



City Council Hearing
General Welfare Committee
“Oversight: Examining the Use of Cluster Sites as Temporary Shelter for the Homeless”
Thursday, October 10, 2013

Good afternoon Chair Palma and members of the General Welfare Committee. I am Michele Ovesey, Commissioner for the Department of Homeless Services (DHS) and joining me is Julia Davis Moten, Deputy Commissioner for Family Services and Yianna Pavlakos, Deputy Commissioner for Facility Maintenance and Development (FMD). Today we will discuss the agency’s use of the Cluster Program as temporary emergency shelter for homeless families with children.

THE CITY’S LEGAL MANDATES

As you know, the City of New York is mandated by law to provide housing to every eligible homeless family and individual who seeks it. Indeed, we are the only jurisdiction in the nation that promises to ensure enough shelter to meet demand.

Under state and local law, DHS must place families in shelter pending investigation of their application for temporary housing assistance. As a practical matter, this means that the agency must shelter homeless families the very same day they apply. We must, and we do, successfully shelter homeless families 24 hours a day, seven days a week, 365 days a year.

State and local law also prohibit the placement of families in congregate settings. State law requires the City to provide each homeless family with children with their own private unit, and local law requires that each such family be afforded their own individual unit, which must also contain a private bathroom and cooking facility.

These legal mandates require that the City ensure that, at all times, it has sufficient capacity to meet demand even in the face of unforeseen events which cause an increased need for shelter. While we engage in capacity management planning on an ongoing basis, projecting shelter demand is not an exact science. Moreover, unanticipated events do happen: the economic recession is one; the State’s withdrawal of the funding for Advantage is another.

In addition to these various legal mandates, DHS must also consider a multitude of factors when placing each homeless family who knocks on our front door:

- **A family’s size and composition.** The family of three or more children requires a large unit and sometimes families are placed in two units if a large enough unit is not immediately available;
- **A family’s particular medical needs.** A disabled family member, for example, requires a shelter with an elevator or a unit on the first floor;
- **A family’s safety needs.** At PATH, HRA’s domestic violence counselors determine whether a family requires a shelter placement in a particular borough where they will be safe from the abuser;

- **The location of the youngest child’s school.** We try our best to place the family as close as possible to their youngest child’s school so that parents and children are not uprooted from schools, community supports, and daily routines.

While DHS makes substantial efforts to forecast demand and appropriately expand shelter capacity, we cannot simply procure shelter units instantaneously. One of the most difficult steps in the process is identifying a building that is suitable for shelter and meets the various physical requirements as prescribed by law. We are also limited by what buildings are brought to us for consideration. It would be ideal if buildings in every borough and every community district were made available to us, but that simply does not happen. In addition, few buildings in New York City are immediately available without any renovation. And while we have made substantial progress in shortening the time it takes to procure a shelter contract, it still takes several months, at a minimum, assuming there are no delays beyond our control.

The family shelter census has increased significantly over the last several years — it’s something we and our non-profit providers grapple with every single day as we ensure that families receive the services and support they need to move from shelter to permanent housing. In September 2013, the average daily shelter census for families with children was eight percent greater than the average daily census in September 2012. In addition, families’ length of stay in shelter increased 16 percent during this same time period. Given the City’s legal mandates and faced with a substantial increase in the census, DHS has a need for all available and suitable shelter space for homeless families. Cluster units, each with its own private bathroom and cooking facility, provide for immediate, flexible and compliant-ready capacity to meet such fluctuations in demand.

THE CLUSTER PROGRAM: AN OVERVIEW

A cluster program or cluster site is comprised of residential buildings under the operation of a single social services provider. Clusters are operated by many of the same non-profit providers that operate free-standing shelters for DHS, including Acacia Network (formerly Basics), Aguila, BEDCO, CAMBA, Children’s Rescue Fund (CRF), Housing Bridge and LCG Community Services. Like all other shelter providers, the cluster provider employs social services staff who develop an independent living plan or ILP with the participation of each family. The ILP identifies specific goals toward permanency, a timetable for achievement of each goal and a statement of the specific concrete tasks the client will undertake to achieve each goal. The specific goals in the ILP directly address barriers to permanency, and the overarching goal of the plan is re-housing in the community with the supports necessary to prevent the family from re-entering the shelter system.

Today, approximately 25 percent of the families in our shelter system, or approximately 2,700 families, are sheltered in cluster units throughout the Bronx, Brooklyn, and Manhattan. As I previously noted, the cluster model allows DHS to place large families in units that can accommodate their size and composition. In fact, two-thirds of cluster units are occupied by large families — that is, families with four or more members in their household.

One of the misconceptions we often correct is that the City pays rent upwards of \$3,000 a month for a cluster unit. However, this monthly amount, which is paid to the shelter provider, includes not only rent, but also funding for social services, building maintenance, security, and furnishings. The contracted cluster per diem rate has stayed consistent since 2006, currently averaging \$103 per day, which is virtually the same as the cost to shelter a family with children in any other facility in our family shelter system.

INSPECTIONS

Just as we do with any other type of shelter facility, FMD inspects each cluster unit prior to initial occupancy to ensure the unit is in good condition, safe, and free of any hazardous conditions. If FMD determines that repairs must be made or conditions remedied, client occupancy does not occur until such corrective action is taken. FMD also checks the violation databases of the City's Department of Buildings (DOB) and Housing, Preservation and Development (HPD). If any serious violations exist, such as a vacate order, lead paint or HPD litigation, DHS does not utilize the unit. Finally, prior to initial occupancy, FMD conducts a visual examination of the entire building to check for deficiencies.

Following initial occupancy, the Cluster Inspection Unit, which operates out of our Family Services Division, performs bi-annual physical inspections of each cluster unit. These inspections are conducted in accordance with HUD's comprehensive quality inspection standards. If any unsafe or hazardous conditions exist, the unit is taken offline and the family is transferred elsewhere. Upon receipt of the cluster inspection report, the provider must submit a corrective action plan to the Cluster Inspection Unit for its review and approval, detailing proposed corrective action for all items and specific timelines for resolving them. DHS also responds to complaints or concerns from families residing in cluster units, community members and other stakeholders about physical conditions of particular units or buildings.

In addition to initial and bi-annual cluster inspections, cluster providers are required to conduct bi-weekly health and safety inspections of each cluster unit, document their findings on a form, place the document in the client's case record, and ensure that all repairs requiring action by the landlord are made. Provider staff is also required to conduct weekly health and safety inspections of all cluster units occupied by families who have an open ACS case, have a child under six months old or are long-term stayers.

PERFORMANCE MONITORING

Our Family Services Division also conducts bi-annual performance evaluations of each cluster program. Program staff utilizes a performance evaluation tool to evaluate a provider's efforts to help families return to the community. This review also includes physical inspection of a sample of cluster units for the purpose of assessing cleanliness, housekeeping and physical conditions. Here again, upon receipt of the performance evaluation, the provider is required to submit a corrective action plan for Family Services' review and approval.

Finally, DHS conducts regular meetings with its providers both on site and at our offices to review specific client cases and other issues. The agency also provides staff training, and assists providers to improve their overall performance and ensure a clean and safe physical environment for shelter clients.

CONCLUSION

DHS has expanded, and will continue to expand, shelter capacity in ways that reduce our need to open new shelters, whether it be stand-alone shelters or cluster units. For example, this past June, upon my appointment as Commissioner, we embarked on an aggressive initiative to reduce the number of family units that are off-line by working with our providers to ensure that maintenance and repairs of units are quickly made and brought back on line as soon as possible. As a result of this initiative, we have reduced off-line units by 64 percent — from over 300 units to as low as 89 units, at any given point in time. Through these ongoing efforts, we have decreased our need to develop new family shelters.

I hope I have given you a good overview of the many challenges DHS faces in ensuring that every homeless family who needs shelter receives it and why cluster capacity is an important part of what enables us to meet shelter demand. I am very proud to work for a city that ensures shelter for all who need it. I am very proud to lead an agency whose employees work tirelessly, in partnership with our dedicated and hard-working providers, to help families exit shelter for homes of their own.

The Deputy Commissioners and I are now available to answer any questions you may have.