

**Notice of Public Hearing and Opportunity to Comment on Proposed Amendments
to Chapters 10 and 11 of Title 68 of the Rules of the City of New York and to Chapter 60 of
Title 28 of the Rules of the City of New York**

What are we proposing? The New York City Human Resources Administration (“HRA”) and the Department of Housing Preservation and Development (“HPD”) propose to amend the CityFHEPS Rules by establishing the Creating Real Impacts at Birth Pilot, changing the contribution for some households renewing with good cause, and increasing the maximum reimbursement for the Unlocking Doors Initiative. HRA’s Pathway Home Rule will also be modified to establish the Creating Real Impacts at Birth Pilot.

The public hearing will take place remotely via Zoom on May 30, 2025, at 1:00pm. Those wishing to attend the hearing may join by:

Zoom (video and audio): <https://www.zoomgov.com/j/1602048034>

Or go to www.zoom.us, click on “join a meeting” and enter Meeting ID: 160 204 8034

Phone (audio only): 1-646-828-7666

When prompted, enter meeting ID: is 160 204 8034

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to HRA through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to NYCRules@hra.nyc.gov. Please include “CityFHEPS Rule Changes” in the subject line.
- **Mail.** You can mail comments to:

HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007

Please make clear that you are commenting on the CityFHEPS Rule Changes.

- **Fax.** You can fax comments to 917-639-0413. Please include “CityFHEPS Rule Changes” in the subject line.
- **By speaking at the hearing.** You may sign up to speak at the hearing by calling 929-221-7220 or emailing NYCRules@hra.nyc.gov on or before the start of the hearing on May 30, 2025. Speakers will be called in the order that they signed up and will be able to speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? The deadline to submit comments is midnight on May 30, 2025. Comments, including those sent by mail, must be received by HRA on or before May 30, 2025.

What if I need assistance to participate in the hearing? You must tell us if you need language interpretation services or a reasonable accommodation to participate in the hearing. You can tell us by email at NYCRules@HRA.nyc.gov. You may also tell us by telephone at 929-221-7220. Advance notice is requested to allow sufficient time to make arrangements. Please tell us by Monday, May 26, 2025.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Shortly after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public on HRA's website.

What authorizes HRA to make this rule? Sections 603 and 1043 of the City Charter. This proposed rule was not included in HRA's regulatory agenda for this fiscal year.

Where can I find the HRA rules? The HRA rules are in Title 68 of the Rules of the City of New York. HPD rules are in Title 28 of the Rules of the City of New York.

What rules govern the rulemaking process? HRA must meet the requirements of section 1043 of the City Charter when creating or changing rules. Sections 603, 1043 and 1802 of the City Charter and Sections 34, 56, 61, 62, 77, and 131-a of the New York Social Services Law authorize HRA to promulgate this rule.

New York City Human Resources Administration

Department of Housing Preservation and Development

Statement of Basis and Purpose

The Human Resources Administration proposes further innovations to the City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS) and Pathway Home rental assistance programs to establish the Creating Real Impact at Birth ("CRIB") pilot and to change the household contribution for those who renew beyond year five of the CityFHEPS subsidy and have earned income. Additional changes to the CityFHEPS rules are made as described below, and a corresponding change to HPD's rules is also proposed.

Creating Real Impacts at Birth

In Fiscal Year 24, over 2,000 babies were born in the shelter system. This administration firmly believes that no child should ever be born into New York City's shelter system. To that end, the Department of Social Services is proposing a research study designed

to track outcomes for pregnant people who present at DHS' Prevention Assistance and Temporary Housing ("PATH") intake center to understand the most effective ways to move new families into stable homes more quickly and prevent lifelong cycles of poverty and housing instability before they begin.

A subset of pregnant people presenting at PATH will now be immediately eligible to receive CityFHEPS as part of the study and another subset will be eligible for Pathway Home. Households may be eligible to participate in the CRIB pilot if they are ineligible for NoVA services (which address the needs of domestic violence victims seeking temporary emergency shelter), their income is at or below 200% FPL, and the household includes a pregnant person.

A random number generator will be used to assign pilot-eligible households to one of three groups: control, CityFHEPS or Pathway Home until the pilot reaches its target of 500 participating households. The DSS Office of Research & Policy Innovation will track the three groups over time, measuring factors such as days in shelter and housing placements.

Households with Earned Income Renewing with Good Cause in Year 6

CityFHEPS is a 5-year subsidy, intended to provide critical housing support to New Yorkers transitioning from temporary housing or to those most at risk of losing their homes in the community. It is meant to provide stability in that 5-year period so that households can get back on their feet and attend school, find jobs and establish connections within their communities.

Currently, CityFHEPS households who include a member who is at least 60 years old or those who receive federal disability benefits may renew beyond year 5. Certain other CityFHEPS households may renew for additional years where the agency finds that there is good cause. DSS is proposing to change the baseline household contribution from 30% of the household's monthly income to 40% for households which have earned income and are granted additional renewals for good cause. This change is meant to assist those households with a gradual transition off CityFHEPS as they achieve self-sufficiency.

Unlocking Doors Initiative

In 2023, NYC created the "Unlocking Doors" initiative to reimburse owners for the costs of rehabilitating rent stabilized dwellings in need of repair, on the condition that the rehabilitated units are leased to New Yorkers experiencing homelessness who have CityFHEPS vouchers. The pilot focused on the small number of rent stabilized apartments that are chronically vacant and need significant repairs.

The original pilot allowed for a maximum reimbursement of \$25,000 per unit. To strengthen the pilot and promote needed repairs to eligible vacant units, the City committed to increasing the reimbursement amount from a \$25,000 to a maximum of \$50,000, upon matching a CityFHEPS-voucher holder with a formerly vacant unit. A corresponding edit is proposed with respect to HPD's rules governing the "Unlocking Doors" initiative.

Sections 603, 1043 and 1802 of the City Charter and Sections 34, 56, 61, 62, 77, and 131-a of the New York Social Services Law authorize HRA to promulgate this rule.

New material is underlined.

Deleted material is [bracketed].

Asterisks indicate unamended text.

Section 1. Section 10-01 of chapter 10 of Title 68 of the Rules of the City of New York is amended by adding a new subdivision (k), repealing subdivision (xx) and re-lettering subdivisions (k) through (ww) as subdivisions (l) through (xx), to read as follows:

(k) "CRIB" means the Creating Real Impacts at Birth pilot program.

§ 2. Paragraphs 4 and 8 of subdivision (a) of section 10-04 of chapter 10 of Title 68 of the Rules of the City of New York are amended to read as follows:

(4) If a household is potentially eligible for any federal or State housing benefits, including Section 8 [or the HRA HOME TBRA program described in 68 RCNY Ch. 9], at HRA's request, the household may be required to apply for such benefits and accept them if offered.

* * *

(8) The household must be street homeless, reside in a DHS shelter that has been identified for imminent closure, or belong to [Group] Groups A [or], B or C below:

(A) *Group A*: A household will belong to Group A if it satisfies any of the criteria set forth below and either: (1) currently resides in a DHS shelter; or (2) currently resides in an HRA shelter:

(i) The household is collectively working at least 10 hours per week in unsubsidized employment or in a qualifying subsidized employment program and can demonstrate income from such employment for the last 30 days. However, the Commissioner may waive the requirement that the household collectively work at least 10 hours per week for good cause where the household has a demonstrated, consistent work history and has experienced a recent loss in number of hours worked due to circumstances that are likely to be temporary;

(ii) The household includes a member who receives federal disability benefits or receives a recurring monthly PA grant and has been determined by HRA to be potentially eligible for federal disability benefits based on their own documented disability;

(iii) The household includes a member who is 60 years of age or older; or

(iv) The household includes a member 18 years of age or older who is exempt from PA work activities, pursuant to Section 385.2(b)(5) of Title 18 of the New York Codes, Rules and Regulations.

(B) *Group B*: A household will belong to Group B if it currently resides in an HRA or DHS shelter and satisfies any of the criteria set forth below:

(i) The household includes a veteran; or

(ii) The household includes an individual who has been referred by a City agency through a CityFHEPS qualifying program and the Commissioner has determined that due to the particular circumstances of the household, CityFHEPS rental assistance is needed to abbreviate the household's stay in an HRA or DHS shelter.

(C) Group C: A household will belong to Group C if it includes a pregnant person who presents at DHS' Prevention Assistance and Temporary Housing (PATH) intake center and is selected to participate in the CRIB Pilot.

(i) A household is eligible to participate in such pilot if such household has an income at or below 200% FPL and includes a pregnant person. A random number generator will be used to assign pilot-eligible households to one of three groups: control, CityFHEPS or Pathway Home. A household that is eligible for NoVA services is not eligible for participation in the CRIB pilot program. For purposes of this section, the term NoVA services means the program that assists domestic violence survivors seeking emergency housing from the department of homeless services by providing assessment, crisis counseling, shelter referral and placement in shelters.

(ii) Households in Group C may receive a shopping letter notwithstanding the criteria set forth in paragraph 7 of this subdivision.

§ 3. Subdivisions (b) and (e) of section 10-06 of chapter 10 of Title 68 of the Rules of the City of New York are amended to read as follows:

(b) Where the CityFHEPS unit is an apartment, the monthly CityFHEPS rental assistance payment amount will equal the actual monthly rent for the CityFHEPS unit, up to the maximum monthly rent less the utility allowance, as described in 68 RCNY § 10-05, minus the base program participant contribution as calculated pursuant to paragraphs (1) and (2) of this subdivision.

(1) Where no members of the household receive PA, the base program participant contribution is 30 percent of the household's total monthly gross income at the time of approval or renewal. [However] Provided, however, that, if at renewal, or at the time of a recalculation of the CityFHEPS rental assistance amount pursuant to 68 RCNY § 10-09(a) or RCNY § 10-09(b), the household reports no income, the base program participant contribution will equal the maximum PA shelter allowance for the household size. If monthly rent for the CityFHEPS unit is greater than the payment standard set in 68 RCNY § 10-05(a) for the household size and the household demonstrates the ability to pay the excess rent over the payment standard, the household may be permitted to pay no more than 40% of the monthly household income total (30% of income + excess rent over the payment standard). Provided further that the base program participant contribution for households with earned income who renew beyond such participant's fifth year in the CityFHEPS program pursuant to subdivision (c) of section 10-08 will be 40 percent of the household's totally monthly gross income.

(2) Where the household includes one or more members receiving PA, the base program participant contribution is the sum of the following:

(A) 30 percent of the PA household's total monthly gross income at the time of approval or renewal, or the maximum monthly PA shelter allowance for the total number of PA household members, whichever is greater; and

(B) 30 percent of the monthly gross income of any NPA members.

* * *

(e) After making the payments described in 68 RCNY § 10-06(d), HRA will pay the CityFHEPS rental assistance payments directly to the landlord each month as long as the household remains eligible and funding for the program remains available, except that HRA may in its discretion pay additional months of CityFHEPS rental assistance payments in advance where [needed to address the goals set forth in the plan entitled Turning the Tide on Homelessness in New York City] such payments will facilitate the household remaining in permanent housing or otherwise further the goals of the CityFHEPS program.

§ 4. Paragraph 2 of subdivision (a) of section 10-24 of chapter 10 of Title 68 of the Rules of the City of New York is amended to read as follows:

(2) The unit must be vacant at the time of application for a preliminary certificate of eligibility pursuant to 28 RCNY Chapter 60, and must have been timely registered as vacant in its [2022 and] 2023 and 2024 annual rent registrations with the New York State Division of Housing and Community Renewal; and

§ 5. Subdivision (e) of section 10-24 of chapter 10 of Title 68 of the Rules of the City of New York is amended to read as follows:

(e) The Subchapter C Unit Repair Grant will not exceed [\$25,000] \$50,000 per dwelling unit.

§ 6. Section 11-01 of chapter 11 of Title 68 of the Rules of the City of New York is amended by adding a new subdivision (b) and re-lettering subdivisions (b) through (q) as subdivisions (c) through (r), to read as follows:

(b) "CRIB" means the Creating Real Impacts at Birth pilot program.

§ 7. Subdivisions (a) and (b) of section 11-03 of chapter 11 of Title 68 of the Rules of the City of New York are amended and a new subdivision (e) is added, to read as follows:

(a) To be eligible for Pathway Home, a household must meet one of the following eligibility requirements:

(1) [The household must meet one of the following conditions:

(A)] The household resides in DHS shelter [and

(i) has a qualifying shelter stay as defined in subdivision (b) of this section;

or

(ii) has a CityFHEPS shopping letter pursuant to 68 RCNY § 10-04(c);

(B)] ; or (2) The household is street homeless; [or]

[(C)](3) The household includes an individual with a significant prior stay in DHS shelter who was discharged from the custody of the New York City Department of

Correction, and the Commissioner has determined that Pathway Home is needed to avert the individual's re-entry to a DHS shelter; or

(4) the household includes a pregnant person who presents at DHS' Prevention Assistance and Temporary Housing (PATH) intake center and is selected to participate in the CRIB Pilot. A random number generator will be used to assign pilot-eligible households to one of three groups: control, CityFHEPS or Pathway Home. A household that is eligible for NoVA services is not eligible for participation in the CRIB pilot program. For purposes of this section, the term NoVA services means the program that assists domestic violence survivors seeking emergency housing from the department of homeless services by providing assessment, crisis counseling, shelter referral and placement in shelters.

(b) Households must meet all of the additional eligibility requirements set forth below:

[(2)] (1) The household must have total gross income that does not exceed 200 percent of the federal poverty level as established annually by the United States Department of Health and Human Services.

[(3)] (2) If the household is not currently in receipt of PA, the household must apply for any assistance available under Part 352 of Title 18 of the New York Codes, Rules and Regulations that HRA has determined the household may be eligible for.

[(4)] (3) All members of the household who are eligible for PA must be in receipt of PA.

[(5)] (4) If the household is currently in a DHS family shelter, the household must be eligible for shelter as determined by DHS pursuant to Parts 351 and 352 of Title 18 of the New York Codes, Rules and Regulations; except if the household is eligible pursuant to 68 RCNY § 11-03(a)(4).

[(6)] (5) HRA must not have previously made Pathway Home payments on the household's behalf.

[(7)] (6) The household must have identified a host family, [consisting of relatives or friends of the household] who live in the City of New York, that has agreed to permit the household to reside in its residence and to receive a monthly payment from HRA on the household's behalf that does not exceed the amounts set forth in the table in 68 RCNY § 11-04.

[(8)] (7) The host family and the host family's residence must meet the requirements of 68 RCNY § 11-07(h). [(b) Qualifying Shelter Stay and Limitations.

(1) Qualifying Shelter Stay. A resident of a DHS family shelter will have a qualifying shelter stay for purposes of 68 RCNY § 11-03(a)(1)(A)(i) if the household has resided in an HRA or DHS shelter for at least 90 days prior to approval, excluding gaps of up to ten calendar days. A resident of a DHS single adult shelter will have a qualifying shelter stay for purposes of 68 RCNY § 11-03(a)(1)(A)(i) if the individual has resided in an HRA or DHS shelter for at least 90 of the 365 days prior to approval.

(2) Qualifying Shelter Stay Limitations. The Commissioner may set a date by which qualifying shelter stays must commence, for purposes of 68 RCNY § 11-03(b)(1), upon an evaluation of: housing market conditions, shelter utilization rates, and the availability of funding, when the Commissioner determines that a limiting date is necessary to maintain the program's viability. The Commissioner may remove such a limiting date upon further review of housing market conditions, shelter utilization rates, and the availability of funding.]

(c) Applications must be submitted on a form and in a format established by HRA.

(d) At the time of approval, HRA will calculate the household's Pathway Home payments pursuant to 68 RCNY § 11-04. Payments will be approved for one year and, except as provided in 68 RCNY § 11-05 and 68 RCNY § 11-07(g), the payments will not change during the household's participation in the program.

(e) Eligible households may also have a CityFHEPS shopping letter pursuant to 68 RCNY § 10-04(c).

§ 8. Subdivision (a) of section 11-04 of chapter 11 of Title 68 of the Rules of the City of New York is amended to read as follows:

(a) Except as provided in subdivisions (b) and (c) of this section or where the host family has requested to receive a lower monthly payment, HRA shall pay the host family [the following amounts per month] for up to one year for as long as the household continues to reside in the residence in accordance with the Pathway Home maximum monthly rent amounts published on HRA's website.

[

Pathway Home Payments			
Household Size	1 or 2	3 or 4	5+
Monthly Payment to Host	\$1,200	\$1,500	\$1,800

]

§ 9. Subdivisions (a) and (h) of section 11-07 of chapter 11 of Title 68 of the Rules of the City of New York are amended and a new subdivision (i) is added, to read as follows:

(a) Households in the Pathway Home Program [will] may be referred to service providers who will help connect them to appropriate services in their communities.

(h) Any host family residence must pass a safety and habitability [inspection] assessment.

(l) The household must not have resided with the host family at any point during the prior year, except that the Commissioner, in the exercise of discretion, may allow a household to move into such residence in extraordinary circumstances, including but not limited to where the family was evicted, constructively evicted, or otherwise forced to leave due to the condition of the unit, and the landlord has made all repairs to bring the apartment into compliance with applicable codes; or where the means of ingress and egress are accessible for a person with a disability and/or the apartment unit has structural accessibility features that comport with the needs of a person with mobility disabilities.

§ 10. Paragraph 5 of subdivision (c) of section 60-02 of chapter 60 of Title 28 of the Rules of the City of New York is amended to read as follows:

5. After a dwelling unit has passed the BLDS Inspection, HPD will issue a final certificate of eligibility to the applicant and concurrently provide a copy directly to DSS. Such certificate will list the certified reasonable cost of the Eligible Construction; provided that such amount may not exceed [\$25,000] \$50,000 for such dwelling unit.

NEW YORK CITY LAW DEPARTMENT

DIVISION OF LEGAL COUNSEL

100 CHURCH STREET

NEW YORK, NY 10007

212-356-4028

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Establishment of CRIB Pilot Program Within CityFHEPS

REFERENCE NUMBER: 2025 RG 011

RULEMAKING AGENCY: Department of Social Services

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN

Date: April 25, 2025

Senior Counsel

NEW YORK CITY LAW DEPARTMENT

DIVISION OF LEGAL COUNSEL

100 CHURCH STREET

NEW YORK, NY 10007

212-356-4028

CERTIFICATION PURSUANT TO

CHARTER §1043(d)

RULE TITLE: Establishment of CRIB Pilot Program Within CityFHEPS

REFERENCE NUMBER: 2025 RG 011

RULEMAKING AGENCY: Department of Housing Preservation and Development

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN

Date: April 25, 2025

Senior Counsel

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS

253 BROADWAY, 10th FLOOR

NEW YORK, NY 10007

212-788-1400

CERTIFICATION / ANALYSIS

PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Establishment of CRIB Pilot Program Within CityFHEPS

REFERENCE NUMBER: HRA-41

RULEMAKING AGENCY: Department of Social Services - Human Resources Administration

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro

Mayor's Office of Operations

April 25, 2025

Date

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS

253 BROADWAY, 10th FLOOR

NEW YORK, NY 10007

212-788-1400

CERTIFICATION / ANALYSIS

PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Establishment of CRIB Pilot Program Within CityFHEPS

REFERENCE NUMBER: HPD-104

RULEMAKING AGENCY: Department of Housing Preservation and Development

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (iii) Is understandable and written in plain language for the discrete regulated community or communities;
- (iv) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro

April 25, 2025

Mayor's Office of Operations

Date