fall off" budget. We hope that the new CurRent system will assist with notifications, however landlords and property managers could benefit from a centralized HRA resource to proactively troubleshoot why their tenants' CityFHEPS fell off. Checks also need to get to landlords faster as landlords wait months before getting rent. Additionally, HRA often refers our staff to "Aftercare" to troubleshoot these issues and receive support. However, we are never provided any clarification or information for such a program.*
- *HRA needs to maintain a faster inspections and turnaround time so landlords aren't waiting for months for HRA to provide the final approval.*
- *Lastly, HRA and Public Assistance need to speak to each other and coordinate. Landlords tend to receive checks from HRA monthly, but not from Public Assistance (PA). This causes landlords to not receive the full rent amount each month. PA usually does not update their system to reflect the new permanent address, which causes unnecessary disruptions and complications for our clients.*

Conclusion:

Thank you for the opportunity to submit this comment. We hope HRA and the City will consider amending the proposed rule to address the concerns we have raised. Please know that Safe Horizon is here as a resource to HRA and to the Administration as we collectively work to make our city a safer, more just home for all New Yorkers.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Meagher", is placed over a light gray rectangular background.

Jimmy Meagher, LMSW
Policy Director, Government Affairs
Safe Horizon



David J. Woodlock, MS, President/CEO

Pamela Mattel, LCSW, Chief Operating Officer

Nikant Ohri, CPA, Chief Financial Officer

People Get Better With Us™

August 30, 2021

HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007

Subject: Rental Assistance Amendments

Dear HRA Rules:

I am writing on behalf of my organization, Institute for Community Living (ICL), to submit public comments for the proposed amendments to Title 68 of the Rules of the City of New York, for the CityFHEPS rental assistance program.

We are grateful to the agency for your shared sense of urgency to increase rent levels for CityFHEPS rent vouchers, choosing to implement the rule change months earlier than required by Int. 146-C. We are heartened to see that the rule also raises max rent levels for apartments to NYCHA Section 8 standards rather than the broader federal Section 8 regulatory range included in the legislation, clarification that SCRIE and DRIE households can also access CityFHEPS if otherwise eligible, and the simplification of the street homeless definition, as all these changes will help more households to access or maintain their permanent housing.

ICL makes the follow recommendations to improve the CityFHEPS program to ensure those at risk of or currently experiencing homelessness can access the program in a timely manner, and provides long-term housing stability that slowly tapers off assistance as tenants' incomes rise over time.

Eligibility Recommendations:

- **10-03 (a) (1) and § 10-04 (a) (1) Initial eligibility income criteria should mirror Section 8 instead of 200% FPL.** Too many one and two person households make too much to currently qualify for a CityFHEPS voucher but too little to pay rent on their own. With NYC's recently implemented \$15 minimum wage it's even easier to be over-income. Someone working 35 hours a week at \$15/hr. would have a gross income of \$27,300, which is \$1,540 over-income for a 1-person household. In order to be eligible, someone earning minimum wage would need to make sure they don't work more than 33 hours a week in order to qualify (most hourly jobs operate on a 35 or 37.5 hr. schedule)
- **10-08 (a) (1) Renewal eligibility income criteria should mirror Section 8 instead of 250% FPL.** The current 250% FPL limit is too low to allow households to earn more and rise out of poverty, forcing them to walk a tightrope to maintain their housing. Workers literally turn down raises in order to maintain their housing voucher. Under Section 8's income renewal criteria, which we feel should also be adopted for CityFHEPS, the household only becomes ineligible when 30% of their income equals the cost of their rent, allowing the household to earn more and ensuring they are not rent-burdened after the voucher ends.





David J. Woodlock, MS, President/CEO

Pamela Mattel, LCSW, Chief Operating Officer

Nikant Ohri, CPA, Chief Financial Officer

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- **10-04 (a) (8) (A) and § 10-04 (b) and § 10-04 (c) Remove the 90-day qualifying shelter stay requirement for shelter residents.** Households should be eligible for a CityFHEPS rent assistance voucher once approved for residency in a qualifying shelter (e.g. DHS or HRA DV). For DHS facilities this should be when a household's conditional status ends and they become eligible for shelter services. The fallacy that housing is a draw to shelter must end and the City's housing policies should not reflect it. To mandate a family or individual in shelter to wait 90 days to demonstrate they "really" need a housing voucher is inhumane, and must end. Everyone homeless needs and is ready for housing.
- **10-01 (nn) Clarify the "Street homeless" definition to include anyone receiving case management services at a DHS Drop-In Center, or residing in a safe haven.** Not every client on caseload at a DHS Drop-In Center or residing in a safe haven previously received case management services from a DHS Outreach Provider. Additionally, safe havens serve the most vulnerable street homeless individuals but hardest to convince to enter shelter, and direct access to a CityFHEPS voucher will help those who do not need more supportive settings to secure permanent housing and free up limited safe-haven capacity for others in need more quickly.
- **10-03 (a) (6) (B) Require a verified rent-demand letter instead of eviction proceeding to qualify for CityFHEPS in-community.** A household should not be put at greater risk of eviction in order to qualify for assistance to stabilize their housing. A verified rent-demand should suffice to prove that a household's housing is unstable, and timelier and more humane than forcing them to wait for their housing to further destabilize to the point that their landlord takes them to housing court.

Process Recommendations:

- **Establish and publicize referral processes for "qualifying CityFHEPS programs" to ensure meaningful access to CityFHEPS vouchers to avert entry into a DHS or HRA DV shelter.** While included in the original rule language, we are disheartened that processes have not yet been established to refer clients from these "feeder" systems such as RHY shelter, ACS, Corrections or APS, and the agency must now act, creating a pathway to divert individuals from housing into permanent housing.
- **Streamline the opening of Single Issuance Cases to deliver CityFHEPS for eligible households without active Public Assistance cases.**
 - **Improve communication around Single Issuance cases.** HRA staff at Centers and ACCESSHRA as well as applicants must all be informed that the household is applying for a single issuance, not ongoing Cash Assistance. Applicants are frequently told they do not qualify for public benefits when they do qualify for CityFHEPS. This miscommunication when attempting to open a single issuance results in multiple applications and wasted precious resources, creating delays and lowering tenants and landlords' interest in the program.
 - **Provide tenants with a CityFHEPS shopping letter and presumptive eligibility, while coordinating PA single issuance paperwork separately, budgeting the household and opening the single issuance when the apartment is located.** Single issuance cases are a fragile delivery mechanism to award CityFHEPS as these cases are prone to automatically closing without notice, causing the CityFHEPS application to be denied. Moving single issuances to the backend and uncoupling a household's CityFHEPS eligibility from this administrative process, would avoid CityFHEPS denials due to snags in the process where both tenants and landlords are faultless.





David J. Woodlock, MS, President/CEO

Pamela Mattel, LCSW, Chief Operating Officer

Nikant Ohri, CPA, Chief Financial Officer

People Get Better With Us™

- **Tenants, landlords, and property managers need more robust notifications for renewal and budget issues/changes in rent levels, similar to Section 8. Additionally, tenants and landlords need a way to troubleshoot directly with HRA disruptions in Public Assistance benefits which cause CityFHEPS to “fall off” budget.** We are hopeful that the new CurRent system which is in development will assist with notifications, however landlords and property managers could benefit from a centralized HRA resource to proactively troubleshoot why their tenants' CityFHEPS fell off.

If you have any questions, please contact me via email at David.woodlock@iclinc.net or call 212-385-3030.

Sincerely,

David Woodlock



Northern Manhattan Improvement Corporation
45 Wadsworth Avenue
New York, New York 10033

August 30, 2021

HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007

Subject: Rental Assistance Amendments

Dear HRA Rules:

I am writing on behalf of my organization, Northern Manhattan Improvement Corporation (hereinafter "NMIC") to submit public comments for the proposed amendments to Title 68 of the Rules of the City of New York, for the CityFHEPS rental assistance program.

We are grateful to the agency for your shared sense of urgency to increase rent levels for CityFHEPS rent vouchers, choosing to implement the rule change months earlier than required by Int. 146-C. We are heartened to see that the rule also raises max rent levels for apartments to NYCHA Section 8 standards rather than the broader federal Section 8 regulatory range included in the legislation, clarification that SCRIE and DRIE households can also access CityFHEPS if otherwise eligible, and the simplification of the street homeless definition, as all these changes will help more households to access or maintain their permanent housing.

NMIC makes the following recommendations to improve the CityFHEPS program to ensure those at risk of or currently experiencing homelessness can access the program in a timely manner, and provides long-term housing stability that slowly tapers off assistance as tenants' incomes rise over time.

Eligibility Recommendations:

- **§ 10-03 (a) (1) and § 10-04 (a) (1) Initial eligibility income criteria should mirror Section 8 instead of 200% FPL.** Too many one and two person households make too much to currently qualify for a CityFHEPS voucher but too little to pay rent on their own. With NYC's recently implemented \$15 minimum wage it's even easier to be over-income. Someone working 35 hours a week at \$15/hr. would have a gross income of \$27,300, which is \$1,540 over-income for a 1-person household. In order to be eligible, someone earning minimum wage would need to make sure they don't work more than 33 hours a week in order to qualify (most hourly jobs operate on a 35 or 37.5 hr. schedule)
- **§ 10-08 (a) (1) Renewal eligibility income criteria should mirror Section 8 instead of 250% FPL.** The current 250% FPL limit is too low to allow households to earn more and rise out of poverty, forcing them to walk a tightrope to maintain their housing. Workers literally turn down raises in order to maintain their housing voucher. Under Section 8's income renewal criteria, which we feel should also be adopted for CityFHEPS, the household only becomes ineligible when 30% of their income equals the cost of their rent, allowing the household to earn more and ensuring they are not rent-burdened after the voucher ends.
- **§ 10-04 (a) (8) (A) and § 10-04 (b) and § 10-04 (c) Remove the 90-day qualifying shelter stay requirement for shelter residents.** Households should be eligible for a CityFHEPS rent assistance voucher once approved for residency in a qualifying shelter (e.g. DHS or HRA DV). For DHS

facilities this should be when a household's conditional status ends and they become eligible for shelter services. The fallacy that housing is a draw to shelter must end and the City's housing policies should not reflect it. To mandate a family or individual in shelter to wait 90 days to demonstrate they "really" need a housing voucher is inhumane, and must end. Everyone homeless needs and is ready for housing.

- **§ 10-01 (nn) Clarify the "Street homeless" definition to include anyone receiving case management services at a DHS Drop-In Center, or residing in a safe haven.** Not every client on caseload at a DHS Drop-In Center or residing in a safe haven previously received case management services from a DHS Outreach Provider. Additionally, safe havens serve the most vulnerable street homeless individuals but hardest to convince to enter shelter, and direct access to a CityFHEPS voucher will help those who do not need more supportive settings to secure permanent housing and free up limited safe-haven capacity for others in need more quickly.
- **§ 10-03 (a) (6) (B) Require a verified rent-demand letter instead of eviction proceeding to qualify for CityFHEPS in-community.** A household should not be put at greater risk of eviction in order to qualify for assistance to stabilize their housing. A verified rent-demand should suffice to prove that a household's housing is unstable, and timelier and more humane than forcing them to wait for their housing to further destabilize to the point that their landlord takes them to housing court.

Process Recommendations:

- **Establish and publicize referral processes for "qualifying CityFHEPS programs" to ensure meaningful access to CityFHEPS vouchers to avert entry into a DHS or HRA DV shelter.** While included in the original rule language, we are disheartened that processes have not yet been established to refer clients from these "feeder" systems such as RHY shelter, ACS, Corrections or APS, and the agency must now act, creating a pathway to divert individuals from housing into permanent housing.
- **Streamline the opening of Single Issuance Cases to deliver CityFHEPS for eligible households without active Public Assistance cases.**
 - **Improve communication around Single Issuance cases.** HRA staff at Centers and ACCESSHRA as well as applicants must all be informed that the household is applying for a single issuance, not ongoing Cash Assistance. Applicants are frequently told they do not qualify for public benefits when they do qualify for CityFHEPS. This miscommunication when attempting to open a single issuance results in multiple applications and wasted precious resources, creating delays and lowering tenants and landlords' interest in the program.
 - **Provide tenants with a CityFHEPS shopping letter and presumptive eligibility, while coordinating PA single issuance paperwork separately, budgeting the household and opening the single issuance when the apartment is located.** Single issuance cases are a fragile delivery mechanism to award CityFHEPS as these cases are prone to automatically closing without notice, causing the CityFHEPS application to be denied. Moving single issuances to the backend and uncoupling a household's CityFHEPS eligibility from this administrative process, would avoid CityFHEPS denials due to snags in the process where both tenants and landlords are faultless.
- **Tenants, landlords, and property managers need more robust notifications for renewal and budget issues/changes in rent levels, similar to Section 8. Additionally, tenants and landlords need a way to troubleshoot directly with HRA disruptions in Public Assistance benefits which**

cause CityFHEPS to “fall off” budget. We are hopeful that the new CurRent system which is in development will assist with notifications, however landlords and property managers could benefit from a centralized HRA resource to proactively troubleshoot why their tenants’ CityFHEPS fell off.

Additionally, we are concerned that pegging the new payment standards to revised bedroom count and occupancy standards could undermine the purpose of the rule which, as originally conceived would promote housing choice and expand the universe of apartments available to people who would otherwise be forced to languish in shelters. Families who find an apartment that passes inspection and rents for the allowable payment standard matching their family size must be allowed to rent that apartment even if the layout has fewer official bedrooms than dictated by the chart associated with this rule. It is not at all uncommon in NYC apartments to have flex spaces generally for office or dining use be converted into a bedroom; we ought not rob families of options that would work well and be safe for their families based on some arbitrary standard absent actual evidence of overcrowding or other hazardous conditions. Therefore, we request that the City exclude bedroom count from the revised payment standard guidelines and default to existing inspection standards and resident choice when determining the appropriateness of the unit.

If you have any questions, please contact me via email at jeseniaponce@nmic.org or call 212-822-8300 (ext. 434).

Sincerely,

Jesenia Ponce, Esq.
Supervising Attorney
Northern Manhattan Improvement Corporation
45 Wadsworth Ave
New York, NY 10033

August 30, 2021

HRA Rules
% Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY, 10007

Subject: Rental Assistance Amendments -- Title 68 of the Rules of the City of New York

Dear HRA Rules:

As the Chair of the City Council's General Welfare Committee and the sponsor of Introduction 146 (enacted as Local Law 71 of 2021), I commend Mayor de Blasio and HRA for implementing the legislation on September 1st, and increasing the maximum allowable rents for CityFHEPS vouchers to Section 8 allowable standards.

This program change will make a significant impact in addressing the housing and affordability crisis in our city and benefit thousands of New Yorkers living in the shelter system in need of permanent housing. The personal comments submitted so far on this proposed Rule show how critical this change is: many shared experiences of waiting months or years with a voucher that is too low to find suitable housing and were repeatedly discriminated against by landlords. This voucher increase cannot come soon enough.

I support multiple proposed changes in the Rule, including the clarification of the definition of street homelessness and eligibility expansion to include unsheltered New Yorkers; the explication that SCRIE and DRIE households are able to use CityFHEPS vouchers towards their rent; and the creation of a project-based CityFHEPS program which will allow non-profit housing providers to contract with HRA for permanent housing. Voucher holders continue to face source of income discrimination and contracting with housing providers will provide an alternative to the private market that includes greater connection with social services.

I offer the following recommendations to address critical components of the legislation and ensure the CityFHEPS program is effectively implemented.

1. **Address the CityFHEPS Renewal Eligibility Criteria to Resolve the "Income Cliff."**
Currently, the proposed rule ends voucher eligibility entirely when a household exceeds 250% of the Federal Poverty Level (FPL). This sets up a negative incentive that punishes New Yorkers for seeking and increasing their employment -- and makes it harder for families to move out of poverty. Rather than cut off voucher access entirely for households at 250% of FPL, putting them at risk of homelessness again, HRA should move to a model that caps rent at 30% of a family's income. New York recognizes the importance of this policy approach, as Section 8's renewal criteria applies a 30% rent cap, allowing households to earn more and not face an automatic cliff. LL 71 sets the

voucher rate at Section 8 voucher levels, and in line with that, the Administration should also follow the Section 8 model for maintaining ongoing eligibility.

Under the current proposed rule, for a 2-family household in a 1 bedroom, their rent share of a \$1,945 apartment would be \$1,089, or 53.6% of their income. For a single family household in a 1 bedroom, that percentage is 72.5%, extremely difficult to cover the cost of living overall. If eligibility were set at rent equal to 30% of a household's income, the size of the rent cliff would be \$0 for both households at that level.

2. Change Initial Eligibility to match Section 8 criteria instead of 200% FPL.

Many families are ineligible for vouchers because the initial allowance is capped at 200% of FPL. A person making minimum wage in New York City would be ineligible for CityFHEPS if they work 35 hours a week, yet the cost of housing is still unaffordable for most.

3. Remove housing occupancy requirements for payment standards.

The recently released [CityFHEPS FAQ](#) pegs voucher amounts to household occupancy requirements, restricting families' choice in deciding what apartment size is right for them. For many voucher holders, access to quality housing is already difficult and families know what situation is appropriate for them. If an apartment passes inspection, families should be allowed to determine their preferred bedroom size, not face further restrictions. In line with HSU's recommendations, I urge the City to return to previous practice and exclude bedroom count from the new payment standard guidelines.

4. Improve Access to Vouchers for Homeless Youth.

While the proposed rule allows for referrals for CityFHEPS from DYCD, greater clarification is needed in the language to ensure access for vulnerable youth. The current HRA language restricts voucher access only to "avert entry to or abbreviate a stay in an HRA or DHS shelter." CityFHEPS vouchers should be fully accessible to homeless youth without this qualification, which can lead to delays or denial of housing access.

5. Remove the 90-day shelter stay requirement.

New Yorkers experiencing homelessness should be eligible for a CityFHEPS voucher as soon as they're approved for a shelter stay. We need to move toward a 'Housing First' approach to housing and end unnecessary delays in access to immediate housing. I applaud the clarification of street homelessness to include unsheltered residents in voucher access and urge the Administration to also remove the 90-day shelter stay requirement.

If you have any questions, please contact me at SLevin@council.nyc.gov.

Sincerely,

Stephen Levin
Council Member
33rd District of the City of New York

As Per Int. 146-C

Household size	1 as a studio	1 as a 1 bedroom	2 as a 1 bedroom	3 as a 2 bedroom	4 as a 2 bedroom	5 as a 2 bedroom	5 as a 3 Bedroom	6 as a 3 bedroom
Section 8 Rent	\$1,900	\$1,945	\$1,945	\$2,217	\$2,217	\$2,217	\$2,805	\$2,805
FPL	\$12,880	\$12,880	\$17,420	\$21,960	\$26,500	\$31,040	\$31,040	\$35,580
250% FPL	\$32,200	\$32,200	\$43,550	\$54,900	\$66,250	\$77,600	\$77,600	\$88,950
Rent share paid by tenant prior to cliff at 250% FPL	\$805	\$805	\$1,089	\$1,373	\$1,656	\$1,940	\$1,940	\$2,224
Rent % of income at 250% FPL (as per Int. 146-C)	70.81%	72.48%	53.59%	48.46%	40.18%	34.28%	43.38%	37.84%
Size of rent cliff in \$ at 250% FPL (as per Int. 146-C)	\$1,095	\$1,140	\$856	\$845	\$581	\$277	\$865	\$581
Size of rent cliff in % of rent paid prior to cliff at 250% FPL (as per Int. 146-C)	136.02%	141.81%	78.65%	81.53%	33.86%	14.28%	44.59%	26.14%

If Int. 146-B was passed as drafted with Rent Never Exceeding 30% of Income

Income for rent to equal 30%	\$76,000	\$77,800	\$77,800	\$88,680	\$88,680	\$88,680	\$112,200	\$112,200
% of FPL for rent to equal 30% of income	590%	604%	447%	404%	335%	286%	361%	315%
Rent share paid by tenant prior to cliff if eligibility was set at rent equal to 30% of income	\$1,900	\$1,945	\$1,945	\$2,217	\$2,217	\$2,217	\$2,805	\$2,805
Size of rent cliff in \$ if eligibility was set at rent equal to 30% of income	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Size of rent cliff in % of rent paid prior to cliff if eligibility was set at rent equal to 30% of income	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Prior to Int. 146

Household size	1 as a studio	1 as a 1 bedroom	2 as a 1 bedroom	3 as a 2 bedroom	4 as a 2 bedroom	5 as a 2 bedroom	5 as a 3 Bedroom	6 as a 3 bedroom
Existing City/FHEPS rents	\$1,265	\$1,265	\$1,323	\$1,580	\$1,580	\$2,040	\$2,040	\$2,040
FPL	\$12,880	\$12,880	\$17,420	\$21,960	\$26,500	\$31,040	\$31,040	\$35,580
250% FPL	\$32,200	\$32,200	\$43,550	\$54,900	\$66,250	\$77,600	\$77,600	\$88,950
Rent share paid by tenant prior to cliff at 250% FPL	\$805	\$805	\$1,089	\$1,373	\$1,656	\$1,940	\$1,940	\$2,224
Rent % of income at 250% FPL	47.14%	47.14%	36.45%	34.54%	28.62%	31.55%	31.55%	27.52%
Size of rent cliff in \$ at 250% FPL (status quo)	\$460	\$460	\$234	\$208	-\$76	\$100	\$100	-\$184
Size of rent cliff in % of rent paid prior to cliff at 250% FPL (status quo)	57.14%	57.14%	21.52%	15.12%	-4.60%	5.15%	5.15%	-8.26%

Using 80% AMI as an income ceiling

Section 8 Rent	\$1,900	\$1,945	\$1,945	\$2,217	\$2,217	\$2,217	\$2,805	\$2,805
80% AMI	\$68,880	\$68,880	\$78,400	\$85,920	\$95,440	\$103,120	\$103,120	\$110,720
Rent share paid by tenant prior to cliff at 80% AMI	\$1,672	\$1,672	\$1,910	\$2,148	\$2,386	\$2,578	\$2,578	\$2,768
Rent % of income at 80% AMI	34.09%	34.90%	30.55%	30.96%	27.88%	25.80%	32.64%	30.40%
Size of rent cliff in \$ at 80% AMI	\$228	\$273	\$35	\$69	-\$169	-\$361	\$227	\$37
Size of rent cliff in % of rent paid prior to cliff at 80% AMI	13.64%	16.33%	1.83%	3.21%	-7.08%	-14.00%	8.81%	1.32%

