



**HOMELESS SERVICES UNITED**

307 W. 38TH STREET, 3RD FLOOR  
NEW YORK, NY 10018  
T 212-367-1589  
www.HSUnited.org

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, Homeless Services United 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.

Homeless Services United 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.



**HOMELESS SERVICES UNITED**

307 W. 38TH STREET, 3RD FLOOR  
NEW YORK, NY 10018  
T 212-367-1589  
www.HSUnited.org

- **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 [ctrapani@hsunited.org](mailto:ctrapani@hsunited.org) or call (917) 748-9741.

Sincerely,

A handwritten signature in black ink, appearing to read 'Catherine Trapani', written in a cursive style.

Catherine Trapani

Executive Director