



**Promoting Safe Housing Options for Single Adults**  
**May 5, 2009**

Good afternoon, Chairman de Blasio and members of the Committee. My name is George Nashak and I am Deputy Commissioner for Adult Services at the Department of Homeless Services (DHS). I am here today to testify about how DHS, in partnership with its shelter providers, assists single homeless adults to move out of shelter and into safe housing in the community. Joining me at the table are Stephen Kramer, Senior Counsel, Department Of Buildings; and Thomas Jensen, Assistant Chief, Chief of the Bureau of Fire Prevention, FDNY. These gentlemen are here today to answer any questions you may have about their enforcement of laws and regulations related to the safety of our City's housing.

**DHS Mission: Helping Homeless Single Adults Achieve Permanency**

It is the mission of the Adult Services Division of DHS to provide short-term, emergency shelter to single adults experiencing homelessness and to assist them to obtain permanent housing. To achieve permanency for our clients, DHS partners with a group of highly skilled non-profit organizations, many of who have been serving New Yorkers in need for decades. These social services organizations provide case management and other services to homeless men and women residing in our shelter system.

By employing an individualized assessment and developing an independent living plan designed specifically for every client we serve, DHS and our provider partners begin assisting each client to return to permanent housing in the community from the moment he or she enters shelter.

Some clients are able to return to permanent housing very quickly with relatively little assistance. These clients have often experienced a temporary setback, need shelter for only a brief period, and return to housing with some modest support from the caseworkers in the shelters. Other clients, especially those living with significant mental health or medical disabilities, need substantial assistance. For these clients, caseworkers may arrange medical evaluations, complete housing applications, and accompany the clients on housing interviews. While we are responsible for providing safe shelter for as long as a client may need this service, we develop with each client an individualized independent living plan that takes his or her needs into account. This is part of the basic services a client receives in the New York City shelter system. In turn, all clients are expected to work with shelter staff to develop and implement their independent living plans. Given our commitment to ensure that no client needs to call a shelter “home” for a long period of time, we believe this approach best assists clients to return to permanent housing in the community as quickly as possible, taking their specific needs into account.

### **DHS Guidance on Housing Options**

I have no doubt that the members of this Committee, DHS, and our shelter providers all share a common goal: to see that all clients make good housing choices and move into safe and appropriate housing upon exiting shelter. Toward this end, DHS and its providers educate clients about the full range of housing options available to them, and assist them in selecting the housing option most appropriate to their individual needs.

For clients who are unable to live independently without support services, we instruct shelter staff to assist them to move into supportive housing, residential treatment facilities or other residential programs that provide, or are linked to, appropriate services. These housing options include programs licensed by or in contract with governmental entities such as the New York State Department of Health (NYSDOH), the New York State Office of Alcoholism and Substance Abuse Services, the New York City Department of Health and Mental Hygiene, the New York City Human Resources Administration, and the New York City Department of Homeless Services. New York/New York Housing is one example of supportive housing for homeless men and women who have mental or physical disabilities.

Other clients do not need on-going supportive services following shelter. Their barriers to independent living may be primarily financial; for example, they may be living on a fixed income or they may be newly entering the work force and cannot fully afford the rent for an apartment. DHS assists clients in these categories by providing rent subsidies such as Work Advantage for clients who are able to work full or part-time or Fixed Income Advantage for clients who are unable to work due to a disability.

Most clients leaving shelter, like the majority of New Yorkers, go on to live in housing that is not subsidized. Many clients find apartments on their own and use their own financial resources to pay the rent, while others return to live with family members. Their circumstances mirror those of other New Yorkers seeking private housing: neither DHS nor any other government agency inspects the apartment as a matter of course before a client moves in. However, DHS has put in

place a number of measures to help ensure that clients make safe and appropriate housing choices.

### **DHS Guidelines to Promote Safe Housing Choices**

In the case of clients leaving the shelter system to independent living, that is, other than supportive or subsidized housing, 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 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 or HPD has issued a vacate order; or
- An address in a building against which HPD has initiated litigation against the landlord/owner for failing to maintain the building in good repair.

Following these guidelines, shelter staff are required to check lists and public databases made available by these agencies to ensure that a building does not fall into any of these categories before making a referral to that site. Along these lines, DHS requires shelter staff to advise clients against moving into such properties should it be determined that they fall into one of these categories. DHS reinforces the seriousness of its intentions with our providers by imposing

financial penalties against providers who violate these 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. Monthly, providers submit the total number of exits from shelter to DHS. Of this total, DHS conducts a random sample of 10 percent of these exits, and does a second check against our guidelines to determine whether providers met the standards set forth in the guidelines.

DHS wants to ensure that clients who leave shelter for independent living are making informed choices about housing. To that end, DHS requires shelter staff to give clients the opportunity to view any housing prior to occupancy.

### **DHS Efforts to Educate Clients about Their Tenancy Rights**

DHS also takes seriously its responsibility to educate its clients about their rights as tenants and about the responsibilities of 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. I have copies with me today if any members of the committee are interested in reviewing the guide. The guide educates clients leaving shelter regarding their rights and responsibilities as tenants and about their landlord’s rights and responsibilities. Just as important, the guide also instructs clients about the mechanisms for addressing complaints about safety or maintenance that they may not be able to resolve with their landlords. Among other things, the guide contains the contact information for the agencies responsible for overseeing and enforcing the rules, including DOB, HPD, and FDNY.

Finally, if clients determine that their housing poses a threat to their safety, they may re-enter shelter. As the members of this Committee are aware, DHS takes very seriously its mandate to provide shelter to all single homeless adults who seek it.

### **Roles and Responsibilities of Enforcement Agencies**

As I mentioned earlier, other City agencies have responsibility for enforcing laws and regulations related to the safety of our City's housing. The FDNY inspects buildings and enforces compliance with Fire Code regulations, while the DOB enforces the City's Building Code and the Zoning Resolution. HPD is responsible for enforcing the New York City Housing Maintenance Code and New York State Multiple Dwelling Laws. These agencies are authorized to issue violations and summonses to owners who have failed to meet their responsibilities. Through their efforts and coordination, they provide effective mechanisms for review and enforcement to ensure the safety of the City's housing stock. Tenants or advocates are encouraged to call 311, the central hotline for City services, to file a complaint if they believe the building or apartment is occupied in violation of applicable laws or regulations, or poses a threat to the health or safety of its tenants.

These review and enforcement processes are in addition to those that the New York State Department of Health utilizes to enforce state laws and regulations governing the licensing of certain facilities for single adults.

We at DHS urge you to work with us to inform your constituents of these various avenues to address any life and safety concerns they may have.

Thank you for the opportunity to explain our efforts to assist single adults to move out of shelter into permanent housing and the efforts of our City's enforcement agencies in ensuring that building owners adhere to the laws and regulations governing housing safety.