



Testimony of
Coalition for the Homeless
on
DSS Preparation for Expiration of the Eviction Moratoriums
submitted to

New York City Council Committee on General Welfare

Jacquelyn Simone
Senior Policy Analyst
Coalition for the Homeless

January 25, 2021

Thank you for the opportunity to testify on the Department of Social Services' (DSS) preparation for the expiration of the eviction moratoriums.

The Need for Federal Assistance

For more than ten months, the Coalition for the Homeless and other advocates have been sounding the alarm about an impending tsunami of evictions due to the economic devastation wrought by the pandemic. People of color are at particularly high risk of eviction. A series of Federal and State orders throughout the pandemic have temporarily halted or curtailed evictions, although these protections varied in how comprehensive and straightforward they were. Notably, the porous protections in some iterations of the so-called moratoria, along with many tenants' lack of awareness of their rights, have led some New Yorkers to fall through the cracks and become homeless during the pandemic. Even so, the limitations on evictions have prevented tens of thousands more from losing their homes for the time being, which would have undoubtedly exacerbated the public health crisis by forcing people to enter crowded shelters or to double-up with family or friends. While pausing evictions during a historic public health crisis is an urgent first step, the moratoria merely delay the inevitable. All levels of government must act swiftly and boldly to ensure renters have access to sufficient resources to pay off their rapidly accumulating rent arrears. Much of the pandemic has been unpredictable, but this public health crisis need not contribute to the already record-breaking homelessness crisis if governments act proactively and at a scale to meet the staggering need.

The Federal government is the most appropriate source of desperately needed rental assistance, given the fiscal constraints on the City and the State. For months, the Coalition and other advocates have urged the Federal government to include \$100 billion for emergency rental assistance in the next stimulus package in order to provide rent subsidies for New Yorkers experiencing homelessness and those at risk of losing their homes. The most recent stimulus package included nearly \$1.3 billion for rental assistance for New York State, but more is needed and we will continue to advocate for additional funds in subsequent packages. State and City officials must collaborate to ensure that the process for distributing these funds is easily accessible and clearly communicated to the most vulnerable New Yorkers, including people with disabilities, those who do not have technology access, and those who speak a language other than English. Any program for rent relief must be open to all tenants regardless of immigration status. Furthermore, in recognition that these funds are inadequate to cover the total accrued rental arrears to date, we recommend that the assistance be prioritized to the renters with the lowest incomes and those at most imminent risk of homelessness.

Improving Eviction Prevention Tools

Regardless of the distribution mechanism the City and State ultimately select to distribute the Federal rental assistance funds, the City must improve its current eviction prevention tools to enable more renters to access assistance now. These reforms must be made immediately, rather than waiting for the crisis moment when most evictions are permitted to proceed. The One-Shot Deal program through the Human Resources Administration (HRA) offers vital assistance, but HRA has not made it easier to process One-Shot Deals during the pandemic. HRA has continued to deny One-Shot Deals if applicants do not demonstrate a future ability to pay their rent. With many New Yorkers out of work due to the pandemic, it is challenging for many households to meet this requirement. We encourage HRA to exercise more flexibility in approving One-Shot Deals, and to waive the requirement that tenants demonstrate a future ability to pay their rent, in recognition of the extraordinary circumstances created by the pandemic.

The application process for One-Shot Deals must also be made more accessible for people who do not have access to the internet. While the Access HRA website enables tenants to apply for One-Shot Deals online rather than seeking assistance in-person, those who are not comfortable using the internet or do not have sufficient technology access lack adequate alternatives. Coalition staff have also encountered technical issues and delays when assisting renters with applications for One-Shot Deals online. We recommend creating a simple way for tenants to apply for One-Shot Deals even if they lack internet access, such as initiating the process by phone and reducing burdensome documentation requirements as much as possible.

The Coalition is intimately aware of these issues, as we operate a renowned Eviction Prevention Program that provides emergency grants to pay rent arrears for low-income families at risk of losing their apartments. We often supplement HRA's One-Shot Deal contribution to cover the entirety of a tenant's arrears. In 2020, HRA covered approximately 63 percent of the arrears for the clients we served through our Eviction Prevention Program. HRA could help stretch charitable contributions further by covering a larger portion of tenants' arrears.

Furthermore, the City must continue to support these vital eviction prevention funds. Noting that we are facing an impending eviction crisis of historic proportions because of the pandemic, we urge the City Council to restore \$820,000 for the Homeless Prevention Fund in the fiscal year 2022 budget. Coalition for the Homeless receives \$492,000 from this fund for our Eviction Prevention Program, which has demonstrated a 96-percent success rate in stabilizing at-risk households for the long term. These funds will be critical to supplement government funding and keep people in their homes. Homelessness prevention grants are much cheaper than the cost of emergency shelter (\$72,515 per year per family).

The City must also enhance its outreach to inform renters how to get assistance. Many tenants are unaware they can seek assistance now, rather than waiting for an eviction filing. We urge the City to launch a multilingual, accessible campaign to inform the general public about One-Shot Deals and other forms of assistance, as well as to inform tenants of their current protections and rights. Connecting at-risk tenants to resources now will mitigate the impending deluge of eviction cases and homelessness in the coming months.

Intro. 2050-2020

The passage of the historic right to counsel in 2017 leveled the playing field in housing court and has shown tremendous success in reducing evictions in the zip codes where it has been implemented. Intro. 2050 would amend Local Law number 136 of 2017, the housing court right-to-counsel law, by requiring the immediate implementation of access to legal services for tenants facing eviction proceedings in housing court citywide. We support accelerating the implementation of this historic law in light of the urgent housing crisis, and encourage the City to work with legal services providers to ensure they have the capacity to fulfill the intent of the bill.

Longer-Term Assistance

As with so many issues, the pandemic has shed a light on the inadequacy of our current social safety net. Far too many New Yorkers entered this crisis already in a state of financial uncertainty, and a record number were sleeping in shelters and on the streets. The crisis is an urgent reminder that we must implement more housing supports for those who are homeless or at risk of homelessness. We support a

broader Federal housing relief package including robust investments in affordable housing (which would also create jobs) and universal access to housing vouchers for those who are homeless or at risk of losing their homes. We also urge the State to enact statewide rental assistance legislation, including Home Stability Support and the Housing Access Voucher Program. Locally, the City can pass Intro. 146 to raise the maximum rental allowances for the CityFHEPS program, which will make it a more useful tool for helping people exit shelters. The City and State must also prioritize the creation of affordable and supportive housing targeted to New Yorkers with the lowest incomes as a way to tackle the root causes of our housing crisis, which has persisted for too long and will undoubtedly worsen in the wake of the pandemic.

We thank the Council for the opportunity to testify today, and for your steadfast commitment to preventing and ending homelessness.

About Coalition for the Homeless

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 and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which is now in its fourth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term, scalable solutions and include: Permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income women; 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, which usually distributes about 900 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx, is now regularly serving more than 1,100 meals per night and distributing PPE and emergency supplies during the COVID-19 pandemic. Finally, our Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, we are operating a special Crisis Hotline (1-888-358-2384) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

The Coalition was founded in concert with landmark right-to-shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981, the City and State entered into a consent decree in *Callahan* through which they agreed: "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, and the City has also authorized the Coalition to monitor other facilities serving homeless families. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws.