

January 10, 2023

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.

CityFHEPS has the potential to be the city's most powerful tool for addressing the homelessness crisis, and we are grateful that the City intends to expand eligibility and to reduce the red tape and administrative burdens that prevent New Yorkers from accessing long-term affordable housing. Safe Horizon offers the following feedback and 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: § 10-04 (a) (1): *Remove work requirements entirely and/or remove income limits of 200% FPL entirely.* Too many one-person households make too much to currently qualify for a CityFHEPS voucher but too little to pay rent on their own. With NYC's \$15 minimum wage it's even easier to be over-income. The proposed rule change is a step in the right direction. However, work requirements combined with the structure of income eligibility requirements trap New Yorkers – you may qualify for housing assistance, but you have little chance towards upward financial mobility, which is the ultimate goal of many of our clients. Additionally, the proposed rule does not state or define how much “slightly” higher than 200 percent of the FPL will be allowed.

- **Requirement to apply for Public Assistance (PA) and or any federal or State housing benefits**

Re: § 10-04 (a) (2) and § 10-04 (a) (4): *Remove the potential requirement to apply for any assistance.* Although there is no proposed change to § 10-04 (a) (2) and § 10-04 (a) (4), we believe that these potential requirements are red tape. In practice, a potential tenant who is eligible for CityFHEPS must apply for PA even though they are otherwise eligible for CityFHEPS. This is especially daunting and onerous given the current backlog in processing benefits cases. Similarly, by making New Yorkers apply for any federal or State housing benefit when otherwise eligible for CityFHEPS, HRA is delaying the time for an otherwise eligible New Yorker for finding and securing housing, which is the ultimate goal. These requirements act as hurdles and add to the backlog of survivors trying to get into housing.

- **Expanding voucher-holders' ability to secure an apartment when the rent is higher than the CityFHEPS maximum.**

Re: § 10-06 (b) (1): *HRA should cover more of the rent when the rent is higher than the CityFHEPS maximum.* We agree with the spirit of the proposed rule change that voucher-holders need and deserve greater flexibility to find and secure an apartment. Voucher-holders should be able to secure an apartment above the CityFHEPS maximum. However, we believe that HRA should pay the difference, not the voucher-holder. CityFHEPS vouchers should be flexible, which would mean more landlords will accept them. Vouchers do not matter when voucher-holders are faced with limited to no housing options. Additionally, this proposed rule change will not help when a person has no income or is extremely low income. The voucher will still only pay the maximum amount the voucher will pay.

- **Broader flexibility when a voucher-holder no longer remains eligible.**

Re: § 10-06 (e): *CityFHEPS voucher-holders need and deserve greater understanding and flexibility from HRA.* HRA, in theory, will pay the CityFHEPS rental assistance payments directly to the landlord each month as long as the household remains eligible. However, we urge HRA to continue to make payments when a voucher-holder's public assistance (PA) case lapses or is sanctioned or when a mistake is made by the public assistance office.

These very common situations put tenants and their child/ren at risk, and we do not want to see them lose their housing, which is traumatizing.

- **Expand eligibility to undocumented New Yorkers.**

New York City, with the support of New York State, must expand eligibility for CityFHEPS vouchers to undocumented New Yorkers. New York has a significant number of homeless New Yorkers who are categorically exempt from any federal housing assistance due to their immigration status. The City of New York has been a leader in other areas that treat our immigrant neighbors humanely AND are more cost-effective for taxpayers – such as creating health insurance and identification cards that are accessible for undocumented folks. NYC needs to extend this same logic and compassion in the area of housing vouchers.

### **Process Recommendations:**

- **Consultation with housing specialists, advocates, and unhoused New Yorkers and/or voucher-holders with lived experience.**

Re: § 10-05 (b): *Before discretionary changes are made, housing specialists, advocates, and unhoused New Yorkers and/or voucher-holders with lived experience should be consulted.* Although we appreciate that the Commissioner shall consider the effects a new payment standard may have on the local housing market, we encourage the Commissioner to also consult with housing specialists, advocates, and unhoused New Yorkers and/or voucher-holders with lived experience as well as with the Office of Management and Budget.

- **Commitment to paying rent on time.**

Re: § 10-06 (d) and § 10-06 (e): *HRA must commit to paying landlords on time.* It is important to note that the main reason we hear from landlords for why they do not accept CityFHEPS vouchers is late payments by HRA. Although we recognize that source of income discrimination is a very real and critical issue facing New Yorkers with vouchers, we also recognize that landlords would prefer to not do business with HRA because HRA may not pay them for months at a time. We urge HRA and the Administration to address on-time payments so landlords can trust CityFHEPS vouchers, which will benefit survivors and other New Yorkers seeking safe, stable housing.

- *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.

- *HRA needs to maintain a faster inspections and turnaround time so landlords aren't waiting for months for HRA to provide the final approval.*

- *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.

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

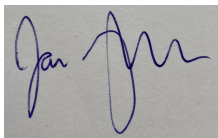
Lastly, while not addressed in the proposed rules, we once again urge New York City to expand access to CityFHEPS to Runaway and Homeless Youth (RHY). According to legislation passed by the New York City Council and adopted in December 2021, time a youth has spent in a runaway and homeless youth shelter counts as “homelessness” when determining whether that youth is eligible for rental assistance through CityFHEPS. However, the Department of Social Services (DSS) and the Law Department now interpret this law as saying that RHY must still go to Department of Homeless Services (DHS) shelter to access CityFHEPS vouchers. This is unsafe and unnecessary, and it directly contradicts the spirit and text of the law. RHY should be connected to safe, stable, affordable housing options without having to enter a system designed for adults.

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 are dictated by the shelter system in which they currently reside. The Agency must immediately expand access to CityFHEPS vouchers to RHY without forcing them to enter DHS shelter first.

**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 blue ink, appearing to read "Jimmy Meagher", is placed on a light gray rectangular background.

Jimmy Meagher, LMSW  
Policy Director, Government Affairs  
Safe Horizon