

**Housing Works 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 Charles King, and I am the Chief Executive Officer of 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.

Housing Works applauds DSS/HRA for fast-tracking implementation of the Local Law well ahead of the December statutory deadline, increasing the maximum allowable amount of CityFHEPS vouchers effective as of September 2021. Progress towards setting all NYC tenant-based rental assistance at the same value is critical in order to ensure that no one group of vulnerable New Yorkers is left at a further disadvantage in the housing market. 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.

Housing Works also supports the proposed creation of a project-based CityFHEPS program, confirmation that maximum allowable rent will be set based upon the NYCHA Section 8 standard (currently 110% of the HUD fair market rent for NYC), and rule changes to expand CityFHEPS eligibility for unsheltered New Yorkers and clarify that households benefiting from SCRIE/DRIE may use CityFHEPS vouchers. The Subchapter B project-based voucher program can be a particularly important resource for the most vulnerable New Yorkers experiencing homelessness, who face multiple barriers to private market housing due to histories of criminal justice involvement, lack of rental/credit history, and marginalization based on race, gender identity, sexual orientation and behavioral health issues, as well as persistent source of income discrimination.

Housing Works is 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. We also urge HRA to clarify the proposed rules governing the project-based CityFHEPS program to ensure that these units are provided based on proven “housing first” principles that do not condition eligibility or continued occupancy on abstinence from substance use or participation in behavioral health treatment. In addition, we support recommendations regarding implementation and administration of the

program advanced by allied organizations with extensive experience in navigating CityFHEPS and related programs.

### **Adjust income eligibility to support work and prevent a return to homelessness**

Housing Works strongly urges HRA to amend the income eligibility requirements for both securing and maintaining CityFHEPS assistance in order to support low-income working New Yorkers. Setting the standard for establishing initial program eligibility at just 200% of the federal poverty level (FPL) makes the program unavailable to otherwise eligible households working full time (35 hours/week) at NYC's \$15/hour minimum wage. Instead, we urge DSS/HRA to set maximum income eligibility to match the Section 8 Housing Choice voucher standard of  $\leq 50\%$  of Average Median Income (AMI). At the very least the program must be available to households with income up to 250% of FPL, to include those working full time at minimum wage. Likewise, limiting annual renewals of assistance to households with income at or below 250% of the federal poverty level will place working households at risk of a return to homelessness before they have sufficient income to maintain stable housing on their own. We 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 income towards rent, the Federal standard for housing affordability. No low-income New Yorker receiving rental assistance should have to choose between work and housing stability.

At Housing Works, we have repeatedly seen clients with HIV placed in the impossible situation of successfully completing NYS training to become a certified peer health care worker, returning to the workforce fulltime as a peer at the starting wage of \$15/hour, and then having to decide whether to give up work or their HASA-supported housing when the one-year NYS income disregard expires. Indeed, HRA has worked with Housing Works and other advocates to advance a pilot program that would extend the income disregard to allow workers time to increase their salary to a level that supports their housing. Unfortunately, to date our joint efforts have been rebuffed by the NYC Office of Temporary and Disability Assistance (OTDA). We implore HRA not to force the same unfair choice on CityFHEPS households working towards greater independence through advancement in the workplace.

### **Adopt a housing first approach in the Subchapter B project-based CityFHEPS program**

From our founding in 1990, Housing Works has been committed to a low-threshold, harm reduction approach to housing assistance, where admission and retention in housing is based on behaviors, rather than status as a drug user, person with mental health issues, or other conditions. Residents are held accountable, as we all are, for the behaviors and conditions necessary to live safely with neighbors, are entitled to privacy within their own home, and are encouraged to feel safe to share behavioral health needs or crises without concern about jeopardizing housing security or being required to engage in a particular course of treatment.

There is now, in 2021, a large and strong evidence base for this "housing first" approach to housing assistance, and at Housing Works we have seen firsthand the healing power of safe, secure housing as the baseline for improved health and well-being. Indeed, Housing Works has successfully employed this low-threshold, harm reduction approach to serve over 500 residents since March 2020 at the Isolation Hotel we operate under contract with DSS to provide a safe, private, and supported space for people experiencing homelessness to recover from COVID-19 illness. We are pleased that CityFHEPS tenant-based assistance is implemented employing a housing first approach, and strongly urge HRA to clarify the rules governing the proposed project-based program to make this an explicit requirement for participating providers. This is critical to ensure that these vital programs reach the New Yorkers they are intended to serve.

**Ensure that the CityFHEPS program employs policies and procedures that are clear, easy to navigate, and optimize its effectiveness to shorten and prevent the experience of homelessness**

Housing Works urges HRA to amend or clarify the program rules address the following additional issues:

- Establish and disseminate clear policies and procedures pursuant to §§10-01 and 10-03 to ensure equal and meaningful access to referrals from “CityFHEPS qualifying programs” to prevent or abbreviate a stay in a DHS or HRA shelter, including routine referrals for all homeless youth; and
- Eliminate the § 10-04 (a) (8) (A) and § 10-04 (b) and § 10-04 (c) requirement of a 90-day qualifying shelter stay for a household to become eligible for CityFHEPS. Once an individual or family enters shelter, they should be evaluated for CityFHEPS and promptly given a shopping letter so they can be rapidly rehoused back into the community. Any household determined by DSS to be eligible for shelter deserves an immediate opportunity to secure housing, without “earning” a shopping letter through a costly and harmful 90-day shelter stay.

**Transforming New York’s Response to Homelessness**

Housing Works has evolved in response to client needs from an initial 40-unit city-funded housing program in 1990, into a large multi-service organization that offers integrated medical, behavioral health and supportive services, and almost 600 units of housing, including Housing Works-developed community residences that serve people with HIV who face particular barriers to both the housing market and retention in effective HIV care.

Then came 2020, with New Yorkers experiencing homelessness at particular risk of COVID-19 disease and poor COVID outcomes. Homelessness remains at record levels in NYC, with over 50,000 people in shelters each night, and thousands more New Yorkers struggling to survive on the streets or other places not intended for sleeping.

As noted above, on March 17, 2020 Housing Works opened a DSS Isolation Hotel with 170 rooms, applying lessons learned from years of providing harm reduction housing for people with HIV. We have learned a great deal from this experience, including the critical importance of a true harm-reduction approach. Most significantly for Housing Works, once we became involved for the first time in the City’s homeless response, what we came to deeply appreciate is how awful and dehumanizing the City shelter system is, and we increasingly came to believe that the COVID-19 crisis is providing us with an opportunity to transform the way homeless people are treated in New York City. At Housing Works, we have formed an internal visioning committee research and explore models of support and housing assistance for New Yorkers experiencing homelessness, and we are currently working with DSS to combine funding sources to open a pilot “street to home” integrated stabilization that combines stabilization hotel beds and a drop-in center with onsite health and supportive services.

What is needed to transform our homeless response? Resources of course, but what is perhaps more vital are new approaches, a new vision for what is acceptable, and of course, collaboration to build and sustain the political will for systemic change. In a world grappling with the COVID pandemic and its aftermath, we must insist on policies, investments and innovation that treat people who find themselves homeless as people worthy of dignity, autonomy, respect and care.

Of course, we cannot end homelessness in New York unless 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, and Housing Works commends the City Council and HRA for taking action to increase the value of the CityFHEPS voucher to a more meaningful level that is in line with other tenant-based housing assistance programs. 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.

Thank you for the opportunity to submit comments on the proposed rulemaking. Housing Works looks forward to continuing to work with HRA and DSS to transform our current response to the experience of homelessness to meet real need in a manner that supports every person's basic human rights.

Please do not hesitate to contact me ([king@housingworks.org](mailto:king@housingworks.org)) or Ginny Shubert ([g.shubert@housingworks.org](mailto:g.shubert@housingworks.org)) with questions or to provide further information.

Sincerely,

Charles King, CEO  
Housing Works, Inc.  
57 Willoughby Street, 2nd Floor,  
Brooklyn, NY 12201  
347.473.7401 / [king@housingworks.org](mailto:king@housingworks.org)