

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 42

July 7, 1998

DEPARTMENT OF THE HOMELESS

WHEREAS, prior to the enactment of Local Law No. 51 for the year 1993, services for homeless individuals and families were provided by the Department of Social Services under the direction of the New York City Commissioner of Social Services pursuant to the New York Social Services Law and Chapter 24 of the New York City Charter ("Charter"); and

WHEREAS, Local Law No. 51 for the year 1993 enacted Chapter 24-A of the Charter, which established the Department of Homeless Services and provided for the Commissioner of Homeless Services to have the "powers and perform the duties of a commissioner of social services under the social services law for the purposes of fulfilling his or her responsibilities under this chapter", and also enacted Title 21-A of the Administrative Code, entitled "Department of Homeless Services"; and

WHEREAS, such local law provided for Chapter 24-A of the Charter and Title 21-A of the Administrative Code to expire on July 1, 1995; and

WHEREAS, Local Law No. 61 for the year 1995 amended Local Law No. 51 for the year 1993 to postpone the expiration of Chapter 24-A and Title 21-A until September 6, 1995; and

WHEREAS, Local Law No. 75 for the year 1995 extended the life of Chapter 24-A and provided for such chapter to expire on July 1, 1998, and renumbered Title 21-A of the Administrative Code as Chapter 3 of Title 21 of such Code and provided for such chapter to expire on July 1, 1998; and

WHEREAS, Local Law No. 75 for the year 1995 provided that the Department of Homeless Services should expire on July 1, 1998 and that "the functions, powers and duties of the Department of Homeless Services set forth in chapter 24-A of the New York city charter and chapter 3 of title 21 of the administrative code of the city of New York ... shall devolve upon the department of social services..."; and

WHEREAS, legislation to further extend Chapter 24-A of the Charter and Chapter 3 of Title 21 of the Administrative Code has yet to be enacted into law; and

WHEREAS, the Mayor is committed to continuing and supporting the structure that has provided services to homeless individuals and families and has implemented numerous improvements to such services; and

WHEREAS, the Mayor wishes to prevent any disruption of such services, and to this end has directed the Commissioner of Homeless Services to continue to administer the provision of services to homeless individuals and families as of July 1, 1998;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York it is hereby ordered as follows:

Section 1. There shall be within the Department of Social Services a unit for homeless services, which shall be called the Department of Homeless Services. The unit shall be headed by a Deputy Commissioner of the Department of Social Services who shall have the title Commissioner of Homeless Services, and shall report to the Mayor through the Deputy Mayor designated by the Mayor with regard to all matters relating to this Order. The Commissioner of Homeless Services shall possess the qualifications of a Deputy Commissioner of Social Services as established pursuant to the Social Services Law.

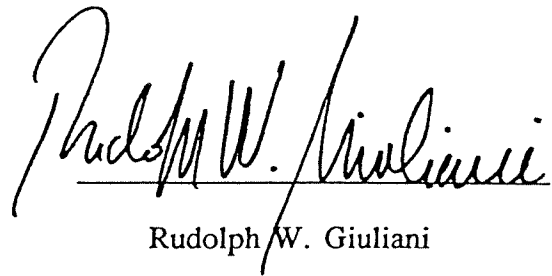
Section 2. The Commissioner of Homeless Services, to the maximum extent consistent with existing law, shall be responsible for:

- a. Directing and supervising the management, operations, budget and funding of services for homeless individuals and families;
- b. Working directly with the City's Office of Management and Budget with regard to the funding and administration of the City's budget for services to homeless individuals and families;
- c. Administering all contracts entered into by the Department of Homeless Services, including contracts entered into prior to the effective date of this Order;
- d. Advising and assisting the Mayor with respect to matters pertaining to homeless individuals and families; and
- e. Performing such other duties as the Mayor may assign.

Section 3. The Department of Homeless Services within the Department of Social Services shall have the power to continue any business, proceeding or other matter commenced by the Department of Homeless Services heretofore. Any provision in any law, rule, regulation, contract, grant or other document relating to the Department of Homeless Services

described in Chapter 24-A of the Charter and Chapter 3 of Title 21 of the Administrative Code shall apply to the Department of Homeless Services within the Department of Social Services.

Section 4. This order shall take effect immediately and shall be deemed to have been in full force and effect as of July 1, 1998.

A handwritten signature in cursive script, reading "Rudolph W. Giuliani", is written over a horizontal line.

Rudolph W. Giuliani

Mayor