

NEW YORK CITY DEPARTMENT OF SOCIAL SERVICES  
OFFICE OF LEGAL AFFAIRS

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PUBLIC HEARING/OPPORTUNITY TO COMMENT - PROPOSED  
AMENDMENTS TO CHAPTER 10 OF TITLE 68 & PROPOSED ADDITION  
OF CHAPTER 60 OF TITLE 28 OF THE RULES OF THE CITY OF NEW  
YORK (NEW CITYFHEPS PROGRAM)

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DATE: September 15, 2023

HELD AT: Zoom

BEFORE:

APPEARANCES: CHANELL MILLER,  
Senior Advisor to the First Deputy  
Commissioner, New York City Department  
of Social Services

ALSO PRESENT: LEYBE DIAZ, Spanish Interpreter  
YING PAGE, Mandarin Interpreter  
SHAHRAZAD, ASL Interpreter

DIGITALLY RECORDED PROCEEDING, TRANSCRIBED BY:  
BRANDI CHAMBERLAIN  
UBIQUUS

1 MS. CHERYL WERTZ: It's your show.

2 MS. CHANELL MILLER: I'll just give it another  
3 minute, just in case there are others trying to log in.

4 TARA: That's perfect. Thank you.

5 MS. MILLER: Morning Tara.

6 TARA: Good morning.

7 MS. WERTZ: That answers the question as to  
8 whether or not it was our Tara.

9 MS. MILLER: Yeah.

10 MS. WERTZ: All right. Before we let these  
11 people in, I'm going to go ahead and start being able to--  
12 yeah, all right. So I can now view the full transcript,  
13 which will allow me to copy the full transcript.

14 TARA: Thank you.

15 MS. MILLER: I think we can get started.

16 MS. WERTZ: Great. I am admitting all of the  
17 people.

18 MS. MILLER: Okay. Good morning, everyone. My  
19 name is Chanell Miller from the New York City Department  
20 of Social Services. Thank you for joining us for this  
21 hearing on the New York City Human Resources  
22 Administration proposed ruled change to increase the  
23 availability of affordable housing for formerly homeless  
24 individuals and families through the establishment of a  
25 New City Fighting Homelessness and Eviction Prevention

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1 Supplement Program, also known as CityFHEPS, which  
2 provides a rental subsidy to help prevent homelessness and  
3 house homeless New Yorkers.

4 At this point in time, I would like to note that  
5 we have available interpreters who are available in  
6 Spanish and Mandarin, as well as ASL and closed  
7 captioning. I'll take a minute for the interpreters to go  
8 ahead and introduce themselves at this moment.

9 MS. LEYBE DIAZ: Thank you.

10 MS. MILLER: Thank you.

11 MS. YING PAGE: Thank you.

12 MS. MILLER: Thank you. Welcome and thank you  
13 for attending this meeting today. Again, if you missed  
14 it, my name is Chanell Miller. I am the Senior Advisor to  
15 the First Deputy Commissioner of DSS. This is public  
16 hearing pursuant to the City Administrative Procedure Act,  
17 or CAPA. The subject of this hearing is amendment to the  
18 CityFHEPS program.

19 These proposed rules make several changes to the  
20 CityFHEPS program. First, these proposed rules establish  
21 a pilot program to be codified in Subchapter C of Chapter  
22 10 of Title 68. That aims to facilitate CityFHEPS voucher  
23 holders finding safe and sanitary apartments. New York  
24 City faces a severe housing shortage. The dearth of  
25 available apartments is particularly acute in the most

1 affordable housing with less than 1% of apartments with  
2 asking monthly rents below \$1,500 available.

3 As outlined in the City's plans to prevent  
4 homelessness, "Housing Our Neighbors: A Blueprint for  
5 Housing and Homelessness," the City has committed to  
6 getting New Yorkers into safe, high quality, affordable  
7 homes. The "Unlocking Doors" initiative, as set forth in  
8 this proposed rule, will help accomplish this goal by  
9 providing grants for the rehabilitation of rent stabilized  
10 homes in need of repair on the condition that the  
11 rehabilitated units are leased to New Yorkers experiencing  
12 homelessness who have CityFHEPS vouchers. This  
13 reimbursement grant will help reduce the number of  
14 chronically vacant low rent apartments, and thereby  
15 increase the availability of desperately needed safe and  
16 affordable housing. It will facilitate CityFHEPS voucher  
17 holders moving out of shelter and into permanent housing.

18 This pilot program will focus on a small number  
19 of rent stabilized apartments that are chronically vacant  
20 and need significant repairs in order to become safe and  
21 habitable. A unit that may be aided by this reimbursement  
22 grant program must, one, be rent stabilized; two, be  
23 vacant in both 2022 and 2023; and, three, have a legal  
24 rent below the applicable specified threshold.

25 In order to receive a reimbursement grant, an

1 applicant will need to first submit construction cost  
2 estimates to HPD for preapproval. HPD will certify that  
3 the unit meets certain eligibility criteria and that the  
4 cost estimates are consistent with its schedule of maximum  
5 cost allowances for work items that are eligible for  
6 reimbursement.

7 After receiving a preliminary eligibility  
8 determination from HPD, the owner will have six months to  
9 complete construction, after which the subject dwelling  
10 unit must pass a safety and habitability assessment. In  
11 addition, the unit must be in compliance with the lead  
12 based paint inspection requirements of Section 27-2056.4,  
13 Subsection A-1, of the Administrative Code.

14 Upon a successful inspection, HRA will work with  
15 the owner to lease the subject dwelling unit to an  
16 eligible household, and will pay the final repair amount  
17 approved by HPD up to a maximum of \$25,000 for such  
18 dwelling unit. This new reimbursement grant program will  
19 be jointly administered by the Human Resources  
20 Administration and the Department of Housing Preservation  
21 and Development.

22 Second, these proposed rules revise the  
23 eligibility requirements for a CityFHEPS voucher. On June  
24 16th, 2023, Mayor Eric Adams signed an emergency rule  
25 amending Chapter 10 of Title 68 of the Rules of the City

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1 of New York, by removing the CityFHEPS program's  
2 eligibility requirement of a qualifying shelter stay for  
3 households seeking shopping letters and standardizing the  
4 work requirement for households seeking shopping letters  
5 at ten hours per week. These amendments to the CityFHEPS  
6 program are aimed to connecting--aimed at connecting more  
7 households in need with rental assistance vouchers, while  
8 freeing urgently needed capacity within the City's shelter  
9 system. The City now proposes to make those changes  
10 permanent through this rule amendment.

11 Specifically, the CityFHEPS rules are amended as  
12 follows: Eliminate the 90-day length of stay requirement  
13 for single adults and families. Reduce the number of  
14 hours that families are required to work to become  
15 eligible for CityFHEPS from 14 to 10 hours per week, and  
16 implement a ten hour per week work requirement for single  
17 adults. This change will create uniformity across  
18 populations in shelter. For households moving out of  
19 shelter into permanent housing, require that the household  
20 must not have resided in the residence to which they are  
21 moving at any point during the prior year.

22 The rules adopted by HRA on an emergency basis,  
23 relating to eligibility criteria for the CityFHEPS  
24 program, will remain in effect for an additional sixty  
25 days to afford an opportunity for notice and comment on

1 this proposed rule followed by adoption of a final rule.

2 Anyone who wishes to comment on the rule will  
3 have three minutes to speak. We will not be answering any  
4 questions or responding to your comments today, but please  
5 know that we will consider all comments received as we  
6 finalize the rule. If you wish to submit written  
7 testimony, the deadline is midnight tonight. Comments can  
8 be emailed to NYCRules@hra.nyc.gov. I will repeat the, N-  
9 Y-C-R-U-L-E-S at H-R-A dot N-Y-C dot G-O-V.

10 We have the following people signed up to speak  
11 today and we will start with them. Adam Roberts, Policy  
12 Director, Community Housing Improvement Program. Adam?

13 MR. ADAM ROBERTS: Thank you and thank you for  
14 holding this hearing today.

15 MS. MILLER: Mm-hmm.

16 MR. ROBERTS: I'm Adam Roberts, Policy Director  
17 for the Community Housing Improvement Program, also known  
18 as CHIP. We represent New York's housing providers,  
19 including apartment building owners and managers. And  
20 while we support the City's intent to make vacant rent  
21 stabilized apartments available for rent, we are concerned  
22 that the Unlocking Doors program provides insufficient  
23 funding to make them safe for tenants.

24 These apartments are currently vacant because  
25 they are not up to living standards for new tenants,

1           having been occupied by the same tenant or their family  
2           for many decades. Apartments may require lead removal,  
3           asbestos abatement, subfloor replacement, electrical  
4           rewiring, new kitchens and bathrooms. Though it is unsafe  
5           to perform this work in occupied apartments, it is safe to  
6           do so in vacant apartments. However, the cost of  
7           upgrading these apartments to acceptable standards is very  
8           high. This is challenging because recent state law  
9           reduces the willingness of banks to provide loans to fund  
10          renovations. Without enough funding, these renovations  
11          cannot be performed. Without renovations, it is unethical  
12          to rent these apartments to new tenants.

13                        The scope of work costs far more than the  
14          \$25,000 reimbursement under the program's proposed rules.  
15          The work required to making a vacant apartment safe often  
16          costs well over \$100,000 for just a studio or one-bedroom  
17          apartment. Perhaps this is why the program's only  
18          qualification for participating apartment is for it to be  
19          lead safe. Lead safe is less costly than making an  
20          apartment lead free, but it's also a much lower standard  
21          for safety. By sacrificing the quality of housing, this  
22          program is imperiling the safety of countless tenants.

23                        Furthermore, the program prohibits a voucher  
24          holder from using the full purchasing power of their  
25          voucher. Under the proposed rules, a voucher is capped at



1 the legal rent for the unit, rather than the full amount  
2 of the voucher. This sets a dangerous precedent for  
3 reducing voucher amounts and at the same time diminishes  
4 the quality of apartments available to voucher holders.

5 And while we applaud the City for seeking a  
6 solution to the vacancy crisis, this program minimizes the  
7 cost necessary to provide habitable housing and implies  
8 that voucher holders do not deserve access to high quality  
9 housing. We hope this program will be fixed to ensure  
10 housing is not only affordable but is also safe and up to  
11 current standards of living. With the migrant and  
12 affordable housing crisis, it is essential that the City  
13 ensure rent stabilized apartments are safe and habitable  
14 for decades to come. Thank you.

15 MS. MILLER: Thank you, Adam. If there is  
16 anyone else who wishes to testify, please raise your hand.  
17 If you need help, let us know in the chat box. If you  
18 have joined this hearing by calling in, you can raise your  
19 hand by pressing star nine.

20 Again, if there is anyone else who wishes to  
21 testify, please raise your hand. If you need help, let us  
22 know in the chat box. If you have joined by calling in,  
23 you can raise your hand by pressing star nine. We'll  
24 leave the line open should anyone else join. Just give it  
25 a little time here, just in case someone would like to

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1 testify.

2 I just also would like to mention that we have  
3 our interpreters available in Spanish and in Mandarin. We  
4 also have closed captioning and ASL available.

5 Again, if there is anyone who wishes to testify,  
6 please raise your hand. If you need help, let us know in  
7 the chat box. If you joined by--the hearing by calling  
8 in, you can raise your hand simply by pressing star nine.

9 If there's any--sorry, I was on mute. If there  
10 is anyone who wishes to comment on the proposed rule,  
11 please raise your hand. If you need help, let us know in  
12 the chat box. If you have joined this hearing by calling  
13 in, you can raise your hand by pressing star nine. If you  
14 wish to submit written testimony, the last--the deadline  
15 is midnight tonight. Comments can be emailed to  
16 NYCRules@hra.nyc.gov. We have the link in the chat as  
17 well.

18 MS. ALTHEA MATTHEWS: So sorry, good morning.

19 MS. MILLER: Good morning. Althea Matthews?

20 MS. MATTHEWS: Yes, yes. I was sleeping. This  
21 is my first--I was knocked out resting. I apologize to  
22 come on late.

23 MS. MILLER: Okay. If you would like to make a  
24 comment, you have three minutes to speak.

25 MS. MATTHEWS: Not right this moment.

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1 MS. MILLER: Okay.

2 MS. MATTHEWS: You said we have until midnight  
3 to submit the--our statement?

4 MS. MILLER: Yes.

5 MS. MATTHEWS: Okay.

6 MS. MILLER: Your written testimony, your  
7 written testimony, the deadline is tonight at midnight.  
8 And you can email it.

9 MS. MATTHEWS: All right. Or I can speak it  
10 right now.

11 MS. MILLER: Yes. If you would like, you have  
12 three minutes. You can go ahead and comment.

13 MS. MATTHEWS: Okay. I can go now?

14 MS. MILLER: Yes, you can.

15 MS. MATTHEWS: Okay. My name is Althea Matthews  
16 and I'm from New York. Also, I also was residing in the  
17 shelter for three years. And so the 90-day, the temporary  
18 elimination of the 90-day eligibility rule is--to qualify  
19 for housing vouchers instead of fully implementing the law  
20 100-23, introduction 878-A, it should not require any  
21 single adults for and reduce their hours for requirement  
22 to work for families to qualify for housing vouchers.

23 I believe that since the City Council passed  
24 this law, it should be implemented. It also for--it just  
25 eliminates people from staying in the shelter longer.

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1 Nobody should have to wait three, four, five years to be  
2 eligible. You already know that that individual is  
3 eligible, you know. And I think this law should be  
4 implemented, that it also should be done immediately.  
5 Thank you.

6 MS. MILLER: Thank you, Ms. Matthews.

7 MS. MATTHEWS: Mm-hmm. I would ramble on. I'm  
8 still sleepy. But I think you all got what I want.

9 MS. MILLER: Thank you. You're within time, so  
10 that was good.

11 MS. MATTHEWS: Okay. May I ask who you are?

12 MS. MILLER: My name is Chanell Miller. I'm  
13 Senior Advisor to the First Deputy Commissioner of DSS.

14 MS. MATTHEWS: Okay, welcome.

15 MS. MILLER: Okay. So if there is--there is not  
16 anyone else who would like to speak, you can simply raise  
17 your hand. If not, we're going to close the hearing at  
18 this time.

19 Thank you for coming today and sharing your  
20 thoughts on the proposed rule. This concludes the public  
21 hearing. We'll leave the line open for 30 minutes in case  
22 anyone wants to join. Thank you, everyone.

23 MS. WERTZ: Chanell, if we're leaving the line  
24 open, are we leaving the interpreters available?

25 MS. MILLER: Yes. I think we should.

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1 MS. WERTZ: Okay. So the interpreters will wait  
2 30 minutes until we actually close the hearing.

3 MS. MATTHEWS: Okay. Everyone have a good day.

4 MS. MILLER: Thank you. I see someone else has  
5 joined the line. If there is anyone that would like to  
6 testify, please raise your hand. You can do so now. If  
7 you need help, let us know in the chat box. If you have  
8 joined this hearing by calling in, you can raise your hand  
9 by pressing star nine. Any comments, this is the time.

10 MS. WERTZ: An individual on the phone has  
11 raised their hand. Do we have the instructions for  
12 unmuting themselves?

13 MS. MILLER: No and I am not the host, so I  
14 cannot unmute. If you would like to--

15 MS. WERTZ: --Hang on. I'll find the comments  
16 for that. They have to unmute themselves and--

17 MS. MILLER: --Yes.

18 MS. WERTZ: Give me one second. I'll find the--  
19 I'll find the directions.

20 MS. MILLER: Okay.

21 MALE VOICE: Hello?

22 MS. MILLER: Hello, hi. Who is on the call?

23 MALE VOICE: Yes.

24 MS. MILLER: Hi.

25 MALE VOICE: I just joined the call and I, I

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1 heard that you guys said that if anybody had any questions  
2 to raise their hand. Is the meeting over?

3 MS. MILLER: So we have the line open right now.  
4 If you would like to make a comment or testify on the  
5 proposed rule, you can do so now. You have three minutes  
6 to speak. We are not answering questions.

7 MALE VOICE: Oh, nah. I didn't get the chance  
8 to read through the whole rule. I just read half of it.  
9 So no, no thank you. Thank you.

10 MS. MILLER: Okay.

11 MALE VOICE: Can you guys still hear me?

12 MS. MILLER: Yes, we can.

13 MALE VOICE: I--would I be able to submit any  
14 questions via like email, if I was to read through it  
15 later on today?

16 MS. MILLER: Yes. So if you wish to submit a  
17 written testimony, the deadline is midnight tonight.  
18 Comments can be emailed to NYCRules@hra.nyc.gov. Again,  
19 that's N-Y-C-R-U-L-E-S at H-R-A dot N-Y-C dot gov.

20 MALE VOICE: All right, gotcha. N-Y-C dot rules  
21 dot H-R-A dot gov.

22 MS. MILLER: Correct.

23 MALE VOICE: Thank you.

24 MS. MILLER: You're welcome. Yes. So I see  
25 your hand raised. I also see you made a comment in the

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1 chat box. If you would like, you can unmute yourself.

2 ETHEL: Yes.

3 MS. MILLER: Okay. Yes. Hi, Ethel.

4 ETHEL: Hi, you all. How are you? How is  
5 everyone?

6 MS. MILLER: Good, thank you. If you would like  
7 to speak and make a comment or testimony on the proposed  
8 rule, you have three minutes to speak. You can--you can--  
9 you can do so now.

10 ETHEL: Okay. I feel that the implementation of  
11 the bills need to go through. It's very important. It's  
12 not good to prolonged things like this, because people  
13 have lives to live and it's very difficult, and it's very  
14 stressful when you have certain things that should be  
15 happening, not happening. Like, for example, the four  
16 proposed bills that was advocated for, for a long time.  
17 And not being implemented will make it even more difficult  
18 for people, as well as adding on a work requirement.  
19 People are stressed out. Not just people who are homeless  
20 but also people who do have places now to live because of  
21 the help of the vouchers.

22 It's, it's very stressful when you have so many  
23 things going on. It's also a health issue because you  
24 come into the system to get help and the things that you  
25 have to go through in order to get help is very hard. So,

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1 you know, sometimes people are stigmatized. You're trying  
2 to get work and it's hard being in the system that says  
3 they're going to help and there is no help at all. Then  
4 you stay on the system, receiving help.

5 So I feel that the implementation would put a  
6 lot of ease and ease pressure for a lot of people who are  
7 in need. And that's, that's what I have to say. And  
8 hopefully everything works out. Thank you.

9 MS. MILLER: Thank you, Ethel, for your  
10 comments.

11 ETHEL: You're welcome.

12 MS. MILLER: If there is anyone else who would  
13 like to make a comment, you may do so now. You'll have  
14 three minutes to speak. You can raise your hand or let us  
15 know if you need help. You can indicate so in the chat  
16 box. We have interpreters available in Spanish and in  
17 Mandarin, as well as closed captioning and ASL.

18 We're going to leave the line open a little  
19 longer, to see if there is anyone else that joins and  
20 would like to make a comment or testimony.

21 Ethel, I see your hand raised again. Is that an  
22 error or would you like to speak again?

23 ETHEL: No, I was just wondering if this  
24 transcript will be emailed to us. I was just curious.  
25 That's all. And thank you.



1 MS. MILLER: The transcript will be posted  
2 online. Okay. So we're going to officially close the  
3 line. We're closing the hearing for today. Thank you all  
4 for coming today and sharing your thoughts on the proposed  
5 rule. This concludes the public hearing. Thank you all.  
6 We're closing the line.

7 ETHEL: Thank you.

8 MS. MILLER: Thank you, goodbye.

9 ETHEL: Mm-hmm.

10 MS. WERTZ: Goodbye.

11 (Proceeding Concluded.)

12 C E R T I F I C A T E

13 I, Brandi Chamberlain, certify that the foregoing transcript  
14 of proceedings of Public Hearing/Opportunity to Comment -  
15 Proposed Amendments to Chapter 10 of Title 68 of the Rules of  
16 the City of New York & the Proposed Addition of Chapter 60 to  
17 Title 28 of the Rules of the City of New York (New CityFHEPS  
18 Program), was prepared using the required transcription  
19 equipment and is a true and accurate record of the  
20 proceedings.

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22 \_\_\_\_\_

23 09/19/2023

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