

Coalition for the Homeless**List of Known Illegal Boarding Houses in NYC**

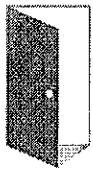
Updated 6/6/2011

	Street Address	Borough	Zip
1	630 Faile Street	Bronx	10474
2	806 E. 169th Street	Bronx	10459
3	1538 Hoe Avenue	Bronx	10460
4	3538 Eastchester Road	Bronx	10469
5	605 Wales Avenue	Bronx	10455
6	3323 Seymour Avenue	Bronx	10469
7	1432 Needham Avenue	Bronx	10469
8	735 Penfield Street	Bronx	10470
9	761 Home Street	Bronx	10456
10	437 Howe Avenue	Bronx	10473
11	781 Fairmount Place	Bronx	10460
12	2427 Prospect Avenue	Bronx	10458
13	1178 Washington Avenue	Bronx	10456
14	1420 Crotona Avenue	Bronx	10456
15	636 Coster Street	Bronx	10474
16	552 Van Nest Ave	Bronx	10460
17	315 Alexander Avenue	Bronx	10454
18	927 Avenue of St. John	Bronx	10455
19	2185 University Ave	Bronx	10453
20	1067 Lafayette Avenue	Brooklyn	11221
21	109 Sheffield Avenue	Brooklyn	11207
22	1107 Putnam Avenue	Brooklyn	11221
23	1137 Hancock Street	Brooklyn	11221
24	1894 Broadway	Brooklyn	11207
25	199 Halsey Street	Brooklyn	11216
26	2317 Bedford Avenue	Brooklyn	11226
27	2319 Bedford Avenue	Brooklyn	11226
28	2321 Bedford Avenue	Brooklyn	11226
29	291 Pennsylvania Avenue/386 Belmont Avenue	Brooklyn	11207
30	299 Sumpter Street	Brooklyn	11233
31	309 Arlington Avenue	Brooklyn	11208
32	361 Vernon Avenue	Brooklyn	11206
33	405 Essex Street	Brooklyn	11208
34	434 Montauk Avenue	Brooklyn	11208
35	459 Milford Street	Brooklyn	11208
36	536 Georgia Avenue	Brooklyn	11207
37	592 Marcy Ave	Brooklyn	11206
38	69 Kingston Avenue	Brooklyn	11213
39	737 Hancock Street	Brooklyn	11233
40	754 Sutter Avenue	Brooklyn	11207
41	790 Quincy Street	Brooklyn	11221
42	79 Saratoga Avenue	Brooklyn	11233
43	827 Gates Avenue	Brooklyn	11221
44	511 Monroe Street	Brooklyn	11221
45	114 Vanderveer Street	Brooklyn	11207

46	1263 Herkimer Street	Brooklyn	11233
47	357 Monroe Street	Brooklyn	11221
48	975 Glenmore Avenue	Brooklyn	11208
49	367 Decatur Street	Brooklyn	11206
50	362 East 32nd Street	Brooklyn	11226
51	1132 Halsey Street	Brooklyn	11207
52	1139 Decatur Street	Brooklyn	11207
53	481 East 21 Street	Brooklyn	11226
54	113 Vernon Avenue	Brooklyn	11206
55	11 Somers Street	Brooklyn	11233
56	335 Wyona Street	Brooklyn	11207
57	609 Glenmore Avenue	Brooklyn	11207
58	778 Mac Donough Street	Brooklyn	11233
59	418 Amboy Street	Brooklyn	11212
60	582 New Jersey Avenue	Brooklyn	11207
61	637 Decatur Street	Brooklyn	11233
62	275 Halsey Street	Brooklyn	11216
63	329 New Lots Avenue	Brooklyn	11207
64	347 Miller Avenue	Brooklyn	11207
65	1551 East 15th Street	Brooklyn	11230
66	165 Halsey Street	Brooklyn	11216
67	599 Bainbridge Street	Brooklyn	11233
68	1664 Dean Street	Brooklyn	11213
69	489 Maple Street	Brooklyn	11225
70	781 East 94 Street	Brooklyn	11236
71	863 St. Mark's Avenue	Brooklyn	11213
72	1163 Dean Street	Brooklyn	11216
73	1301 Bushwick Avenue	Brooklyn	11207
74	81 Blake Avenue	Brooklyn	11212
75	31 Pulaski Street	Brooklyn	11206
76	85 Blake Avenue	Brooklyn	11212
77	335 New Lots Avenue	Brooklyn	11207
78	540 Central Avenue	Brooklyn	11221
79	345 Milller Avenue	Brooklyn	11207
80	1312 Sutter Avenue	Brooklyn	11208
81	539(A) Monroe Street	Brooklyn	11221
82	1305 Bushwick Avenue	Brooklyn	11207
83	1219 Jefferson Avenue	Brooklyn	11221
84	90 Cornelia Street	Brooklyn	11221
85	317 Eldert Street	Brooklyn	11237
86	565 Crescent Street	Brooklyn	11208
87	32 Rochester Avenue	Brooklyn	11233
88	830 Herkimer Street	Brooklyn	11233
89	2359-2363 Pitkin Avenue	Brooklyn	11207
90	265 Woodbine Street	Brooklyn	11221
91	24 Suydam Place	Brooklyn	11233
92	1102 Herkimer Street	Brooklyn	11233
93	917 Shepherd Avenue	Brooklyn	11208
94	752 Glenmore Avenue	Brooklyn	11208
95	1057 Hancock Street	Brooklyn	11221
96	166 Junius Street	Brooklyn	11212
97	1998 Bergen Street	Brooklyn	11233

98	558 Euclid Avenue	Brooklyn	11208
99	564 Central Avenue	Brooklyn	11207
100	171 Hull Street	Brooklyn	11233
101	127 Essex Street	Brooklyn	11208
102	44 Aberdeen Street	Brooklyn	11207
103	1088 Hancock Street	Brooklyn	11221
104	471 Van Siclen Avenue	Brooklyn	11207
105	73 Cornelia Street	Brooklyn	11221
106	171 Linden Boulevard	Brooklyn	11226
107	778 MacDonough Street	Brooklyn	11233
108	65 Stewart Street	Brooklyn	11207
109	1620 East 96 Street	Brooklyn	11236
110	173 Jerome Street	Brooklyn	11207
111	499 Quincy Street	Brooklyn	11221
112	268A Throop Avenue	Brooklyn	11206
113	1587 Lincoln Place	Brooklyn	11216
114	408 Putnam Ave	Brooklyn	11216
115	134 Grafton Street	Brooklyn	11212
116	106 Forbell St	Brooklyn	11208
117	884 Jefferson Ave	Brooklyn	11221
118	44 Christopher Ave	Brooklyn	11212
119	42 Christopher Ave	Brooklyn	11212
120	738 Logan Street	Brooklyn	11208
121	439A Blake Ave	Brooklyn	11212
122	283 Malcolm X Blvd	Brooklyn	11233
123	831 Monroe Street	Brooklyn	11221
124	474 Marion St	Brooklyn	11233
125	700 New Lots Ave	Brooklyn	11207
126	1635 Pacific Street	Brooklyn	11213
127	1052 Dean Street	Brooklyn	11216
128	16 Roosevelt Pl	Brooklyn	11233
129	2359 Pitkin Ave	Brooklyn	11207
130	1083 Lafayette Ave	Brooklyn	11221
131	983 Halsey St	Brooklyn	11207
132	753 Vermont St	Brooklyn	11207
133	2311A Pacific St	Brooklyn	11233
134	521 Greene Ave	Brooklyn	11216
135	1211 Herkimer St	Brooklyn	11233
136	149 Watkins St	Brooklyn	11212
137	647 Rutland Road	Brooklyn	11203
138	2024 Bergen Street	Brooklyn	11233
139	649 Rutland Road	Brooklyn	11203
140	771 Lexington Avenue	Brooklyn	11221
141	477 Bainbridge St	Brooklyn	11233
142	285 Eldert Street	Brooklyn	11207
143	281 Wyona Street	Brooklyn	11207
144	906 Herkimer Street	Brooklyn	11233
145	2316 Bedford Avenue	Brooklyn	11226
146	2318 Bedford Avenue	Brooklyn	11226
147	259 Sumpter Street	Brooklyn	11233
148	39 Hendrix Street	Brooklyn	11207
149	527 Snediker Avenue	Brooklyn	11207

150	967 Brooklyn Avenue	Brooklyn	11203
151	1662 Dean Street	Brooklyn	11213
152	41 Woodbine Street	Brooklyn	11221
153	585 putnam avenue	Brooklyn	11221
154	387 Gates Ave	Brooklyn	11216
155	34 Rochester Avenue	Brooklyn	11233
156	1039 Herkimer	Brooklyn	11233
157	2149 Pitkin Avenue	Brooklyn	11207
158	109 Thatford Avenue	Brooklyn	11212
159	769 MacDonough	Brooklyn	11233
160	2007 Strauss Street	Brooklyn	11212
161	772 Lafayette Avenue	Brooklyn	11221
162	1240 Broadway	Brooklyn	11221
163	832 Madison Street	Brooklyn	11221
164	738 Dumont Avenue	Brooklyn	11207
165	2146 Strauss St	Brooklyn	11212
166	870 Belmont Ave	Brooklyn	11208
167	1186 Herkimer Street	Brooklyn	11233
168	172 Covert Street	Brooklyn	11207
169	1258 Bushwick Ave	Brooklyn	11207
170	437 Putnam Ave	Brooklyn	11221
171	727 Knickerbocker Ave	Brooklyn	11221
172	576 New Jersey Ave	Brooklyn	11207
173	1070 Bergen Street	Brooklyn	11216
174	2071 Pacific Street	Brooklyn	11233
175	1396 Beach Channel Drive	Queens	11691
176	195-12 Hollis Avenue	Queens	11412
177	116-14 190th Street	Queens	11412
178	14-09 McBride Street	Queens	11691
179	163-05 107th Avenue	Queens	11433
180	107-29 164th Street	Queens	11433
181	150-22 113th Street	Queens	11433
182	150-24 113th Street	Queens	11433
183	150-26 113th Street	Queens	11433
184	150-28 113th Street	Queens	11433
185	3801 112th Street	Queens	11368
186	3809 112th Street	Queens	11368
187	109-22 Guy R Brewer Blvd.	Queens	11433
188	107-56 Merrick Blvd	Queens	11433
189	219-07 136 Avenue	Queens	11413
190	1347 Beach Channel Drive	Queens	11691
191	117-03 203rd Street	Queens	11412
192	106-30 Ruscoe Street	Queens	11433
193	156 Bement Avenue	Staten Island	10310
194	23 Pine Street	Staten Island	10301
195	44 Pine Street	Staten Island	10301
196	428 St. Marks Place	Staten Island	10301
197	28 Stanley Avenue	Staten Island	10301



coalition
for the
homeless

**TESTIMONY OF COALITION FOR THE HOMELESS
BEFORE THE DEPARTMENT OF HOMELESS SERVICES**

**Public Hearing on Proposed Changes to Title 31 of the Rules of the City of New York
June 1, 2010**

**Submitted by Patrick Markee, Senior Policy Analyst, and
Giselle Routhier, Policy Analyst
Coalition for the Homeless**

We present this testimony on behalf of Coalition for the Homeless, a not-for-profit organization that assists more than 3,500 homeless New Yorkers each day. Since its founding in 1981, the Coalition has advocated for proven, cost-effective solutions to the crisis of modern homelessness, which now continues into its third decade. The Coalition has also struggled for more than 25 years to protect the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and appropriate housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates several direct-services programs that offer vital services to homeless, at-risk, and formerly-homeless New Yorkers, and demonstrate effective long-term solutions. These programs include supportive housing for families and individuals living with AIDS, a job-training program for homeless and formerly-homeless women, a Rental Assistance Program which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, and two buildings in Manhattan which provide 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 1,000 nutritious meals to street homeless and hungry New Yorkers each night. 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 to physical, mental or social dysfunction is in need of temporary shelter." The Callahan consent decree and 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 Growth of Referrals of Homeless Adults by the City of New York to Illegal Boarding Houses

We offer this testimony today in support of the proposed changes to Title 31 of the Rules of the City of New York, regarding the referrals of homeless single adults to permanent housing. These new rules are a significant step forward in response to the serious and long-standing problem of referring homeless single adults to illegally converted boarding houses, also known as "three-quarter houses." In addition, we also offer our support for a new pilot program to be implemented by the Department

of Homeless Services in nine shelters that will go even further than the proposed rule in offering protections to homeless adults from being placed in illegal and unsafe dwellings.

For more than four years, the City of New York has referred thousands of homeless individuals—many of them living with mental illness and other disabilities—into a growing number of illegal boarding houses with hazardous conditions, many of which have been documented by City inspectors. These houses are typically one or two-family dwellings that have been converted to boarding houses by cramming bunk-beds into every corner of the building—sometimes upwards of 50 beds in one house. These dwellings are characterized by the following conditions: illegal occupancy, extreme overcrowding, persistent health and safety violations, a complete lack of services including appropriate mental and physical health services, failure to acknowledge tenancy rights, fraudulent use of public benefits by operators, and serious fire safety hazards.

As of February 2010, the Coalition had compiled a list of more than 180 known illegal boarding houses throughout the City, most of which the NYC Department of Homeless Services (DHS) had referred individuals to at least once. Indeed, in a September 2009 letter from then DHS Commissioner Robert Hess to then chair of the New York City Council General Welfare Committee, Bill de Blasio, DHS admitted to referring 340 individuals in the course of a single year to only 14 so-called “three-quarter houses” -- buildings which were subsequently ordered vacated by City inspectors. This averages out to 25 people per house, not taking into account others that may have been residing there without being referred from DHS.

This shocking data underscores the weakness in current DHS policies that set standards for referrals to permanent housing. The current policy prohibits referrals to only three very limited classes of dwellings: (1) those with current vacate orders, (2) those involved in City enforcement litigation, and (3) those listed on a very short no-refer list maintained by the State health department—a list that has not been updated in three years. This woefully inadequate policy continues to allow referrals to a wide range of illegal and unsafe dwellings, a practice that has been accepted and even encouraged by DHS officials.

Over the past several years, the number of illegal boarding houses has grown exponentially, the result of an expanding market fed in part by the policies and practices of DHS. In analyzing the Coalition’s list of known “three-quarter houses,” we found that many operators have more than one building. A handful of the more egregious owners together operate more than 40 buildings, mostly in Brooklyn and the Bronx.

The Need to Put Strong Safeguards in Place

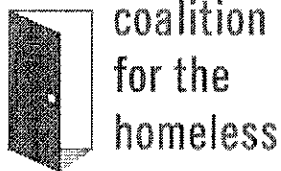
We strongly support the proposed changes to Title 31 of the Rules of the City of New York, which would be a significant step forward in addressing this very serious problem. The new rules will add a more effective level of protection for homeless individuals by prohibiting referrals to buildings with one or more occupancy violations in the last two years, as listed on the NYC Department of Buildings (DOB) website. Illegal occupancy is the most common characteristic that illegal boarding houses and as a result is a good way of identifying these types of dwellings.

However, this new rule is still just a first step and contains a rather large loophole. Many illegal boarding house operators do not allow City inspectors access to their buildings, thus prohibiting DOB and other agencies from issuing any violation against the property. In fact, the operators and owners frequently instruct their residents to refuse access to DOB under threat of (illegal) eviction. Indeed, as the market for illegal boarding houses has grown, the operators have gotten smarter at dodging the regulators.

In response to this still gaping loophole, DHS has agreed with the New York City Council to implement a pilot program in nine shelters that will go even further than the proposed rule. In these shelters, staff will not be able to refer a homeless individual to a building under six units if it has one or more complaints regarding occupancy in the last four years, including complaints in which DOB was denied access the building. We believe this pilot program will add the extra necessary protections for homeless individuals and we look forward to the time when it will be implemented system-wide.

In closing, we are grateful that the NYC Department of Homeless Services has agreed with the City Council to propose these rule changes and we support this very valuable first step in protecting the safety and well-being of homeless New Yorkers.

Thank you for the opportunity to present this testimony.



TESTIMONY OF COALITION FOR THE HOMELESS BEFORE THE NEW YORK CITY COUNCIL

**General Welfare Committee Hearing
May 5, 2009**

**Submitted by Patrick Markee, Senior Policy Analyst,
Coalition for the Homeless**

I present this testimony on behalf of Coalition for the Homeless, a not-for-profit organization that assists more than 3,500 homeless New Yorkers each day. Since its founding in 1981, the Coalition has advocated for proven, cost-effective solutions to the crisis of modern homelessness, which now continues into its third decade. The Coalition has also struggled for more than 25 years to protect the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and appropriate housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates several direct-services programs that both 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, a job-training program for homeless and formerly-homeless women, a Rental Assistance Program which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, and two buildings in Manhattan which provide 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 more than 900 nutritious meals to street homeless and hungry New Yorkers each night. 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 Elderidge 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 to physical, mental or social dysfunction is in need of temporary shelter." The Callahan consent decree and Elderidge 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 Growing Number of Referrals of Homeless Adults by the City of New York to Illegal Boarding Houses

We offer this testimony today in support of Intro. 963, legislation which will prohibit referrals by the City of New York of homeless individuals to illegally-occupied dwellings such as illegal boarding houses, often called "three-quarter houses."

We also offer this testimony to provide an overview of a growing problem: The accelerating use of illegal, unsafe boarding houses to shelter homeless adults in New York City, a problem that has been

made dramatically worse due to the Bloomberg administration's adamant refusal to adopt safeguards to protect vulnerable homeless individuals and New York City neighborhoods.

For more than three years, the City of New York has referred thousands of homeless individuals – many of them living with mental illness and other disabilities – into a growing number of illegal boarding houses with hazardous conditions, many of which have already been documented by City inspectors.

Coalition for the Homeless first documented this worsening problem in January 2008 in our report Warehousing the Homeless (available at our website). At the time we issued that report last year, the Coalition had discovered 62 illegal boarding houses where the City had referred homeless adults. Of these, 10 illegal dwellings had subsequently been ordered vacated by City inspectors due to serious health and safety hazards, often including fire safety hazards.

The Coalition has now compiled a list of nearly 120 illegal boarding houses where the City has referred homeless adults. Of these approximately 25 dwellings had subsequently been ordered vacated by City inspectors due to serious health and safety hazards, often including fire safety hazards – indeed, nearly 10 illegal dwellings have been ordered vacated in the past six months alone. (Please see attached lists of illegal dwellings.)

The proliferation of these unsafe dwellings is very clearly the result of an illegal, and expanding, market created by the policies and practices of the NYC Department of Homeless Services. In effect, City taxpayer dollars are subsidizing the growing number of illegal, unsafe dwellings. And this is due to the Bloomberg administration's adamant refusal to adopt common-sense safeguards to prevent homeless individuals from being referred to dangerous or inappropriate dwellings, and the failure to enforce existing health and safety standards.

We remain gravely concerned about the health and safety of homeless adults whom the City has already consigned to illegal boarding houses. These dwellings are characterized by the following conditions: illegal occupancy; extreme overcrowding; persistent health and safety violations; a complete lack of services including appropriate mental and physical health services; failure to acknowledge tenancy rights; fraudulent use of public benefits by operators; and serious fire safety hazards.

Following are highlights of the problems involved with the City's referrals of homeless New Yorkers to illegal boarding houses:

- Illegal occupancy: The vast majority of illegal boarding houses are one- or two-family homes that have been illegally converted to multiple dwellings. Commonly called "three quarter houses" (a name borrowed from the old term "halfway house"), these residences are overwhelmingly concentrated in low-income, African-American and Latino neighborhoods of central Brooklyn, in particular East New York, Bedford Stuyvesant, Bushwick, and Crown Heights. Some illegal boarding houses are also scattered in low-income areas of the Bronx, Staten Island, and Queens.

Illegal boarding houses are, by and large, operated in small buildings designated in their certificates of occupancy as one- or two-family homes. However, their operators illegally subdivide rooms and crowd as many as 30 or 40 adults, mostly men, into one house, often packing four to 12 men in bunk beds in sleeping rooms. Frequently the operators pack bunk beds in kitchens, garages, basements and other rooms not intended as sleeping rooms.

- Fire safety hazards: Illegal boarding houses operate in violation of City building codes and housing maintenance codes, which prohibit illegal conversions, and many of them have serious fire safety hazards. In many illegal boarding houses City inspectors have found the following fire-safety

hazards: illegal partitions, defective and exposed electrical wiring; illegal or defective gas hookups; no secondary means of egress; no fire alarm; no sprinkler system; and illegal plumbing work.

- Health and safety hazards: Many illegal boarding houses have additional health and safety hazards, including lack of heat and hot water, collapsed or sagging walls, and cracked and bulging ceilings.
- Homeless adults forced to accept referrals to illegal boarding houses: City employees and shelter staff routinely threaten homeless individuals with ejection to the streets for 30 days or more, or other punishments, if they do not accept referrals to illegal boarding houses, in many cases even when the homeless individual has never seen the building. In many instances homeless adults have been taken in vans to illegal boarding houses and left there, despite fears about safety and the condition of the buildings.
- Inappropriate referrals of individuals living with mental illness and other disabilities: The City has negligently placed many homeless adults living with disabilities in illegal boarding houses, including individuals diagnosed with multiple sclerosis, schizophrenia, bi-polar disorder, and severe depression. The illegal boarding houses used by the City do not offer any therapeutic or supportive services for people living with mental illness or other disabilities. In many cases, the homeless adults sent by the City to illegal boarding houses had been approved for "New York/New York" or other supportive housing, but the City failed to refer them to such appropriate housing.
- Operators do not respect tenancy rights: The operators of illegal boarding houses routinely violate their residents' clear tenancy rights in the following ways: ejecting residents without following lawful eviction proceedings; denying access to the dwelling for many hours of the day; and enforcing curfews and other illegal rules.
- Taxpayer dollars subsidizing these illegal boarding houses: City and State taxpayer dollars subsidize these dangerous boarding houses, despite illegal and hazardous conditions documented by inspectors. Welfare housing allowances and disability benefits are paid by the City and State to the operators of illegal boarding houses, many of whom have converted their buildings in violation of building and housing codes. These payments of taxpayer funds can amount to more than \$100,000 per year per house.

Need for Stronger Safeguards to Protect Homeless Adults and New York City Neighborhoods

For more than three years, and in the face of mounting evidence of the worsening problem of referrals of homeless adults to illegal boarding houses, Bloomberg administration officials have refused to adopt common-sense safeguards to protect homeless individuals and New York City neighborhoods. Indeed, even when City officials have received documented proof of illegal and unsafe conditions in specific dwellings, they have refused to halt referrals of homeless New Yorkers to those buildings.

The current City policy on referrals of homeless New Yorkers to housing – first outlined in a May 21, 2007, letter by Deputy Mayor Linda Gibbs and later in a December 18, 2007, memo by DHS Deputy Commissioner George Nashak – fails to protect homeless adults from referrals to unsafe, illegal boarding houses. Indeed, the policy prohibits referrals only to three very limited classes of dwellings: (1) those with current vacate orders, (2) those involved in City enforcement litigation, and (3) those listed on an very short no-refer list maintained by the State health department – a list that has not grown in two years.

When, on multiple occasions, Coalition for the Homeless has asked Mayor Bloomberg and senior City officials – like DHS Commissioner Robert Hess and Deputy Commissioner Nashak – to alter the policy

or to halt referrals to specific dwellings known to be unsafe or illegally occupied, those officials have adamantly refused to change the City's policy.

In effect, the woefully inadequate Bloomberg administration policy permits referrals to a wide range of illegal, unsafe dwellings. But even worse than that, Department of Homeless Services policies and practices encourage referrals to illegal boarding houses. DHS officials have personally urged homeless adults to accept referrals to illegal dwellings and threatened them with loss of shelter if they failed to do so; DHS officials have instructed shelter providers to accelerate referrals to illegal boarding houses; and DHS shelter contracts include payment incentives that effectively incentivize referrals to illegal boarding houses by penalizing shelters that do not meet unrealistic placement targets.

Given the administration's refusal to address this problem, we strongly support Intro. 963, which is a welcome and important first step towards protecting homeless adults and New York City neighborhoods. The bill prohibits referrals to dwellings that violate certain occupancy standards, a serious problem that characterizes virtually all of the illegal boarding houses that we are aware of.

In addition to this legislation, we think that the following steps should be taken:

- Ensure homeless New Yorkers are referred to safe, legal, and appropriate housing: The City should immediately implement a policy ensuring that homeless New Yorkers are referred to housing that is (1) safe and legal, and (2) appropriate to the needs of the individual. The City and contracted service providers should assess proposed housing placements to ensure that they meet those standards. The City and service providers must also evaluate homeless adults to assess their needs for mental health, medical, or other support services.
- Enforce housing and buildings code requirements and relocate individuals already living in hazardous homes to safe, appropriate housing: For illegal boarding houses that are already in existence, the City and State should enforce the housing maintenance code, building code, and other legal requirements. All formerly homeless individuals currently living in illegal boarding houses with dangerous conditions should be immediately relocated to safe, appropriate permanent housing.
- Expand investments in permanent supportive housing and affordable housing: In order to achieve a genuine and lasting reduction of the numbers of homeless New Yorkers, as well as protect homeless individuals living with mental illness and other special needs, the City and State should expand investments in supportive housing and other low-income housing.

We again urge the City to halt referrals of homeless adults to illegal, unsafe dwellings, and to implement safeguards to ensure that homeless adults are sent to safe, appropriate, and legal housing. Without such safeguards we believe that it is only a matter of time before homeless individuals are injured or killed in one or more of these illegal dwellings.

In closing, we applaud Councilmember Bill de Blasio for introducing this important legislation, and we commit to working with him, his staff, and the New York City Council to ensure that these protections become law. And we thank Councilmember de Blasio and the City Council for holding this important oversight hearing today.

Thank you for the opportunity to present this testimony.



**Department of
Homeless Services**

Robert V. Hess
Commissioner

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212.361.7997 fax

September 21, 2009

Honorable Bill de Blasio
Chair, Committee on General Welfare
NYC Council
250 Broadway, 17th Floor
New York, NY 10007

Dear Council Member de Blasio:

I write in response to your May 22 letter requesting information about DHS' housing referral procedures. The extensive and detailed questions you asked required us to complete a number of time-consuming analyses, accounting for the delay in our response. In addition, we wanted to conduct data close-outs for the year ending June 30, 2009, to provide you with up-to-date information.

DHS requires and expects its providers to advise and educate clients on good housing choices. The Agency has issued guidelines to shelter providers which prohibit the referral of clients to housing that falls into any of the following categories:

- An address for an adult care facility that appears on the NYSDOH Referral Suspension List or on the Uncertified Facilities List (i.e., NYSDOH is responsible for licensing and regulating adult care facilities);
- An address in a building against which DOB, HPD and/or FDNY has issued a vacate order;
- An address in a building where HPD has initiated litigation against the landlord/owner for failing to maintain the building in good repair.

In follow-up to the hearing, we are pleased to report that FDNY placed its vacate list on its website. DHS promptly reissued its guidance memo to providers instructing them to avoid referring clients to addresses with active vacate orders by FDNY as well as DOB and HPD. A copy of the revised guidance is attached to this letter.

Tracking Client Placements and Return to Shelter

Shelter Exit Form

The Department of Homeless Services (DHS) recently implemented a web-based application that allows shelter providers to submit client placement information electronically, reducing the flow of paper between shelters and DHS' central office.

The paper form attached to your letter is therefore no longer in use. We have attached a printout of the screen providers currently use to report placements to DHS.

Vacated Dwellings List

Of the buildings on the list you provided, we were able to identify 14 that had vacate orders listed on the DOB, HPD and/or FDNY websites at some point in time.

DHS tracks when a person moves out of the shelter system. It is not possible for us to know whether someone remains at a particular address. To answer your question about former shelter clients residing at particular addresses, we identified clients who moved to those addresses within 12 months prior to the issuance of the vacate order. In reviewing our records, we found 340 instances of clients moving to one of the addresses on the list of vacated buildings prior to the issuance of the vacate order. Since we would expect some clients to have moved out following placement, this number is likely higher than the number of former shelter clients residing at the addresses at the time the vacate orders were executed. We have attached a chart that identifies the shelters from which these clients moved.

Of the 340 move-outs from shelters into buildings subsequently vacated (totally or partially), we have identified 56 clients who returned to the shelter system within 90 days of the issuance of the vacate order.

Of those who left shelter for housing in calendar year 2006, 1,690 people returned to live with their families and 4,152, or 49% of all placements, left for independent living. "Independent living" encompasses clients who move to apartments they fund with wages or entitlements, clients who rent rooms in apartments, clients who choose shared living situations including shared apartments, and clients who rent rooms in commercial SROs. In 2007, 4,704 clients, or 51% of all placements, left shelter for independent living. And in 2008, 4,731 clients, or 45% left shelter for independent living. Please note that on a percentage basis, placements to independent living were at a three year low in 2008.

Current DHS Guidelines

In an effort to ensure that providers meet the standards of the guidelines issued by DHS, we have in place a quality assurance review process. Providers submit each placement electronically to DHS as outlined above. Each month, DHS selects a random sample of 10 percent of these exits and checks the addresses of the placements against our guidelines to determine whether providers met the standards set forth in the guidelines. There have been few instances in which we have determined the guidelines to have been violated. For instance, in the last 12 months, we found 21 instances of placements made in violation of our guidelines. The

providers making those placements were assessed penalties as detailed in our guidelines.

DHS also takes seriously its responsibility to educate its clients about their rights as tenants and about the responsibilities of their landlords. To that end, DHS requires all shelter providers to provide every client leaving shelter with a "tenant's rights guide" that DHS has developed. The guide educates clients leaving shelter regarding their rights and responsibilities as tenants and about their landlord's rights and responsibilities.

In addition to requiring that shelter providers educate clients about their rights, DHS requires providers to give a client an opportunity to view the unit they will be occupying, if the client wishes to do so. We expect clients to be offered this opportunity in every case in which a shelter provider is involved in arranging the referral. If a client refuses to move to a particular location, DHS cannot compel him or her to do so. Clients in the shelter system have a responsibility to seek appropriate housing. DHS has the authority under OTDA regulations to sanction a client who refuses to seek housing. We would not, however, entertain a request for sanction based on a client's refusal to accept a particular housing option. Sanction decisions are based on established patterns of events, not on single events.

Shelter providers identify permanent housing opportunities through a vast array of means, in a similar fashion to anyone searching for housing. Housing specialists in the shelters review newspaper advertisements and on-line listings. They use the services of real estate brokers. They establish relationships with landlords. They also use resources available from DHS, for instance, housing fairs in which DHS invites landlords to events where housing specialists also participate.

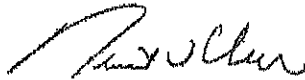
Process for Vacated Buildings

Former shelter clients who are living in a building at the time it is vacated have the resources that any housed client has access to, including temporarily moving in with friends or family. If the person is not able to find an alternative living situation, s/he has the right to re-enter the shelter system. People living in vacated buildings can access re-housing services through DHS' Homebase program or can re-enter shelter and use the re-housing services available there.

We reviewed the buildings with vacate orders on the list you provided and identified the number of former shelter clients who returned to shelter within 90 days following a vacate order. Of 340 exits to these addresses, 56 clients returned to shelter within 90 days of the vacate order. In instances where a building is vacated, any individual living in that building may request shelter services from DHS. DHS offers shelter to adult clients upon demand.

In conclusion, I hope we have answered each of your questions. I look forward to continuing the dialogue with you and other members of the City Council on new and innovative ways to best combat homelessness in New York City.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert V. Hess", written in a cursive style.

Robert V. Hess