



City Council Hearing
General Welfare Committee
“Oversight: DHS’ Procedures for Locating Transitional Housing for the Homeless.”
Int. 79/2010
Thursday, June 10, 2010

INTRODUCTION

Good morning Chair Palma and members of the General Welfare Committee. I’m Seth Diamond, Commissioner of the Department of Homeless Services. Thank you for the opportunity to testify about the procedures that DHS follows as we locate transitional housing for homeless New Yorkers. As you will see, our process includes community notification and other efforts to ensure that all of our shelters and any sites we may open in the future act as responsible and respectful neighbors in their particular communities.

THE CITY’S LEGAL AND MORAL MANDATE

At the outset, it is important to emphasize that in the City of New York, homeless individuals and families who lack available housing have a right to shelter. The City is mandated by law and court order to provide short-term, emergency housing to every eligible homeless family or individual who is eligible for our services. Finding shelter for every man, woman and child who needs it remains a policy priority for this Administration, and I am very proud of my agency’s success in meeting this legal and moral mandate.

This past Tuesday night, DHS housed 35,686 individuals, including 14,622 children, in 206 transitional housing sites across five boroughs. On Tuesday alone, 182 families with children and 75 single adults sought shelter through the agency’s intake centers. Although this demand poses immense challenges, New York City successfully shelters homeless families and individuals seven days a week, 365 days a year.

Among the many challenges we face is ensuring that we comply with a complex set of federal, state and local laws and regulations. Under state and local law, DHS must place families with children in shelter pending investigation of applications for temporary housing assistance. As a practical matter, this means that the agency must shelter families the very same day they apply. DHS faces similar legal mandates with respect to homeless individuals facing a housing crisis.

At times, we must meet these legal and moral challenges in the face of community opposition sparked by pre-conceived notions about homeless families and individuals that pre-date all of us here today. Fortunately, however, in DHS’ 17-year history, such instances of “not in my backyard” have been few, and we have opened up hundreds of facilities without significant challenge. This is a testament to the procedures DHS employs in its siting of temporary, emergency housing, a process which considers

community concerns to the greatest extent possible. Our success is also a testament to the generosity and compassion of you and your fellow New Yorkers.

Another significant challenge DHS faces is meeting fluctuations in shelter demand caused by economic and other factors outside the agency's control. While we engage in capacity management planning on an ongoing basis, projecting shelter demand is not an exact science. I don't think any of us could have predicted the severity of the economic recession that first gripped the nation, including New York City, in fiscal years 2009 and 2010. As a result, we encountered a 17 percent increase in the number of families with children entering shelter in FY 2010 to date, as compared to the same period last year. We also experienced a 12 percent increase in our single adult shelter peak census in the winter of 2010 as compared to the winter of 2009. Nevertheless, because of the dedication and hard work of DHS staff and our many shelter providers, last month marked the seventh straight month of decline in the family shelter census.

THE OPEN-ENDED RFP PROCESS AND DEVELOPMENT OF NEW CAPACITY

It is precisely because of the inevitable fluctuations in shelter demand that DHS must maintain its ability to expand and contract shelter capacity as needed. This practice is also essential in order to balance shelter demand against our fiscal responsibility to avoid undue cost to the City. Although we have placed record numbers of homeless families with children into permanent housing from January 2009 through March 2010 — 10,725 families totaling approximately 32,175 individuals — we often must open new shelters as a temporary refuge for New Yorkers who literally have no other place to go. DHS accomplishes this through an Open-Ended Request for Proposals (or RFP) process through which predominately non-profit organizations offer their services as long-term shelter operators.

As the RFP is "open-ended," DHS does not prescribe due dates for submissions. This means that proposals from prospective providers may be submitted at any time, and we review all proposals as they are received. Based on capacity needs and whether or not the proposal meets the RFP criteria, DHS may select or reject a particular proposal. Locating suitable shelters is also driven in part by what proposals are submitted to us, when they are submitted, and what the level of shelter demand is at the time of a proposal's submission. It is the rare instance that, at any given moment in time, we are able to select and pursue one of several proposals, all of which are suitable for a given homeless population. Upon the agency's selection of a provider, DHS commences the contracting process, which ends with the New York City Comptroller's registration of an executed contract between DHS and the provider. Under the RFP, the operator would provide a significant level of services beyond simply providing a private living space or unit. The procurement process, which optimally takes seven to nine months assuming there are no delays beyond DHS' control, entails review by other City or Mayoral agencies, including the Mayor's Office of Contracts, the Office of Management and Budget, the Department of Investigation and the Law Department. The procurement process also includes public review of the draft contract, including a public hearing, as well as analysis under the Fair Share Criteria promulgated pursuant to Section 203 of the City Charter.

Given our legal obligation to meet all eligible homeless families' *immediate* need for shelter, while pursuing contract negotiations and procurement procedures with proposed providers, DHS also seeks to bring on additional capacity by reviewing offers of buildings for their use as temporary shelter. If DHS determines that a building is suitable for use as a shelter, it enters into a per diem arrangement

with the building's operator (i.e., the building owner or landlord) pursuant to which the operator receives a fee for shelter only in the form of a per diem rate per family. Operators of sites in use as per diem shelters may make arrangements with nonprofit entities to provide incidental services to the homeless families residing there. While per diem payment arrangements are entirely legal, DHS believes that, as a matter of sound policy, the agency should continue to move toward establishing contracts for per diem facilities to the extent shelter demand, existing capacity, provider willingness and fiscal constraints allow. The agency has made significant progress toward this end. As of May 31, 2010, 1,659 family shelter per diem units targeted for conversion are now subject to contracts which are in various stages of the procurement process. These units together with the 6,258 units currently under contract — 7,917 units in total — constitute over two thirds, or 73.29 percent of all units within the shelter system for families with children and adult families. This percentage does not include our single adult shelters all of which are under contract.

FORMAL COMMUNITY NOTIFICATION PROCESS

► Prospective Provider Notification

Pursuant to DHS' Open-Ended RFP process, at the time a prospective provider submits to DHS a proposal to operate a homeless shelter site, the proposer must have submitted prior written notification to the Community Board (its Chair and District Manager) of intent to submit a proposal to DHS. As explicitly stated in the Open-Ended RFP, a signed copy of the letter on official organization letterhead and proof that the letter was received by the Community Board must accompany the proposal submitted to DHS. In its proposal the prospective provider must include an introductory paragraph stating that the proposer has submitted a proposal under the Open-Ended RFP process for review; the type of proposed site (e.g., Tier II family facilities, neighborhood-based cluster transitional residences for families with children, state-certified facilities for homeless single adults); the proposed capacity and the address. The prospective provider must also include either a request to meet with the Community Board to discuss the proposed program, or a summary of the presentation meeting that took place with the Community Board. We also require the proposer to include background information about its qualifications as a social services provider. The Open-Ended RFP also clearly states that Community Board notification is a minimum requirement, and DHS will deem proposers that fail to meet this requirement non-responsive and disqualify them.

Once the proposed provider completes the notification process to the Community Board, each individual Board has discretion over how it chooses to proceed. Sometimes a Community Board invites the provider to present its proposed program at a Board meeting and answer questions from their members about the proposed site. Other times, a Board will find the content provided in the notification sufficient and dispense with a meeting.

Upon submission of a proposal, and after community notification has been made in accordance with DHS' requirements in the Open-Ended RFP, the Agency's Chief Contracting Officer unit, or ACCO, begins the quality assurance review process to evaluate the proposal and see if it meets the requirements of the RFP. If all criteria are met, the ACCO submits the proposal to a three-member evaluation committee who reviews the proposal and scores it based on the qualification requirements of the RFP. If a proposal is given a passing score, the ACCO advances the process with a notice to proceed to the proposed provider. DHS and the proposer then enter into contract negotiations and if

these negotiations prove successful, the contract proceeds through the other steps of the procurement process, ultimately leading to registration of an executed contract.

► **DHS Notification**

Upon completion of the notice to proceed, DHS distributes six notification letters of the proposal — one to each of the following officials: the Community Board District Manager, the Borough President, the appropriate members of the City Council, State Senate and Assembly, and the U.S. House of Representatives. In this notification, DHS informs the officials of the provider’s proposal and also includes a copy of the letter from the proposer describing it. Throughout the procurement process, DHS is available to meet or speak with members of the Community Board or elected officials regarding proposed shelter sites or questions on siting.

There are two exceptions to the notification process that I just described: one concerns neighborhood-based cluster sites and the other concerns sites operated pursuant to a per diem arrangement. A cluster site is comprised of buildings in geographic proximity to each other under the operation of a single social services provider. Depending on the cluster, some of the units within a particular building are used to shelter homeless families, while units in another building are comprised of shelter clients and rent-paying tenants. Traditionally, in order to protect the confidentiality and privacy of homeless families residing in mixed-use buildings, DHS did not provide community notification in the manner I just described. As a result of community discussion about how the cluster model looked and functioned, and as we brought cluster sites under contract, the agency decided to apply our community notification process to mixed-use cluster buildings. In these types of buildings, where 50 percent or more of its units will shelter homeless families as contemplated under an RFP proposal or after more than 50 percent of a building’s units are added pursuant to a registered contract, regular community notification takes place. This is a concrete example of DHS considering input from the community and adjusting its policies based on the feedback it receives.

In the case of shelters operated pursuant to per diem arrangements, to date, DHS has not adopted a formal notification process with respect to sites opened in order to meet an emergency need. We recognize concerns on both sides of the issue: DHS’ concerns about providing notification where, for a variety of reasons, a contract may never come to fruition, as well as the community’s concerns to know what is being contemplated and have their voices heard. The procurement process specifically provides for public review of the proposed contract, including a public hearing. In addition, the City Charter requires DHS to submit to the Community Board a fair share analysis in which the agency evaluates the site in accordance with fair share criteria specified in the Rules of the City of New York. Notwithstanding the absence of any legal requirement to provide community notification in the absence of a proposed written contract, DHS will reconsider this issue.

► **Community Advisory Boards**

Earlier, I alluded to the fact that DHS welcomes and encourages feedback on new shelter sites outside of and as a compliment to our formal notification process. To this end, all DHS’ contracts with its shelter providers require that the provider form a Community Advisory Board (CAB) comprised of shelter staff, residents, and representatives from the community to meet on a regular basis to address community issues arising from the facility’s operation. Specifically, CABs assist us in identifying and addressing quality of life issues in the immediate area, including how security, loitering, and sanitation

would be handled. In our experience, engaging interested members of the community in a CAB ensures input from the neighborhood and allows a forum for a constructive two-way dialogue to address any concerns that may arise.

A good example of DHS' commitment to Community Advisory Boards (CABs) is our Fort Washington shelter in Council Member Rodriguez's district. The CAB associated with Fort Washington is convened by the shelter operator, Project Renewal, and includes wide participation by residents of the surrounding neighborhood, the Community Board, DHS staff and leadership from the shelter. The meetings consist of a dialog among participants about the relationship between the shelter and the community and how Project Renewal and DHS can minimize the shelter's impact on its neighbors. From DHS' perspective, the community feedback and active participation by interested neighbors have significantly improved the operation of this shelter.

Recently, Council Members Palma and Arroyo have been involved in the CAB that the agency set up prior to completion of construction of our new intake center for families with children in the Bronx. We started meeting with this group while the facility was still in the development phase and have found the discussion to be beneficial to the local businesses, elected officials and other community members in addressing some of their early concerns during construction.

SUCCESSFUL BALANCING OF COMPETING CONCERNS

Frequently, we are asked why shelters are located in particular boroughs or neighborhoods. I already have explained how various factors including legal mandates, emergency need to meet increased demand, when and what kind of proposals are submitted to us at any given point in time, and fair share analysis, affect where DHS locates shelter facilities. Given the pressure we are under to meet the emergency shelter needs of thousands of homeless New Yorkers and the significant challenges we face in meeting this urgent demand, DHS does an extraordinary job in balancing competing concerns in locating suitable shelter sites. To visually demonstrate our success in keeping families with children who enter shelter as close to their original neighborhoods and communities as possible, you will find maps at the end of my written testimony that reflect how family shelters are located proportionally in the boroughs where families entering shelter originate.

As a matter of sound public policy and good social work practice, we also strive to minimize the traumatic disruption to homeless families' lives by making every effort to place them in their borough of origin so that parents and children are not uprooted from their schools, community supports, and daily routines. In April 2010, we had 7,897 school-aged children in shelter and we successfully placed 88 percent of families in the same borough as the youngest child's school. This means that many families with children are placed in shelters near their own communities. Moreover, according to the New York City Department of Education, two-thirds of the City's homeless children remain in their school of origin.

In the case of homeless single adults, upon their entry into the adults services system, we first assess their needs to determine what type of shelter offers programs that best meet each client's individual needs whether it be a shelter for employed or employable individuals, facilities for mentally ill men or women, or transitional residences for persons with substance abuse issues. Here again, we are not

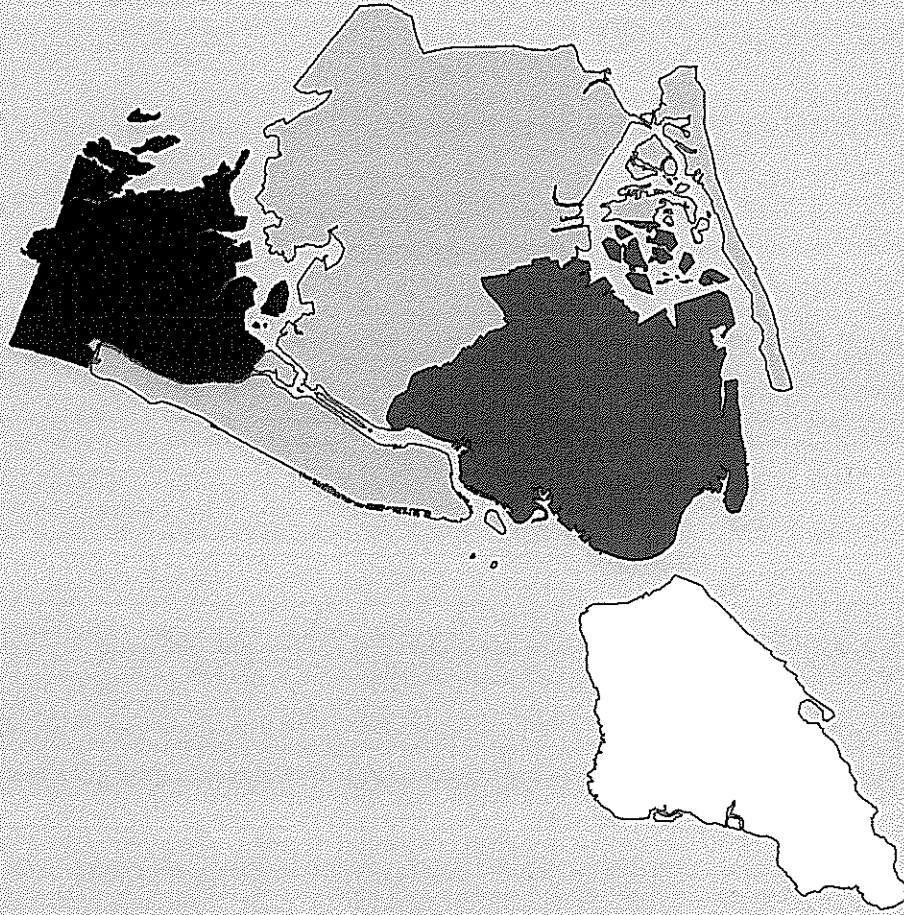
mandated to provide such individualized shelter programs, but we do so out of our commitment to doing what will best assist homeless New Yorkers to move out of shelter and into permanent housing.

CONCLUSION

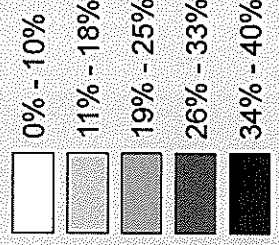
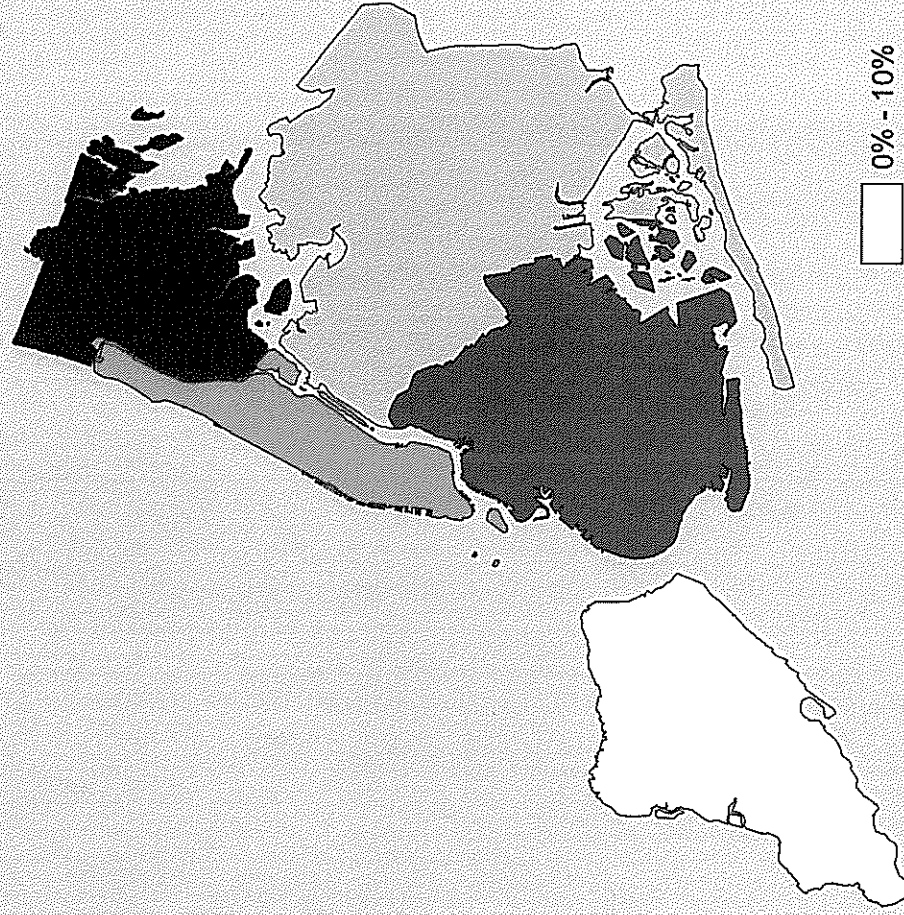
Opening shelters is neither an easy nor popular process but the Department of Homeless Services and its shelter providers strive to be good neighbors. We are always available to meet with Community Boards to discuss ways in which our notification process can be improved or to address particular issues of concern. Just this past March, Chair Palma participated in our meeting with the Bronx leadership team and all 12 Community Boards to address our efforts and pool our resources to reach a consensus on community expectations around locating shelters sites and community notification, while at the same time meeting the needs of homeless families and single adults. As an agency, we have thorough notification procedures. I hope the Council and DHS can continue to work together to educate our communities about the issue of homelessness and bridge the communities' concerns about shelters located in their neighborhoods. I'd be happy to take any questions you may have.

Family Shelter Entrants Origin Compared to Unit Location

ENTRANTS



UNITS



40 Miles

30

20

10

5

0



FOR THE RECORD



The City of New York
Brooklyn Community Board 15



MARTY MARKOWITZ
BOROUGH PRESIDENT

THERESA SCAVO
CHAIRPERSON

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- DR. ALAN DITCHEK
FIRST VICE-CHAIRPERSON
- RITA NAPOLITANO
SECOND VICE-CHAIRPERSON
- JACK ERDOS, ESQ
TREASURER
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EXECUTIVE COMMITTEE

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- ROBERT GEVERTZMAN
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- HELEN SARUBBI
- RONALD TAWIL
- IRA TYPER

June 3, 2010

FOR THE RECORD

MICHAEL R. BLOOMBERG
MAYOR

PEARL BURG
DISTRICT MANAGER

Testimony before Committee on General Welfare

RE: Int. No. 79 – A Local Law to amend the administration code of the city of New York, in relation to requiring the Department of Homeless Services to notify the affected community prior to locating transitional housing for the homeless.

Dear Honorable Annabel Palma,

One of the biggest problems with transitional housing for the homeless is fear of the unknown.

If a family calls the Community Board or area Councilman to ask questions about the new family that moved into the house next door, what happens? As far as these people knew this house was rented and the owner moved down South. The new family moved in with no furniture and they seemed out of place, causing unnecessary anxiety in the Community.

What response could the Community Board make other than, we don't know anything. Now the fear factor comes into play. All the neighbors begin speculating about different scenarios of what could be going on. Much of this could be avoided by a notification process.

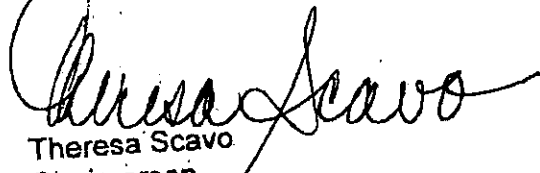
Community residents take pride in their home and Community. They want to preserve the security they feel in their neighborhood and in their home. By notifying the Community Board as well as the Council Member of the District prior to any contractual agreements there would still be time to change the location if circumstances arose. Allowing a known sex offender, who is homeless, to reside next door to a girls dormitory is insane.

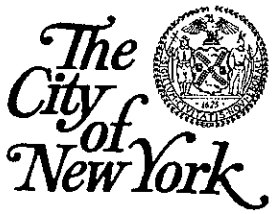
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The City of New York
Brooklyn Community Board 15

The Community at large is best known by those who reside there. The locations of specific places unsuitable for homeless housing must be identified by the Community Board. The Community Board could then work with Homeless Services to find a better fit for the needed housing. But, today it is usually too late by the time the Community Board is alerted to the situation.

Once implemented the notification process will alleviate the fear in residents when they are informed of what is happening in their Community. It will also give the Community and the Councilman of the District the needed time to remedy a special situation if it presents itself.


Theresa Scavo
Chairperson



Ruben Diaz, Jr.
Borough President

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Diane F. Lock
Chairperson

Kenneth Kearns
District Manager

BRONX COMMUNITY BOARD # 10 STATEMENT ON INT. No. 79 JUNE 10, 2010

Honorable Chair and members of the Committee on General Welfare of the New York City Council, Bronx Community Board # 10 would like to submit the following statement concerning an amendment of the New York City Administrative Code, Chapter 3 of Title 21, with the addition of a new Section 21-316, known as the Community Notification Requirement

In the spring of 2009, Bronx Community Board #10 learned that it was to be host community to a transitional homeless shelter, located at 1564 Saint Peters Avenue, operated by an organization known as BASICS Housing Inc. The Board learned of this, via a hand delivered document from the New York City Department of Homeless Services (DHS) late on a Friday afternoon, just before closing. There was no fair share analysis or public hearing on this matter, just a notification that the facility was going to be opened. The agency never provided a firm date as to when it planned to re-locate the families. Instead, they moved these families into the building on a sporadic basis, with no published schedule.

The DHS, under former Commissioner Hess, justified the placement of 38 families, consisting of women and children, in a building that is a failed condominium, by stating that there was a homeless crisis. The DHS placed these families into this building without a contract. Later, after a hearing with Mayor's Office of Contract Services (MOC's), the Board learned that a contract was let for housing and social services to BASICS. The MOC's Hearing, we were told, was the agency's version of a public hearing. The MOC's Hearing could hardly be called a public hearing, in that it was held outside the host community and never addressed the neighborhood's concerns.

The proposed legislation addresses the notification practices of DHS, which require significant reform. It also limits the notification process to the Council member and the Community Board. These are excellent provisions, but there are other stakeholders in the community that should be consulted. The DHS should fund a robust community and governmental affairs unit to engage the community at large, on these matters. Additionally, the proposed legislation does not address the need for an objective public hearing process, allowing the affected community an opportunity to hear the proposal, assess it and offer alternative sites, if that is necessary. Such hearings are required, because the decisions concerning the provision of social services to our neighbors should be organic, and rooted in the community. Facilities should not be imposed upon a given community by a governmental agency or advocacy group. The proposed legislation is a

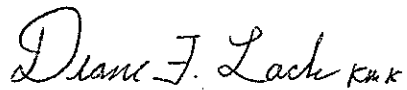
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fine start, but if it is the intention of its sponsors to provide true community notification, it must be expanded to include all stakeholders in the community.

Bronx Community Board #10 requests that the Committee draft legislation that will consider an expansion of those to be notified, to include community organizations, that the Committee support increased funding for a DHS community and government affairs office, and that it further require DHS to conduct public hearings.

Thank you for your attention and consideration in this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Diane F. Lock" followed by a small "KHK" monogram.

Diane F. Lock, Chair
Bronx Community Board #10



BROOKLYN COMMUNITY BOARD 14
FLATBUSH-MIDWOOD COMMUNITY DISTRICT
810 East 16th Street
Brooklyn, New York 11230

MARTY MARKOWITZ
Borough President

ALVIN M. BERK
Chairman

DORIS ORTÍZ
District Manager

**TESTIMONY TO THE COMMITTEE ON GENERAL WELFARE OF
THE NEW YORK CITY COUNCIL ON INT. NO. 79-2010 REGARDING
DEPARTMENT OF HOMELESS SERVICES COMMUNITY NOTIFICATION OF
TRANSITIONAL HOUSING FOR THE HOMELESS**

Thursday, June 10, 2010

Good morning Chairperson Palma and members of the General Welfare Committee.

My name is Jonathan Judge, Community Coordinator at Brooklyn Community Board 14, and I am here today representing Board Chairman Alvin Berk and District Manager Doris Ortíz to testify on Intro. 79, which would require the Department of Homeless Services (DHS) to notify the affected community prior to locating transitional housing for the homeless.

Brooklyn Community Board 14 and the residents of West Midwood recently experienced the significant need for notification on transitional housing when 800 East 12th Street in Brooklyn was chosen to serve as such a facility. This experience, in fact, aptly demonstrates the crucial need for this legislation, which we fully support with the inclusion of several improvements.

Firstly, before continuing further, CB14 wishes to commend the Department of Homeless Services and Common Ground for their professionalism and cooperation during the process of dealing with the transitional housing at 800 East 12th Street. We are glad to say that, to date, everyone is on the same page and we work closely together in the extremely rare instance that any issue arises at 800 East 12th Street.

However, with that said, our first encounter with DHS' transitional housing program in our district caused grave concern, which prompted a strong reaction from a community that is otherwise very supportive of working towards transitioning the homeless to permanent housing solutions.

In the middle of July 2009, we were first notified by inquiries from multiple residents that DHS, through a contract with not-for-profit Common Ground, was securing a number of units at 800 East 12th Street for transitional housing. What DHS and Common Ground were unaware of at the time was the history of this location. Known as the Oak Hotel, it was the epicenter for drug use and prostitution in the neighborhood for decades. In fact, it was only in the past several years that the problems at this location subsided.

Needless to say, the seemingly surreptitious creation of a “homeless shelter”, as it was initially perceived, created a stir of panic. Residents did not know who was moving in, what kind of security would be on the premises, and whether there were any special needs concerning drug use, mental health, or other problems that individuals might have, which could adversely impact the community if not properly administered.

In order to address the outcry of concern, CB14 coordinated an emergency summer meeting that July—when Community Boards citywide are in summer recess—with DHS, Common Ground, the owner of 800 East 12th Street, local neighborhood associations, and residents to find out about what was going on. After a very long meeting, weeks of follow up with the various stakeholders, and negotiating with DHS, Common Ground, the property owner and other agencies, like the New York City Police Department, regarding operation of the facility, we were finally able to diffuse the panic and fear so we could warmly welcome this new transitional housing facility into our community.

This wholly unnecessary controversy that delayed the effective implementation of transitional housing in our district—a service that our community is very supportive of—could have been avoided had there already been a requirement for prior notification with an opportunity for public comment.

Therefore, we not only endorse Intro. 79, but we believe that it needs to be strengthened to ensure long-lasting community support and cooperation for this crucial component of eradicating homelessness in our city.

We strongly recommend the following additions to the bill:

- **Definition of Transitional Housing:** Currently, neither this bill nor current law defines what constitutes “transitional housing”. This is important not only to define the scope of the bill but to provide communities with a clear expectation of what transitional housing is and how it will operate. During CB14’s experience with 800 East 12th Street, no one could tell us precisely what to call this facility and therefore made it difficult to understand how it would be used.
- **Essential Information Missing From Notification:** The bill provides for a number of required pieces of information to be transmitted to Community Boards. However, it should also include (1) a list of any other transitional housing within a certain radius from the proposed site to determine whether or not the community may be saturated, (2) how many units in any proposed property will be dedicated for the purposes of transitional housing, and (3) a list of any other uses of the facility (residential apartment building, hotel, etc.).
- **Concrete Timeline for Notification:** In order to ensure adequate notification to the public and to allow Community Boards to be able to offer any public comment, there must be a concrete timeline for notification before any such contractual agreements are signed. Mandatory 45-day prior notice by DHS would typically be considered sufficient for most Community Boards.

- **Explicit Solicitation for Public Comment:** The most important lesson learned from our experience with 800 East 12th Street is the need for public input. DHS should be required to seek comment from Community Boards when they are notified of the intention to place transitional housing in their districts. At that point, each Board can commence with its own standards for collecting and providing public input to the agency so the community can have sufficient influence in having any concerns or needs addressed in the process.

On behalf of Brooklyn Community Board 14, we thank you for this opportunity to speak on this very important matter to our community.



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DISTRICT MANAGER

**TESTIMONY ON DHS Int. No. 79
(DHS' Procedures for Locating Transitional Housing for the Homeless)**

It is the belief of Community Board #3 that communities should be notified of transitional/supportive sheltering systems (housing) within the community. The word community denotes cohesiveness among its residents that should be respected. People that live in an area have the right to know what else is being housed within their boundaries. Since the pioneering of this country, residents have made it their business to find out who the new neighbors are. That has not changed, particularly in residential communities.

Our contention is that entities that hold contracts with DHS should come under the same guidelines as DHS facilities. After all, they are working directly with the agency. People, that are being housed however indigenous, deserve dignity and services like everyone else. There should be absolutely no agreement made with a facility that does not properly provide for the adequate housing of residents, which includes: appropriate space for adults to live in, proper nutrition, healthcare, adequate bathroom facilities for the number of residents, proper egress and ample ventilation, just to name a few human amenities each resident should be entitled to.

There needs to be collaborative efforts between all of the city agencies that refer citizens to various transitional/supportive facilities, (Department of Corrections, Department of Parole, Department of Health and Mental Hygiene, and Department of Homeless Services). The Federal government, when providing housing through Section 8, has standard guidelines that must be adhered to prior to allowing someone they are funding to be housed in that space. It should not be different for city agencies. As agents of Democracy the roles should not be different, you have a responsibility to your citizens.

When we asked if the Human Resources Administration, about their level of involvement with regard to paying rent for the residents in a transitional facility, we were informed that the only thing they provide for is the rent. They hold no responsibility for where the money is paid to or the conditions in which tenants live. Well that is truly too shallow. These are our tax dollars and it is time that they are used appropriately. How dare anyone just throw the money up and let it fall where it may. Any facility that has been granted tax money should be expending it in a way that monitors its most efficient use. Anyone being housed should be in a safe and healthy environment. It is past time for this to be legislated.

Lastly, Bedford-Stuyvesant has been more than generous about doing our share to house the homeless population, a small number of which come from this community. We do not want nor deserve to be inundated, however with the task of being a community of homeless people. The Homeless situation is dire and our community does not want to neglect its role in the resolution; however, this should not be our burden alone. New York City is made of many communities which should all play a part in fulfilling this overwhelming need.

Henry L. Butler
Chairperson, Community Board #3



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PASTOR WENZEL JACKSON
Board Chair

MR. JOSÉ RODRIGUEZ
District Manager

COMMENTS TO THE COUNCIL'S GENERAL WELFARE COMMITTEE

Re: Oversight-DHS's Procedures for locating Transitional Housing for the Homeless

Jose Rodriguez
District Manager
Community Board Four

Bronx Community Board Four has expressed its frustration and concerns regarding the Department of Homeless Services' siting policies and how they relate to community review.

The notification procedure that DHS has opted to use is inadequate. There is no meaningful dialogue and consultation with the affected community and no consideration for community input. For several decades, this district has been used as a continuous hosting site by the City to bring in services that have detrimentally impacted the overall wellbeing of our neighborhoods. The City has systematically kept residents and those charged to care for community residents, such as Community Boards from knowing their full intentions. The failure of DHS to fully take into consideration the needs and concerns of community residents, both young

and elderly continues to illustrate the callousness of an agency charged to take care of those who are in need of services without thinking about the burden that is placed on others.

When it comes to less affluent communities, it appears all the guidelines of “fair share” policy and indeed, fair play, are forgotten. The Charter grants that neighborhoods should have input into planning its environs. We strongly maintain that the City should truly keep to its “Fair Share” policy. It is unconscionable that an agency with the duty, authority and powers that can change the quality of life of entire neighborhoods go about their business without substantial public review.

Such a practice is unacceptable for any community especially Community District Four and so we continue to petition the Council that there must be enforcement of mandated consideration of the review.

Lastly, I want to speak on the issues of Cluster Site Housing and the New In-Take Center at 151st Street and Walton Avenue. The Cluster Site program provides limited assistance to homeless families and leaves rent-paying tenants worse off.

Problems with the cluster-site program include:

- The program gives landlords a perverse incentive to push out rent-paying tenants because the city pays landlords more for these

apartments—an average of \$1700 a month—compared to what residents living in rent-stabilized units pay.

- The program uses a limited stock of affordable apartments to provide the homeless with temporary shelter instead of using those apartments for permanent housing
- The city uses apartments in dilapidated buildings with dangerous conditions, such as peeling lead paint, cascading water leaking from the ceiling, and broken or defective fire retardant ceiling

Due to our involvement in opposition of to the new In-Take Center at 151st Street the following transpired:

- Organized press conferences and tours were taken of the facility, and public consciousness was raised about the mistreatment of homeless people in the facility and its negative impact on the neighborhood.
- By 2004-2005, the outrage expressed by CB4 was clear and the Department of Homeless Services (DHS) **discontinued communication**. Shortly thereafter, the EAU was moved to Powers Street (In the Bronx), the old building was razed, and the general understanding was that the issue had cleared up.
- CB4 and other city and state agencies and officials were kept 'out of the loop' as the DHS continued its plans to rebuild a 7-story Family Intake Center (FIC)

designed to serve all homeless families in all of New York City's five boroughs without the community's input and without including other officials and agencies apprised of the plan.

- In December of 2007, then Bronx Borough President Adolfo Carrion hosted a meeting and CB4 was invited to speak to then Commissioner Hess. At said meeting Commissioner Hess indicated that he'd address the concerns at a later date. He finally met with us in September of 2008 but by then construction had started. The public hearing/meeting we organized was designed to funnel the community's efforts to stop the building of the city-wide FIC through Community Board Four. Our efforts to directly address the commissioner with what we wanted to propose or consider alternatives for negotiation were to no avail. It is distressing to know that the City continues to ignore its own mandate to grant neighborhoods input into planning its environs. Again we strongly maintain that the City should truly keep to its "Fair Share" policy.

**COMMENTS TO GENERAL WELFARE COMMITTEE
ON CITY COUNCIL INT 0079-2010:
REQUIRING DHS TO NOTIFY AFFECTED COMMUNITIES PRIOR TO LOCATING
TRANSITIONAL HOUSING FOR THE HOMELESS
June 10, 2010**

According to statistics published by the Department of City Planning, Brooklyn's Community District 8 has six times more residential social services beds than any other district in the borough. In 2008, Community Board 8 issued a moratorium on any governmental agencies siting additional beds in this already overburdened area of Central Brooklyn. The proposed rule is a wise and welcome step in the right direction toward providing Community Boards with the ability to act in the best interests of all their residents.

In order to address oversaturation of any community with residential supportive services and to provide for a fair distribution throughout the City of resources for the homeless, the Housing Committee of Community Board 8 recommends that the Uniform Land Use Review Procedure be expanded to require community board review and approval of all projects and/or contracts designed to provide:

- (1) residential supportive services, and
 - (2) affordable housing with or without residential supportive services
- where the funding source for either of these types of projects or contracts is a governmental or quasi-governmental entity or a not-for-profit or a for-profit corporation dispensing or receiving funds from governmental or quasi-governmental sources.

Community Board review and approval should be required for any government-funded use of real property within the community district. Granted such a process would be time-consuming, given that Community Board members are volunteers and not full-time employees. Nevertheless, the various government agencies at each level (federal, state and city) should be required to communicate their intentions to place such services within particular districts to each other and to the target Community District well in advance of project initiation. A common database of existing projects shared by such agencies would greatly facilitate more careful planning as service providers work with the Community Boards to jointly decide where to place residential supportive services.

For Int. 0079-2010, certain additional requirements must be included for meaningful Community Board input to result, as follows:

- (1) DHS' written notification to the Community Board must be at least 90 days in advance of any departmental decisions to enter into any contract for transitional housing services or otherwise finalizes its decision to use or expand a location as transitional housing;
- (2) The notice must include a request for community support of DHS' plan to add homeless services to the Community District; and
- (3) DHS must include the Community Boards' response in its' determinations and commit to a fair distribution across all community districts in a borough of the burdens of caring for impoverished citizens requiring aid.

An equitable distribution of residential supportive services will avoid the concentration of such services within one or two community districts which unintentionally serves to depress the target community's capability to foster its own economic development and stabilization.

Respectfully submitted,
Ethel E. Tyus, Esq.
Housing Committee Member
Brooklyn Community Board 8
June 10, 2010
etyus@optonline.net

TESTIMONY FOR COMMITTEE ON GENERAL WELFARE
JUNE 10 2010

CONCERNING DHS COMMUNITY NOTIFICATION

BARBARA VAN BUREN
CO-CHAIR OF HEALTH AND HUMAN SERVICES COMMITTEE
COMMUNITY BOARD 7 MANHATTAN

My name is Barbara Van Buren and I'm the Co-Chair of the Health and Human Services Committee of Community Board 7 on the Upper West Side. Our Committee has the responsibility of monitoring the delivery of services by those City agencies who place their homeless clients in the buildings of our community.

As our community has many SROs, whose owners are looking for more money than they can receive by renting to the low income people they are intended for, we have had a great deal of experience with the Department of Homeless Services. Usually we have been alerted by the community which saw buses arriving with people to fill up rooms which had been kept empty by the landlords. The landlords would then receive from the City many times above the legal rent they could charge their low-income, permanent residents. This was done without contracts being signed, as the Agency says this was simpler.

Communities which have worked hard to create safe, friendly environments, find they have new neighbors who have no stake in the community, as they do not expect to be there long, and have had no choice about their new neighborhood. DHS does assign non-profit groups to provide services, but these are often ones which have no previous contact with the community, (Bronx agencies which suddenly find themselves on the Upper West Side, with no knowledge of community resources which are much needed by the DHS's clients, who are facing the many problems which led to their homelessness.)

Community members also have a greater knowledge of a landlord's history, as DHS states that it does not do extensive background checks on the owners of the properties to whom they are paying exorbitant rents. . One of DHS's most recent placements in our community, was in a building owned by a notorious landlord, known for his aggressive removal of tenants in order to make room for tenants who would pay more money. When DHS learned about this from the community, they decided to close out their agreement with the owner, meaning another move for their clients.

If DHS would share their intentions with the community, information could be shared concerning the needs of their clients, and the resources in the community. Planning could be done ahead of time.

But the real tragedy is the continuance of City agencies, not just DHS, to use the "emergency housing crisis" as a reason to turn permanent low-income housing, into

transient, high-cost to the tax payer, stop-overs. The “emergency”, which the dictionary describes as an unforeseen crisis which demands immediate attention, has existed for over twenty years, and the City still has no real plans to address it. The vast majority of new housing is intended for higher incomes, and the subsidized housing existing for lower income people is rapidly being lost.

It is time City agencies sat down with affordable housing advocates and providers to map out a plan to create affordable housing for all New Yorkers. The right to shelter promised in the New York State Constitution does not mean the right to a bed in a dorm.

MARTY MARKOWITZ
Brooklyn Borough President

Tel: (718).385-0323/24
Fax: (718) 342-6714



THE CITY OF NEW YORK
COMMUNITY BOARD NO. 16
444 Thomas S. Boyland Street - Room 103
Brooklyn, New York 11212

HAZEL A. YOUNGER
Chairperson

VIOLA D. GREENE-WALKER
District Manager

STATEMENT PRESENTED BY VIOLA D. GREENE-WALKER TO THE
COMMITTEE ON GENERAL WELFARE ON JUNE 10, 2010 AT CITY
COUNCIL

GOOD MORNING.

MY NAME IS VIOLA GREENE-WALKER AND I AM THE DISTRICT
MANAGER OF BROOKLYN COMMUNITY BOARD #16. I APPEAR IN
BEHALF OF COMMUNITY BOARD #16 IN SUPPORT OF INTRO. NO. 79.

INTRO NO. 79 STATES IN PART THAT NOTIFICATION SHALL BE
PROVIDED TO THE COMMUNITY BOARD PRIOR TO THE DEPARTMENT
OF HOMELESS SERVICES ENTERING INTO A CONTRACTUAL
ARRANGEMENT WITH A TRANSITIONAL HOUSING PROVIDER OR
OTHERWISE FINALIZES ITS DECISION TO USE OR EXPAND A

LOCATION AS TRANSITIONAL HOUSING.

THIS NOTIFICATION IS MOST IMPORTANT TO US BECAUSE IT AFFORDS THE COMMUNITY AN OPPORTUNITY TO VOICE CONCERNS TO THE DEPARTMENT OF HOMELESS SERVICES, ELECTED OFFICIALS AND SPONSORS OF TRANSITIONAL HOUSING ABOUT THE IMPACT THAT TRANSITIONAL HOUSING WILL HAVE ON OUR COMMUNITY BEFORE THE DEPARTMENT OF HOMELESS SERVICES AWARDS A CONTRACT TO PROVIDERS OF TRANSITIONAL HOUSING.

THE PRESENT METHOD OF SITING TRANSITIONAL HOUSING CREATES AN ATMOSPHERE OF HOSTILITY AND UNDERMINES OUR EFFORTS IN COMMUNITY DISTRICT #16 TO REBUILD OUR COMMUNITY WITH PERMANENT AND AFFORDABLE HOUSING.

IN ADDITION TO TRANSITIONAL HOUSING FACILITIES OPERATED OR CONTRACTED FOR, BY OR ON BEHALF OF THE DEPARTMENT OF HOMELESS SERVICES, COMMUNITY DISTRICT #16 IS BEING

INUNDATED WITH FACILITIES KNOWN AS THREE QUARTER HOUSES. THESE ARE OFTEN SMALLER 2 AND 3 FAMILY HOUSES THAT HAVE BEEN CONVERTED TO DORMITORY STYLE HOUSING. RESIDENTS OFTEN COME FROM SHELTERS OR THE PRISON SYSTEM WITH A MYRIAD OF SOCIAL AND HEALTH PROBLEMS WHICH LEAVES THEM AT THE MERCY OF THE OPERATORS OF THESE FACILITIES WHO ARE ONLY INTERESTED IN MONEY THESE FACILITIES GENERATE. THEY DO NOT PROVIDE MUCH NEEDED SUPPORT SERVICES FOR THE RESIDENTS. SOME OF THE RESIDENTS LIVE UNDER HORRENDOUS CONDITIONS WITH ONLY A MATTRESS TO SLEEP ON. THEY ARE AFRAID TO COMPLAIN BECAUSE IT MIGHT FORCE THEM ON THE STREET.

BLATANT AND DELIBERATE ATTEMPTS ARE MADE TO CAMOUFLAGE THE EXISTENCE OF THESE FACILITIES WITH THE ERECTION OF TALL WOODEN FENCES AND OTHER ENCLOSURES ON BLOCKS WHERE ALL OTHER RESIDENTIAL HOMES HAVE OPENNESS AND WELCOMING APPEARANCE. THIS ATTEMPT TO SHIELD WHAT GOES ON IN THE

BUILDING ONLY CREATES ANIMOSITY BECAUSE AS THE NEIGHBORING RESIDENTS SEE AND HEAR ALTERATIONS BEING MADE, FOLLOWED BY THE DELIVERY OF MULTIPLE BUNK BEDS, THEIR FEAR AND CONCERN ARE IMMEDIATELY HEIGHTENED. WHEN THEY ASK QUESTIONS REGARDING THE PLANNED USAGE, NO ONE SEEMS TO HAVE OR IS WILLING TO PROVIDE THEM WITH ANSWERS. THEIR FEAR AND ANGER ARE FURTHER EXCASERBATED WHEN THEY CONTACT THE COMMUNITY BOARD WHICH IS AT A DISADVANTAGE BECAUSE WE WERE NOT INFORMED ABOUT PLANS FOR THE BUILDING. OPERATORS OF THESE FACILITIES ARE ONLY INTERESTED IN MAKING A PROFIT AND NOT CONSIDER HOW THEIR INVESTMENT WILL AFFECT THE LIVES OF THEIR NEIGHBORS.

WE HAVE STRUGGLED THROUGH YEARS OF BURNED OUT BUILDINGS AND VACANT LOTS AND HAVE ARRIVED AT A TIME WHERE NEW HOUSING IS BEING BUILT. FAMILIES ARE RETURNING TO RAISE THEIR CHILDREN AND BECOME PRODUCTIVE MEMBERS OF THE COMMUNITY. THEIR EXPECTATIONS ARE TO BE GOOD NEIGHBORS.

DEVELOP BLOCK ASSOCIATIONS, OTHER COMMUNITY ORGANIZATIONS AND BE A VERY INTEGRAL PART OF THE PLANS FOR PROMOTING CONTINUED GROWTH OF THE COMMUNITY.

BEING ABLE TO ACQUIRE A HOME IS A MAJOR INVESTMENT IN ANY ECONOMY, BUT IT IS EVEN MORE OF AN ACCOMPLISHMENT IN THE CURRENT ECONOMIC ENVIRONMENT. THESE FAMILIES HAVE EVERY EXPECTATION, AND RIGHTFULLY SO, TO ANTICIPATE THAT THE ADJACENT BUILDING WILL BE OCCUPIED BY A FAMILY OR INDIVIDUAL WHO HAS A VESTED INTEREST IN ENSURING THAT THE COMMUNITY CONTINUES TO GROW AND CREATE AN ATMOSPHERE THAT WILL ENCOURAGE OTHERS TO MOVE INTO THE COMMUNITY. BY ITS NATURE, TRANSITIONAL HOUSING DOES NOT CREATE A SENSE OF PERMANENCY OR CONDITIONS THAT PROMOTE AN ENVIRONMENT NECESSARY FOR A COMMUNITY TO SURVIVE.

BROOKLYN COMMUNITY BOARD #16 SUPPORTS AND URGES THE PASSAGE OF INTRO NO. 79 .

WE ALSO URGE THIS COMMITTEE TO INTRODUCE LEGISLATION TO
REGULATE THREE QUARTER HOUSES.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)
Name: XIAO FANG (Zhang Gu)
Address: BK CBET 5

I represent: _____
Address: 2155 Union Ave BK NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6/10/10

(PLEASE PRINT)
Name: Diana Foster
Address: 647 Franklin Ave

I represent: CB8
Address: 647 - Franklin Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6/10/10

(PLEASE PRINT)
Name: Mark Winston Griffith
Address: 1238 Dean St. BKlyn, 11214

I represent: Crown Heights Revitalization movement
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/10/10

(PLEASE PRINT)

Name: Sheryl JOHNSON

Address: 445 Putnam Ave, Bklyn NY

I represent: Putnam Ave Blk Assoc.

Address: 445 Putnam Ave, Bklyn NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: FATHER RICHARD GORMAN

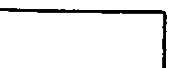
Address: 4101 WHITE PLAINS ROAD THE BRONX

I represent: COMMUNITY BOARD #12 (THE BRONX)

Address: SPAE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 79 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: PATRICK CARUSO

Address: 3165 E TREMONT AVE

I represent: BX COMM BOARD #10

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/10/2010

(PLEASE PRINT)
Name: Charlene Fraizer (Mailing) P.O. Box 179 BKlyn 11212

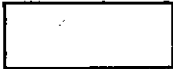
Address: # 2149 Pitkin Avenue BKlyn 11207

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 0079-2010 Res. No. _____

in favor in opposition

Date: 6/10/10

(PLEASE PRINT)
Name: Ethel Tyus

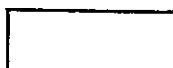
Address: 919 Sterling Pl., Bkn 11216

I represent: Housing Cmte, Bkn CBS

Address: 1291 St Marks Av, Bkn 11213

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 2010 Res. No. 1014

in favor in opposition

Date: 6/10/10

(PLEASE PRINT)
Name: Richard Dippolito

Address: 16 Roosevelt Pl.

I represent: Neighbors Together, M F Y

Address: 2014 Fulton / 295 Broadway

▶ Please complete this card and return to the Sergeant-at-Arms ◀

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 79 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Viola Greeno-Drilker

Address: 444 Thomas S. Bayland St Blk 112B

I represent: Community Board #16

Address: 444 Thomas S Bayland St 112B

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: June 10, 2010

(PLEASE PRINT)

Name: Anderson Fils-Aime

Address: 2094 Fulton Street

I represent: Neighbors Together

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jose Rodriguez

Address: 1650 Selwyn Ave. Dx NY 10457

I represent: Bronx Community Board Four

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. 79 Res. No. _____

in favor in opposition

Date: JUNE 10, 2010

Name: Henry L. Butler (PLEASE PRINT)

Address: 1365 Fulton St.

I represent: Community Board #3 Brooklyn

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Robert M Brown (PLEASE PRINT)

Address: 2024 Bergen St

I represent: Neighbors Together

Address: 2014 FULTON ST BRKLYN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

DHS

Date: _____

Name: BARBARA NAN BUREN (PLEASE PRINT)

Address: 250 W 87 St

I represent: COMMUNITY BOARD MANHATTAN

Address: 250 W 87 St NY 10027

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 79 Res. No. _____

in favor in opposition

Date: 6/10/10

(PLEASE PRINT)

Name: Jonathan J. Judge

Address: 810 E 16 St Bklyn

I represent: Brooklyn Community Board 14

Address: 810 E 16 St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/10/10

(PLEASE PRINT)

Name: Commissioner Seth Diamond

Address: 33 Beaver St, 17th Fl. MN

I represent: DHS

Address: _____

Please complete this card and return to the Sergeant-at-Arms