

I am writing on behalf of my organization, the Safety Net Project, 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 glad to see that the rule raises maximum rent levels for apartments to NYCHA Section 8 standards and the simplification of the street homeless definition, as these changes will help homeless people obtain permanent housing as quickly as possible.

The Safety Net Project makes the follow recommendations to improve the CityFHEPS program. These changes are critical to ensuring that the program helps homeless people get housing quickly and is not a revolving door back into homelessness for those who have CityFHEPS, as we have seen occur with so many previous City rental assistance programs.

- **§ 10-08 (a) (1) Renewal eligibility income criteria should mirror the language of Intro 146-B.** The current 250% FPL limit is too low to allow households to earn more and rise out of poverty, forcing them to choose between accepting a job and keeping their apartments. Formerly homeless people literally turn down jobs and raises in order to maintain their housing voucher; or they accept jobs and end up back in the shelter system because they lose rental assistance and are unable to pay ongoing rent. Under the language in Intro 146B, which we feel should also be adopted for CityFHEPS, the household only became 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.
- **§ 10-03 (a) (7) and § 10-04 (d) (3) Remove the newly added rent reasonableness requirement** – The agency’s rule adds a new rent reasonableness requirement that was not previously part of CityFHEPS and was not included in Intro 146 or discussed by the Council when the City Council directed the Agency to increase rent maximums to Section 8 levels. It furthermore could add additional bureaucratic delay and paperwork to the CityFHEPS process, which already often takes many months just for homeless individuals to be processed for one apartment. Furthermore, this requirement is not necessary as the new maximum rents are already at the low end of the market in all New York City neighborhoods, and threatens to add additional delays, bureaucracy, and red tape for voucher holders.
- **§ 10-08 Simplify rule language to clarify that there is no time limit on CityFHEPS vouchers for otherwise eligible households** - The language in § 10-08 sets forth a complicated series of criteria for determining eligibility beyond five years. This appears to unnecessarily complicate and restrict ongoing eligibility, which is contrary to the legislative intent of Intro 146-C, which states in its summary on the City Council website: “The bill would remove time limits on the amount of time where an otherwise qualifying recipient of rental assistance vouchers established by the Department of Social

Services (DSS) would receive the voucher." HRA should simplify the language to reflect this legislative intent and should instead indicate that individuals will continue to be eligible to receive a CityFHEPS voucher indefinitely as long as they continue to meet the ongoing eligibility criteria for the voucher, similar to the highly successful Section 8 program.

- **§ 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)
- **§ 10-03 Add eligibility for CityFHEPS for other households at risk of eviction.** The current CityFHEPS program leaves serious eligibility gaps for households who cannot afford ongoing rent and do not have access to other subsidies, including seniors, the disabled, households without children on Public Assistance, and low wage workers. Unless the City is able to provide ongoing assistance to these households, many of them will continue to be evicted and will become homeless.
- **§ 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.

If you have any questions, please contact me via email at hstrom@urbanjustice.org or call at 646-602-5648.