

November 12, 2025

New York City Department of Homeless Services

Submitted via <http://rules.cityofnewyork.us>

Re: Notice of DHS Low-Barrier Transitional Housing Rule

Housing Works **strongly opposes the proposed amendment to Title 31 of the Rules of the City of New York to add a new chapter 6** that would require documentation of at least six months of unsheltered street homelessness or “intermittent shelter stays” to qualify for low-barrier placements in Safe Haven or Stabilization beds.

Housing Works is a healing community founded in 1990 with a mission to end the dual crises of homelessness and AIDS. Housing Works currently provides a range of integrated health and social services for over 15,000 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, incarceration, and most recently, migrants displaced from their homes due to violence or other crises who seek safety and a better life in the United States.

It is simply unconscionable for the Department of Homeless Services to add additional barriers to safe low-barrier housing for persons who experience unsheltered homelessness due to their reasonable fears of entering the congregate shelter system.

As noted in the notice of rulemaking, the “goal of each low-barrier transitional housing program is to bring people off the streets into a supportive setting focused on helping them transition to permanent housing” by offering “a low-threshold option for individuals seeking temporary shelter who are unable or unwilling to enter the traditional shelter system.” These are the most vulnerable among New Yorkers experiencing homelessness, who are often struggling to manage medical or behavioral health issues that place them at greatest risk in the congregate shelter system. In our experience, it is critical to meet such marginalized persons where they are and be prepared to offer them immediate low-barrier housing at the moment they are ready to accept such assistance. To require them to endure street homelessness or bounce in and out of congregate shelter for an extended period of time before offering assistance is cruel and antithetical to the goals of low-barrier housing assistance.

This is especially concerning in the current political climate, where persons experiencing unsheltered homelessness are subjected to dehumanizing sweeps and the threat of involuntary commitment simply because they cannot meet their basic needs.

Moreover, for a group of persons often understandably afraid to engage with the current homeless system, the required documentation standards will often be difficult or impossible to meet. Nor does the allowance of exceptions adequately mitigate these requirements. It is unreasonable to expect that the most disenfranchised New Yorkers will be able to access or navigate an appeals process that depends upon the type of engagement they seek to avoid.

Housing Works has for years advocated for removing barriers to engagement for New Yorkers experiencing unsheltered homelessness who have been afraid or unwilling to engage with the Department of Homeless Services. Ample evidence demonstrates that truly low-threshold facilities that combine a drop-in center with on-site medical and behavioral health care with private hotel rooms to provide transitional housing without preconditions are perhaps the most effective way to engage unsheltered persons with behavioral health needs who are unable or unwilling to access more traditional shelter or treatment programs. It is time to reform our homeless system and create more housing opportunities for all New Yorkers experiencing homelessness.

Enacting additional barriers to a system that already fails to meet the urgent needs of unsheltered New Yorkers is not a solution but will instead simply increase the suffering of our most marginalized neighbors. We strongly oppose this proposed rule.

Contact

Thank you for the opportunity to submit comments on the proposed rule change. Please do not hesitate to contact me at a.feliciano@housingworks.org with questions or to provide further information.

Yours truly,

Anthony Feliciano
Housing Works Vice President for Community Mobilization