

MEMORANDUM

THE CITY OF NEW YORK
HUMAN RESOURCES ADMINISTRATION

DATE: December 7, 1983

TO: Center Directors

FROM: Martin Furdick, Deputy Administrator
for Income Maintenance Programs

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SUBJECT: Requests for Emergency Housing Assistance

The number of homeless persons in New York State has increased dramatically in recent years. As a result, the State Department is developing a comprehensive policy on the prevention of homelessness and the provision of temporary housing. This policy is designed to ensure that emergency housing is as brief as possible and minimize both the dislocation from the homeless person's community and any disruption to the client's life caused by such dislocation.

The New York State Department of Social Services has issued directives concerning the prevention of homelessness and referrals to temporary housing. The procedures detailed in this memorandum are designed to:

- a. Insure that homeless persons or persons in imminent danger of becoming homeless can apply for emergency housing whenever such emergency housing is needed. The date and time of the initial contact by the homeless person, his authorized representative, a community agency or other interested person acting on behalf of the homeless person, in addition to all information or advice provided by staff, is to be recorded in the case record.
- b. Offer emergency housing immediately if a homeless person is determined eligible, or to provide a written notice that no assistance will be given where a homeless person is determined ineligible. A person who is determined ineligible shall be advised of the right to an expedited State Fair Hearing.
- c. Provide that persons who are in danger of becoming homeless can notify the welfare center on a priority basis of such danger and seek the assistance of the district in avoiding homelessness.
- d. Provide for prompt preventive efforts by staff and local districts to encourage intercession at the earliest possible indication of potential homelessness.

Statement of Objectives

- o It is the policy of IM to provide priority appointments for new applicants and recipients who are in danger of becoming homeless or who are already homeless.

Assistance is not to be denied to an applicant because he/she or a family unit does not have a permanent address.

- o All persons have the right to file an application for public assistance/food stamps. All undomiciled applicants have a right to a priority application interview on the same day they file. An application may be rejected for the reason that the person cannot exercise the judgement to manage a public assistance or food stamp benefit.
- o For a single person or a couple without children who apply for aid, a decision has to be made about whether he/she or they can manage a public assistance payment. Obviously dis-oriented persons or persons with a long history of living in the streets such as shopping bag ladies should be referred for service to the Men's and Women's shelter program at 8 East 3rd Street and 350 Lafayette Street in Manhattan. The shelter programs will, after working with these individuals, evaluate their ability to manage a public assistance grant and refer those individuals back into IM Centers.
- o For an undomiciled single person or for a couple without children, a grant of rent for up to one month may be issued to assist the individual/couple to find a place to live.
- o Persons are homeless if they are undomiciled or if they live in a hotel/motel/family shelter. Staff is to intercede at the earliest possible indication that a family or a person is in danger of becoming homeless. Persons are considered to be in danger of becoming homeless if they are threatened with eviction; or are being forced to move by a relative or friend with whom they live.

Homeless persons present particular problems in making eligibility determinations. In many cases, a homeless person will not be able to present verification of a past or present address. Faced with this problem, staff should make every effort to verify where the person has been living, but in cases where verification does not exist, a judgment must be made. In no case, however, shall the district deny public assistance solely on the basis that a homeless person has no permanent address.

Operational Instructions

Staff should make every effort to prevent the loss of the client's current living accommodations. When this is not possible, other permanent housing arrangements should be sought. Placement of families in hotels/motels/family shelters should be used only as a last resort.

The following are some alternatives which should be explored with a person or family who is homeless or in danger of becoming homeless:

- a. The use of an advance to pay rent due to a landlord for an apartment to avoid dispossession/eviction. When an advance payment is made, the procedures to determine whether future rent allowances should be paid restrictively are described in the Housing Manual H-1 at pages 19 through 23. The percentage of future public assistance payments to be recouped to repay the advance and the procedures for determining hardship that would result in a recoupment of less than 10% of the household needs are described in the Housing Manual H-1 at page 22.
- b. There are situations where a recipient will ask for an advance to pay rent to avoid dispossession/eviction where the monthly rent exceeds the maximum shelter allowance. Recipients are to be asked to try to raise the difference between the maximum shelter allowance and the amount of rent due. Where a recipient cannot raise the difference, a call is to be made to Mr. John Allocca, Director, Office of Information, Liaison and Adjustment at 553-5185 for guidance.
- c. There are situations where a recipient will indicate that they are being asked to leave an apartment which they have shared with a primary tenant who is a relative or a friend. Staff must explore with these recipients whether the request to leave can be reversed if the recipient were to pay rent or take their meals in a restaurant. Rent can be paid up to the maximum shelter allowance for the family size. Restaurant allowances may be provided for taking some or all of the meals outside the apartment. If these allowances do not help retain the accommodations, staff should explore whether these allowances would help to secure accommodations in the apartment of another friend or relative.

- d. To avoid the need for temporary accommodations in a hotel/motel/family shelter, staff should explore with families who are in danger of becoming homeless or are already homeless whether they can find an accommodation with an unrelated public assistance family (i.e. non-mutual case) who is paying rent in excess of the maximum shelter allowance. In such situations, the secondary family may be given a shelter allowance which will assist the primary family to meet the actual cost of the rent. For example, a family of four, in receipt of public assistance is receiving the maximum shelter allowance of \$218/month but pays rent to the landlord in the amount of \$300 a month. If a secondary family of 3, who is in receipt of assistance, is homeless or in danger of becoming homeless moves in, a shelter allowance of \$82 a month can be provided. The shelter allowance provided in these cases may never exceed the maximum for the secondary family, nor can the combined shelter allowances for the two public assistance families exceed the actual rent paid to the landlord. For food stamp budget calculations, if the two families pay their rents to the landlord, each food stamp budget would not be affected. In addition to rent payment, the need for a restaurant allowance should be discussed.

For undomiciled single persons or couples without children, staff is to offer an allowance equivalent to the maximum shelter allowance for one month to see if the single person or couple can find themselves a place to live. The allowance is to be divided into semi-monthly grants. If the single person does not find an accommodation within a month, the shelter allowance is to be discontinued until the single person or couple finds a place to live and brings in verification of the amount of rent charged.

When no alternative accommodation is available, staff is to offer a family with children a hotel/motel, family shelter. Whenever possible the hotel/motel/family shelter is to be offered at a location which is least likely to cause disruption in the life of the client, with particular attention to educational and community ties.

The State Department of Social Services has established a set of standards that must be met by each hotel/motel. The regulation promulgating these standards is appended. A letter has been sent to each hotel/motel/family shelter to ascertain whether they do/do not provide the services listed in the standard and asking when the management will be able to provide the service. City staff from the Departments of Buildings, Health, Fire and HRA, under the direction of the Mayor's Office of Single Room Occupancy, are required to inspect each hotel/motel once in 6 months. If a hotel/motel does not

provide the services required by the standard, or fails an inspection and does not correct the violation within the specified period of time set by the inspector, HRA is not permitted to offer the family a choice about whether they want to use the hotel/motel/family shelter as a temporary accommodation. The State will not participate in any payments made on behalf of families who use a hotel/motel/family shelter that has not met the standard or failed to correct the results of an inspection.

In the summer of 1983, when there were insufficient hotels/motels/family shelters to house the number of families requiring temporary accommodations, the American Red Cross (ARC) opened a congregate care facility for families with children. The congregate care facility will be used when space is not available in any hotel/motel. The State is now drawing up standards for family shelters.

IM's Division of Housing will maintain a listing of hotels/motels and family shelters that meet the standards; will accept referrals and offer a temporary accommodation within the rates set by the State.

The Eligibility Specialist will continue to contact the Service Section staff when the only alternative for accommodation that can be offered is a hotel/motel/family shelter. When contacting the Service Section staff it is necessary to identify the family members who will need accommodations by sex, age and borough preference for a temporary accommodation. Most of the hotels/motels in the City are not, as you know, located in residential communities nor in neighborhoods where our clients live. IM's Division of Housing will make inquiries about the availability of an accommodation as close as is possible to the community from which the recipient comes. IM's Division of Housing will tell the Service Section worker which family shelter/hotel/motel has an accommodation. The Service Section worker will notify the Eligibility Specialist who will discuss the available accommodation with the adults in the family. The family has the right to reject the offered accommodation and IM's Division of Housing will look for another accommodation to offer. Accommodations to the ARC Family Shelter will be offered when nothing else is available. At the close of business day, families who have not decided to accept an offered accommodation are to be told that there are no additional accommodations that are available and they must make their own arrangements for housing.

Those families who accept accommodations at a hotel/motel with no cooking facilities are entitled to a restaurant allowance. These allowances should be authorized for semi-monthly periods or when the family is expected to move into another accommodation with available cooking facilities in less than a half month for that period of time where the restaurant allowance is required. The amount and period for which a shelter allowance should be paid at a temporary accommodation depends on the period for which the hotel/motel will provide an accommodation and the rate charged by the hotel/motel. This

information will be supplied by the Division of Housing. Shelter allowances for hotels/motels may not be paid for more than a half month in advance. If the family cannot find a permanent accommodation and the hotel/motel will continue the family's occupancy, the Eligibility Specialist is to provide shelter and restaurant allowances for up to a half month at a time until the family moves into permanent housing or the hotel/motel stops offering the accommodation. Renewals at the same hotel/motel do not require another contact through the Service Section worker to IM's Division of Housing.

In addition to shelter and restaurant allowances, a family in need of temporary accommodations may also require funds to replace clothing destroyed in a fire or flood or funds to move and store furnishings. Special grants are to be made for these purposes, as needed, in accordance with the procedures and standards described in the Housing Manual H-1 at page 46 and the IMOH Part II. The Eligibility Specialist must verify and record in the case file that clothing was destroyed before issuing funds for clothing. The Eligibility Specialist must verify and record in the case file the amount to be charged for moving and storage of furnishings.

In addition to the shelter and restaurant allowances a family whose rent is paid by two party, vendor, or directly to a hotel/motel/family shelter is entitled to a food stamp benefit. The income to be used for calculating the amount of the benefit is limited to the preadded allowance, the restaurant allowance and any other earned or unearned income received by the family. The amount of the payment for the temporary accommodation is not to be taken into account when calculating the income available to the family.

"Threat of eviction" includes situations in which a client present a 3 day notice from private landlords, a 3 or a 14 day notice from NYCHA as well as actual dispossess/eviction notices.

To carry out the provision that a homeless person or a person in danger of becoming homeless can apply for emergency housing, we have developed Form W-145N, Request for Emergency Assistance, (Attachment I) and Form W-145P, Notice of Acceptance/Denial of Request/ Application for Emergency Housing Aid (Attachment II). To carry out the provision that a written notice is to be provided on the application for emergency housing, we have developed Form W-145N. These forms do not replace and are to be used in addition to any other notice to the clients/ applicants.

Effective January 3, 1984, Form W-145N must be completed and signed by all persons requesting emergency housing including new applicants and undercare recipients. Form W-145N is to be completed in duplicate. The original is to be filed in the case record and the duplicate is to be given to the client.

When a decision has been made concerning the request for emergency housing assistance, Form W-145P, is to be completed in duplicate by

the Eligibility Specialist. When an application for payment for a hotel/motel is denied, the Form W-145P is to indicate Section 352 of the NYCRR Title 18 as the section of law under which the denial is authorized. The original is to be given to the client to advise him of the decision and the duplicate is to be filed in the case record.

Page replacements to the Applications Procedures Manual (A-1) detailing these changes as they specifically affect the application process and a revised Housing Program Procedures Manual (H-1) will also be issued shortly, incorporating these changes as they relate to the processing of Undercare cases.

Please inform your staff of this important information. If there are any questions, the Center Director or Office Manager may call 553-5345.

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