

Testimony of
Coalition for the Homeless
and
The Legal Aid Society

on

**The End of the City Hotel Program and
Permanent Housing Solutions for Sandy Evacuees.**

Presented before

The New York City Council
Committee on General Welfare

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Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council about the imminent end of short-term housing assistance and the need for long-term affordable housing solutions for people displaced by Hurricane Sandy.

About the Coalition and The Legal Aid Society

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which now continues past its third decade. The Coalition also protects the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates twelve direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers, and demonstrate effective, long-term solutions. These programs include supportive housing for families and individuals living with AIDS, job-training for homeless and formerly-homeless women, rental assistance which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, and permanent housing for formerly-homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen distributes 900 nutritious meals each night to street homeless and hungry New Yorkers. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention assistance, client advocacy, referrals for shelter and emergency food programs, and assistance with public benefits.

The Coalition also represents homeless men and women as plaintiffs in Callahan v. Carey and Eldredge v. Koch. In 1981 the City and State entered into a consent decree in Callahan in which it was agreed that, "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The Eldredge case extended this legal requirement to homeless single women. The Callahan consent decree and the Eldredge case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless adults.

The Legal Aid Society: The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal and juvenile rights matters, while also fighting for legal reform.

The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of 1,000 of the brightest legal minds. These 1,000 Legal Aid Society lawyers work with nearly 700 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 25 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society's law reform representation for clients benefits some 2 million low income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the Callahan and Eldredge cases. The Legal Aid Society is also counsel in the McCain/Boston litigation in which a final judgment requires the provision of lawful shelter to homeless families.

A Looming Crisis

Since the first days after Hurricane Sandy hit, Coalition for the Homeless and the Legal Aid Society have conducted extensive outreach to displaced families and individuals, first in the haphazard system of evacuation shelters and continuing to this day in hotels, YMCAs, SROs, and shelters. We've seen firsthand that Hurricane Sandy exposed and exacerbated the ongoing housing affordability crisis in New York City.

Before the hurricane touched down, a record 48,000 homeless people were already sleeping in City shelters each night, including more than 20,000 children. (There are now more than 50,000 people, including more than 21,000 children, bedding down each night in the municipal homeless shelter system.) Thousands more families were living in unstable housing situations, including illegally-converted apartments and overcrowded conditions. Many of these marginally-housed families were living in the low-income coastal neighborhoods impacted most heavily by Sandy.

Six months after the hurricane, hundreds of households displaced by Sandy are still living in temporary hotels and shelters administered and paid for by the Federal Emergency Management Agency (FEMA) and the City of New York. Thousands more remain in their affected communities, either in dangerous conditions or doubled-up with family and friends. The majority of these households were struggling to survive on low-incomes even before the storm.

While the biggest and most important need continues to be permanent, long-term affordable housing, the City's current plan is baffling in its contradiction. So far, the City has provided a limited amount of New York City Housing Authority (NYCHA) public housing and Section 8 vouchers which are assisting some families in moving to permanent housing but are not covering the entire need. Additional housing resources could help hundreds more families but are not yet available. These include a Community Development Block Grant (CDBG)--funded rental subsidy, which was proposed by the City as part of its plan for use of federal recovery funds but needs to be approved by the U.S. Department of Housing and Urban Development (HUD), and the federal Disaster Housing Assistance Program (DHAP) which was recently announced but has yet to be implemented.

Yet, despite the fact that many of these permanent housing resources are not yet available, the City inexplicably announced a month ago that it would end temporary hotel assistance for all evacuees on April 30th. This arbitrary date makes it certain that hundreds of families will end up homeless before they can access permanent housing resources which they desperately need. Even families that have been linked with NYCHA public housing units or Section 8 vouchers may not be able to move into apartments by April 30th.

City Already Forcing Families Out

Since announcing the April 30th deadline, the City has already started forcing individuals and families out of hotels. In the last few weeks alone, we have been in contact with dozens of Sandy survivors who have been forced out and made homeless, under accusations that they had been “noncompliant.” In many cases, families had in fact done everything that was asked of them, but were given no opportunity to contest the accusations.

Two such families were kicked out of hotels for supposedly not verifying their prior address. Both provided us with documentation that verified their addresses and which they had provided to City-contracted hotel and case management staff. Both have spent time on the streets and have now been forced to apply for shelter. Another woman was not even given a reason, but was forced out of her hotel on March 28th with her four kids. They are now living in their old mold-infested apartment.

The vast majority of Sandy families we have had contact with have reported that their caseworkers are entirely unhelpful, absent most of the time, or continually threaten them with eviction.

Not surprisingly, vulnerable individuals and families have been most impacted by these punitive measures, including individuals with health issues, post-traumatic stress disorder (PTSD), pre-existing mental illnesses, and the elderly.

The City Must Extend Hotel Stays Until It Provides Real Permanent Housing Assistance to Survivors of Hurricane Sandy

Six months after the storm hit, the need for immediate action to address the housing needs of displaced people is more urgent than ever. On a positive note, after long months during which the City failed to develop a permanent housing plan for Sandy survivors, there are now several resources for affordable housing, either already implemented or soon to come. These resources include NYCHA public housing, Section 8 vouchers, DHAP, and a proposed CDBG-funded rental subsidy. All can provide the permanent, affordable housing so desperately needed by thousands of storm victims.

But these positive developments have been severely undercut by the impending disaster of homelessness for hundreds of families – a disaster entirely of the City’s own making. Before anything else, the City must immediately postpone the impending April 30th deadline and commit to providing temporary housing assistance until all families are moved into permanent, stable housing. The City must also provide a way for families who have already been kicked out to re-access hotels and permanent housing assistance.

Thank you for the opportunity to share this testimony. And, as always, we look forward to working with the Committee and the City Council in the coming months and years on efforts to assist New Yorkers displaced by the storm and to reduce New York City's homeless population.