

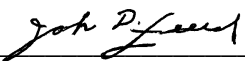
**NEW YORK CITY FAMILY HOMELESSNESS
SPECIAL MASTER PANEL**

FAMILY HOMELESSNESS PREVENTION REPORT

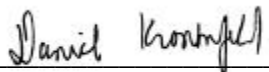
November 2003

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John D. Feerick



Daniel Kronenfeld



Gail B. Nayowith

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EXECUTIVE SUMMARY

Today, New York City provides shelter to over 8,200 homeless families with over 16,500 children. This massive shelter system, the nation's largest, has expanded at a staggering rate, doubling in size over five years. Many factors account for this burgeoning growth, including: a serious affordable housing shortage; deepening poverty for families with children; stagnant wages; growing rent burdens; and, the city's obligation to provide shelter for families in need. Family homelessness is a crisis in our city. It exacts a high cost on the public, on communities, on families, and, most of all, on children. Housing instability and long shelter stays compromise children's well being, including their health, mental health, and academic achievement. Reversing this trend requires coordination and concerted action from the federal, state and city governments and the increased involvement of the business, philanthropic and non-profit sectors. Given the fiscal, social, and human costs involved and the fact that homelessness can be prevented for many families, this issue must be among the city's highest priorities.

The City of New York, under the leadership of Mayor Michael R. Bloomberg, has made homelessness prevention such a priority. The New York City Department of Homeless Services (DHS) has developed and begun to implement a comprehensive plan to prevent family homelessness. DHS's 2002 Strategic Plan sets out many of the components of this approach, such as improving cross-agency coordination, expanding data collection and analysis, conducting comprehensive program evaluations, and enhancing prevention efforts. Further, the Mayor has undertaken the first large-scale housing development program in over a decade. Together, these developments reflect critical efforts underway by the City of New York to stem the tide of family homelessness and to increase housing resources for New Yorkers.

The Family Homelessness Special Master Panel (SMP or the Panel) began working on the issue of family homelessness in July as part of its court mandate to evaluate the family shelter system. The Parties to long-standing litigations involving homeless families with children established the Panel under a January 17, 2003 agreement (the Agreement), approved by the New York State Supreme Court (Freedman, J.), that grants the SMP broad evaluative and adjudicatory powers during a two-year term. Since that time, the SMP has worked closely with the Department of Homeless Services and with The Legal Aid Society (LAS), lead counsel for the plaintiffs. For four months, beginning in July 2003, the SMP has been reviewing the city's homelessness prevention efforts and has met with many stakeholders regarding family homelessness prevention, including the Department of Homeless Services and The Legal Aid Society as well as with researchers; city agency officials, managers, and frontline staff; anti-eviction legal services providers; homelessness prevention services providers; and homeless families themselves. The SMP also reviewed and analyzed data, reports, and other material related to family homelessness. The Panel produced this report and shared its findings and recommendations with the Department of Homeless Services and The City of New York, The Legal Aid Society, and Judge Helen Freedman in satisfaction of the terms of the SMP Agreement, which supports constructive problem-solving and reduced reliance on the courts to address long-standing issues affecting homeless families with children.

The Panel acknowledges and supports Mayor Bloomberg's approach to increasing the understanding of and thinking about new strategies for improved family homelessness prevention and commends DHS for the progress it has made to date. Cross-agency collaboration, led at the highest levels of city government, is helping to resolve complex challenges. The SMP strongly endorses this approach and sees great value in bringing together city agency personnel to address the causes, effects and management challenges posed by family homelessness. DHS's focus on data collection, analysis, research, and program evaluation should promote better practice and family outcomes in homelessness prevention programs. In addition, the Mayor's initiative to transfer and consolidate the management of eviction-prevention contracts to DHS should also improve accountability, rationalize oversight, and streamline program operations. The SMP supports these efforts and expects them to lead to greater variety, increased availability and more cost-effective homelessness prevention services. Finally, DHS's vision around a greater role for neighborhood-based interventions to help families stave off homelessness holds great promise, particularly efforts to link homelessness prevention programs to other family and community support initiatives.

Outlined, below, are the ten principles that framed the SMP assessment of homelessness prevention efforts now underway. These principles include the following:

- Developing and maintaining affordable housing and providing rental assistance to low-income families is an essential ingredient in any plan to alleviate family homelessness.
- Effective prevention begins in the neighborhoods where families live. Homelessness prevention programs should be linked to other family and community support initiatives to trigger earlier intervention, stop the cycle of housing instability, and reduce the likelihood of homelessness.
- Prevention services should be targeted to the highest-need neighborhoods.
- Preventing family homelessness requires a range of interventions. City agencies and non-profit organizations need a menu of service options and tools with which to assist homeless families.
- Homelessness prevention must occur in a variety of settings, including the Housing Courts, Jobs Centers (public assistance offices), in communities and at the EAU where families enter the city's family shelter system.
- Preventing family homelessness requires intervening at different points in time during the family's housing crisis. Prevention interventions must be available for families at risk of homelessness, for families seeking shelter, and for some families found ineligible for shelter. This means building in a redundancy of function so that multiple opportunities to prevent homelessness can occur.
- Family homelessness prevention interventions should be designed to meet the unique needs of families with younger heads of household and pregnant and parenting youth discharged from foster care, non-leaseholder families and repeat shelter users.

- Legal services can prevent evictions at every stage in the eviction process and should be more widely available.
- Local community and family support networks can play an important role in linking community-based organizations (CBOs) and families to resources and information concerning rental assistance, housing subsidy programs, and other resources to assist them with housing instability and housing emergencies and reduce family homelessness.
- The city's obligation to provide shelter must not be the only response for families at risk of homelessness; more families can and should be served through efforts to prevent homelessness.

Homelessness Prevention Findings and Key Recommendations

The SMP report includes findings and recommendations to prevent family homelessness and improve homelessness prevention efforts underway. While we consider all of the recommendations to be important, there are several that deserve special attention because of their potential to affect major positive improvements in the experiences of families at risk of becoming homeless and families seeking alternatives to shelter. These recommendations address several broad policy areas:

- Affordable Housing
- Early Identification
- Cross-Agency Coordination
- Community Services
- Legal Representation

The Panel highlights the key recommendations in the Executive Summary and expands on them in the body of the report.

Development and Preservation of Affordable Housing

Findings

- Family rent burdens are increasing faster than wages or the public assistance shelter allowance. In addition, the stock of available, affordable apartments has declined in New York City.
- Poor housing conditions create housing emergencies that may lead families to seek shelter.
- The City of New York has increased the number of public housing units and Section 8 vouchers available to homeless families.

- Some families lose subsidized housing and housing subsidies because of complicated procedures and practices and because some families have difficulty complying with program requirements.
- Tenant and landlord outreach and community education can help families maintain apartments and avoid shelter stays prompted by housing conditions.
- Options to remain housed and avoid homelessness diminish as the severity of the family's housing emergency increases. Data matches between city agencies and with the Housing Courts offer a promising way to identify and intervene earlier with families to prevent homelessness.

Recommendations

- *Expand efforts to increase state and federal funding for the development and preservation of affordable housing.* As the city moves its aggressive housing development agenda forward, it is important to pursue increased funding opportunities for affordable housing development and preservation from state and federal funding sources and to increase set-asides for low-income families.

Variety and Targeting of Homelessness Prevention Interventions

Findings

- Family homelessness prevention efforts are limited in the kinds of assistance offered and in the numbers and types of families served. This is true despite the fact that, in FY'03, the city spent \$35 million to fund through contracts, twenty-six community-based anti-eviction legal services programs including seven homeless prevention advocacy programs, which provide housing-related assistance and public benefits advocacy focused mainly on securing Jiggetts rent supplements; and thirty-three other homelessness prevention programs, which offer case management, tenant education, and tenant organizing among other services. Nevertheless, shortages remain in the availability and range of prevention services offered, calling for a review of utilization, spending, access and families served. DHS now manages most of these programs.
- The city provides homelessness prevention services directly through the Human Resources Administration (HRA) Diversion Units located in twenty-nine Job Centers (public assistance offices), at the Housing Courts, and at the DHS-operated Emergency Assistance Unit (EAU). Diversion Unit staff help families avoid homelessness through a variety of one-time grants, relocation assistance, and public assistance budget adjustments. Currently, the HRA Diversion Unit conducts all prevention activities at the EAU. Although Diversion staff at the Job Centers face many constraints in trying to help families, Diversion staff at the EAU contend with even more challenges. EAU Diversion staff provide crisis assessment, intervention, and referral to Jobs Center Diversion staff. Many challenges, particularly limited housing options, an inability to resolve public assistance issues, staff vacancies and few training opportunities make it difficult for EAU Diversion staff to help families

return home, relocate or prevent shelter stays.

- Most homelessness prevention assistance and services are designed for and directed to families receiving public assistance. Because a growing number of families have left public assistance for work they are ineligible for many types of homelessness prevention assistance.
- Families with certain risk factors are more likely to become homeless. These include: being a young head of household; being pregnant or having recently given birth; being a domestic violence survivor; being a non-leaseholder; and having a history of involvement with the child welfare system. Homelessness prevention efforts and services are not now designed to meet the particular needs of these families.

Recommendations

- *Institute a prevention screen at the EAU and improve the ability of the EAU Diversion Unit to serve families.** The EAU offers the last opportunity for prevention to occur prior to families' entering shelter. Families should be screened at the EAU and referred to homelessness prevention and diversion services. Families who come to the EAU from an eviction should be screened and referred to eviction prevention services. This screening would be incorporated into the shelter application process and would be required for applicants. Referral for services must be conditioned on the availability of a range of prevention/diversion opportunities and resources.

The EAU Diversion Unit should be empowered to perform the same functions as Diversion staff in the Jobs Centers (public assistance offices), including obtaining adjustments to public assistance budgets, accessing a full range of emergency grants, and providing other interventions to avoid shelter entry for families who could return home. Better coordination and cross training is needed between DHS staff and HRA Diversion staff stationed at the EAU. Most importantly, staff at the EAU needs a greater array of preventive resources to help more families return home or relocate rather than enter shelter.

- *Identify families with housing problems and intervene earlier, before they become emergencies.* Identify families who fall behind in NYCHA rent payments and families who fail to timely re-certify their Section 8 vouchers and refer them to homeless prevention programs that can help them meet program requirements.

* This Prevention Report does not address the EAU, which will be the subject of another report.

Location of Homeless Prevention Services

Findings

- Homelessness prevention must begin in neighborhoods where families live. The data show that most shelter applicants come from thirteen community districts. The highest-need neighborhoods include Mott Haven, Hunts Point, Morrisania, Highbridge, University Heights, East Tremont, Fordham, and Soundview in the Bronx and Bedford Stuyvesant, Bushwick, East New York, Crown Heights (North), and Brownsville in Brooklyn.[†]

Recommendations

- *Develop community-based prevention and education programs in high-need neighborhoods and enhance prevention resources available to low-income working families not receiving public assistance.* Homelessness prevention services should be located in and made available to families living in neighborhoods where many families become homeless. Eviction and homeless prevention resources and services should be available to low-income working families not receiving public assistance to prevent homelessness, including: improved access to emergency grants and housing relocation assistance. Tenant and landlord outreach and community education can prevent homelessness by informing families and landlords about housing subsidy, rental assistance and emergency rent payment programs, the Housing Court process, anti-eviction legal services and can promote good business relations among tenants and landlords.

Cross-Agency Coordination

Findings

- When families experience housing emergencies they often need assistance in resolving complicated problems involving more than one city agency.
- Family homelessness prevention planning and implementation involves multiple city agencies. In addition to DHS and HRA, the Department of Housing Preservation and Development (HPD), and the New York City Housing Authority (NYCHA) share responsibility for programs that can reduce or increase family homelessness and the numbers of families applying for shelter.
- The DHS Strategic Plan recognizes the challenge of cross-agency collaboration and DHS has adopted the following principle: “Public agencies must coordinate their services to ensure their practices do not result in any . . . family becoming homeless.”[‡]
- The city has made cross-agency coordination, involving officials at the highest levels of municipal government, a priority.

[†] Source: DHS analysis based on U.S. Census, New York City Housing and Vacancy Survey 1999, DHS HOMES 2002, and HPD INFO 2002 data.

[‡] New York City Department of Homeless Services, The Second Decade of Reform: A Strategic Plan for New York City's Homeless Services 10 (June 2002).

Recommendations

- *Establish a homelessness prevention liaison at DHS to assist anti-eviction and homelessness prevention programs identify and resolve systemic policy issues and housing emergencies that involve multiple government agencies.*
- *Cross-train homelessness prevention and eviction-prevention program staff with HRA Income Support and Diversion and NYCHA and HPD Section 8 staff on policies, procedures, eligibility criteria, public benefits, and housing subsidies and provide assistance to families with public assistance and other public benefits issues.*

Performance and Practice Improvement

Findings

- Good research, evaluation, data collection and analysis are essential for designing effective homelessness prevention programs. DHS has begun to develop a prevention program tracking system to improve program performance, reduce family homelessness, and better target limited resources.
- Data collection, analysis, and public reporting efforts permit the tracking of progress made in reducing family homelessness and improving program performance. Ongoing assessment and evaluation of family homelessness prevention programs should be continued. The ambitious research agenda DHS has proposed should also continue. Promising research subjects include: the continued examination of the causes of family homelessness; the effectiveness of various homelessness prevention strategies; family shelter use patterns that can better explain the characteristics and conditions that cause families to become homeless; shelter reentry patterns, particularly by type of housing; and, the reasons why families lose subsidized housing including NYCHA apartments and Section 8 vouchers.

Other Prevention Strategies

Rental Assistance

Findings

- Low wages and inadequate public assistance shelter allowance levels affect families' ability to afford rent and many families experience significant rent burdens.
- Although New York State has increased the public assistance shelter allowance, the new rent levels do not reflect the rental market or rent costs in New York City. Along with changes in the public assistance shelter allowance, New York State has asked counties to develop a plan for rent supplements and rental assistance for low-income families.

Recommendations

- *Increase the availability of rental assistance for families at risk of homelessness. As the city develops its rental assistance plan, provision should be made to expand rental assistance to more low-income families, including working families not receiving public assistance and non-leaseholder families.*

Income Support

Findings

- Public benefits programs help low-income working families meet their basic needs and help them afford rent. Food Stamps, Supplemental Security Income (SSI), Medicaid, and tax credits, among other types of assistance, help families close the gap between their income and the cost of living.
- Public assistance provides poor families with a basic grant to offset cost of living expenses and a shelter allowance. In addition, some leaseholders receiving public assistance also receive Jiggetts rent supplements. Public assistance recipients experience challenges in keeping their cases open and budgeted at correct levels.

Legal Assistance

Findings

- More leaseholder families are losing their homes through eviction and seeking shelter. Legal assistance can help most families facing eviction remain in their homes or relocate to another apartment.

Recommendations

- *Increase the availability of anti-eviction legal services and explore new approaches to maximize the delivery of legal services to households with housing problems. Increase the availability of eviction prevention services and make them more accessible to families at risk of homelessness.*

CONCLUSION

The Department of Homeless Services has made preventing homelessness a priority. The SMP believes that the promise offered by this approach will be a slowing down of the rising tide of family homelessness and applications for shelter. In the final analysis, we believe the implementation of these recommendations offers a far better prospect for this result than the consequences of a failure to pursue such an aggressive agenda of prevention measures.

NEW YORK CITY FAMILY HOMELESSNESS SPECIAL MASTER PANEL

PREVENTION REPORT

November 2003

INTRODUCTION

The New York City Family Homelessness Special Master Panel (the SMP or Panel) has prepared this Prevention Report as part of its court-ordered mandate to examine key aspects of the family shelter system. The parties to long-standing litigations involving homeless families with children established the Panel under a January 17, 2003 agreement (the Agreement), which was approved by the New York State Supreme Court (Freedman, J.). The Agreement empowers the Panel with broad evaluative and adjudicatory authority during a two-year period. As part of its mandate, the SMP will issue recommendations developed in consultation with the parties on a broad range of subjects, including the Emergency Assistance Unit (EAU), eligibility determination, shelter services, and housing placements. In addition, the SMP will issue other reports including one detailing the comprehensive legal framework that governs temporary housing assistance (THA) to homeless families.

Homelessness prevention is a cornerstone of the Department of Homeless Services' (DHS) June 2002 Strategic Plan.¹ As the Plan indicates, fundamental reform of the family shelter system calls for enhanced and expanded homelessness prevention and the SMP strongly endorses this goal. DHS has already embarked on and begun making progress in implementing its prevention agenda.

Near-unanimous agreement exists among local and national officials, advocates, researchers, service providers, and homeless families themselves that the demand for shelter and the resulting growth in the family shelter system must be reversed. To do this, the city must implement the prevention approaches set out in its Strategic Plan – and consider additional recommendations detailed in this Report – as a way of reducing the numbers of families in shelter at any given time and over time. Homelessness generates unacceptably high human, fiscal and social costs and the public, our communities, and families, particularly children, cannot continue to incur the current high rates of homelessness.

The SMP is obligated to conduct this evaluation in the context of its oversight of the McCain and related litigations. First, the Agreement contemplates a framework to permit DHS to implement its 2002 Strategic Plan.² As noted, the DHS Strategic Plan made prevention one of four key strategies to reform the shelter system for homeless families. Second, several court orders pertain to prevention mandates (which specify staffing levels at the EAU and certain kinds of rental assistance and public benefits access)³ which remain in effect unless the Panel makes recommendations to modify them.⁴ Third, the Agreement also identifies homelessness prevention as an area the SMP should evaluate.⁵

Finally, under the Agreement, “[a]t the end of the two year transitional period, the Panel will take account of all relevant factors and make whatever recommendations it believes appropriate as a result of its work, including any recommendations with respect to the resolution of the existing litigation involving family homelessness.”⁶

A WORKING DEFINITION OF FAMILY HOMELESSNESS PREVENTION

The DHS Strategic Plan sets out aspirational principles that frame the city’s approach to family homelessness prevention. DHS further refined and expanded upon these principles at Prevention Conferences held on May 9, 2003 and September 25, 2003, attended by providers and other stakeholders. The principles state as follows:

- Ensuring all New Yorkers safe, affordable housing requires effective collaboration among stakeholders.
- Necessary support and preventive services should be available to assist individuals and families to avoid homelessness.
- An individual or family who can be supported within their current appropriate housing situation should not come into the homeless system.
- All efforts should be made to assist individuals and families as soon as possible to avoid crises that cause homelessness.
- Homeless prevention services should provide flexible assistance to meet individual and family needs.
- All individuals and families receiving services deserve respect.
- Agencies that provide services to families in institutional settings should ensure smooth discharges to stable, permanent housing.
- Preventive services should be guided by data and research.

The SMP supports these principles as a framework for the city’s approach to homelessness prevention and expanded on them to create an operational definition of homelessness prevention that guided the preparation of this report. The SMP used the following principles to frame its review of homelessness prevention policies and programs:

- Developing and maintaining affordable housing and providing rental assistance to low-income families is an essential ingredient in any plan to alleviate family homelessness.

- Effective prevention begins in the neighborhoods where families live. Homelessness prevention programs should be linked to other family and community support initiatives to trigger earlier intervention, stop the cycle of housing instability, and reduce the likelihood of homelessness.
- Prevention services should be targeted to the highest-need neighborhoods.
- Preventing family homelessness requires a range of interventions. City agencies and non-profit organizations need a menu of service options and tools with which to assist homeless families.
- Homelessness prevention must occur in a variety of settings, including the Housing Courts, Jobs Centers (public assistance offices), in communities and at the EAU where families enter the city's family shelter system.
- Preventing family homelessness requires intervening at different points in time during the family's housing crisis. Prevention interventions must be available for families at risk of homelessness, for families seeking shelter, and for some families found ineligible for shelter. This means building in a redundancy of function so that multiple opportunities to prevent homelessness can occur.
- Family homelessness prevention interventions should be designed to meet the unique needs of families with younger heads of household and pregnant and parenting youth discharged from foster care, non-leaseholder families and repeat shelter users.
- Legal services can prevent evictions at every stage in the eviction process and should be more widely available.
- Local community and family support networks can play an important role in linking community-based organizations (CBOs) and families to resources and information concerning rental assistance, housing subsidy programs, and other resources to assist them with housing instability and housing emergencies and reduce family homelessness.
- The city's obligation to provide shelter must not be the only response for families at risk of homelessness; more families can and should be served through efforts to prevent homelessness.

The causes of family homelessness are complex and dynamic. The research suggests that structural factors such as poverty, the limited availability of affordable housing, and low wages interact with individual family characteristics and personal circumstances to result in homelessness.⁷ In this way, structural factors set the stage for and individual circumstances predispose or increase the likelihood that certain families will lose their housing.⁸ The availability of a social safety net of policies and interventions can mitigate against predictable structural and individual circumstances that lead to housing crises and homelessness.⁹

In conducting its evaluation, the SMP considered prevention to mean the policies and

interventions that can reduce the incidence and prevalence of family homelessness in families with minor children.^{10 11} Under this definition, an effective prevention strategy would reduce the number of families who newly experience an episode of homelessness – the incidence – or the total number of families who experience homelessness – the prevalence – at a particular point in time.¹² A structural gap exists between available housing and low-income families’ ability to pay market rents that contributes to the overall high prevalence and incidence rates of family homelessness in New York City.¹³ Without addressing these larger issues, the prevalence and incidence of family homelessness will continue to grow and more families will seek shelter. In this context, prevention means influencing and reducing the total number of families who may become homeless, not just the number of families who seek shelter.¹⁴

Reducing demand for shelter is an important goal that requires that the housing needs of both homeless and near-homeless families are met.¹⁵ So long as families are at risk of homelessness due to housing instability - overcrowding, unsafe conditions and high rents - the demand for shelter will continue.¹⁶ These factors interact with the city’s obligation to provide shelter to families in need, causing the growth in the family shelter system. Of course, many families experiencing housing instability do not become homeless and many families with housing emergencies do not seek shelter. Some families with housing crises will instead reside in a double-up situation with relatives or friends or take up residence in another person’s household.

A working definition of homelessness prevention is necessary to design, evaluate, and monitor the effectiveness of the policies and programs the city will implement to address the problem of family homelessness. The goal of all family homelessness and eviction prevention programs, then, must be to help as many families as possible remain housed. This prevention framework, building from DHS’ prevention principles and a working definition of family homelessness prevention, should infuse every aspect of family homeless policy, practice and management – from the identification of housing problems and resolution of housing emergencies in the community to shelter application and move-outs.

SCOPE OF THE FAMILY HOMELESSNESS PROBLEM

Number of Families in Shelter.¹⁷ As part of a national trend, family homelessness in New York City has been on the rise. The average daily census in 2003 through June, was 9,211 in the shelter system including families with and without children.¹⁸ In October 2003, the shelter system provided temporary emergency housing to over 30,000 individuals and 8,200 families with children.¹⁹ These figures represent an increase of over 100% over the past five years from the average daily census in calendar year 1998 of 4,558 families.²⁰ Similarly, the number of children in shelter has also increased dramatically. The average daily census for children through June 2003 was 16,641 children compared with 8,054 for calendar year 1998. This steep incline represents an increase of nearly 107%.^{21 22}

The demographic profile of families in shelter resembles that of all families living in poverty. Most sheltered families have children under the age of five.²³ African-American (60%-65%) and Latino (30%-35%) families comprise most households in shelter; only 5% of families

entering shelter are white and very small percentages of Asian and Native American families entering shelter.²⁴ The data suggest that African-American families are over-represented among the family shelter population.²⁵ Researchers have posited that housing discrimination and poverty are factors in explaining the relationship between race and shelter use.²⁶

Measuring Demand for Shelter. Few studies have been conducted to project the demand for shelter for homeless families in New York City. Accurately measuring demand presents many difficulties. Some experts examine indicators of housing instability and use this data to generate estimates of shelter demand. For example, it has been estimated that more than 500,000 New York City families at all income levels use more than half of their income for rent²⁷ but, the rent burden is most acute for low-income renters.²⁸ An estimated 150,000 families live in housing with serious code violations.²⁹ The City of New York estimates that the number of doubled-up households increased by 9.1% between 1996 and 1999—from 203,000 to 221,000.³⁰ The indicators of housing instability suggest that very large numbers of low-income families are at risk of homelessness. Despite the challenges in estimating and measuring demand, DHS is working to measure need for family shelter.³¹

Cost of Shelter. Family shelter stays are expensive. The estimated cost of sheltering one family in New York City is approximately \$29,515 per year.³² More compelling, is the human toll that homelessness exacts on families and children. Homeless children have high rates of both acute and chronic health problems, and are more likely than poor, housed children to be hospitalized and to have delayed immunizations.³³ Homeless children also exhibit developmental delays, emotional and behavioral problems, and poor school performance.³⁴ Research has shown that homelessness reduces child well being and disrupts family life.³⁵

Because the shelter experience is not a normative one for children or for families, prevention is of paramount importance. Keeping families housed rather than sheltered makes fiscal and social policy sense and is consistent with what is known about healthy child development. Homelessness and eviction prevention efforts can help keep families intact and housed and children healthier and better off. These are goals worthy of a great society and city such as New York.

WHAT THE SOCIAL SCIENCE LITERATURE TELLS US

As its 2002 Strategic Plan reflected, DHS is serious about data collection and analysis.³⁶ The Plan sets out an ambitious research and evaluation agenda to be conducted by the agency itself and in partnership with other researchers and organizations, including The Vera Institute of Justice.³⁷ These efforts hold great promise for better understanding what interventions prevent family homelessness. Because of the critical importance of research, evaluation, and performance monitoring to improve practice and programs, the SMP strongly supports DHS's emphasis in this area.

Demonstrated Effectiveness of Housing Subsidies. DHS's data collection and analysis builds on an impressive body of social science literature related to family homelessness. The SMP completed a review of major articles in this area. First and foremost, the leading studies in

the field have pointed to the availability of housing subsidies as the most effective homelessness prevention intervention. In a landmark study conducted in the 1990s, researchers tracked families who requested shelter over a five-year period and compared them with families in the general public assistance caseload.³⁸ The study concluded that a housing subsidy was “virtually the only predictor” of residential stability after shelter (meaning that families were living in their own apartment for at least one year at the time of the follow-up interview).³⁹ Another major study, based on analysis of eight years of administrative data from DHS, reached the same conclusion.⁴⁰ This second study examined the rate of shelter reentry within two years of exit from shelter and found that families discharged to subsidized housing had the lowest rates of reentry (only 7.6% of these families reentered shelter).^{41 42} Most importantly, the research suggests that subsidies effectively stabilize families in housing regardless of individual differences and/or risk factors.⁴³ However, shelter reentry rates for these families, tracked over longer periods of time have increased.⁴⁴

In addition, studies conducted in the 1990s showed varying rates of shelter reentry depending on the type of subsidized housing to which families were discharged. Typically, families discharged to New York City Housing Authority (NYCHA) apartments showed the lowest shelter reentry rates, followed by families discharged to private housing with Section 8 vouchers through the Emergency Assistance Rehousing Program (EARP). Families discharged to housing owned by the New York City Department of Housing Preservation and Development (HPD) showed the highest rates of shelter reentry.⁴⁵ Research has also shown that housing conditions and block safety may also predict long-term housing stability.⁴⁶ These studies now date back many years and updated research on shelter reentry rates generally and by type of subsidized housing is needed. New research may provide helpful insights into current reentry patterns since move-out policies, practices, and housing resources have changed offering useful information for program planning and design.

Factors that Increase the Risk of Homelessness. Studies have shown that homeless families tend to be headed by low-income African-American or Hispanic mothers with young children.⁴⁷ The research has shown that homeless mothers are more likely to be pregnant or have recently given birth.⁴⁸ One study found that having a pregnant family member at the time of shelter entry increased the risk of shelter reentry by approximately 70 percent.⁴⁹ The research has also identified additional characteristics that place some families at greater risk of homelessness and also of repeat homelessness. Tenuous housing and economic circumstances, pregnancy, family instability,⁵⁰ recent childbirth, and domestic violence appear to be significant risk factors for homelessness.⁵¹

Homeless mothers report more disruption during their childhoods – including death of a parent, divorce, and especially foster care and other forms of separation – than other poor but housed mothers.⁵² Many homeless women also disclose the experience of domestic violence in their lives. Although studies report varying rates of domestic violence among homeless women in family shelters, there is strong consensus that homeless families experience high rates of domestic violence.⁵³ Finally, race and ethnicity interact with poverty and other factors to influence rates of shelter entry and exit with African-American families more vulnerable to becoming homeless than other groups⁵⁴ and African-American and Latino families experiencing longer shelter stays than other families.⁵⁵

Challenges in Designing Effective Prevention Interventions and Measuring Outcomes. Long-time observers of the family shelter system and analysts of family homelessness have identified a number of challenges in developing programs that reduce family homelessness. First, prevention interventions cannot be provided with great target efficiency. It is difficult to identify which at-risk families among the general population will actually experience a housing emergency that would lead to a shelter application and target them for intervention. As a result, prevention programs will serve some number of families who would otherwise not seek shelter and/or fail to help some portion of families who do end up in shelter.⁵⁶ Developing typologies of families including heavy users of shelter and better understanding the dynamics of family homelessness may improve the target efficiency of prevention efforts.⁵⁷ Research would have to be updated regularly in order to improve predictive accuracy and families would have to be encouraged to use prevention services to achieve this result.⁵⁸

Even carefully designed studies of homelessness prevention programs, that contain randomized assignment to experimental and control groups, have not demonstrated whether the interventions reduced homelessness overall or whether the services acted as an allocation mechanism for directing preventive resources to those served.⁵⁹ Nevertheless, program assessments do show that families who receive a prevention intervention remain housed over some period of time.

Finally, an effective homelessness prevention strategy must anticipate difficult policy decisions, trade-offs, and the possibility of unintended, negative consequences.⁶⁰ For example, city policies that direct scarce affordable housing resources to families in greatest need must be part of a larger effort to prevent homelessness and housing emergencies. The city prioritizes homeless families, domestic violence survivors, protected witnesses, and youth and families involved with the child welfare system in allocating extremely limited housing subsidies.⁶¹ Waiting lists for other families needing subsidies average eight years.⁶² One complication with this approach is the policy and program dilemma that, “[p]roviding housing subsidies and specialized social services just for homeless people risks creating an incentive to use the shelters as a secondary welfare and housing system, thereby increasing demand for shelter.”⁶³

APPROACH AND ISSUES EXAMINED

The SMP undertook an intensive review of family homelessness and eviction prevention programs from mid-July 2003 through late October 2003. The approach taken recognizes that prevention has far-reaching, system-wide implications. In addition to all the benefits accrued from avoiding costly shelter stays and family dislocation, effective prevention should also reduce the strain on all other aspects of the homeless family shelter system. Reduced demand should lower the number of applicants at the EAU, reduce the wait for processing at the EAU and expedite placement in shelter.

The SMP used the DHS Strategic Plan and its prevention philosophy as a touchstone and, through its independent evaluation, formulated a series of recommendations to be considered for implementation. Some of the issues the SMP examined as part of its prevention evaluation are

outlined below.

The Housing Crisis. The SMP considered what short, interim, and long-term policies or programs and funding exist that could expand the availability of affordable housing and rental assistance for vulnerable New York City families.

Variety and Targeting of Homelessness Prevention Interventions. The SMP considered how prevention interventions should be expanded, enhanced and financed. Some families, with appropriately timed and targeted interventions, can avoid a homelessness episode altogether. Critical questions asked included: what quality of life services or other types of assistance can help families who want to remain or return to their previous accommodations? Is there a way to identify those families that warrant prevention services the most? What menu of prevention interventions should be available? How should prevention services be delivered? What family characteristics or conditions exist that merit specialized services? What should communities be doing to help residents at risk of homelessness? What funding streams support prevention work? How can the city leverage additional state and federal funds to support prevention programming?

Location of Homelessness Prevention Interventions. The SMP also considered where homelessness prevention services should be delivered. Currently, homelessness prevention efforts occur in community-based programs, in the Housing Courts, at Job Centers (public assistance centers), and at the EAU. In particular, the SMP thought about how to expand and improve prevention efforts in the community and at the EAU.

Cross-Agency Coordination. In the same manner as DHS has made cross-agency coordination a key priority,⁶⁴ the SMP sought to identify systemic barriers to effective homelessness prevention and opportunities for improvement. As DHS emphasized in its Strategic Plan, cross-agency coordination presents a critical aspect of strengthening family homelessness prevention efforts.⁶⁵ At least three agencies in addition to DHS share responsibility for programs that affect family homelessness rates (HRA, NYCHA, and HPD). Unlike DHS, however, these agencies have broader and, at times, competing responsibilities. Thus, cross-agency coordination merits the highest priority to support the complex policy-making necessary to prevent family homelessness.

Evaluation of Homelessness Prevention Programs and Research on Family Homelessness. The SMP raised questions regarding program accountability and effectiveness, with regard to best practices for anti-eviction legal services programs as well as other homelessness prevention programs. As DHS has pointed out in its Strategic Plan, preventing family homelessness requires evaluating the range of programs and approaches in use and gaining an understanding of utilization and success rates.⁶⁶ In addition, the SMP agrees that such an effort also requires promotion of best practices through training; development of performance measures; regular data collection, analysis, and reporting; and, program evaluation.⁶⁷ DHS has also embarked on an ambitious research agenda. The SMP considered the research projects DHS has undertaken and identified additional areas for consideration that emerged during the course of its review.

Other Prevention Strategies. The SMP considered other family homelessness

prevention strategies including rental assistance, income support and relocation assistance, public and subsidized housing, and legal assistance. These public benefits and services are critical components in a citywide approach to preventing family homelessness.

METHODS

In conducting its evaluation, the SMP sought a better understanding of the critical issues present in preventing family homelessness. The approach included identifying systemic issues that contribute to families' loss of housing and effective ways to prevent it as well as exploring with a broad array of stakeholders, ways to improve prevention efforts. To that end, the SMP undertook the following tasks.

Review of Current Knowledge About Family Homelessness and Homelessness Prevention. DHS provided the SMP with data, analyses, reports, and documents pertaining to family homelessness prevention. The SMP supplemented this data with a literature review of major articles on family homelessness prevention. The SMP also met with national and local experts and researchers who study family homelessness prevention to discuss with them past research findings, current knowledge gaps, and policy implications.

Individual Interviews with Community-Based Programs. The SMP met with and conducted structured interviews of ten community-based organizations (CBOs) working with families at risk of homelessness and homeless families including The Legal Aid Society.⁶⁸ These organizations provide anti-eviction legal and homelessness prevention services and work with families at risk of homelessness and homeless families. The interviews covered a wide range of topics, including the scope of services provided, best practices issues, problems encountered in serving families, and promising strategies for enhancing prevention efforts.⁶⁹ In addition, the SMP conducted informal interviews with seven additional community-based organizations.

Structured Group Interviews and Individual Interviews with City-Operated Programs. The SMP met with or conducted structured interviews with city agency personnel involved in family homelessness prevention efforts. The SMP received the full cooperation of staff in all the agency programs to which it reached out. The SMP conducted structured interviews with three groups of DHS frontline staff at the EAU. In addition, the SMP conducted a structured interview of line staff and managers working at the Human Resources Administration's (HRA) Diversion Unit stationed at the EAU. In addition, since its inception, the SMP has been engaged in ongoing discussions with DHS officials and staff regarding homelessness prevention. The SMP also met with HRA officials and managers to discuss HRA prevention programs.

Focus Groups with Family Shelter Residents. The SMP conducted focus groups with family shelter residents, all of whom had children. The focus group discussions targeted three distinct groups of residents: young mothers; mothers of large families; and working mothers. As part of its ongoing evaluation work, the SMP will continue to conduct focus groups on a regular basis on issues such as the EAU, shelter services, and move-outs in addition to prevention.

These sessions will also target higher risk families: pregnant women/recent mothers, leaseholders, non-leaseholders, and domestic violence survivors.

SCOPE OF HOMELESSNESS PREVENTION **INTERVENTIONS AVAILABLE**

The scope of homelessness prevention resources that families can tap to prevent homelessness depends greatly on federal, state, and local laws and policies. The SMP reviewed some of these provisions to consider whether some prevention interventions were underutilized and/or some innovative strategies could be developed and pilot-tested. Some privately and publicly funded programs and benefits are also available to prevent families from becoming homeless. These are summarized below.

Publicly-Funded Homelessness Prevention Services. During Fiscal Year 2003, New York City and State spent over \$40 million to fund homelessness prevention programs in the city.⁷⁰ The New York State Office of Temporary and Disability Assistance administers two programs: the Homelessness Intervention Program (HIP) and the Supplemental Homelessness Intervention Program (SHIP).⁷¹ Permitted activities include (among others) landlord/tenant mediation, legal services, tenant education, case management, and homelessness prevention advocacy. The City of New York also funds homelessness prevention services. Until recently, several city agencies managed the prevention programs. In June 2003, management of most of the city's homelessness prevention programs was transferred and consolidated under DHS to better coordinate services.

- **Human Resources Administration.** HRA has contracted out anti-eviction legal services focused on families with minor children in receipt of public assistance and at risk of imminent eviction.⁷² HRA has also contracted out homelessness prevention services, which operate out of HRA Job Centers and provide public assistance and housing advocacy, including submission of applications for Jiggetts relief to help resolve Housing Court cases.⁷³ Payment for services provided through these programs has been limited to families eligible for public assistance, families with a minor child or children living in the household, and families facing eviction proceedings.
- **Office of the Criminal Justice Coordinator.** The Office of the Criminal Justice Coordinator has funded general civil legal services targeted to specialized client groups, such as seniors, domestic violence survivors, and persons with disabilities.⁷⁴ Among many different types of civil legal representation provided, these programs also assist clients with housing concerns.
- **Department of Housing Preservation and Development.** HPD has also funded a broad array of services including anti-eviction legal representation, tenant education, tenant organizing, and community development.⁷⁵

Public Benefits to Prevent Homelessness. Eligible families are entitled to assistance under numerous state provisions to help prevent homelessness. Families in receipt of ongoing public assistance receive a shelter allowance as part of their grant. The recent increase in the shelter allowance is not enough to help low-income families afford market rents in New York City. Under the terms of the ongoing Jiggetts litigation, families in receipt of public assistance who face imminent eviction can receive a rent supplement up to certain levels.

Eligible families at imminent risk of eviction, depending on their circumstances, can also receive emergency cash grants to pay rent arrears, among other types of special grants.⁷⁶ HRA's twenty-nine Job Center Diversion Units process applications for these grants; the centrally located Rental Assistance Unit must approve certain grants (such as those requesting more than four months rent arrears). Depending on their specific circumstances and program eligibility criteria, families can receive grants for the following needs to alleviate financial and/or housing risks and remain housed:

- Rent arrears;
- Utility arrears;
- Heating fuel;
- Essential household furniture and equipment;
- Expenses for maintaining housing;
- Repair or replacement of essential household heating, cooking, refrigeration, water supply, plumbing, or sanitation equipment;
- Storage fees;
- Moving fees;
- Security deposits;
- Broker's fees;
- Pregnancy allowance; and,
- Restaurant allowance.

Community-Based Homelessness Prevention Efforts. Many non-profit and charitable organizations provide cash and non-cash assistance to families at imminent risk of homelessness. For instance, several charitable organizations provide grants to help families pay rent and utility arrears and serve as conduits for the federally funded Emergency Food and Shelter Program (EFSP). EFSP grants are limited to one month's rent or utility bill per participating agency per grantee; grantees, can seek multiple months' rent from more than one participating agency.⁷⁷ Most of these organizations belong to the citywide Emergency Rent Coalition, which coordinates emergency cash grants to families facing eviction by utilizing a common intake form, tracking available grant funds, and cross-referring extensively among member organizations. Another effort, the Bridge Fund, provides loans to low-income working families who are likely to be able to maintain their apartments in the future. Some of these programs also provide specialized services such as budgeting and counseling.

Some non-profit organizations that help prevent family homelessness provide outreach to and education of tenants to make them aware of their rights under the law, to help establish tenant associations focused on improving building conditions, and to encourage good business relations with landlords. Another focus entails outreach to and education of landlords,

particularly in neighborhoods with non-rent regulated units. These efforts include informing landlords about rental assistance programs and helping create linkages between landlords and CBOs. Such networking is intended to encourage landlords to lease to families with rental assistance or rental supplements as well as to help resolve problems related to individual cases.

Some community-based organizations have developed neighborhood-specific resource books, which list housing resources available in the community and throughout the city. Such guides can help community-based organizations to become acquainted with local resources and in this way to better assist families with unstable housing situations. In addition, one organization identified temporary housing resources in the neighborhood to tide families over until they are able to find and relocate to more permanent accommodations.

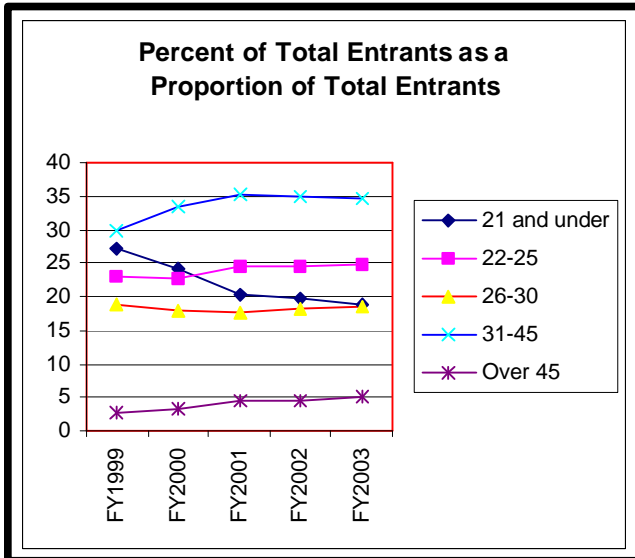
TARGET POPULATIONS

At the outset of its prevention evaluation, the SMP theorized that differentiating among homeless families and identifying families at particular risk of homelessness could result in more effective targeting of limited prevention resources. Through interviews and research, the SMP compiled a list of high-risk families and began to collect and analyze data. Families included: young families, leaseholders, domestic violence survivors, working families, doubled up families, pregnant women and/or new mothers, out-of-state applicants, adult-only families, youth discharged from foster care, families involved with the child welfare system, prior shelter users, large families, families deemed ineligible for shelter, and women discharged from prison. Based on a group interview with families in shelter, the SMP also added former military personnel to the list of families to consider. Over the course of its evaluation, the SMP found evidence to support the need for specialized services for some families but not all families believed to be at risk; the SMP concluded in other instances that some families merit further examination.

Young Families

Many community-based and city program providers identified young families as at great risk of homelessness. A concern was raised that young families constituted a burgeoning population at the EAU and in shelter. The Panel requested data from DHS to test out these assertions. DHS provided data for the following age sets of McCain families (*i.e.*, families with minor children): 18 and under; 19 to 21 years; 22 to 25 years; 26 to 30 years; 31 to 45 years; and over 45 years. Analysis of the data contradicted the anecdotal assertions that the population of young families is growing rapidly. Instead, the data show marked increases in both the numbers and percentages of older families as a proportion of total families seeking shelter.⁷⁸ The data do indicate that young heads-of-household comprise a sizable number – but not overwhelming majority – of shelter applicants and entrants. Non-profit providers, city staff, and families themselves consistently pointed to very young parents as especially vulnerable and meriting further attention.

Shelter Applicants and Eligibles 25 Years and Under. The data indicate that in FY'03 families headed by individuals 25 years and under constituted almost half (48.3%) of all applicants and approximately two-fifths (41.8%) of all eligibles.⁷⁹ Nevertheless, contrary to popular impression, no explosion in demand for shelter occurred during the past five years among young families. The data do show a modest increase in the number of applicants among this age group.



Sizable numbers of young parents apply for shelter. In FY'03, 6,148 young heads-of-household 25 years and under applied for shelter and 3,226 entered shelter. These numbers suggest a need for more focused attention and offer an important opportunity for increased prevention and diversion efforts. Young families typically have very young children themselves who could benefit from earlier intervention. Programs that target young families and help them plan for and establish independent households without shelter could help break the cycle of generational shelter use.

Participants in the focus group comprised of young homeless parents living in shelter expressed great interest in programs that could have helped them make a less-than-ideal housing situation better as they planned and took the steps necessary to establish their own apartments. Some participants reported that they sought shelter because their families ejected them or they themselves left what they considered to be seriously overcrowded, unsuitable, and/or dangerous housing situations.

McCain Family Applicants Ages 25 and Under⁸⁰						
	FY1999	FY2000	FY2001	FY2002	FY2003	Percent change FY99 to FY03
As a Percentage of Total Applicants/Eligibles						
Percent Of Total Applicants	54.8%	53.0%	51.3%	49.5%	48.3%	-11.9%
Percent Of Total Eligible Applicants	48.8%	45.3%	42.6%	42.0%	41.8%	-14.3%
Total Number of Applicants & Eligibles Eligibility Rate						
Total Number Of Applicants	4625	4729	5070	6030	6148	+32.9%
Total Number Of Eligible Applicants	2406	2135	2119	2854	3226	+34.1%
Eligibility Determination Rate	52.0%	45.1%	41.8%	47.3%	52.5%	0.01%

Shelter Applicants Under 21 Years of Age. Thousands of pregnant and parenting young people ages 21 and under apply for and enter DHS shelters every year. In FY'03, 3,007 of such young families applied for shelter, of which 1,461 families were found eligible. A person 21 years and under who is able to live with a legally responsible relative (a spouse or a parent) may be ineligible for temporary housing assistance.⁸¹ If that household presents a safety concern for the young person due to physical, sexual or emotional abuse, or unsafe or overcrowded conditions⁸² then he or she is eligible for shelter.⁸³

McCain Family Applicants and Eligible Applicants Ages 21 and Under⁸⁴						
	FY1999	FY2000	FY2001	FY2002	FY2003	Percent change FY99 to FY03
As a Percentage of Total Applicants / Eligibles						
Percent Of Total Applicants	31.8%	30.2%	26.7%	25.0%	23.6%	-25.8%
Percent Of Total Eligibles	27.1%	24.3%	20.3%	19.6%	18.9%	-30.3%
Total Numbers Of Applicants & Eligibles & Eligibility Rate						
Total Number Of Applicants	2682	2697	2643	3045	3007	+12.1%
Total Number Of Eligibles	1337	1142	1009	1332	1461	+9.3
Eligibility Determination Rate (= To Total Eligibles Divided By Total Applicants)	49.9%	42.3%	38.2%	43.7%	48.6%	-2.6%

Leaseholder Families

Leaseholders comprise an important target population for homelessness prevention efforts. While the city funds twenty-six anti-eviction legal services contracts,⁸⁵ accounting for about half of the total funding allocated to family homelessness prevention programs, the data suggest that many families cannot access legal services to fight their evictions in Housing Court and, once they lose their homes, they enter the shelter system. During the past three years, data provided by DHS show an increase in leaseholder families as a proportion of total shelter applicants. The same trend can be seen for those found eligible.⁸⁶

McCain Family Applicants – All Leaseholders⁸⁷				
	FY2001	FY2002	FY2003	Percent change FY01 to FY03
As A Percentage Of Total Applicants / Eligibles				
Percent Of Total Applicants	19.8%	16.9%	22.9%	+15.7%
Percent Of Total Eligibles	29.0%	26.8%	30.7%	+6.0%
Total Numbers Of Applicants & Eligibles & Eligibility Rate				
Total Number Of Applicants	1603	1878	2562	+59.8%
Total Number Of Eligibles	1352	1663	2335	+72.7%
Eligibility Rate	84.3%	88.6%	91.1%	+8.1%

The vast majority of tenants in Housing Court facing eviction proceedings do so without the benefit of legal assistance, whereas over 90% of landlords in Housing Court retain counsel.⁸⁸ In addition, although approximately 26,000 evictions occurred in 2002, only a few families (or roughly 6.0% of those evicted) actually applied for temporary emergency housing in the family shelter system straight from an eviction.⁸⁹ However, the newly evicted families who do apply for shelter at the EAU represent 14% of all family shelter applicants over the course of a year.⁹⁰ Of course, many more evicted families double up with family members and/or friends before applying for shelter and the figure above undercounts the number and percent of families whose eviction eventually leads to a shelter application and entry.

The data show that DHS deems eligible a very high percentage of leaseholder family applicants as well as recently evicted families. In FY'03, 2,562 leaseholder families applied for shelter and 2,335 actually entered shelter. That same year, 1,567 evicted families applied for shelter and 1,439 of those families entered shelter. Recently evicted families entering shelter comprise 19% of the family shelter population representing approximately 4,500 individuals.

McCain Family Applicants – Leaseholders Who Have Been Evicted⁹¹				
	FY2001	FY2002	FY2003	Percent change FY01 to FY03
As A Percentage Of Total Applicants / Eligibles				
Percent Of Total Applicants	9.9%	10%	14.0%	+41.4%
Percent Of Total Eligibles	13.6%	15.5%	18.9%	+39.0%
Total Numbers of Applicants & Eligibles & Eligibility Rate				
Total Number Of Applicants	800	1106	1567	+95.9%
Total Number Of Eligibles	636	963	1439	+126.3%
Eligibility Rate	79.5%	87.1%	91.8%	+15.5%

Legal services providers report that a very small percentage of tenants who obtain representation in Housing Court eviction proceedings actually lose their home.⁹² Moreover, eviction prevention programs report that even among those few families who lose their homes, legal representatives can frequently help tenants secure new housing.⁹³ This is particularly true for late-stage matters: post-warrant, post-stipulation, and post-eviction cases; and, cases after entry of default judgments, acceptance of unfavorable stipulations, and denial of multiple Orders to Show Cause applications.⁹⁴ In such cases, it is highly unlikely that a tenant can avert an eviction without legal representation.

Primary tenants with early-stage Housing Court cases also benefit from legal assistance. At the outset of a Housing Court case, attorneys can assert a greater variety of defenses and have the opportunity to pursue more options in preserving the home for the family or, if necessary, relocating the family to other housing. In addition, some early-stage cases can be resolved through non-attorney advocacy. Several models have been developed where anti-eviction (legal) and homelessness prevention (non-legal) programs work closely together. Legal services eviction-prevention programs handle more advanced and complex cases and non-legal homelessness prevention programs resolve cases that do not require intensive litigation. These partnerships extend the reach of and number of families served by eviction and homelessness prevention programs.

Due to a host of factors, the capacity of legal services providers has contracted in many New York City communities.⁹⁵ Poor access to legal counsel makes low-income working and public assistance recipient families more likely to become homeless.⁹⁶ Community-based providers consistently reported special concern about low-income working families who do not receive public assistance and are unable to access counsel. Although these families are technically eligible for some legal services programs, the city's largest anti-eviction legal services program contracts are expected to focus their efforts on families receiving public assistance.

Some legal services providers are experimenting with new ways to reach families with housing emergencies and to prevent evictions. The Legal Aid Society Bronx Housing Court Program has out-stationed a lawyer at a community-based organization (Citizens Advice Bureau) to identify families earlier and expedite legal representation. The Bedford-Stuyvesant LSNY office is using a three-step process to serve families – intake and advice, brief services, and representation.

Non-Leaseholder Families

Doubled up families comprise a significant portion of families applying for and entering shelter.⁹⁷ In FY'03, 8,650 McCain families applied for shelter that was not deemed to be primary tenants. This number represents 77.1% of total McCain family applicants.⁹⁸ Other sources of data from DHS indicate somewhat lower numbers and proportions of non-leaseholder families. One analysis conducted by DHS using DHS HOMES 2002 data reported that 55% of applicants cited “second tenant” as the reason for EAU entry. Another DHS analysis focused on the reason cited by applicants to the EAU Eligibility Investigation Unit (“EIU”).⁹⁹ According to this analysis, in FY'02 58.5% of applicants (or 7,651 families) indicated being doubled up as the reason for applying for shelter.¹⁰⁰ By any measure, the number of doubled up families seeking and entering shelter is very high.

Clearly, the choice to double up makes sense for many families. Doubling up permits some families to have three generations live together. Doubling up arrangements can also help families stretch limited resources and more easily meet child care demands. Doubling up, can also lead to difficulties and the tension between prohibiting double ups and promoting them is reflected in conflicting government policies. Many government subsidized housing programs restrict occupancy to prevent overcrowding.¹⁰¹ Some doubled-up situations pose safety risks to non-tenant families and often small apartments cannot accommodate two families. While some government regulations discourage housing situations that can lead to overcrowding, other governmental regulations contain provisions that encourage doubling up such as non-cooperative public assistance budgeting.¹⁰² Strategies to assist doubled up families are limited. Outlined below are some of the ways in which community-based organizations and city agencies help doubled up families remain housed.

Public Benefits. Doubled up families receiving public assistance can access resources through HRA to resolve housing crises or make a doubled up housing situations viable longer. When two public assistance families double up to avoid homelessness (and no one household member is legally responsible for a member of the second family), state regulation mandates non-cooperative budgeting, which increases the amounts of shelter allowance coming into a household.¹⁰³ In some instances, such as when close relatives double up, non-leaseholder families may also be able to access Jiggetts rent supplements. This typically requires convincing the landlord to either add the non-leaseholder head of household to the lease or to guarantee not to bring a holdover proceeding for one year. A family receiving public assistance can also stabilize their household income by accessing SSI benefits where a disabled household member is eligible for the program. Finally, many low-income working families not in receipt of public assistance may be eligible for Food Stamps, Medicaid, or other benefits. Accessing public benefits helps these families remain housed by helping them meet their basic needs and better

afford rent. Maximizing income streams into doubled up family housing situations can make a critical difference by helping low-income families with high rent burdens remain housed.¹⁰⁴

Neighborhood-Based Prevention Interventions. Few community-based organizations currently operate programs focused on helping doubled up families stabilize and remain housed or relocate without resort to shelter. Community-based organizations reported that they had very little to offer doubled up families who requested help. One provider reported advising doubled up families to secure housing and resources through the shelter system. Child welfare preventive services programs often have to address families' housing situations and represent exceptions to the rule. Despite limited resources available for these families and New York City's tight low-rent housing market, some community-based programs succeed in helping doubled up families prevent housing crises and obtain stable housing. These providers try to assist doubled up families in the following ways:

- By giving legal information regarding the rights of roommates;
- By adding the head of household of the doubled-up family to the lease;
- By talking with the landlord;
- By maximizing the resources of the household, including helping the families get beds, linens, and other household items;
- By working with a homeowner who accepts boarders to provide transitional housing for families seeking to secure their own housing; and,
- By helping families obtain assistance from HRA to relocate.

Housing Court/Legal Assistance. Under New York State law and in specific circumstances, some doubled up families have legal rights to remain in a housing situation, when the primary tenant allows it, even though they are not leaseholders.¹⁰⁵ But many non-leaseholders are unaware of this right and instead seek shelter once a landlord threatens ejection.

Working Families Not Receiving Public Assistance¹⁰⁶

Low-income working families not receiving public assistance face many challenges in accessing services and resources to address housing instability or a housing crisis. First, these families face the problem of unavailable anti-eviction legal services to help them fight eviction cases in Housing Court. Most legal eviction prevention services contracts only pay for services rendered to families receiving public assistance. Second, working families not receiving public assistance are ineligible for Jiggetts rent supplements and other ongoing rental assistance. Third, working families not receiving public assistance have great difficulty in securing emergency rent arrears grants.

For example, some low-income working families ineligible for ongoing public assistance are eligible for HRA grants called “one-shot deals.” Homelessness prevention programs report that the application process for securing this type of assistance is time consuming and staff intensive. Complicated application procedures cause some families to miss work and HRA requires that applicants secure approximately half of the rent arrears from other sources, such as private charities. Families typically agree to repay the grant amounts over a period of one year and HRA can, by regulation, secure repayment as a creditor,¹⁰⁷ although some of these families are eligible for grants that do not require repayment.¹⁰⁸

Working families can obtain federally funded Emergency Food and Shelter Program (EFSP) grants as well as private grants from charities and community-based organizations more easily but experience many challenges in doing so.¹⁰⁹ The Emergency Rent Coalition and its member agencies have streamlined the application process, rationalized eligibility criteria, and established a common intake form to expedite payments of rent arrear grants and coordinate grant amounts. Federal regulation, however, limits EFSP grants to one month’s rent or utility bill per family per administering organization. Low-income working families must apply for and obtain EFSP grants from more than one organization if they need more than one month’s rent and must apply for assistance from multiple sources to gather together enough money to save their housing. As noted previously, low-income families bear the greatest rent burdens of all New Yorkers¹¹⁰ and are least able to secure rental assistance.¹¹¹

Families With Domestic Violence Issues

Studies report high rates of domestic violence (DV) among homeless families.¹¹² These rates correspond to the higher rates of domestic violence reported for low-income women compared with the general population, particularly for women receiving public assistance.¹¹³ According to DHS data, in FY’03, 9.23% of shelter applicants and 11.21% of shelter entrants cited domestic violence as the reason for seeking shelter.¹¹⁴ Many focus group participants reported domestic violence as a factor in their homelessness episode.¹¹⁵ CBOs interviewed reported domestic violence as an issue that families present in their anti-eviction programs; most programs estimated that between 20% and 30% of their anti-eviction and homelessness prevention caseloads involved domestic violence issues. A 2000 study of a random sample of 43 families in Tier II shelters reported that 48.8% of families studied had domestic violence issues.¹¹⁶ Of these families, 61.9% indicated domestic violence as the cause of their homelessness.¹¹⁷

Due to the safety risk that their home situation presents, domestic violence survivors and their children present distinctly different programmatic needs and policy challenges than other families at risk of homelessness. The overriding concern for these families is one of safety planning first to remove the risk of violence. The risk of violence that causes the need for shelter must be addressed first and once the family is safe and sheltered, work can begin to secure permanent housing. In addition, domestic violence survivors and their families frequently present with complex social, mental health, and legal services needs in addition to housing and income support issues. DHS’s family shelter system is more narrowly focused on helping secure permanent housing for homeless families and homelessness prevention necessarily involves helping families stay out of shelter. Homelessness prevention in the sense addressed through this

report, does not apply to families with domestic violence issues.

HRA operates the specialized shelter and service system for survivors of domestic violence. Unfortunately, the demand for these services and emergency shelter beds outstrips existing resources.¹¹⁸ This is due in part to the small number of emergency domestic violence shelter beds available and due to restrictions on lengths of stay in domestic violence shelters. HRA oversees 36 domestic violence shelters and 4 Tier II shelters that contain 1,832 beds. State regulations limit domestic violence shelter stays to 90 days with a 45-day extension.¹¹⁹ HRA also oversees four transitional shelters with 150 beds, which permit residents to stay for six months. Families who cannot return home after a stay in a domestic violence shelter typically apply for shelter through the DHS family shelter system. In addition, many survivors of domestic violence apply at the EAU first, instead of going through the HRA domestic violence shelter system or after failing to secure an HRA domestic violence shelter bed.

Families With Child Welfare Issues

The interconnections between the family homeless and child welfare systems are interesting but not well understood. State law prohibits the separation of children from their families for reasons of poverty alone.¹²⁰ Consequently, families whose housing situation poses a safety risk for their children and who do not have other housing options available to them may be likely to apply for shelter. DHS and ACS are conducting a data match and ACS is examining the data results. Such a study may reveal the extent of families known to both agencies.

Two subsidies are available for families involved with the child welfare system: the ACS housing subsidy and the federal Family Unification Program (FUP), which provides Section 8 vouchers. Both programs make available housing assistance to: families at risk of having their child placed in foster care due to inadequate housing; families who have a child or children already in foster care who are awaiting reunification, but do not have adequate housing; and, pregnant and parenting youth age 18 to 21 years on trial discharge from foster care.

The ACS Housing Subsidy provides a rent supplement of up to \$300 a month for up to three years or until a cap of \$10,800 is reached. Of the \$10,800 supplement, up to \$1,800 can be used for mortgage payments or rent arrears and another \$1,800 can be used for broker fees, exterminator fees, security deposits, and apartment repairs. The city is working to increase the utilization of the ACS Housing Subsidy. Challenges to full utilization include a lack of familiarity with the program among foster care and preventive services providers; complicated administrative procedures that make it difficult to access this subsidy and low subsidy levels.¹²¹

Until recently, the FUP Section 8 voucher program made available only a limited number of vouchers.¹²² In January 2003, ACS and NYCHA announced the creation of the FUP Priority Code Program, which has granted youth on trial discharge from foster care priority status equivalent to families involved in the child welfare system, homeless families, and domestic violence survivors in accessing this type of Section 8 subsidy. This approach holds great promise in helping vulnerable families and youth obtain and maintain stable housing. As is the case with the ACS Housing Subsidy, complicated program administration and application

procedures make it difficult for families and youth to obtain FUP Section 8 vouchers. Use of these subsidies has become increasingly important as Family Court Judges face mounting pressure to ensure timely reunification of families and children. Notably, the ACS Housing Subsidy and FUP provide the only access to housing subsidies for these families outside of shelter.

Repeat Shelter Users

The research shows that receipt of subsidized housing was the primary predictor of housing stability.¹²³ One study tracked shelter users over a five-year period. At five years, 91% of former shelter users who had housing subsidies showed housing stability (that is, were living in their own apartment and had not had a move in the previous year).¹²⁴ In another study based on eight years of DHS HOMES data (from 1988 to 1995), researchers looked at shelter reentry over a two-year period after shelter exit and found that families discharged to subsidized housing had the lowest reentry rates.¹²⁵ This latter study found a number of variables predictive of readmission to family shelter, including: the presence of additional children; the type of subsidized housing provided; the young age of the head of household; being pregnant at the time of shelter admission; and public assistance receipt.¹²⁶ This study also reported that African-American and Latino families had faster rates of shelter readmission than other groups.¹²⁷ In another study, researchers concluded that tenant comfort, which can influence long-term housing stability, depends on block safety and, to a lesser degree, on housing conditions.¹²⁸

In FY'03, the annual and biannual shelter reentry rates showed that 3% of families placed in permanent housing returned to DHS within one year and 7% of families placed in permanent housing returned to DHS within two years.¹²⁹ A recent DHS analysis, based on 2002 DHS HOMES data, revealed that between 25% and 30% of all families discharged from shelter to permanent housing returned to the EAU over a ten year period.¹³⁰ By housing subsidy type, 30.5% of families who were discharged to EARP housing had returned to the EAU by 2001; between 35% and 40% of families discharged to city-sponsored *in-rem* housing; and, between 15% and 20% of families discharged to NYCHA housing had returned to shelter.

However, move-out policies and practices no longer in effect may have contributed to the high aggregate shelter reentry rate between 1991 and 2001. In the past, the City placed most families in HPD operated *in-rem* housing, which generated the highest reentry rates. In addition, in the past, the City imposed a two-year limit on the EARP program. Between FY'94 and FY'03, however, the City transferred 85% of its *in-rem* stock to private ownership.¹³¹ Moreover, since 2001, the EARP program has been paired with a non-time-limited Section 8 subsidy. Because move-out policies have changed over the years, research is needed to better understand shelter reentry rates under current conditions.

High shelter reentry rates argue for targeted homelessness prevention interventions. Focus group participants reported several reasons why they lost Section 8 housing. Bad housing conditions were the main reason participants cited for shelter reentry. Focus group participants also described difficulties related to transfers within NYCHA and the Section 8 voucher program. In one focus group involving working families, three out of seven participants resorted to shelter after their transfer applications fell through. Research on family shelter use may provide policymakers with useful information. A study of shelter use patterns among homeless

individuals, for example, showed three distinct populations in that shelter system: one-time shelter stayers comprised 80% of the shelter users; the episodically homeless who constituted 10% of shelter users; and the chronically homeless who accounted for the remaining 10% of shelter users; similar information is unavailable for homeless families with children.¹³²

Other Populations

- **Large Families.** Large families (such as those with more than five members in the household) are difficult to accommodate in shelter and even more difficult to place in permanent housing.
- **Pregnant Women/New Mother Families.** Research indicates that being pregnant or a recent mother is a risk factor among the homeless family population.¹³³
- **Former Military Personnel Families.** Veterans of the 1990 Gulf War and former military personnel may be entering shelter with their children.
- **Out-of-State & Out-of-City Applicant Families.** Observations at the EAU reveal some number of out-of state applicants. A DHS study suggested that 4% of shelter applicants cited being new to New York City as the reason for their shelter application.¹³⁴
- **Adult-Only Families.** These families fall outside the scope of the McCain litigation because they do not have minor children. Adult-only families can be comprised of adult couples or a parent and an adult child or adult children.¹³⁵ DHS data indicates a marked increase in this population.
- **Ex-Offender Families.** Across the country, increasing numbers of people have served their prison terms and are returning to the community.¹³⁶ The majority of ex-offenders in New York State, return home to New York City communities where they face many barriers in securing affordable housing.¹³⁷ This is a special problem for women leaving prison and seeking to reunite with their children and who may turn to shelter because they are unable to secure affordable housing.¹³⁸

FINDINGS AND RECOMMENDATIONS

DEVELOPMENT AND PRESERVATION OF AFFORDABLE HOUSING

The availability of affordable housing is a primary concern for many New York City families. High rents coupled with low vacancy rates translate into fewer affordable housing options for low-income families.¹³⁹ The Mayor's Housing Plan details the nature and severity of the city's housing crisis and presents a new approach to ease the current situation.¹⁴⁰ The strategy invests \$3 billion in federal, state, and city funds over five years towards the creation of 65,000 units of housing.

Several aspects of the housing market put low-income families at risk for housing instability and homelessness, including high rents, overcrowding, housing affordability, and bad conditions.

Problem of Rent Burdens. On average, renters in New York City spent more than one quarter (27.4%) of their household income on rent in 1999.¹⁴¹ Renters in the Bronx spent the most (30.2%) on rent and Staten Island renters spent the least (23.0%).¹⁴² Over one quarter of all renters (27.1%) spend more than 50% of their monthly incomes on rent.¹⁴³ This represents nearly 500,000 households.¹⁴⁴ The New York City Housing and Vacancy Survey (HVS) defines any renter who spends more than 50% of household income on rent as having a "severe housing affordability problem."¹⁴⁵ In the Bronx and Brooklyn, the boroughs that generate the highest numbers of families applying for shelter, over 25% of all renters carried severe rent burdens.¹⁴⁶ Very young and elderly heads of household account for one-third of the city's renters who carried severe rent burdens.¹⁴⁷ Rent burdens fall disproportionately on low-income households.¹⁴⁸

Problem of Overcrowding. Overcrowding is a problem in New York City.¹⁴⁹ The Housing and Vacancy Survey reported that 11.1% of renter households were crowded and contained more than one person per room.¹⁵⁰ Overcrowding is especially pronounced in rent-stabilized units, especially in units constructed prior to 1947, which have rates of 13.1% and 14.0% respectively.¹⁵¹ The Mayor's Housing Plan documents as well the severity of New York City's housing overcrowding problem. The Plan states that from 1996 to 1999, the number of crowded families increased to 75,715 and of severely crowded families to over 215,000.¹⁵² In 2000, the Bronx had the highest percent of severely crowded households (10.0%), followed by Queens (8.8%), Brooklyn (7.1%), Manhattan (6.2%), and Staten Island (2.0%).¹⁵³ The city estimates that "the number of doubled-up households increased from 203,000 in 1996 to 221,000 in 1999, an increase of 9.1%."¹⁵⁴

Scope of the Affordability Crisis. The citywide vacancy rate has been decreasing. In 1999, the vacancy rate dropped to 3.2%, down from 4.01% in 1996;¹⁵⁵ these figures fall far below the 5% level that defines a housing emergency in New York City.¹⁵⁶ The 2002 HVS reported a citywide rental vacancy rate of 2.94% during the period between February and June 2002.¹⁵⁷ The 2002 HVS reported even lower vacancy rates for low-rent units: 2% for units with

asking rents of less than \$700; 1.54% for units with asking rents of less than \$500; and, 1.42% for units with asking rents between \$500 and \$699.¹⁵⁸

Demand for Public Housing. New York City is home to the country's largest and best-run public housing program, which offers an excellent source of housing for low-income families. NYCHA manages approximately 182,000 units of subsidized housing for low-income families in the five boroughs.¹⁵⁹ However, a waiting list of approximately 120,000 families with an annual turnover rate of only 4.5% holds out little hope for low-income families wishing to secure public housing.¹⁶⁰ In addition to New York City's public housing program, an additional 91,900 units of federally assisted private housing is also available to low, moderate and middle-income families.¹⁶¹ In recent years, however, private owners of subsidized housing vouchers have threatened to "opt out" or "buy out" of the subsidized housing programs after fulfilling their obligations to provide low-rent apartments to families in exchange for tax credits, tax abatements and low-interest mortgage loans.¹⁶² Opting out of these programs is currently estimated to result in the loss of over 9,000 low-rent units. Even with the Mayor's aggressive housing agenda, these units will not likely be replaced any time soon.

Housing Conditions. The Housing Vacancy Survey reports that 1% of the city's housing stock is considered dilapidated.¹⁶³ Nevertheless, many families continue to reside in housing units in poor condition. Citywide, 3.1% of housing units contain five or more maintenance deficiencies.¹⁶⁴ Poor housing conditions can lead families to seek or return to shelter.¹⁶⁵ The city has also made preservation of affordable housing a priority.¹⁶⁶ For example, HPD has undertaken an anti-abandonment initiative that focuses on education, investment and enforcement in privately owned buildings.¹⁶⁷ Tenant organizing, tenant education, and tenant outreach offer another way to help keep tenants housed by ensuring that they know their rights and learn to establish positive business relationships with landlords. In neighborhoods with many non-rent-regulated housing units, community-based organizations employ innovative strategies, including outreach and education to landlords to encourage them to rent to families participating in housing assistance and subsidy programs. In neighborhoods, where without rent regulation laws tenants have more limited rights, landlord/tenant mediation can sometimes help keep families housed.

Recommendations

- ***Expand efforts to increase state and federal funding sources for the development and preservation of affordable housing.*** As the city moves its aggressive housing development agenda forward, it is important that the city pursues increased funding opportunities for housing development and preservation from state and federal funding sources and increases set-asides for low-income families.
- ***Increase set-asides in the city's housing plan for low-income families.*** The city has committed to build 65,000 new housing units over five years targeted primarily to moderate- and middle-income New Yorkers. Increasing the number of units available for low-income families and families at risk of homelessness could reduce demand for shelter.

- ***Identify families with housing problems earlier and intervene before they become emergencies.*** Options to remain housed and avoid homelessness diminish as the severity of the housing emergency increases. Data matches between city agencies offer a promising way to identify families earlier. Data matches with NYCHA and HRA help identify families with rent arrears. Other data matches could also help identify families with a public assistance case closing or Section 8 re-certification problem among other situations that could lead to homelessness. The Housing Courts may also offer an opportunity for earlier intervention for families at risk of eviction through identification and linkage to homeless prevention programs. Linking data-match lists of families at risk of homelessness to prevention programs and providing outreach to and engagement of these families could avert episodes of homelessness. Identify families that fall behind in rent payments and families who fail to timely recertify their Section 8 vouchers and refer them to homeless prevention programs that can help them meet program requirements.
- ***Maintain housing code enforcement.*** The city's fiscal crisis should not curtail code enforcement that helps preserve affordable housing units, improve housing conditions, and reduce housing emergencies that cause homelessness.
- ***Enhance tenant and landlord outreach and education.*** Tenant and landlord education can inform families and landlords about housing subsidy and rental assistance programs and their requirements and promote good business relations among tenants and landlords, among other subjects. The better informed that tenants and landlords are about programs and services that provide housing stability and reduce housing emergencies the more likely that family homelessness can be prevented.

VARIETY AND TARGETING OF PREVENTION INTERVENTIONS

Currently, family homelessness prevention efforts are limited in approach, in the kinds of assistance offered, and in the numbers and types of families served. This is true despite the fact that, in FY'03, the city spent \$35 million to fund preventive programs. These contracts include:

- Twenty-six community-based anti-eviction legal services contracts including;
- Seven homeless prevention advocacy (non-legal) programs, which provided housing-related assistance and public benefits advocacy focused mainly on securing Jiggetts rent supplements; and,
- Thirty-three other homelessness prevention programs, which offered case management, tenant education, and tenant organizing among other services.

DHS took over management of the legal services prevention programs in June 2003.

Significant shortages remain in the availability and range of prevention services offered.

The city also provides homelessness prevention services through the HRA Diversion Units located in twenty-nine Jobs Centers (public assistance offices), the Housing Courts, and at the Emergency Assistance Unit (EAU). Diversion Unit staff helps families avoid homelessness through a variety of one-time grants, relocation assistance, and public assistance budget adjustments.

Homelessness Prevention at the EAU. Currently, the HRA Diversion Unit conducts all prevention activities at the EAU. Although Diversion staff at the Job Centers face many constraints in trying to help families, HRA Diversion staff at the EAU contend with even more challenges. Many limitations, particularly limited housing options and difficulty in resolving public assistance issues, make it difficult to help families return home, relocate or prevent shelter stays. In addition, staff vacancies and limited training opportunities have affected the EAU Diversion Unit.

Recommendations

- ***Institute a prevention screen at the EAU and improve the ability of the EAU Diversion Unit to serve families.*** The EAU offers the last opportunity for prevention to occur prior to families' entering shelter but currently there is no avenue available to direct families to prevention services. Families should be screened at the EAU and referred to preventive and diversion services. Families who come to the EAU from an eviction should be screened and referred to eviction-prevention services. This screening would be incorporated into the shelter application process and would be required of applicants. Referral for services must be conditioned on the availability of a range of prevention/diversion opportunities and resources. The EAU Diversion Unit should be empowered to perform the same functions as Diversion staff in the Jobs Centers (public assistance offices), including obtaining adjustments to public assistance budgets, accessing emergency grants, and providing other interventions to avoid shelter entry for families who could return home. Better coordination and cross training is needed between DHS staff and HRA Diversion staff stationed at the EAU. Most importantly, EAU staff needs a greater array of preventive resources to help families return home or relocate rather than enter shelter.
- ***Expand the menu of prevention and diversion interventions available to staff at the various Diversion Units.*** Diversion rates have decreased over time for a variety of reasons. DHS and HRA should jointly examine this trend and identify ways in which Diversion staff can better prevent homelessness. In particular, Diversion staff at the EAU should be able to provide immediate needs grants and all Diversion staff should be provided with the tools necessary to help families resolve problems with their public assistance cases quickly.

Range of Homelessness Prevention Interventions Available to Low-Income Families. Families experience difficulty obtaining emergency grants to avoid eviction, for rent arrearages and other housing-related expenses. Low-income working families not receiving public assistance also face barriers in trying to obtain rent arrears and other emergency grants. Ongoing

Jiggetts rent supplements are limited to families on public assistance. Because a growing number of families have left public assistance for work they are ineligible for this important homelessness prevention assistance.

Recommendations

- ***Build in broader diversity of homelessness prevention interventions.*** A broader range of prevention services should be available to families – including easier access to emergency grants; improved public assistance budgeting; family mediation; crisis intervention; relocation and transportation assistance; assistance with public and subsidized housing problems; referral to eviction prevention services; landlord and tenant education; and housing assistance to obtain and secure affordable housing.
- ***Enhance prevention resources available to low-income working families not receiving public assistance.*** Increase the availability of homeless and eviction prevention resources and services to low-income working families not receiving public assistance to prevent homelessness, including easier access to emergency grants and housing relocation assistance. Maximize the use of state and federal funds to serve this population of families.

Rent Arrears Payments and Other Emergency Cash Assistance. Emergency rent and other cash assistance provides a cost-effective way to help vulnerable families remain housed. Currently, families experiencing housing instability or housing emergencies can only access emergency grants from HRA Job Centers or, to a much more limited degree, through private charities. Community-based homeless and other prevention programs help low-income families, primarily those receiving public assistance, to obtain this help. The process for getting this assistance for families is time-consuming and staff-intensive and processing inefficiencies put families at risk of eviction and jeopardize employment.

Recommendations

- ***Increase access to emergency cash assistance to cover basics such as rent and other immediate needs and explore and implement ways to simplify and provide greater access to emergency grants to low-income working families not receiving public assistance.*** Seek input from city personnel, providers and other stakeholders on ways to expand and enhance family homelessness prevention options, streamline the application process for families applying for “one-shot-deals”, and continue HRA Rental Assistance Unit “exceptions to policy”.

Need for Flexibility in the Design and Delivery of Homelessness Prevention Services.

An innovative homelessness prevention model in use in Washington, D.C. offers a flexible way to use homeless prevention resources to help families remain housed. The Community Care Grant Program (CCGP) stabilizes families with housing emergencies. CCGP takes a “housing first” approach that helps families secure permanent housing as quickly as possible and puts in place supportive services afterward.¹⁶⁸ CCGP works with eight participating neighborhood-based organizations, called Collaboratives. The Collaboratives have historically provided child welfare preventive services and have added on and integrated a family

homelessness prevention component into their work through the CCGP. In order to participate, families must be employed or able to obtain employment. CCGP contemplates that participating families would become permanently housed and self-sufficient in a relatively short period of time. CCGP makes grants to the participating neighborhood-based programs averaging \$7,000 per family served. These grants cover case management costs at \$1,000 per month per family for four months of active, intensive case management and the remaining \$3,000 can be allocated to meet clients' housing and other costs. Case management focuses on building support networks to prevent the recurrence of housing emergencies; developing financial plans; identifying community resources; and developing relationships to troubleshoot issues.¹⁶⁹ The Collaboratives have great flexibility in deciding how to use the family's housing grant, which can go toward security deposits, rent, utility costs, furniture, and basic household goods.¹⁷⁰

An evaluation of CCGP's first three years of operation points to some promising results. Key project features included: working within and adding valuable services to an established neighborhood service delivery system; accessing housing subsidies; developing strong community relationships; providing intensive case management; accessing flexible funds that offering an opportunity to motivate family participation with resources and guidance.¹⁷¹

Recommendations

- *Increase flexibility in homeless prevention programs to better assist families experiencing housing emergencies.* Typically, eligible families receive a standard set of homelessness prevention services and benefits. Families might be better served through more individualized and flexible approaches to homelessness prevention that allow services to be mixed and matched according to individual family needs and preferences and allow grants to be spent more flexibly according to family needs and situation. Incorporate the approaches used in proven-effective programs like CCGP in developing prevention service models in New York City.
- *Link homelessness prevention services to other family and community support initiatives in the community.* Stronger linkages are needed between homeless prevention programs and other community and family supports to help families deal with housing crises, family emergencies and other issues that may lead to homelessness and support vulnerable families in their effort to remain in the community.

Design and Target Homelessness Prevention Programs to Meet the Needs of High-Risk Families. As the SMP's examination of target populations showed, several groups of families often end up in shelter. These include leaseholders, non-leaseholders, young families, families with prior stays in shelter, and domestic violence survivors among others. Except perhaps for the latter group, which is served by specialized programs, homelessness preventive programs currently do not tailor services or interventions to the special needs of these families.

Recommendations

- ***Design homelessness prevention programs to meet the unique needs of the highest-risk families.*** Homelessness prevention programs should be designed to meet the needs of very young parents, families with prior stays in shelter, and non-leaseholders, among others.
- ***Homelessness and eviction prevention programs should routinely assess for social services needs and refer families to community services.*** Families with housing emergencies often have needs that have either contributed to the housing crisis or stemmed from and been exacerbated by housing instability. Families at risk of homelessness need a variety of supports in order to remain in their home community and avoid shelter. Family support services and other community supports could assist in resolving housing emergencies and help families deal with family crises and other issues that may lead to homelessness. Some eviction prevention and homelessness prevention programs have very strong cross-referral relationships with social services programs working in the neighborhoods they serve; more formalized linkages should be forged in communities where there are none.

Targeted Interventions for Young Families. During the past five years, thousands of young families have entered shelter every year. Although the data do not reflect an outsized surge in demand for shelter by young families, large numbers of young applicants and shelter residents suggest an opportunity for interventions that might benefit these families and their young children and keep them from becoming homeless. Shelter does not provide a normative experience for either families or children. Because of their vulnerability and that of their typically very young children, the youngest applicants under the age of 21 merit special attention.

The SMP recommends that DHS develop prevention programs targeted to young families in the community. Young parents participating in focus groups suggested they would have been interested in programs that conditioned housing relocation assistance with participation in educational and/or job training and placement services. They also suggested consideration of the following program components: money management, life skills, parenting skills, education about landlord/tenant relations and incentives to remain at home. Providers should target young families before shelter application and following ineligibility determinations. Such programs could help young families attain housing stability and establish independence without resort to shelter.

Recommendations

- ***Develop community-based programs targeted to young families to help them establish independent households without having to resort to shelter.***
- ***No parent under the age of 18 should have to be in a DHS shelter and other programs should be available to meet their special needs.*** Providers who focus on serving youth, such as homeless youth and runaway programs, can better serve this population.

- *No pregnant or parenting youth 18 to 21 years of age who has been on trial discharge from foster care should have to be referred to DHS for shelter.* ACS has the expertise and range of services to better serve these young people and discharge planning should prevent the need for placement in a homeless shelter.
- *Pregnant and parenting youth under the age of 21 may be better served in homeless youth shelters funded, in part, through the New York City Department of Youth and Community Development.* These programs provide services designed for young adults and serve as the primary point of entry to Transitional Living Programs that provide young adults with the training and employment skills necessary to become self-sufficient and maintain housing.

Targeted Interventions for Older Families

Recommendations

- *Reasons for increases in the number of families with heads of household over 31 years of age entering shelter should be better understood.* Although the SMP did not set out to examine older families, the data show marked increases among parents over 31 years of age and especially over 45 years of age. Presumably, these are families more likely to have sustained independent households at some point. Even though older parents comprise a minority of total applicants and entrants, DHS should examine this trend to better understand why increasing numbers of older families are seeking and entering shelter and develop effective interventions to prevent them from becoming homeless.

Targeted Interventions for Non-Leaseholders

Recommendations

- *Support double-ups that keep families housed safely and appropriately.* DHS should consider ways to provide assistance and resources, such as emergency and continuing grants and rental assistance to be channeled to doubled-up families at risk of homelessness through community-based organizations and HRA Job Centers. At a neighborhood level, emergency grants and other resources, family/household mediation, and planning could help stabilize and improve doubled-up housing situations and assist families to transition into their own housing without having to experience the dislocation of shelter.

Targeted Interventions for Domestic Violence Survivors

Recommendations

- *Expand the number of beds available in transitional domestic violence shelters programs.*
- *Pursue programmatic changes to enable domestic violence shelters to conduct discharge planning that includes placement into permanent housing.*

- *Improve coordination between HRA domestic violence shelters and services and DHS programs to better meet the needs of domestic violence survivors and prevent long shelter stays.*

LOCATION OF HOMELESS PREVENTION SERVICES

Research shows that certain communities have disproportionately high rates of family homelessness. An October 2002 data match between DHS and HPD confirmed this finding.¹⁷² Homelessness prevention must begin in neighborhoods where families live. The data show that most shelter applicants come from twelve community districts. The neighborhoods that have the largest number of families applying for shelter include: Mott Haven, Hunts Point, Morrisania, Highbridge, University Heights, East Tremont, Fordham, and Soundview in the Bronx and Bedford Stuyvesant, Bushwick, East New York, Crown Heights (North), and Brownsville in Brooklyn.

Recommendations

- *Develop community-based prevention and education programs in high-need neighborhood.* Homelessness prevention services should be located in and made available to families living in neighborhoods where many families become homeless. Tenant and landlord outreach and community education can prevent homelessness by informing families and landlords about housing subsidy, rental assistance and emergency rent payment programs, the Housing Court process, anti-eviction legal services and can promote good business relations among tenants and landlords.

CROSS-AGENCY COORDINATION

The DHS Strategic Plan calls for collaboration among city agencies and between the city and others in order to implement its goals.¹⁷³ In addition, the Plan adopts the following DHS Principle: “Public agencies must coordinate their services to ensure their practices do not result in any . . . family becoming homeless”.¹⁷⁴ Several city agencies operate programs that help keep families housed through income support and rent supplements (HRA) and through public housing and housing subsidies (NYCHA and HPD). In addition, some number of families who experience housing emergencies may also have involvement with the ACS child welfare system. As DHS has emphasized, city agencies and programs must work in concert to ensure that agency practices do not contribute to family homelessness.

At the same time, city agencies involved in serving at-risk, homeless and formerly homeless families must contend with competing policy goals, making cross-agency policymaking paramount in any strategy to prevent family homelessness. To address this challenge, officials from DHS and other city agencies have committed to weekly meetings to identify and address systemic issues related to homelessness and to fashion strategies to resolve them. The SMP strongly supports this cross-agency work and agrees with DHS that these efforts can result in more effective family homelessness prevention efforts.

Nevertheless, because many low-income families rely on complex, multiple government programs for income support and housing assistance, management inefficiencies and other issues that contribute to housing instability will increase the risk of homelessness. Many families are unable to resolve these problems or meet program requirements on their own.

Recommendations

- *Establish a homelessness prevention liaison at DHS to assist anti-eviction and homelessness prevention programs identify and resolve systemic policy issues and housing emergencies that involve multiple government agencies.*
- *Cross-train homeless and eviction prevention program staff with HRA Income Support, Diversion and NYCHA and HPD Section 8 staff on policies, procedures, eligibility criteria, public benefits, and housing subsidies and provide assistance to families with public assistance and other public benefits issues.*
- *Continue and expand city commitment to cross-agency coordination and problem-solving.* As DHS has recognized, cross-agency concerns merit the highest priority and should continue.

PERFORMANCE AND ACCOUNTABILITY

DHS has set out in its Strategic Plan as one of its four key strategies improving efficiency and accountability in serving homeless families.¹⁷⁵ The SMP strongly supports this approach. By creating an accountability and reporting framework, DHS will make it possible to track progress made against goals set, identify emerging trends in family homelessness, and identify areas where improvement is needed. In part, DHS's efficiency and accountability strategy entails the following:

- Tracking prevention funding and activities;¹⁷⁶
- Using data to create mechanisms for quality improvement by identifying areas for improvement and tracking progress;¹⁷⁷
- Using data to identify and routinely report community predictors of homelessness;¹⁷⁸
- Developing outcome measures, baselines, and benchmarks related to prevention;¹⁷⁹
- Publishing data and reporting routinely on progress, including on prevention outcomes;¹⁸⁰
- Developing a comprehensive evaluation system that will reflect DHS Prevention Principles and relate to measurable outcomes;¹⁸¹ and

- Implementing all of the above with the help of stakeholders to support DHS in completing these tasks.¹⁸²

The tasks outlined above lay out a comprehensive approach to program performance and effectiveness that is necessary to ensure accountability to families, the city as funder, and the public.¹⁸³ They also highlight the intersection of practice and policy. Good data enables policymakers to make evidence-based decisions about program design and allocation of resources and provides practitioners a better understanding of how well their programs serve families.¹⁸⁴

Performance Indicators. The SMP supports DHS’s commitment to involve stakeholders in efforts to develop and refine the agency’s efficiency and accountability systems.¹⁸⁵ The SMP was interested in the Culhane formulation for thinking about accountability in homeless programs and believes its framework could work well with the approach taken by DHS.

Program Accountability Paradigm¹⁸⁶

Accountability to Consumers	
Assessment Type	Methodology
Consumer preference	Checklists; questionnaires
Standardized Assessment Tools	Standardized scales; MIS assessment instruments
Match-Mismatch	Compare consumer needs with services delivered
Outcomes	?? Housing stability ?? Adequate income ?? Family and child well-being ?? Consumer satisfaction ?? Quality of life
Accountability to DHS – Performance Measurement	
Components	Measures
Clients served	Contract performance (what service provided per client: assessment of housing emergency; case handling; follow up; etc.)
Units of service delivered	Effectiveness (percent of families remaining at home with future ability to pay; percent of families relocating to home with future ability to pay)
Outcomes	Efficiency (resources expended to maintain effectiveness rates; number of staffing dollars per successful family outcome)
Accountability to the Public – Research Strategies	
Strategy	Methodology
Homeless System	Services delivered and costs
Performance	?? Effectiveness ?? Efficiency
Program Innovations	?? Comparison of program types ?? Costs/effectiveness/efficiency ?? Pre-post comparisons
Policy Changes	?? Pre-post comparisons ?? Multiple systems analysis (data matches across systems)

IMPROVING HOMELESSNESS PREVENTION PRACTICE

Best Practices for Homelessness Prevention Programs.¹⁸⁷ In its interviews with community-based organizations contracting with the city to provide anti-eviction services, the SMP explored the issue of best practices. These interviews with community-based organizations serving communities in the Bronx, Brooklyn, Queens, and Manhattan, revealed a remarkable degree of differentiation to accommodate family needs and adapt programming to meet those

needs. For example, the housing emergencies, family circumstances, and neighborhood conditions that families presented in Washington Heights and the program response to those needs differed from the situation and programmatic needs of families living in unregulated housing in Queens. The ability of homeless prevention programs to respond to diverse local needs in New York City neighborhoods is a hallmark of best practice. Other practices are reviewed below:

Recommendation

- **Strengthen and Formalize Housing and Social Services Cross-Referral Mechanisms.** Limited homelessness prevention resources can be used to the greatest effect through strong cross-referral mechanisms. Anti-eviction and homelessness prevention programs need to establish linkages and maintain strong referral relationships with the many city agencies that can have an impact on homeless families. Interviews with community-based organizations revealed great variability in the degree to which programs had established linkages with key agencies such as NYCHA, HPD, and the New York State Division of Housing and Community Renewal.

In addition, formal cross-referral relationships between anti-eviction legal services providers and homeless prevention and community social services programs can help ensure that families receive services most appropriate to their needs. Families with housing emergencies often have needs that have either contributed to the housing crisis or stemmed from and been exacerbated by housing instability. Homelessness and eviction prevention programs should routinely assess for such social services needs and refer families to community services. Families at risk of homelessness need a variety of supports in order to remain in their home community and avoid shelter. Family and other community supports could assist in resolving housing emergencies but could also help families deal with family crises and other issues that may lead to homelessness. Some eviction prevention and homelessness prevention programs have very strong cross-referral relationships with social services programs working in the neighborhoods they serve; more formalized linkages should be forged in communities where there are none.

- **Maximize Household Income.**¹⁸⁸ As a routine part of eviction prevention work, providers should help families maximize household income by ensuring that all family members receive the benefits to which they are entitled. This effort should include a review of families' public assistance budget but also an assessment of eligibility for other public benefit programs including: Food Stamps, Supplemental Security Income (SSI), Medicaid, and the Earned Income Tax Credit (EITC), among other types of assistance, to help working families and families receiving public assistance close the gap between income and the cost of living.
- **Help Families Establish and Maintain Housing Stability.** Many factors contribute to housing instability: bad conditions; overcrowding; and an inability to afford the rent. While anti-eviction programs focus on resolving the Housing Court case by helping tenants access emergency grants, they can also help improve longer-term

housing stability by looking beyond rent arrearages. For example, lawyers can help make housing more viable by using the non-payment proceedings as an opportunity to correct housing code violations. Or, where the rent is high or housing conditions are overcrowded, homelessness prevention and eviction-prevention programs can also help families relocate to more affordable or less crowded apartments.

- **Increase Cross-Training.** Homelessness prevention and anti-eviction programs should cross-train staff, particularly regarding public benefits and housing subsidy programs and cross-train with community-based social services.

Research on Family Homelessness Prevention and High-Risk Populations. DHS has undertaken an ambitious research agenda on family homelessness prevention with assistance from NYCHA and HPD. The agency has secured foundation funding to support some of its homeless prevention research activities and is partnering with several researchers and research institutions. Some of these efforts are focused on better understanding the causes of family homelessness and on examining the effectiveness of various homelessness prevention strategies. Data matches between ACS and DHS hold great promise in better understanding the policy overlaps between the family shelter and child welfare system. Research could also lead to improved identification of families eligible for housing subsidies without resort to shelter.

Recommendations

- *Continue assessment and evaluation of prevention programs and research into family homelessness.* Data collection, analysis, and public reporting ensure accountability to the public. In addition, DHS should continue its ambitious research agenda on family homelessness prevention. Subjects for study include: family shelter utilization and shelter reentry patterns, particularly of families who lose subsidized housing such as NYHCA apartments and Section 8 vouchers, among others.

OTHER PREVENTION STRATEGIES

Rental Assistance. Low wages and low public assistance shelter allowance levels affect families' ability to afford rent¹⁸⁹ and many families experience significant rent burdens.¹⁹⁰ Rental assistance helps stave off homelessness for many vulnerable New Yorkers but this assistance only reaches a small minority of the New Yorkers who qualify for rental assistance.¹⁹¹

As the city develops its rental assistance plan,¹⁹² provision should be made to expand rental assistance to more low-income families such as working families not receiving public assistance and non-leaseholder families. Creative use of existing funding streams could help broaden the availability of rental assistance to currently ineligible low-income working families. Possibilities include the use of the Temporary Assistance to Needy Families (TANF) Block Grant. TANF funds might be used to support services for families under 200% of the federal poverty level (\$30,520 for a family of three). Unfortunately, rent assistance of more than four months in duration supported by TANF surplus funds would count towards the five-year time limit on federal assistance. Nevertheless, opportunities for expanding rental assistance exist. For

example, in order for New York State to draw down federal TANF funds, it is required to spend a significant portion of state general funds on social services programs. Known as the state's Maintenance of Effort (MOE) requirement, these funds could be spent on rental assistance programs. They could also be combined with TANF funds to create a rental assistance program for low-income families both in receipt and not in receipt of public assistance.

In addition, the New York State TANF Services Plan Block Grant gives counties broad flexibility to fashion TANF-supported programs that help families transition from public assistance to work. TANF funds can be used for work-related vouchers that function as a supplementary wage. New York City could apply for available funds to establish a work supplement for families leaving public assistance for work. Families could use this wage supplement for any family expense, including rent; moreover, receipt of the voucher would not disqualify families from other types of housing assistance.

The Jiggetts rent supplement is another important source of rent relief in New York State. Typically, leaseholder families receiving public assistance who face an eviction proceeding can access Jiggetts relief. The rent supplement helps families pay for rent prospectively up to a certain set level. Over the years, this supplement has been successful in helping to stave off homelessness for tens of thousands of New York families. New York City's rent assistance plan could consider a Jiggetts-like rent supplement for non-leaseholders or other special populations at risk of homelessness.

Recommendations

- ***Increase the availability of rental assistance for families at risk of homelessness.*** As the city develops its rental assistance plan, provisions should be made to expand rental assistance to additional families, such as working families not receiving public assistance and to non-leaseholder families receiving public assistance.
- ***Pursue more flexible and expanded use of TANF funds for rent subsidies.*** The city should pursue an amendment to federal regulations to allow TANF funds to be used for rent subsidies for low-income working families at risk of homelessness. Consider creating programs that maximize TANF flexibility (including the use of TANF for four months of emergency assistance).
- ***Match rent assistance levels to help families afford market rents.*** New York State should set rental assistance at a level that more closely corresponds to rent costs in New York City.

Income Support. Public assistance provides families with a grant to offset the cost of living and a shelter allowance. As noted previously, many leaseholders receiving public assistance also receive Jiggetts rent supplements. Public assistance recipients face challenges in keeping their cases open and budgeted at correct levels. Anti-eviction, homeless prevention and other community-based organizations interviewed, cited public assistance issues as contributing to family housing emergencies and estimated that they provided public assistance advocacy to

more than three-quarters of families served. Issues addressed included: case closings; budgeting issues; and, sanctions.

Recommendations

- ***Maximize household income through available public benefit and tax credit programs to prevent family homelessness and streamline access to benefits.*** In order to maximize household income for families at risk of homelessness, prevention programs must help families access Food Stamps, tax credit programs, SSI and other types of public benefits and assist families with public assistance and public benefits issues.

Legal Assistance. DHS data show an increasing number of shelter applicants and entrants to be leaseholder families evicted from their homes.¹⁹³ Anti-eviction legal services can help many families remain in their homes or relocate to new homes.¹⁹⁴ Anti-eviction legal assistance as well as tenant education, tenant outreach, and tenant organizing may provide cost-effective ways to help families maintain apartments. These services and strategies can also help tenants secure legal assistance and representation if they face a Housing Court proceeding.

Recommendations.

- ***Increase the availability of anti-eviction legal services and explore new approaches to maximize the delivery of legal services to households with housing problems.*** The data reviewed by the SMP revealed a trend showing increasing numbers of evicted families applying for and entering shelter. Practice and experience has shown that tenants with legal representation are better able to address poor housing conditions. In addition, with legal assistance, tenants facing eviction, even with late-stage Housing Court cases, can be assisted so as to save their homes. The increasing numbers of evicted families entering shelter support the need to expand eviction-prevention for leaseholder families at risk of homelessness. This is particularly true for families who already have advanced Housing Court cases.
- ***Formalize agreements to link anti-eviction legal services programs and other homelessness prevention programs.*** Identifying families most at-risk of becoming homeless and strengthening referral mechanisms to legal services should occur at multiple locations such as: the Housing Courts; HRA offices located in the Housing Courts; HRA Job Centers; at the EAU; and in the community. Cross-referral agreements should be formalized between anti-eviction legal services and homelessness prevention programs and linkages between these programs and other community-based service providers who assist families with housing emergencies should be strengthened.
- ***Consider Bar Associations and law school clinics to helping bridge the gaps in the availability of legal services and tenant education.***

CONCLUSION

The Department of Homeless Services has made preventing homelessness a priority. The SMP believes that the promise offered by this approach will be a slowing down of the rising tide of family homelessness and applications for shelter. In the final analysis, we believe the implementation of the recommendations in this report offers a far better prospect for this result than the consequences of a failure to pursue an aggressive agenda of prevention measures.

APPENDIX A-1

LIST OF ORGANIZATIONS AND INDIVIDUALS INTERVIEWED

Agenda for Children Tomorrow*

Citizens Advice Bureau

CAMBA

Catholic Charities Community Services

Center for Family Life in Sunset Park*

City-Wide Task Force on Housing Court

Community Food Resource Center

Community Services Society of New York*

Dr. Dennis P. Culhane, School of Social Work, University of Pennsylvania*

Emergency Rent Coalition*

Fifth Avenue Committee

Forest Hills Community House

Henry Street Settlement Urban Family Center*

Homes for the Homeless*

Dr. Kim Hopper, Department of Sociomedical Sciences, Columbia University*

Legal Aid Society

Make the Road by Walking*

Northern Manhattan Improvement Corporation

Picture the Homeless

Dr. Judith Samuels, The Nathan S. Kline Institute for Psychiatric Research*

Dr. Marybeth Shinn, Department of Psychology, New York University*

South Brooklyn Legal Services Inc.

Dr. Beth C. Weitzman, Wagner School of Public Service, New York University *

* Note: The SMP did not administer the structured questionnaire at this interview but had a general discussion about homelessness prevention.

APPENDIX A-2

SMP QUESTIONNAIRE I

(For Non-Legal Homelessness Prevention Services Providers)

**FAMILY HOMELESSNESS PREVENTION PROGRAM
SMP QUESTIONNAIRE**

Thank you for taking the time to meet with us to discuss family homelessness prevention. The Family Homelessness Special Master Panel (“SMP”) has been put in place by the parties in the McCain homeless families’ class action and related litigations and approved by the Court. The SMP is charged with two mandates: first, to conduct a comprehensive evaluation of the family shelter system and issue recommendations, and, second, if necessary, to adjudicate disputes between the parties. We are speaking primarily to City-contracted community-based homelessness prevention programs that provide legal and/or non-legal services in New York City; we are visiting 10 community-based organizations. During these meetings we hope to brainstorm various types of help that could assist at-risk families avoid becoming homeless.

Information collected through this survey will be analyzed and, along with other sources of information, used to formulate recommendations. The SMP will submit these recommendations to the Court. No program or individual will be identified by name in any SMP report. **All information that you provide us is confidential and no individual or program will be mentioned by name.**

GENERAL INFORMATION

Name of Agency _____
Agency Founding Date _____
Agency Mission _____ _____
Agency / Program Budget _____
Target Neighborhoods of Services _____ _____
Programs Agency Operates for Homeless Families Other than Prevention _____ _____

QUESTIONS

GENERAL OVERALL INFORMATION ABOUT HOMELESS PREVENTION PROGRAM(S)

1. Where are your programs located?

- Bronx Brooklyn Manhattan Queens Staten Island Citywide
- Borough-wide Specific Neighborhood or Community District (please specify)
-

2. How many (or what percent) of families in the communities you serve are experiences a housing crisis or are at risk of homelessness?

3. Where are services provided?

- CBO neighborhood office Housing Court HRA Job / Welfare Center
- Other (please specify) _____
-

4. Staffing of homelessness prevention programs:

- Social Worker (M.S.-Level) Social Worker (B.S. level) Case Manager (BA or AA level)
- Other (please specify by discipline below)
-

5. What kind of training does staff receive? _____

6. Please indicate whether your family homelessness prevention program(s) offer(s) the follow services.

- | | |
|--|---|
| <input type="checkbox"/> Public Benefits Advocacy | <input type="checkbox"/> Landlord / Tenant Organizing |
| <input type="checkbox"/> Landlord / Tenant Mediation | <input type="checkbox"/> Case Management |
| <input type="checkbox"/> Emergency Cash Grants | <input type="checkbox"/> Referrals |
| <input type="checkbox"/> Family Mediation | <input type="checkbox"/> Family Support (<i>e.g.</i> , child care, peer support, wrap-around, parenting) |
| <input type="checkbox"/> Peer Support | <input type="checkbox"/> Paralegal Eviction Prevention |
| <input type="checkbox"/> Crisis Intervention | <input type="checkbox"/> Tenant Education (please describe) |
| | _____ |
| | _____ |
| <input type="checkbox"/> Other (please describe) _____ | |

Please describe any other the homelessness prevention services you provide below.

7 How do you access legal services for the families you serve?

OUTREACH AND COMMUNITY LINKAGES

8. How do families get to you? _____

9. Describe the implications of timing in the prevention strategies that you use.

10. At what point in the process of being evicted do lease-holding families get to you (check off all that apply)?

Notice of Eviction

Post-Eviction

Illegal Lock-out

Notice of Petition

Post-Pro se Stipulation

Other (please specify)

11. At what point in the process of becoming homeless do doubled-up families get to you?

Before primary tenant ejects them

After primary tenant ejects them

12. How do families get to your program(s) (check off all that apply):

Word of Mouth

Self-Refer

Referral by government agency(ies) (please specify): _____

Referral by church(es) (please specify): _____

Referral by CBOs (please specify): _____

Referral by elected officials: _____

Other referral source (please specify): _____

CROSS-AGENCY RELATIONSHIPS AND RELATIONSHIPS WITH GOVERNMENT AGENCIES

13. Do homeless prevention programs collaborate with one another? How do they do so? Do they share information? Identify common issues? Is there a coordinating group?

14. Are there other homeless prevention programs with which you work and, if so, in what way?

15. What kind of relationship does your homeless prevention program have with government agencies?

Formal (MOUs; contracts; etc.) Informal (please describe below):

16. Please describe the types of assistance your programs obtain on behalf of families from the following government agencies:

HRA (describe links to HRA Homelessness Diversion Programs) _____

Housing Court _____

HPD _____

NYCHA _____

17. Continued.

DHS _____

DHCR _____

Other _____

18. Please describe the types of assistance your programs obtain for families from other CBOs:

Food Cash grants Other legal services (please specify) _____

Crisis Intervention Family Support
 Social Services (please specify) _____

BACKGROUND INFORMATION ON CLIENTS

19. Demographics of population served (please estimate with percentages):

Single Individual (__ percentage) Family (__ percentage)
* * * * *
 African-American (__ percentage) Asian (__ percentage) White (__ percentage)
 Latino (__ percentage) Other (__ percentage; please specify) _____

20. Other issues affecting families (please check off all that apply):

Domestic Violence Substance Abuse Mental Illness
 Child Abuse / Neglect Discharge From Foster Care Discharge From Prison
 Other (please specify): _____

20. Income support issues of families:

What percent of families your program serves has a public benefits problem that requires your intervention?

Describe the public benefits problems families present

- | | | |
|--|--|--|
| <input type="checkbox"/> PA case closed | <input type="checkbox"/> PA sanction | <input type="checkbox"/> Jiggetts checks |
| <input type="checkbox"/> Incorrect PA Budget | <input type="checkbox"/> Failure to add baby | <input type="checkbox"/> Other _____ |

How does your program(s) handle clients' public benefits problems? _____

How do you deal with residual public benefits issues once families' Housing Court cases are resolved? What types of public benefits issues, if any, do you continue to handle?

21. What are / Are there common characteristics of families whose homelessness you prevent?

22. What are / Are there common characteristics of families who become homeless after you have tried to prevent it?

23. What is the most important way to prevent homelessness?

24. What is the most important way to prevent double-ups?

25. What kinds of prevention interventions / types of help should be tried and/or expanded? _____

26. In your opinion, what is the major cause of homelessness aside from the lack of affordable housing?

27. Are there any other homeless prevention programs that you think we should visit?

PROGRAM PERFORMANCE TRACKING

28. Success of homeless prevention programs. If possible, please estimate annual numbers for the following:

____ Number of evictions averted

____ Number of EAU applications averted

29. How does your program define a “successful” case outcome? _____

30. Could you estimate the number of families that you delay from applying for shelter at the EAU per year?

31. Do you have a performance-based contract? What are the performance indicators?

32. How many families does your homeless prevention program serve per year? _____

33. How would you characterize a successful homelessness prevention outcome (please check all that apply)?

- Delay in EAU Application Return To Previous Accommodation
 Maintaining Apartment / Securing New Apartment Other (please specify): _____

RENTAL ASSISTANCE

34. How many Jiggetts cases do you handle per year (e.g., new, restorations, move, modifications, etc.)?

35. What types of other rent subsidies, subsidized housing, or other public benefits do you try to obtain for families?

- NYCHA Section 8 Maximizing Public Assistance Grant
 ACS Subsidy Other _____

36. How do you help families address rent arrears?

- Private cash grant HRA grant Other _____

FUNDING FOR PROGRAM

37. What is the annual budget for the program? _____

38. What are the sources of funding support for your homelessness prevention program(s):

ELIGIBILITY CRITERIA / INTAKE

39. Does your homelessness prevention program limit whom it can serve?

40. Does your homelessness prevention program use eligibility criteria to determine whom it will serve and if so what are they?

HOUSING COURT

41. Please prioritize the following potential strategies for improving homeless prevention efforts in Housing Court?

Expand legal representation of tenants Expand number of pro se attorneys at the Resource Centers

Expand pro bono efforts – representational model Expand pro bono efforts – advice/unbundling model

Expand informational tables Expand paralegal assistance to tenants

Other _____

Please explain why you prioritized the choices above as you did.

APPENDIX A-3

SMP QUESTIONNAIRE II

(For Anti-Eviction Legal Services Providers)

**FAMILY HOMELESSNESS PREVENTION PROGRAM – LEGAL SERVICES
SMP QUESTIONNAIRE**

Thank you for taking the time to meet with us to discuss family homelessness prevention. The Family Homelessness Special Master Panel (“SMP”) has been put in place by the parties in the McCain homeless families’ class action and related litigations and approved by the Court. The SMP is charged with two mandates: first, to conduct a comprehensive evaluation of the family shelter system and issue recommendations, and, second, if necessary, to adjudicate disputes between the parties. We are speaking primarily to City-contracted community-based homelessness prevention programs that provide legal and/or non-legal services in New York City; we are visiting 10 community-based organizations. During these meetings we hope to brainstorm various types of help that could assist at-risk families avoid becoming homeless.

Information collected through this survey will be analyzed and, along with other sources of information, used to formulate recommendations. The SMP will submit these recommendations to the Court. No program or individual will be identified by name in any SMP report. **All information that you provide us is confidential and no individual or program will be mentioned by name.**

GENERAL INFORMATION

Name of Agency _____
Agency Founding Date _____
Agency Mission _____ _____
Agency / Program Budget _____
Target Neighborhoods of Services _____ _____
Programs Agency Operates for Homeless Families Other than Prevention _____ _____

QUESTIONS

GENERAL OVERALL INFORMATION ABOUT HOMELESS PREVENTION PROGRAM(S)

1. Where are your programs located?

- Bronx Brooklyn Manhattan Queens Staten Island Citywide
 Borough-wide Specific Neighborhood or Community District (please specify)
-
-

2. How many (or what percent) of families in the communities you serve are experiences a housing crisis or are at risk of homelessness?

2. Where are services provided?

- CBO neighborhood office Housing Court HRA Job / Welfare Center
 Other (please specify) _____
-
-

3. Staffing of legal homelessness prevention programs:

- Attorney (__ number) Paralegal (__ number) Other legal staff (__ number)

5. If you use non-attorney personnel, what kind of training do they receive? _____

6. Types of legal homelessness prevention services offered?

- Housing Public benefits Other (please specify) _____
-
-
-
-
-

7. In addition to legal representation in Housing Court, please indicate whether your family homelessness prevention program(s) also offer(s) the follow services.

- | | |
|--|---|
| <input type="checkbox"/> Public Benefits Advocacy | <input type="checkbox"/> Landlord / Tenant Organizing |
| <input type="checkbox"/> Landlord / Tenant Mediation | <input type="checkbox"/> Case Management |
| <input type="checkbox"/> Emergency Cash Grants | <input type="checkbox"/> Referrals |
| <input type="checkbox"/> Family Mediation | <input type="checkbox"/> Family Support (<i>e.g.</i> , child care, peer support, wrap-around, parenting) |
| <input type="checkbox"/> Paralegal Eviction Prevention | <input type="checkbox"/> Crisis Intervention |
| | <input type="checkbox"/> Tenant Education (please describe) |
| | _____ |
| | _____ |
| <input type="checkbox"/> Other (please describe) | _____ |

Please describe any other the homelessness prevention services you provide below.

OUTREACH AND COMMUNITY LINKAGES

8. How do families get to your program(s) (check off all that apply):

- | | |
|---|-------------------------------------|
| <input type="checkbox"/> Word of Mouth | <input type="checkbox"/> Self-Refer |
| <input type="checkbox"/> Referral by government agency(ies) (please specify): _____ | |
| _____ | |
| _____ | |
| <input type="checkbox"/> Referral by church(es) (please specify): _____ | |
| _____ | |
| _____ | |
| <input type="checkbox"/> Referral by CBOs (please specify): _____ | |
| _____ | |
| _____ | |
| <input type="checkbox"/> Referral by elected officials: _____ | |
| _____ | |
| _____ | |

Other referral source (please specify): _____

9. Describe the implications of timing and the prevention strategies that you use.

10. How do you define an “early” case and an “advanced” case?

10. What percentage of the total caseload comes to your office at the following stages that apply?

Notice of Eviction

Post-Eviction

Illegal Lock-out

Notice of Petition

Post-Pro se Stipulation

Other (please specify)

CROSS-AGENCY RELATIONSHIPS AND RELATIONSHIPS WITH GOVERNMENT AGENCIES

12. Do homeless prevention programs collaborate with one another? How do they do so? Do they share information? Identify common issues? Is there a coordinating group?

13. Are there other homeless prevention programs with which you work and, if so, in what way?

13. What kind of relationship does your homeless prevention program have with government agencies?

Formal (MOUs; contracts; etc.)

Informal (please describe):

14. Please describe the types of assistance your programs obtain on behalf of families from the following government agencies:

HRA (describe links to HRA Homelessness Diversion Programs) _____

Housing Court _____

HPD _____

NYCHA _____

DHS _____

DHCR _____

Other _____

15. Please describe the types of assistance your programs obtain for families from other CBOs:

Food

Cash grants

Other legal services (please specify) _____

How do you deal with residual public benefits issues once families' Housing Court cases are resolved? What types of public benefits issues, if any, do you continue to handle?

20. What are / Are there common characteristics of families whose homelessness you prevent?

21. What are / Are there common characteristics of families who become homeless after you have tried to prevent it?

22. What are the most important ways to prevent homelessness?

23. What kinds of prevention interventions / types of help should be tried and/or expanded? _____

24. In your opinion, what are the major causes of homelessness (aside from the lack of affordable housing)?

25. Are there any other homeless prevention programs that you think we should visit?

26. How does your program handle doubled-up families at risk of homelessness who seek assistance?

PROGRAM PERFORMANCE TRACKING

27. Success of homeless prevention programs. If possible, please estimate annual numbers for the following:

____ **Number of evictions averted**

____ **Number of EAU applications averted**

28. How does your program define a “successful” case outcome? _____

29. Could you estimate the number of families that you delay from applying for shelter at the EAU per year?

30. Do you have a performance-based contract? What are the performance indicators?

31. How many families does your homeless prevention program serve per year? _____

32. How would you characterize a successful homelessness prevention outcome (please check all that apply)?

Delay in EAU Application

Return To Previous Accommodation

Maintaining Apartment / Securing New Apartment

Other (please specify): _____

HOUSING COURT

40. Please prioritize the following potential strategies for improving homeless prevention efforts in Housing Court?

- Expand legal representation of tenants Expand number of pro se attorneys at the Resource Centers
- Expand pro bono efforts – representational model Expand pro bono efforts – advice/unbundling model
- Expand informational tables Expand paralegal assistance to tenants
- Other _____

Please explain why you prioritized the choices above as you did.

Special Master Panel Description

The New York City Family Homelessness Special Master Panel was created by a New York State Supreme Court Order (Index No. 45177/86) of Justice Helen E. Freedman on January 17, 2003. The Special Master Panel settlement was negotiated by parties to long-standing class actions involving homeless families, including the City of New York and the New York City Department of Homeless Families, and counsel to plaintiffs (the Legal Aid Society). The agreement covers four matters: McCain, Lamboy, Slade and Cosentino.

The stipulation agreement creates an independent panel with broad powers to help the city shape its policies and programs for homeless families and to intercede with the Parties in extreme circumstances involving a major problem. Panel members John D. Feerick, Daniel Kronenfeld and Gail B. Nayowith are serving for a period of two years and are charged with evaluating the functioning of the shelter system for homeless families and making recommendations for improvement in such areas as: the process of application for shelter services; the operation of the Emergency Assistance Unit; the placement of families into shelter facilities, including the use of overnight accommodations pending shelter placement; and client responsibility. The Panel will also address adequacy of shelter placements, health and safety, and relocation to permanent housing.

The Panel is staffed by Dora Galacatos, Director, and Maria Toro, Associate.

¹ The New York City Department of Homeless Services, The Second Decade of Reform: A Strategic Plan for New York City's Homeless Services 2 (June 2002) [hereinafter DHS, Strategic Plan].

² January 17, 2003 Agreement, ¶ 4.

³ See, e.g. McCain v. Giuliani, Interim Order, at ¶ 5(e) (Sup. Ct. N.Y. Co. Mar. 17, 1998) (enjoining the City to process Jiggetts applications at the EAU); McCain v. Giuliani, Order, ¶¶ II.A.1-II.A.6 (Sup. Ct. N.Y. Co. Feb. 1, 1995) (enjoining the City, among other requirements, to assign entitlement specialists at the EAU, to assign HRA staff to address such cases, and to ensure HRA adequately staff Diversion Teams).

⁴ January 17, 2003 Agreement, ¶ 8 (“The Panel will provide the Court with periodic reports of its work, including any recommendations to modify an existing order, which recommendations the Court can enforce.”).

⁵ Id. ¶ 2.

⁶ Id. ¶ 7.

⁷ See, e.g., Martha Burt et al., Helping America's Homeless: Emergency Shelter or Affordable Housing? 8 (2001) [hereinafter Burt, Helping America's Homeless]; Stephen Metraux & Dennis P. Culhane, Family Dynamics, Housing, and Recurring Homelessness Among Women in New York City Homeless Shelters, 20 Journal of Family Issues (3) 371, 371-72 (May 1999) [hereinafter Family Dynamics, Housing, and Recurring Homelessness].

⁸ Burt et al., Helping America's Homeless, supra note 7, at 8.

⁹ Id.

¹⁰ Marybeth Shinn & Jim Baumohl, Rethinking the Prevention of Homelessness, in The 1998 National Symposium on Homelessness Research, *4 [hereinafter Rethinking the Prevention of Homelessness] (available at <http://aspe.os.dhhs.gov/ProgSys/homeless/symposium/13-Preven.HTM>).

¹¹ A homeless family “is undomiciled, has no fixed address, lacks a fixed regular nighttime residence, resides in a place not designed for or ordinarily used as a regular sleeping accommodation for human beings . . . , resides in a homeless shelter, resides in a residential program for victims of domestic violence, or resides in a hotel/motel on a temporary basis.” 94 ADM-20, at 5; see also id. at 22 (stating that to be eligible for family shelter, the family must demonstrate “that other temporary or permanent housing assistance is not available”).

¹² Shinn & Baumohl, Rethinking the Prevention of Homelessness, supra note 10, at *4.

¹³ Id. at *8-9.

¹⁴ Id. at *9 (“[W]hile homelessness can be prevented by creating resources or reallocating them from those who are not at risk to those who are, reallocation among groups at similar levels of risk is unlikely to affect overall prevalence rates [and] reallocation affects who gets the housing units, not how many are left homeless. . . .”).

¹⁵ Families at imminent risk of homelessness fall into a wide variety of circumstances. These situations can include families in unstable housing situations without tenancy rights, tenants without the economic ability to maintain their housing, and families in unsafe, overcrowded, and/or sub-standard housing. See also Shinn & Baumohl, Rethinking Homelessness Prevention, supra note 10, at *4 (stating that “[p]eople are ‘at risk’ of homelessness when they have lost security of tenure in any residential setting, whether a household or an institution”).

¹⁶ See Dennis P. Culhane, The Quandaries of Shelter Reform: An Appraisal of Efforts to “Manage” Homelessness, Social Services Review 438 (September 1992) [hereinafter The Quandaries of Shelter Reform].

¹⁷ Under New York State regulation, families can include a pregnant woman, a parent with a child or children, or two individuals who constitute a household under public assistance rules. See, e.g., 18 N.Y.C.R.R. § 900.2 (2003) (defining family for purposes of eligibility for temporary housing assistance).

¹⁸ New York City Department of Homeless Services, Average Daily Census (Family System) (available at www.nyc.gov/gtml/dhs/pdf/histdata.pdf) (accessed Oct. 28, 2003).

¹⁹ New York City Department of Homeless Services, Daily Report: 10/28/03 (Oct. 28, 2003) (data from October 27, 2003) (available at www.nyc.gov/html/dhs/pdf/dailyreport.pdf) (accessed Oct. 28, 2003).

²⁰ New York City Department of Homeless Services, Average Daily Census (Family System) (June 24, 2003) (available at www.nyc.gov/html/dhs/pdf/histdata.pdf) (accessed Oct. 28, 2003).

²¹ Id.

²² It should be noted that a difficulty in analyzing the data DHS reports to the available public is that it may include families without minor children.

²³ Dennis Culhane & Stephen Metraux, One-Year Rates of Public Shelter Utilization by Race/Ethnicity, Age, Sex and Poverty Status for New York City (1990 and 1995) and Philadelphia (1995), 18 Population Research and Policy Review 219, 227 (1999) (reporting on data that showed that children under the age of five have the highest shelter utilization rates) [hereinafter One-Year Rates of Public Shelter Utilization].

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- ²⁴ New York City Department of Homeless Services, Policy Brief: Homeless Demographics in New York City 3 (accessed Oct. 28, 2003) (available at www.nyc.gov/html/dhs/pdf/demographic.pdf).
- ²⁵ See, e.g., Culhane & Metraux, One-Year Rates of Public Shelter Utilization, *supra* note 23, at 229 (“[Based on 1990 data, in New York City,] [e]ven when controlling for poverty in 1990, poor black persons still stay in shelters at 7.1 times the rate of poor white persons, and poor black children still have 12.2 times the rate of shelter use as poor white children.”); Marybeth Shinn et al., Predictors of Homelessness Among Families in New York City: From Shelter Request to Housing Stability, 88 *American Journal of Public Health* 1651, 1653 (November 1998) (reporting that “African American families were at greater risk for homelessness than others with similar risk profiles”) [hereinafter Predictors of Homelessness]; Shinn & Baumohl, Rethinking the Prevention of Homelessness, *supra* note 10, at *12 (citing 1997 unpublished paper by Dennis Culhane and colleagues, which found that during a one-year period 10 percent of poor children under the age of five in Philadelphia and in New York stayed in a shelter, including 16 percent of poor African-American children).
- ²⁶ See Yin-Ling Irene Wong et al., Predictors of Exit and Reentry among Family Shelter Users in New York City, *Social Service Review* 441, 459 (September 1997) (“Researchers on homelessness . . . have argued the importance of racial exclusion, housing segregation, and discrimination in understanding individual vulnerability to homelessness.”) [hereinafter Wong et al., Predictors of Exit and Reentry].
- ²⁷ Housing First!, Platform Statement (available at <http://www.housingfirst.net/platform.html>).
- ²⁸ Frank Braconi, Heavy Burdens, 9 *The Urban Prospect* (1) 2 (March/April 2003) (“[Thirty-two] percent of households in low-income areas report rent-to-income ratios above 50 percent, compared to 24 percent in high-income communities.”); see also Denise Wallin et al., State of New York City’s Housing and Neighborhoods 2002, 77 (2002) (reporting that nearly one-quarter (23.7%) of New York renters paid more than 50% of household income for rent in 2000).
- ²⁹ Housing First!, Platform Statement.
- ³⁰ New York City Department of Housing Preservation and Development, The New Marketplace: Creating Housing for the Next Generation, 4 (Dec. 10, 2002) (available at www.nyc.gov/html/hpd/pdf/new-marketplace.pdf) [hereinafter HPD, The New Marketplace]. ; see also Wallin et al., State of New York City’s Housing and Neighborhoods 2002, *supra* note 28, at 199 (“According to data from the U.S. Census, the percent of severely crowded households (defined as 1.5 persons per room or more) in New York City grew from 5.6% of all households in 1990 to 7.5% of households in 2000.”); Marybeth Shinn et al., Predictors of Homelessness, *supra* note 25, at 1656 (reporting that 13% of families on the welfare caseload in New York City in 1988 doubled up with others).
- ³¹ See DHS, Strategic Plan, *supra* note 1, at 16-17.
- ³² The Mayor’s Management Report Fiscal 2003 51 (2003). DHS is working to reduce the average length of stay in family shelters, DHS, Strategic Plan, *supra* note 1, at 23, and progress in this area will decrease average shelter stay costs. A more recent estimate of the average shelter cost for families is \$25,000. Leslie Kaufman, Prevention is New Focus for Homeless: City Looks at Causes Amid Record Demand, *N.Y. Times*, Sept. 16, 2003, at B1; see also DHS, Emergency Housing Services for Homeless Families: Monthly Report September, 2003 2 (stating that the average length of stay for the month of August 2003 was 332.99 days).
- ³³ Burt et al., Helping America’s Homeless, *supra* note 7, at 137 (citations omitted).
- ³⁴ *Id.*; see also Culhane & Metraux, One-Year Rates of Public Shelter Utilization, *supra* note 23, at 233 (citing studies that reported deleterious effects of homelessness on children); Marybeth Shinn & Beth C. Weitzman, Homeless Families are Different, in Homelessness in America 118-22 (Jim Baumohl ed. 1996) (same); Debra J. Rog, The Evaluation of the Homeless Families Program: Challenges in Implementing a Nine-City Evaluation, 52 *New Directions for Program Evaluation* 47, 48 (Winter 1991) (same).
- ³⁵ See, e.g., Kirsten Cowal et al., Mother-Child Separations Among Homeless and Housed Families Receiving Public Assistance in New York City, 30 *American Journal of Community Psychology* (5) 711, 727 (Oct. 2002) (“A surprising number of formerly homeless children were separated from their mothers only after the family left shelter for the last time.”).
- ³⁶ DHS, Strategic Plan, *supra* note 1, at 34.
- ³⁷ See Leslie Kaufman, Prevention is New Focus for Homeless: City Looks at Causes Amid Record Demand, *N.Y. Times*, Sept. 16, 2003, at B6.
- ³⁸ Shinn et al., Predictors of Homelessness, *supra* note 25 at 1651-57.
- ³⁹ *Id.* at 1655; see also *id.* at 1654 (concluding that data showed that families leaving shelter into subsidized housing were 20 times more likely to be stably housed than families leaving shelter without subsidized housing).
- ⁴⁰ Wong et al., Predictors of Exit and Reentry, *supra* note 26, at 442, 459.
- ⁴¹ *Id.* at 451.

⁴² For additional studies demonstrating the long-term stabilizing effect of housing subsidies, see Daniela Strojancovic et al., Tracing the Path Out of Homelessness: The Housing Patterns of Families After Exiting Shelter, 27 *Journal of Community Psychology* (2) 199, 203-04 (1999) (over 73% of sample studied of families discharged to subsidized housing maintained their own housing) [hereinafter Tracing the Path Out of Homelessness], and Debra J. Rog et al., Implementation of The Homeless Families Program: 1. Service Models and Preliminary Outcomes, 65 *American Journal of Orthopsychiatry* (4) 502, 511 (Oct. 1995) (finding that 88% of families discharged to subsidized housing in six different cities as part of a multi-site demonstration project maintained their own housing 18 months after discharge) [hereinafter Implementation of the Homeless Families Program].

⁴³ Shinn et al., Predictors of Homelessness, *supra* note 25 at 1655 (“Individual characteristics were more important in predicting shelter requests than later stability, but no conceptual group of variables predominated.”); Rog et al., Implementation of The Homeless Families Program, *supra* note 42, at 512 (“The present analysis found early rates of stability across sites to be unrelated to family characteristics and service delivery configurations.”).

⁴⁴ Source: DHS internal report (based on DHS HOMES 2002 data, citing a reentry rate of 25% to 30% between 1991 and 2001); *see infra* pp. 29-30 (discussing shelter reentry).

⁴⁵ Wong et al., Predictors of Exit and Reentry, *supra* note 26, at 452 (finding reentry rates of 3.6% for families discharged to NYCHA housing, 12.6% for families discharged to HPD housing, and 7.8% for families discharged through EARP); *see also* Strojancovic et al., Tracing the Path Out of Homelessness, *supra* note 42, at 207 (reporting highest rates of shelter reentry among families discharged to subsidized housing for those families in HPD units).

⁴⁶ Carolyn A. Berry & Beth C. Weitzman, Factors Affecting Housing Comfort Among Formerly Homeless Families: Housing Quality of Individual Vulnerabilities?, 26 *The Community Psychologist* (2) 27, 29 (Spring 1993) [hereinafter Factors Affecting Housing Comfort].

⁴⁷ Culhane & Metraux, One-Year Rates of Public Shelter Utilization, *supra* note 23, at 233 (noting high incidence of young women and pre-school children seeking and entering shelter); Shinn & Weitzman, Homeless Families are Different, *supra* note 34, at 109-12.

⁴⁸ Shinn et al., Predictors of Homelessness, *supra* note 25, at 1652; Shinn & Weitzman, Homeless Families are Different, *supra* note 34, at 113.

⁴⁹ Wong et al., Predictors of Exit and Reentry, *supra* note 26, at 457.

⁵⁰ Metraux & Culhane, Family Dynamics, Housing, and Recurring Homelessness, *supra* note 7, at 372 (defining family instability as occurring in “households in which either parents or children are absent . . . for extended periods of time”).

⁵¹ *Id.* at 372.

⁵² Shinn & Weitzman, Homeless Families are Different, *supra* note 34, at 113; Metraux & Culhane, Family Dynamics, Housing, and Recurring Homelessness, *supra* note 7, at 374-75; Shinn et al., Predictors of Homelessness, *supra* note 25 at 1652.

⁵³ *See, e.g.*, Metraux & Culhane, Family Dynamics, Housing, and Recurring Homelessness, *supra* note 7, at 375 (noting prevalence of domestic violence among homeless families); Shinn et al., Predictors of Homelessness, *supra* note 25 at 1652 (same); Ellen L. Bassuk et al., The Characteristics and Needs of Sheltered Homeless and Low-Income Housed Mothers, 276 *JAMA* (8) 640, 644 (Aug. 28, 1996) (same); *see also* Shinn & Weitzman, Homeless Families are Different, *supra* note 34, at 113 (citing reports that between 23% and 27% of adults in homeless families reported abuse by a partner as an adult).

⁵⁴ Wong et al., Predictors of Exit and Reentry, *supra* note 26, at 459 (citing various studies); *see supra* text accompanying notes 25 and 26.

⁵⁵ Wong et al., Predictors of Exit and Reentry, *supra* note 26, at 459 (“Researchers on homelessness . . . have argued the importance of racial exclusion, housing segregation, and discrimination in understanding individual vulnerability to homelessness.” (citations omitted)); *see also* One-Year Rates of Public Shelter Utilization, *supra* note 23, at 232-33 (discussing differential impact by race).

⁵⁶ *See, e.g.*, Shinn & Baumohl, Rethinking the Prevention of Homelessness, *supra* note 10, at *6; Shinn et al., Predictors of Homelessness, *supra* note 25 at 1653 (formulating various models, the best of which successfully targeted 66% of shelter requesters but served as well 10% of families who are never-shelter requesters).

⁵⁷ Randall Kuhn & Dennis P. Culhane, Applying Cluster Analysis to Test a Typology of Homelessness by Pattern of Shelter Utilization: Results From the Analysis of Administrative Data, 26 *American Journal of Community Psychology* (2) 207, 207 (Apr. 1998) (study of shelter usage among homeless singles found three distinct group of users, transitional homeless singles, episodically homeless singles, and chronically homeless singles) [hereinafter Applying Cluster Analysis]. DHS is currently working on developing some typologies; however, a comparable study of shelter usage in the family shelter system has not been conducted and could provide helpful insights.

⁵⁸ Shinn & Baumohl, Rethinking the Prevention of Homelessness, *supra* note 10, at *7 (“Any predictive model, then, is in jeopardy of becoming rapidly outdated and progressively inefficient[;] [h]omelessness is a dynamic phenomenon, chased but never really captured by research.”).

⁵⁹ *Id.* at *9 (“At an individual level homelessness has been prevented for program participants, but at the population level, no prevention has occurred.”).

⁶⁰ *Id.* (“Allocation of resources poses a real dilemma for policy makers.”).

⁶¹ Citizens’ Committee for Children of New York, Inc., Government Rent Subsidies Programs for Families in New York City 3 (Feb. 2001).

⁶² Due to the very high demand for housing subsidies, the city has amassed very large waiting lists with average waits of eight years. As a result, the city closed the waiting list for Section 8 vouchers in 1994. Victor Bach & James DeFilippis, Section 8 Housing Vouchers: Block Grants to the State?, 10 Community Service Society Policy Brief 3 (June 2003) (stating that, in New York City, 154,000 households have placed their names on the Section 8 voucher waiting list and wait on average over 8 years) [hereinafter Section 8 Housing Vouchers]. 120,000 families are on the waiting list for NYCHA apartments. Victor Bach, The Future of Public Housing in New York City, 14 Community Service Society Urban Agenda Issue Brief 1 (July 1999).

⁶³ See Culhane, The Quandaries of Shelter Reform, *supra* note 16, at 438.

⁶⁴ DHS, Strategic Plan, *supra* note 1, at 8.

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*; see also *id.* at 34.

⁶⁸ See App. A-2 & A-3.

⁶⁹ See App. A-1 (list of community-based providers SMP interviewed); see also Apps. A-2 & A-3, (SMP questionnaires for legal and non-legal homelessness prevention programs).

⁷⁰ Source: DHS 2003 internal analysis.

⁷¹ *Id.* (reporting funding levels for HIP of \$2.78 million between September 1, 2002 through August 31, 2003 and for SHIP of \$2.30 million between March 1, 2002 through February 28, 2003).

⁷² *Id.* (reporting funding level of \$10.78 million for all anti-eviction legal services programs).

⁷³ *Id.* (citing funding levels of \$13.73 million for four contracts citywide).

⁷⁴ *Id.* (reporting funding level of \$2.85 million for three contracts citywide).

⁷⁵ *Id.* (reporting among other services targeted to individuals \$1.06 million for contracts citywide).

⁷⁶ The sources for these rent arrears are Emergency Assistance for Adults, which provides emergency grants to persons in receipt of Supplemental Security Income; Emergency Assistance to Families, which is limited to families with children; and, Emergency Safety Net Assistance.

⁷⁷ See <http://www.efsp.unitedway.org/efsp/pages/about.htm> (describing the program guidelines for EFSP).

⁷⁸ Source: New York City DHS data (McCain families only). The data show for Fiscal Year 1999 to Fiscal Year 2003 an 18.0% increase in the percent of family applicants headed by 31-45 year olds as a proportion of total applicants (from 25.5% to 30.1%) and a 16.1% increase in the percent of family entrants in this age category as a proportion of total entrants (from 29.8% to 34.6%). In addition, the data show for this time period a 78.3% increase in the percent of family applicants headed by persons over 45 years of age as a proportion of total applicants (from 2.3% to 4.1%) and a 85.2% increase in the percent of family entrants this age as a proportion of total entrants (from 2.7% to 5%). *Id.*

⁷⁹ Source: New York City DHS data.

⁸⁰ Source: New York City DHS data.

⁸¹ 94 ADM-20, at 6 (Pt. V.A).

⁸² See, e.g. McCain v. Giuliani, Decision, at 6-7 (Sup. Ct. N.Y. Co. Jan. 31, 2001) (ordering compliance with prior orders); McCain v. Giuliani, Interim Order, at 7, ¶ 5(b) (Sup. Ct. N.Y. Co. Mar. 17, 1998) (enjoining city from denying shelter to homeless children and their families when housing is unsafe or overcrowded); McCain v. Giuliani, Interim Order, at 2, ¶ 3 (Sup. Ct. N.Y. Co. Sept. 10, 1997) (same); McCain v. Giuliani, Interim Order, at 3 (Sup. Ct. N.Y. Co. Nov. 27, 1996) (ordering compliance with state policy directives in making eligibility determinations).

⁸³ 94 ADM-20, at 6 (Pt. V.A).

⁸⁴ Source: New York City DHS data.

⁸⁵ See *supra* pp. 18-19 and notes 70-75.

⁸⁶ Source: New York City DHS data. This data include only families with minor children.

⁸⁷ Id.

⁸⁸ Carroll Seron et al., The Impact of Legal Counsel on Outcomes for Poor Tenants in New York City's Housing Court: Results of a Randomized Experiment, 35 Law & Soc'y Rev. 419, 421 (2001) (citing various reports, the most recent of which found that only 12% of tenants have legal representation compared to 98% of landlords) [hereinafter Impact of Legal Counsel]; Housing Court, Evictions and Homelessness: The Costs and Benefits of Establishing a Right to Counsel, Community Training and Resource Center and City-Wide Task Force on Housing Court, Inc. 13 (June 1993) (finding that 11.9% of tenants in New York City Housing Court were represented by an attorney and 97.6% of landlords were represented by an attorney).

⁸⁹ Source: Civil Court of the City of New York.

⁹⁰ Source: NYC DHS data.

⁹¹ Id.

⁹² See, e.g., Legal Aid Society, Status Report on the Work of the Legal Aid Society's Homelessness Prevention Legal Services Program For Families with Children: Results and Analysis 18, 24, 28, 32, & 48 (2002) [hereinafter LAS, 2002 Report]; Seron et al., Impact of Legal Counsel, *supra* note 88, at 431 (reporting more beneficial outcomes for low-income tenants in Housing Court with legal representation than for those without counsel); Steven Gunn, Eviction Defense for Poor Tenants: Costly Compassion or Justice Served?, 13 Yale L. & Pol'y Rev. 385, 420-21 (1995) (reporting study finding that legal representation prevented or delayed evictions and thus helped tenants stay home or find alternate housing) [hereinafter Eviction Defense for Poor Tenants]; interviews with community-based anti-eviction programs; see also Helaine M. Barnett, An Innovative Approach to Permanent State Funding of Civil Legal Services: One State's Experience – So Far, 17 Yale L. & Pol'y Rev. 469, 477 n.13 (1998) (citing 1990 New York State Department of Social Services Study that concluded that the legal representation provided by the prototypical eviction program saved approximately \$4 for every \$1 of cost).

⁹³ See, e.g., LAS, 2002 Report, *supra* note 92, at 10.

⁹⁴ Id. at 12.

⁹⁵ See, e.g., Jonathan L. Hafetz, Homeless Legal Advocacy: New Challenges and Directions for the Future, 30 Fordham Urb. L.J. 1215, 1255 (2003) (noting declining funding for eviction prevention legal services); see also The IOLA Fund of the State of New York (reporting declining interest income of \$1.6 million in January 2001 to \$0.8 million in August 2003, which income helps fund civil legal services for low-income New Yorkers) (available at www.iola.org).

⁹⁶ Gunn, Eviction Defense for Poor Tenants, *supra* note 92, at 421.

⁹⁷ See *infra* p. 31 (discussing the problem of overcrowding and the extent of doubled up families in New York City).

⁹⁸ Source: New York City DHS data.

⁹⁹ Id. The manner in which the EIU coded information changed prior to January 2003 in such a way that prior to that point the numbers of families citing DV, evictions, and doubling up as the reason for seeking shelter could have been undercounted.

¹⁰⁰ Source: DHS internal analysis.

¹⁰¹ See, e.g., U.S. Department of Housing and Urban Development, Housing Choice Voucher Guidebook § 10.3 (setting out “acceptability criteria” and stating that dwelling units must have at least one bedroom or living/sleeping room for very two persons”); 24 C.F.R. § 966.4 (governing public housing lease requirements); see also U.S. Department of Housing and Urban Development, Public Housing Occupancy Guidebook § 2.2 (defining family); New York City Housing Authority, Management Manual 4 (“Staff shall not approve boarders, lodgers or transient paying guests for either permanent or temporary residence.”); *id.* (stating that managers can grant exceptions and permit temporary residents for only one year lengths of stay).

¹⁰² 18 N.Y.C.R.R. §§ 352.32(e)(2)(iii) & (iv) (2003) (prohibiting the prorating of shelter allowance when doubled up families have no one member legally responsible for anyone else in the other family); see also 03 ADM 7, at 4 (stating that the intent of the provision is “to preserve housing when more than one family resides in the same dwelling”) (effective Nov. 1, 2003).

¹⁰³ 18 N.Y.C.R.R. § 352.32(e)(4) (2003) (“Notwithstanding the provisions of this subdivision, local social services districts must not prorate the shelter allowance of families facing emergency housing situations who move into a household which contains another public assistance family, and where no one in the case is legally responsible for anyone in the other case.”) (effective Nov. 1, 2003).

¹⁰⁴ See *infra* p. 44 (discussing income support issues).

¹⁰⁵ See, e.g., N.Y. Real Prop. § 235-f (2003).

¹⁰⁶ The SMP requested data on the numbers of working families applying for and entering shelter. DHS, however, does not collect this information on an ongoing basis. A recent DHS analysis of a self-reported survey conducted at

the EAU between January and March 2003, however, suggests that 13% of applicant families had a family member employed.

¹⁰⁷ 18 N.Y.C.R.R. § 352.7(g)(3)(vii) (2003) (effective Nov. 1, 2003).

¹⁰⁸ 18 N.Y.C.R.R. Pt. 372 (2003) (Emergency Assistance to Needy Families with Children); 18 N.Y.C.R.R. Pt. 397 (2003) (Emergency Assistance to Adults).

¹⁰⁹ See supra p. 19 (discussing the Emergency Food and Shelter Program).

¹¹⁰ Braconi, Heavy Burdens, supra note 28, at 9. Housing affordability plagues New Yorkers of many income levels. In 1999, New York renters spent an estimated 27.4% of their household income on rent. Wallin et al., State of New York City's Housing and Neighborhoods 2002, supra note 28 at 76. The percentage of all New Yorkers spending 50% or more of household income on rent increased from 17.6% to 19.9% from 1991 to 1999. Id. at 78.

¹¹¹ See infra pp. 43-44; Bach & DeFillipis, Section 8 Housing Vouchers, supra note 62 (citing large waiting lists, which reveals continued unmet need for rental assistance in New York City).

¹¹² Ellen L. Bassuk et al., Responding to the Needs of Low-Income Homeless Women Who are Survivors of Family Violence, 53 Continuing Medical Education (2) 57, 57 (Spring 1998); Shinn et al., Predictors of Homelessness, supra note 25 at 1652; Shinn & Weitzman, Homeless Families are Different, supra note 34, at 113.

¹¹³ See, e.g., Sharmila Lawrence, Domestic Violence and Welfare Policy: Research Findings That Can Inform Policies on Marriage and Child Well-Being, National Center for Children in Poverty 2 (Dec. 2002) (available at <http://www.researchforum.org/newsletter/DomVio.pdf>) (stating that, while 22% of women among the general population have experienced domestic violence in their adult lives, most studies report lifetime DV rates for women receiving public assistance between 50% and 60% and reporting that recent or current DV rates among this population ranged from 8 to 33%); Eleanor Lyon, Welfare, Poverty, and Abused Women: New Research and Its Implications 2 (Oct. 2000) (available at http://www.vawnet.org/vnl/library/general/BCS10_POV.htm) (citing studies conducted of women receiving public assistance, which reported similar ranges of DV prevalence rates); see also Robert Pear, Welfare Spending Shows Huge Shift, N.Y. Times, Oct. 13, 2003, at A12 (“Welfare officials say that at least 20 percent of welfare recipients have suffered [DV] in the last year. . .”).

¹¹⁴ Source: DHS internal data analysis. For Fiscal Year 2002, DHS data show that 6.49% of applicants and 9.44% of entrants cited DV as the reason for seeking shelter.

¹¹⁵ Under New York State law, a victim of domestic violence suffers physical or emotional injury or is at substantial risk of such harm due to designated acts perpetrated by “family or household member.” N.Y. Soc. Serv. § 459-a. The law defines “family” and “household member” to extend beyond intimate partner and to include in part: “(a) persons related by consanguinity or affinity; (b) persons legally married to one another; (c) persons formerly married to one another regardless of whether they still reside in the same household; (d) persons who have a child in common regardless of whether such persons are married or have lived together at any time; [or] (e) unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household.” Id. Notably, several focus group participants cited non-intimate partner domestic violence; alleged perpetrators included the partners of siblings and parents.

¹¹⁶ Tier II Coalition Research and Evaluation Committee, Characteristics of Homeless Families in the New York City Tier II Shelter System 2, 5-6 (2000).

¹¹⁷ Id. at 6.

¹¹⁸ HRA oversees 36 DV shelters with a total of 1832 beds, which accommodates approximately 600 families.

Source: HRA personnel.

¹¹⁹ 18 N.Y.C.R.R. §§ 452.9(d)(1) & (2).

¹²⁰ N.Y. Soc. Serv. § 131(3); see also Martin v. Gross, 153 App. Div.2d 812, 818 (1st Dep’t 1989) (noting that shelter of homeless families may be needed to avert foster care placement).

¹²¹ See Citizens’ Committee for Children of New York, Inc., Implementing Rent Assistance that Works: A Review of New York City Funded Rent Assistance for Families, 20, 40 (Aug. 2003).

¹²² Id. at 38 (explaining that the FUP Priority Code Program also gave priority status to families involved in the child welfare system).

¹²³ Shinn et al., Predictors of Homelessness, supra note 25 at 1651, 1564.

¹²⁴ Id. at 1655.

¹²⁵ Wong et al., Predictors of Exit and Reentry, supra note 26, at 441-52. The study found the highest reentry rate among families who made their own arrangements (37%) and the lowest among those discharged to subsidized housing (7.6%). Id. at 451. Families who returned to their prior residence or found apartments on their own reentered shelter at a rate of 13% and families discharged to other exit destinations reentered at a rate of 30%. Id.

¹²⁶ Id. at 455-57.

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- ¹²⁷ Id. at 459.
- ¹²⁸ Berry & Weitzman, Factors Affecting Housing Comfort, supra note 46, at 29.
- ¹²⁹ New York City Department of Homelessness Services, Top Ten – Fiscal Year 2003 (reduce re-entries into the shelter system) (available at www.nyc.gov/html/dhs/pdf/toptenfy04.pdf) (accessed Oct. 28, 2003).
- ¹³⁰ Source: DHS 2002 internal analysis.
- ¹³¹ The Mayor’s Management Report: Fiscal 2003, supra note 32, at 104.
- ¹³² Kuhn & Culhane, Applying Cluster Analysis, supra note 57, at 207.
- ¹³³ Shinn, Predictors of Homelessness, supra note 25 at 1652; Metraux & Culhane, Family Dynamics, Housing, and Recurring Homelessness, supra note 7, at 374.
- ¹³⁴ Source: New York City DHS analysis using 2002 DHS HOMES data.
- ¹³⁵ Under state regulation, adult-only families must constitute a family household under public assistance rules. 18 N.Y.C.R.R. § 900.2(a), (b) (2003).
- ¹³⁶ Jeremy Travis, But They All Come Back: Rethinking Prisoner Reentry, Sentencing & Corrections: Issues for the 21st Century, (7) 1 (May 2000) (reporting that nationally, in 2000, 500,000 ex-offenders reentered community and that in 1980 only 170,000 ex-offenders did so) (available at www.ncjrs.org/pdffiles1/nij/181413.pdf); see also Jeremy Travis et al., From Prison to Home: The Dimensions and Consequences of Prison Reentry 1 (June 2001) (reporting that nationwide 600,000 would be released from state and federal prison to return to their communities) (available at 222.urban.org/pdf/from_prison_to_home.pdf) [hereinafter From Prison to Home].
- ¹³⁷ Fifth Avenue Committee, Developing Justice in South Brooklyn: A Neighborhood Program Advances Community Justice 4 (Feb. 2003).
- ¹³⁸ Id. at 6, 17; Travis, From Prison to Home, supra note 136, at 35-36.
- ¹³⁹ See supra p. 13 (discussing rent burdens and vacancy rates).
- ¹⁴⁰ HPD, The New Marketplace, supra note 30, at 4-6.
- ¹⁴¹ Wallin et al., State of New York City’s Housing and Neighborhoods 2000, supra note 28, at 76.
- ¹⁴² Id.
- ¹⁴³ HPD, The New Marketplace, supra note 30, at 4, n.2 (citing U.S. Census 1999 New York City Housing and Vacancy Survey).
- ¹⁴⁴ Id. at 4.
- ¹⁴⁵ Wallin et al., State of New York City’s Housing and Neighborhoods, supra note 28, at 78.
- ¹⁴⁶ Id. (Chart 4-2).
- ¹⁴⁷ Braconi, Heavy Burdens, supra note 28, at 2.
- ¹⁴⁸ Id. at 3 (“Households with high rent-to-income ratios suffer from unusually low incomes rather than from unusually high housing costs.”); see also id. (“Among households with heads under age 65, those with lower rent burdens had average annual incomes of \$50,286 in 1999, compared to only \$10,301 for households with high rent burdens.”).
- ¹⁴⁹ New York City Department of City Planning, NYC 2000: Results from the 2000 Census – Socioeconomic Characteristics 27 (Chart “Percent of Households that are Overcrowded: New York City and Boroughs, 1990-2000) (showing worsening overcrowding in all five boroughs during the decade) (available at <http://www.ci.nyc.ny.us/html/dcp/pdf/census/sociopp.pdf>).
- ¹⁵⁰ Moon Wha Lee, Selected Findings of the 2002 New York City Housing and Vacancy Survey, New York City Department of Housing Preservation and Development 7 (Feb. 7, 2003) [hereinafter 2002 NYC HVS].
- ¹⁵¹ Id.
- ¹⁵² HPD, The New Marketplace, supra note 30, at 4 (using the U.S. Census definitions of crowded as more than one person per room and severely overcrowded as more than 1.5 persons per room).
- ¹⁵³ Wallin et al., State of New York City’s Housing and Neighborhoods 2000, supra note 28, at 199.
- ¹⁵⁴ HPD, The New Marketplace, supra note 30, at 4.
- ¹⁵⁵ Id.
- ¹⁵⁶ Wallin et al., State of New York City’s Housing and Neighborhoods 2000, supra note 28, at 6; see also 2002 NYC HVS, supra note 150, at 3 (a more recent statistic indicates that in 2002 the citywide vacancy rate dropped further to 2.94%).
- ¹⁵⁷ 2002 NYC HVS, supra note 150, at 3.
- ¹⁵⁸ Id. at 4.
- ¹⁵⁹ Bach, The Future of Public Housing In New York City, supra note 62, at 1.
- ¹⁶⁰ Id. at 1, 3.

¹⁶¹ James DeFillipis, Keeping the Doors Open: HUD-Subsidized Housing in New York City, Community Service Society Policy Brief 5 (June 2003).

¹⁶² Private owners that “opt-out” of federal assisted housing stock programs do so after providing 20 years of low income housing for families. Private owners that “buy-out” of federal assisted housing stock programs essentially pre-pay mortgages and therefore end the restriction regarding affordability. Id. at 1, 5-8.

¹⁶³ HPD, The New Marketplace, supra note 30, at 5 (citing 1999 New York City Housing and Vacancy Survey).

¹⁶⁴ Wallin et al., State of New York City’s Housing and Neighborhoods 2000, supra note 28, at 195 (HVS considers the following to be maintenance deficiencies in housing units: heating equipment breakdowns; additional heat required; rodent infestation; cracks/holes in walls, ceilings or floors; large areas of broken plaster or peeling paint; toilet breakdowns; or water leaking from outside the unit).

¹⁶⁵ Strojjanovic et al., Tracing the Path Out of Homelessness, supra note 42, at 204 (reporting that 31 out of 114 (or 27%) of families placed in subsidized permanent housing returned to shelter due to serious building problems or safety issues).

¹⁶⁶ The Mayor’s Management Report: Fiscal 2003, supra note 32, at 101, 103 (describing the city’s preservation of affordable housing strategies and efforts).

¹⁶⁷ Id. at 103.

¹⁶⁸ Center for the Study of Social Policy, An Assessment of the District of Columbia’s Community Care Program, iv (June 20, 2003).

¹⁶⁹ Id. at 10, 14.

¹⁷⁰ Id. at 10.

¹⁷¹ Id. at 21-24.

¹⁷² Source: DHS – HPD 2002 data match analysis.

¹⁷³ DHS, Strategic Plan, supra note 1, at 8.

¹⁷⁴ Id. at 10.

¹⁷⁵ Id. at 2, 34.

¹⁷⁶ Id. at 8.

¹⁷⁷ Id. at 3.

¹⁷⁸ Id. at 10.

¹⁷⁹ Id. at 7.

¹⁸⁰ Id. at 7-9.

¹⁸¹ Id. at 34-35.

¹⁸² Id. at 42-43.

¹⁸³ See generally John B. Mordock, Managing for Outcomes: A Basic Guide to the Evaluation of Best Practices in the Human Services 16-17 (2002); Dennis Culhane et al., Making Homelessness Programs Accountable to Consumers, Funders and the Public, in The 1998 National Symposium on Homelessness Research *1 (available at <http://aspe.hhs.gov/progsys/homless/symposium/4-Account.htm>) [hereinafter Making Homelessness Programs Accountable].

¹⁸⁴ Culhane et al., Making Homelessness Programs Accountable, supra note 183, at *17.

¹⁸⁵ DHS, Strategic Plan, supra note 1, at 42; see also The Urban Institute, Developing Community-Wide Outcome Indicators for Specific Services ix (2003) (promoting the benefits of wide participation among funders and providers in the development of outcome measures).

¹⁸⁶ Adopted almost entirely from Culhane article, Making Homelessness Programs Accountable to Consumers, supra note 183, at *7 - *13.

¹⁸⁷ Best practices has been defined as follows:

The term “best practices” refers to services that have been proven to be efficient and effective with specific groups of clients. Evolving from the emphasis of managed care organizations on cost-effective services, best practices have come to mean a performance standard. A best practice is a state-of-the-art practice, intervention, or service that will optimize client outcomes at the least cost. Through evaluation procedures, agencies can identify the services that they provide that would be considered best practices.

Mordock, Managing for Outcomes, supra note 183, at 27.

¹⁸⁸ See infra p. 44-45 (discussing income support issues).

¹⁸⁹ Although New York State has increased the public assistance shelter allowance, see 03 ADM 7, at Att. A, the new rent levels do not reflect the rental market or rent costs in New York City.

¹⁹⁰ See supra p. 31 (discussing rent burdens for New Yorkers, particularly low-income households).

¹⁹¹ See supra text accompanying note 62.

¹⁹² See 03 ADM 7, at 9.

¹⁹³ See supra pp. 23-25 (discussing recently evicted leaseholders and legal assistance programs).

¹⁹⁴ Id.