

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE JOINTLY
WITH THE COMMITTEE ON CIVIL AND
HUMAN RIGHTS

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September 15, 2020
Start: 10:26 a.m.
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HELD AT: REMOTE HEARING

B E F O R E: Stephen T. Levin,
Chairperson of Committee on
General Welfare

Mathieu Eugene,
Chairperson of Committee on Civil
and Human Rights

COUNCIL MEMBERS:
Vanessa L. Gibson
Barry S. Grodenchik
Robert F. Holden
Brad S. Lander
Antonio Reynoso
Rafael Salamanca, Jr.
Ritchie J. Torres
Mark Treyger

A P P E A R A N C E S

Shawntel Williams

Karim Walker

Josefa Silva
Win's Policy Director

Charisma White

Ashley Belcher
Homeless Can't Stay Home Campaign

Bruce Jordan
Chief Homelessness Prevention Officer for DSS

Erin Drinkwater
Deputy Commissioner of Intergovernmental and
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Rights for DSS

Dana Sussman
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Zoey Chenitz
Senior Policy Counsel for DSS

Christine Quinn
President and CEO of WIN

Sarah Wilson
Safety Net Project

A P P E A R A N C E S (CONT.)

Devone Nash
North Star Residence Shelter

Joseph Soto

Salik Karim
Advocacy Coordinator at John Jay College
Institute for Justice and Opportunity

Alison Wilkey
Director of Public Policies at John Jay College
Institute for Justice and Opportunity

Winnie Varghese
Priest at Trinity Church on Wall Street

Stanley Richards
Executive Vice President at the Fortune Society

Erobos
Fortune Society

Velvet Ross

Michelle Carreras
Domestic abuse survivor

Sofia Janz

Winston Tokuhisa

Annie Carforo
Neighbors Together

A P P E A R A N C E S (CONT.)

Nicole McVinua
Director of Policy at Urban Pathways

Shiniquea Bryan

Lavoune Witherspoon
Neighbors Together

Reverend Sharon White-Harrigan
Executive Director of the Women's Community
Justice Association, also known as WCJA

Kendra Clark
Vice President of Policy and Strategy with Exodus
Transitional Community

Shawn Boyd

Victor Herrera

Eric Lee
Director of Policy and Planning for Homeless
Services United

Joseph Loonam

Alisa Kyle
Testifying in place of Nicole Branca
Director of the Housing Link at New Destiny
Housing Corporation

Nicole Branca
Director of the Housing Link at New Destiny
Housing Corporation

A P P E A R A N C E S (CONT.)

Giselle Routhier
Policy Director at Coalition for the Homeless

Basha Gerhards
REBNY

Suzanne Adler
Licensed Real Estate Agent with Triplemint

Minister Dr. Victoria A Phillips (Ms. V)
Community Health and Justice Organizer at the
Mental Health Project Urban Justice Center

Irene Linares
Research and Policy Coordinator at TakeRoot
Justice

Justin La Mort
Supervising Attorney at Mobilization for Justice

Jacob Malafsky
Tenants' Rights Attorney

Alexandra Dougherty
Senior Staff Attorney in Policy Counsel of the
Civil Justice Practice at Brooklyn Defender
Services

Reverend Wendy Calderon Payne
Executive Director of Bronx Connect

Alfonzo Riley
Employed by the Legal Aid Society as a Paralegal
Case Handler

A P P E A R A N C E S (CONT.)

Robert Desir
Staff Attorney with the Legal Aid Society Civil
Law Reform Unit

Antonio Garcia
Director of Preserving Housing

Wendy O'Shields
Homeless Rights and Housing Advocate in New York
City

Amy Blumsack
Neighbors Together, testifying on behalf of
Shanere Denton[SP?]

Chrystal Neavus[SP?]

Debra Berkman
Coordinating Attorney in the Public Benefits Unit
and in the Shelter Advocacy Initiative of the New
York Legal Assistance Group or NYLAG

Yamina Sara Chekroun
Civil Defense Attorney at New York County
Defenders Services

Abraham Gross

Theo Chino
Co-founder of the website Around my Block

Suhali Mendez
Senior Advocate in the Disability Justice program
at New York Lawyers for Public Interest

A P P E A R A N C E S (CONT.)

Aracelous Figorora[SP?]

Advocate for parents with children with special
needs

Katie Shaffer

Director of Advocacy and Organizing at Center for
Community Alternatives

1
2 SERGEANT AT ARMS: Thank you. Good morning
3 everyone and welcome to today's remote New York City
4 hearing on the Committees of General Welfare joint
5 with Civil and Human Rights.

6 At this time, would all panelists please turn on
7 their video. Once again, all panelists please turn
8 on your videos.

9 To minimize disruption, we ask everyone to please
10 place electronic devices on silent or vibrate. If
11 you wish to submit testimony, you may do so at
12 testimony@council.nyc.gov. Once again, that is
13 testimony@council.nyc.gov. Thank you for your
14 cooperation. Chair's, we are ready to begin.

15 CHAIRPERSON LEVIN: Good morning everybody. I
16 got to do this quietly because my son is napping.
17 Good morning everybody and welcome to this hearing on
18 the City Council Committee on General Welfare and
19 Committee and Civil and Human Rights. Today the
20 Committee's will be hearing a series of bills
21 concerning the city's rental assistance program and
22 source of income discrimination. I want to thank my
23 colleague Chair Mathieu Eugene for holding this
24 hearing with me today.
25

1 COMMITTEE ON GENERAL WELFARE JOINTLY WITH THE
2 COMMITTEE ON CIVIL AND HUMAN RIGHTS 9

3 The Committee's will hear Intro.'s 146 and 2047
4 and a Preconsidered bill sponsored by me, Council
5 Member Stephen Levin, as well as Introduction 1020
6 sponsored by Council Member Alicka Ampry-Samuel.
7 Introduction 1339 sponsored by Council Member Diana
8 Ayala. Intro. 2018 sponsored by Council Member Helen
9 Rosenthal, and a Preconsidered bill sponsored by
10 Council Member Keith Powers.

11 Rental assistance vouchers are the primary tools
12 that we have in New York City to ensure that people
13 are able to move out of shelter and into housing.
14 Doctors can also assist New Yorkers at risk of losing
15 their housing to avoid eviction and entry into
16 shelter. However, we know that the success of this
17 program depends on the ability of clients to actually
18 use them. And we know that the current voucher
19 amounts are woefully inadequate to secure housing.
20 There is currently no neighborhood in the city where
21 the median rental price for a studio is at or below
22 the current City FHEPS rate for an individual.

23 Intro. 146 would raise the voucher levels to the
24 fair market rent as set by the HUD standard, so that
25 individuals and families are able to quickly exit
shelter and into housing or avoid entering the

3 shelter system all together. It is not uncommon for
4 voucher recipients to spend years trying to secure an
5 apartment. The inadequacy of the voucher amounts is
6 not the only barrier people face in trying to utilize
7 them. While denying somebody in an apartment based
8 on a method of paying their rent, voucher recipients
9 face an additional hurdle, a source of income
10 discrimination in applying for apartments.

11 According to Vocal New York and TakeRoot
12 Justice's recently released paper, voucher holders
13 were three times less likely to get a response to an
14 inquiry from an agent about a perspective apartment
15 and applicants paying from employment. Voucher
16 holders were also less likely to be invited to
17 viewings and more likely to be told that apartments
18 were no longer available than applicants not paying
19 with a subsidy. In some instances, were outright
20 told that vouchers were not accepted.

21 Intro. 1339 sponsored by Council Member Ayala
22 would provide written notice to those potentially
23 eligible for city rental assistance programs and
24 inform them of their rights and resources available
25 related to the source of income discrimination.

3 Domestic violence is among the most frequently
4 cited reasons for entry into shelter. And placement
5 into a specialized DV shelter is subject to
6 eligibility and availability in the system. Intro.
7 2018 sponsored by Helen Rosenthal, would require
8 domestic violence services to be available in all
9 shelters. Reports of upticks in domestic violence
10 cases during the COVID-19 pandemic are especially
11 concerning and city shelters should be prepared with
12 services for all survivors in shelter moving forward.

13 The Preconsidered bill that I am sponsoring would
14 allow online access to rental assistance program
15 status, so that clients can know where their case
16 stands, rather than navigate in bureaucracy of
17 calling HRA.

18 Intro. 2047 would help end housing discrimination
19 for justice involved individuals by making it illegal
20 to deny someone in an apartment on the basis of an
21 arrest record or conviction. \$4 million incarcerated
22 people are among the most vulnerable people to become
23 homeless and housing is often just one of many
24 significant challenges that they face upon reentry.

25 The COVID crisis has underscored the importance
of safe and secure housing. With the Centers of

3 Disease Control issuing guidance for a nationwide
4 eviction moratorium it has never been more apparent
5 that housing is healthcare and housing is a human
6 right.

7 With the overwhelming majority of the shelter
8 population in Black and Latinx people ensuring that
9 the voucher levels are at sufficient amounts in order
10 for people to swiftly use them emphasizes that
11 housing justice is racial justice.

12 I believe that the legislation included in
13 today's hearing will make great strides to promote
14 equity in housing by removing some of the barriers,
15 just some, not all. Keeping people from securing or
16 maintaining their apartments.

17 I want to thank the advocates and members of the
18 public and those with lived experience for joining us
19 remotely today. Thank you to representatives from
20 the Administration for joining us and I look forward
21 to hearing from you on these critical issues.

22 At this time, I would like to acknowledge my
23 colleagues who are here today. We are joined by
24 Council Members Perkins, Grodenchik, Barron, Holden,
25 Lander, Salamanca, and Powers. Ayala is not joining
us at this time but I hope to hear from her later.

3 I'd also like to thank my staff Jonathan Boucher my
4 Chief of Staff, Elizabeth Adams my Legislative
5 Director, Deidra Cheatham my Director of Constituent
6 Services. And I want to thank Committee Staff Aminta
7 Kilawan Senior Counsel, Crystal Pond Senior Policy
8 Analyst, Natalie Omary Policy Analyst and Frank Sarno
9 Finance Analyst.

10 And with that, I will turn it over to my
11 colleague Dr. Mathieu Eugene for his opening remarks.

12 CHAIRPERSON EUGENE: Thank you very much Chair
13 Levin, thank you. Good afternoon. I'm Council
14 Member Mathieu Eugene and I am the Chair of the
15 Committee on Civil and Human Rights. Thank you for
16 joining our joint virtual hearing today.

17 I would like to thank my Co-Chair Stephen Levin
18 for convening this very important hearing today. I
19 would like also to acknowledge my colleagues on the
20 Committee Council Member Perkins and also Lander,
21 Barron, I don't if Mr. Dromm is here, he will
22 probably join us later on.

23 Prior to COVID-19 pandemic, housing and security
24 was always a significant issue plaguing New York
25 City. As of January 2019, 83,277 individuals were
experiencing homelessness in New York City. This

1 number includes those experiencing street
2 homelessness, as well as the thousands that can't
3 live in shelters toward the city. There are
4 formidable numbers.
5

6 With a global pandemic we are currently at a
7 critical juncture that could exasperate this already
8 critical housing crisis. At moratoriums on eviction
9 begin to expire. It is apparent that the city,
10 state, and federal officials are quickly to address
11 what is certain to come a homelessness crisis of
12 epic proportions.

13 The City Council will hear several bills today
14 that attempt to address the various aspect of this
15 homelessness problem in the city. While none of
16 them, none of this nation will solve the issue
17 completely. The bills will strengthen protections
18 for housing application and improve access to support
19 rental assistance programs.

20 As a city, it is of utmost importance that we
21 strengthen the city human rights law to the greatest
22 expense possible when it comes to discrimination and
23 housing. While the city's law currently contains
24 some of the strongest and most comprehensive
25 protections, including forbidding discrimination and

3 housing based on a generous lease of protected
4 classes, there is always more to be done.

5 In today's hearing, we will hear from the
6 Commission of Human Rights CCHR about the source of
7 income discrimination unit and their overall effort
8 to combat housing discrimination. The unit has been
9 instrumental in combating discrimination against
10 those who apply for housing using the rental
11 assistance vouchers.

12 Between 2018 and 2019, the unit has investigated
13 and resolved over 350 cases of discrimination.

14 However, we heard at this Committee's 2018 Budget
15 hearing, discrimination runs rampant in this City.

16 This Committee wants to ensure that CCHR is doing
17 all that it can particularly in the upcoming months
18 to ensure that those who are legally entitled to
19 housing are not unnecessary prevented from obtaining
20 it.

21 In addition, given budget cuts, this Committee
22 would want to hear from CCHR. How it plans to
23 address [INAUDIBLE 13:24] and when it will apply
24 funding program as Fair Housing Initiative. A
25 program that in New York State Division of Human
Rights has been all in for a few years now.

3 In addition, we will also hear feedback on Intro.
4 2047 sponsored by my Co-Chair Levin. This bill will
5 ban the criminal history in housing by landlord,
6 state brokers, and their companies or agents.

7 In 2015, New York City restricted to use of
8 arrests in criminal history check for employment
9 purposes. However, no such protections exists in the
10 housing context.

11 In today's hearing, we present the first step
12 toward addressing this very important issue. I look
13 forward to hearing feedback on this bill and the many
14 other bills our Committees are hearing today.

15 I would like to thank the Committee Staff and
16 Counsel Staff in general while working hard behind
17 the scenes to make this hearing possible. I would
18 like now to turn it back to my Chair Levin.

19 CHAIRPERSON LEVIN: Thank you so much my Co-Chair
20 Dr. Mathieu Eugene and thank you for your work on
21 behalf of Human Rights here in New York City.

22 And now, I would like to turn it over to members
23 of the Administration for their testimony. We are
24 joined by Dana Sussman, Deputy Commissioner – sorry,
25 and I am missing the entire [DROPPED AUDIO 15:22] but

3 Deputy Commissioner if you could read that into the
4 record when you begin.

5 Also joined by Deputy Commissioner Erin
6 Drinkwater out of the Department of Social Services.
7 And let's see, oh I'm sorry, we are doing a public
8 panel first, excuse me, I'm sorry. Sorry about that.
9 We are doing a public panel first and bear with me
10 please. Oh, and I am going to call on Council Member
11 Keith Powers to do a statement before calling on the
12 panel on his legislation.

13 COUNCIL MEMBER POWERS: Thank you. Thank you to
14 both Chairs. My name is City Council Member Keith
15 Powers and I am glad to be here joining my colleagues
16 today in support of his brilliant important piece of
17 legislation.

18 I will talk briefly about my bill but I want to
19 just take a step back to say that this week, this
20 past week, as many of us including the Chair Stephen
21 Levin, have been out there advocating for clearer and
22 better policies with regard to a number of the
23 shelters and hotels that have been in the news
24 recently. These bills become even you know, to me,
25 are a really important part of the equation. We're
talking about long term solutions for homelessness

1
2 and as we all talk often about the need to find
3 people housing and find people permanent housing to
4 avoid these community battles over hotels and
5 shelters, we now have an opportunity right here today
6 to do and to do that and to take steps in the pursuit
7 of that goal.

8 So, I hope many folks will, who whatever side
9 you are on will be widely in support of these bills
10 here today and I have to commend the Chair Stephen
11 Levin because he has been talking about a number of
12 these bills for quite a long time and I have actually
13 witnessed him fighting with the Administration over
14 things like vouchers and making sure that we are
15 doing our part here in the city. But I am also
16 really glad to join him in the Introduction of a Fair
17 Chance Housing Act a few weeks ago, which will offer
18 people a better opportunity to get housing here in
19 New York City.

20 As the Chair of the Criminal Justice Committee,
21 we talked about reentry and we talked about being
22 prepared for getting people permanent housing, which
23 is about stability and this is a real opportunity to
24 do it and so, this bill is I think a tremendous step
25 forward to actively help people find housing and to

1
2 remove the box, sort of to ban the box here in New
3 York City when it comes to peoples criminal history
4 when finding housing.

5 I'm also really proud to introduce a bill that's
6 about source of income discrimination here in New
7 York City, something I have talked about for quite a
8 long time. This goes back to when I was working in
9 the assembly some years ago in the Bloomberg
10 Administration and we fought over expanding source of
11 income discrimination protections. I think they even
12 had the bill vetoed, but right now in New York City
13 there is prohibitions against discrimination based on
14 law for source of income only apply to buildings with
15 six units or more. That leaves many smaller
16 buildings out, where New Yorkers with vouchers who
17 may already struggle to find housing, could continue
18 to face discrimination.

19 So, the bill that I have introduced here today
20 Preconsidered bill, would expand protections against
21 source of income discrimination to any housing with
22 more than two units in New York City with an
23 exception for owner occupied units and buildings. It
24 also brings New York City closer to line with the
25 laws of the state passed recently around source of

3 income discrimination, so that we can ensure that New
4 York City can enforce our laws here, right here in
5 the city and we can empower our own agencies that are
6 doing a very good job enforcing source of income
7 discrimination to be able to do their job.

8 So, I look forward to hearing everybody's
9 comments on that and of course, ready to take notes
10 on those and to address any challenges that might
11 reside within those but I think these are really
12 important bills that are going to actually help New
13 Yorkers at a time when we desperately need it.

14 I really want to thank everybody here who has
15 been working on these issues far before I came to the
16 City Council and have been in pursuit of more just
17 policies. And just policies and also are standing up
18 for our most vulnerable New Yorkers.

19 And I will just end on this note, which is that
20 beyond this at some point, we're going to continue to
21 need to talk about resourcing those agencies which
22 are in -- had the responsibility for enforcing these
23 laws because I do believe and I've said this for a
24 while, I think we need some more resources at those
25 agencies where it is possible at a very challenging
time in the city around the fiscal crisis. But those

3 agencies do really important work to make sure that
4 folks can get housing.

5 So, with that being said, I'll leave it at that.
6 I really want to thank the Chair for his endless work
7 and also hosting this hearing to make sure that New
8 Yorkers can get housing and can be made sure that
9 they are not discriminated against and have
10 appropriate vouchers.

11 So, thank you Chair and I look forward to hearing
12 everybody's testimony.

13 CHAIRPERSON LEVIN: Thank you Council Member
14 Powers. With that, I am going to turn it over to
15 Counsel to the Committee Aminta Kilawan for the first
16 panel.

17 COMMITTEE COUNSEL: Thank you Chair Levin. I am
18 Aminta Kilawan Counsel to the General Welfare
19 Committee of the New York City Counsel. I will be
20 moderating today's hearing and I will be calling
21 panelists to testify.

22 Before we begin, I want to remind everyone that
23 you will be on mute until I call on you to testify.
24 At that point, you will be unmuted by the host. I
25 will be calling on panelists, please listen for your
name to be called. After you are called on, you will

3 be unmuted. I will be periodically announcing who
4 the next panelists are going to be.

5 So, the first panelist that we are going to be
6 hearing from today are Charisma White, Shawntel
7 Williams, Karim Walker and Josefa Silva.

8 Again, I will call on you when it is your turn to
9 speak. During the hearing, if Council Members would
10 like to ask a question, please use the Zoom raise
11 hand function and I will call on you in the order in
12 which you have raised your hand.

13 I want to note that we will be limiting Council
14 Member questions to five minutes, that includes both
15 questions and answers. Please also note that ease of
16 this virtual hearing, we won't be allowing a second
17 round of questioning. And again, all public
18 testimony is going to be limited to three minutes.
19 After I call your name, please wait a brief moment
20 for the Sergeant at Arms to announce that you may
21 begin before you start your testimony.

22 I am going to now call on our first witness for
23 today, who will be Charisma White.

24 SERGEANT AT ARMS: Time starts now.

25 COMMITTEE COUNSEL: Okay, it seems as if Charisma
may be having some technical difficult, so we will

3 move on to Shawntel Williams and we will get back to
4 Charisma.

5 SERGEANT AT ARMS: Time starts now.

6 SHAWNTELL WILLIAMS: Hello, good morning. My
7 name is Shawntel Williams. This is my second time
8 having a CityFHEPS voucher, receiving the first due
9 to losing my job. Late payments for HRA got my
10 family evicted from my apartment of five years,
11 forcing us into homelessness. I received my second
12 CityFHEPS voucher from DHS. Constantly getting
13 denied for apartments both times because I don't make
14 40 times the rent. I cannot work due to medical
15 reasons, so why should my occupation matter if I have
16 a voucher that can cover the rent. It shouldn't, but
17 me not knowing my rights got me discriminated against
18 like many others. Which is why we need to approve
19 Intro. bill 1339.

20 Landlords deny me because "by law we cannot rent
21 a one bedroom to get a four family household with a
22 1580 CityFHEPS voucher. If landlords know this, then
23 the people that create the vouchers, why don't they?
24 It's simple, DHS and HRA does not care and is set up
25 for failure. If they have a lack of care for their

3 rat and roach invested shelters, they won't care to
4 increase our CityFHEPS vouchers to help us out.

5 Do you realize the more people you help out of
6 shelters; you can decrease homeless people being on
7 the streets? Here is median asking right for a
8 studio in the past two years. Queens \$1895, Brooklyn
9 \$1945, Bronx \$1814, Manhattan \$3888. How is \$1580,
10 one bedroom CityFHEPS voucher going to cover that?
11 Because the system is not built on common sense which
12 is why Intro. bill 146 would help cover real listing
13 asking rent.

14 Please don't delay helping lives and what could
15 be you or did you not think that this could happen to
16 you. Guess what? This is happening to my 4-year-old
17 autistic son. This is happening to my 2-year-old
18 daughter and my 12-week baby in my womb. After being
19 ripped from their homes for just 20 minutes with no
20 shoes for my baby's feet in 30 degree weather, don't
21 you think they deserve fairness? Don't you?

22 Thank you for your time.

23 COMMITTEE COUNSEL: Thank you so much Shawntel.
24 And now we move on to Karim Walker.

25 SERGEANT AT ARMS: Time starts now.

3 KARIM WALKER: Good morning ladies and gentleman.
4 My name is Karim Walker. If we could start with the
5 in one word, it would be expensive. The city, as we
6 can see, New York City has a very, very big problem
7 in terms of housing and in affordability in housing.
8 That's why Intro. 146 we could raise the value of the
9 vouchers to fair market value is so key to
10 maintaining housing stability in the city.

11 If we can afford approximately - if we could
12 afford about \$3500 a month for a shelter bed for
13 someone to stay in a shelter, I'm sure the city can
14 afford to pay a fraction of that, \$2,000 just to make
15 sure someone has a roof over their head and from that
16 and move on with their lives and what they need to do
17 to make themselves a viable productive member of
18 society.

19 As we all know, housing is healthcare. Housing
20 is much more than just a roof over your head. It's a
21 source of pride, it's a source of stability, it's a
22 source of respect and if you can afford to do that,
23 I'm sure a lot of people will feel a lot better about
24 themselves.

25 Thank you for your time.

3 COMMITTEE COUNSEL: Thank you Karim. And now we
4 will move on to Josefa Silva.

5 SERGEANT AT ARMS: Time starts now.

6 JOSEFA SILVA: Good morning. My name is Josefa
7 Silva, I am from Win and I will be reading testimony
8 from two individuals this morning.

9 My name is Tashia Wells and I thank the City
10 Council for allowing me to submit testimony. My
11 three children and I live at the family residents in
12 East New York, which has been our home since November
13 of 2018. Since January of 2019, I have a CityFHEPS
14 voucher and I have looked everywhere to find a
15 landlord who would take the voucher to allow us to
16 rent an apartment and leave shelter.

17 It's been nearly two years using the voucher. I
18 don't know how many times I have to renew it, it's
19 about to expire again. The search is taking so long
20 because my family and I are looking for a two bedroom
21 apartment. At \$1580 a month, you cannot find
22 anything.

23 At Win, I regularly speak with the housing
24 coordinator and I've searched everywhere for an
25 apartment. I call landlords and I reach out to them
via text. It's very rare that you find anything for

1
2 \$1600 and most two bedroom apartments are \$1800 to
3 \$2000 per month.

4 I've gone to a number of viewings. It's very
5 difficult and very competitive. Often there are
6 multiple families looking at the same apartment.
7 It's very hard. I have even looked for one bedroom
8 apartments. I am willing to do what we have to to
9 move out of shelter and will make it work.

10 My family and I are appreciative of the City
11 Council's dedication to helping homeless families.
12 We came to New York City after surviving two category
13 5 hurricanes in the U.S. Virgin Islands. Our family,
14 like so many, lost everything in those storms and
15 have had to start over.

16 Finding a permanent home would be even more
17 important for my family because it would allow me to
18 get the medical care that I need in order to go back
19 to work. I am on dialysis and need treatment three
20 days per week but I cannot get a transplant until my
21 doctors feel that I will be able to get three months
22 of around the clock care. I need a home, so that I
23 can get the care I need. I have applied for
24 supportive housing but it is a very long waitlist.

3 Finding a home and getting a transplant would be
4 a new start. In the U.S. Virgin Islands, I worked
5 with a program coordinator on HIV prevention reaching
6 out to girls about health and safety. I would
7 someday like to return to working in public health.

8 Having a voucher that pays more would make those
9 dreams possible and provide a more stable home for my
10 three children. I ask you today to please pass
11 Intro. 146, so that I can find an apartment for my
12 family.

13 May I ask for time to start for a second
14 testimony?

15 COMMITTEE COUNSEL: Yes Josefa, you can do that.

16 JOSEFA SILVA: Thank you. My name is Kory
17 Darby[SP?] and I thank the City Council for allowing
18 me to submit testimony.

19 I'm calling on the City Council to pass Intro.
20 146. It will ensure that CityFHEPS rent amount is
21 always competitive and can allow families to move out
22 of shelter.

23 I work as a housing coordinator at Win. Next
24 month, I will celebrate 24 years working at the Win
25 Bay Family Shelter in Sheepshead Bay. Our shelter is

1 home to 96 families and I regularly work with about
2 35 families at a time to try to find new apartments.

3
4 As a housing coordinator, I help families apply
5 for vouchers, search apartment listings on Craig's
6 list and Zillow, attend showings, negotiate with
7 landlords, and navigate the major aspects to housing
8 search.

9 Finding an apartment with a voucher is already a
10 long and difficult process. As part of my job, I
11 regularly drive around Brooklyn neighborhoods and
12 when I see for rent signs, I take down the contact
13 information and call the brokers to see if they can
14 help us find apartments for our clients. It is very
15 difficult to find apartments that are listed for the
16 rents that fit amounts of homeless families.

17 But finding an apartment is even more difficult
18 with the CityFHEPS voucher because the maximum rent
19 available is so low. It is incredibly challenging to
20 find a studio or one bedroom apartment for \$1323 a
21 month. It's even more difficult to try to help a
22 family of three or a family of four to find an
23 apartment for \$1580 a month.

24 If any of the landlords I meet who are looking
25 for renters for a studio or one bedroom can get \$1800

1 or \$1900 a month. Expecting them to take the low
2 market rates to house formerly homeless families is
3 not realistic. So, it's extremely rare that our
4 clients are able to find an apartment within the 90
5 days of eligibility for using the CityFHEPS voucher.
6 Many of our clients reapply for the voucher multiple
7 times.
8

9 This leads to a frustrating cycle for our
10 families. Many feel that as soon as they get the
11 voucher, they will be able to move out of shelter
12 quickly but the long search often means they get
13 depressed in their situation. Many do not realize
14 how hard it is to search for an apartment with
15 CityFHEPS and they get frustrated just at the moment
16 when they are so close to finding stable homes.

17 On many more occasions, our families get close to
18 finding a home only to have apartments fall through.
19 Largely because the amount of the rental voucher
20 isn't enough to keep a landlord committed. It hurts
21 me as a housing coordinator to see families get close
22 and then have their hopes dashed. They are often
23 looking at me for the answers. I get frustrated for
24 them and I get frustrated for my colleagues at Win,
25 who are also looking for answers.

3 The CityFHEPS voucher program has a number of
4 advantages, including allowing families to receive
5 help until their oldest child is 21. But at its
6 current rent levels, it is not a useful tool for
7 helping families.

8 Please pass Intro. 146 to help homeless families
9 exit shelter more quickly. Thank you.

10 COMMITTEE COUNSEL: Thank you Josefa and I
11 apologize for having mispronounced your name.

12 JOSEFA SILVA: Oh, that's okay.

13 COMMITTEE COUNSEL: And now, we are going to
14 again call on Charisma White.

15 SERGEANT AT ARMS: Time starts now.

16 CHARISMA WHITE: Hello, my name is Charisma
17 White. I am an HPD Section 8 voucher holder for over
18 ten years now. I experienced a very harsh and
19 alarming ordeal when looking for a home with a very
20 serious medical problem. I was homeless for three
21 years in New York City while holding a pretty
22 reliable good voucher. Management and landlords and
23 realtors would tell me, they are not accepting
24 vouchers or your income is not high enough or your
25 credit is not good enough. Increasing the voucher
amount would make a difference in providing community

2 and homes for people that are formerly homeless.

3 Please increase the voucher amount on the CityFHEPS
4 vouchers Intro. 146. Thank you.

5 COMMITTEE COUNSEL: Thank you so much Charisma
6 and again, I apologize for mispronouncing your name
7 as well. I'm doing the best that I can.

8 I would now like to call on the attendee who has
9 dialed in to our hearing today. If you can please
10 identify yourself for the record.

11 ASHLEY BELCHER: My name is Ashley Belcher.

12 COMMITTEE COUNSEL: Thank you Ashley, you may
13 begin your testimony.

14 SERGEANT AT ARMS: Time starts now.

15 ASHLEY BELCHER: Good morning members of the City
16 Council. My name is Ashley Belcher and I am with the
17 Homeless Can't Stay Home Campaign. I am 27-years-old
18 and I've been homeless for about 11 years. I feel
19 that Intro. 146 is a huge deal for the future success
20 of street homeless and sheltered people of New York.
21 Push for 146 so we are out of the mix.

22 I believe and know from past experience Intro.
23 146 could potentially give homeless people more
24 confidence and protection by providing them with
25 housing. Housing allows people to have their own

1 space and cleanliness. Ultimately, I say this
2 because I want you to understand that housing will
3 give us a life of our own.

4 I know I can speak for most of us when I say the
5 current voucher value is much less than what's
6 affordable or substantial living means in New York.
7 It's virtually impossible to find housing with the
8 voucher at its current rate.

9 By helping us with this increase, I can guarantee
10 there will be more people off the street and it will
11 allow myself and others to feel like a normal
12 resident and participant in our community. It will
13 give us an opportunity and confidence to become a
14 working member of society.

15 In conclusion, by raising the CityFHEPS vouchers
16 to fair market rate, we will have an actual chance in
17 getting permanent housing. Currently, at this rate
18 and amount, there is not much hope for finding a
19 home. Thank you.

20 COMMITTEE COUNSEL: Thank you very much Ashley
21 and this concludes our first panel for this morning.
22 I'd now like to turn it over to Chair Levin.

23 CHAIRPERSON LEVIN: Thank you very much Aminta.
24 Thank you to this panel and as you can see I have my
25

3 one-year-old here. So, I apologize in advance if you
4 hear some you know crying or if I have to run screen
5 for a minute.

6 I just want to thank this panel for you know,
7 your perseverance and for sharing your story with us
8 in very real terms, so that we can understand that
9 it's not just a bunch of numbers and it's not just
10 you know - we're not talking about abstract policy
11 here. This is real. This has been real for a long
12 time and so I just want to thank all of you so much
13 for your testimony and Josefa, I remember gosh, a
14 couple of years now, I went to meet with the housing
15 coordination staff at Win to talk about it and I
16 said, I know what we need, we need more housing
17 coordinators. That will fix the problem, more
18 housing coordinators and I went to talk about that
19 with Win staff and they said, we don't actually need
20 more housing coordinators, we need an increase in the
21 voucher. Because you could triple the number of
22 housing coordinators but if the voucher limits are
23 not raised to fair market rent, people will still
24 face the same problem.

25 So, I just want to thank all of you for keeping
the progress going on this. I want to acknowledge

3 Antonio Reynoso who has joined us as well. Council
4 Member Reynoso from Brooklyn and there are two
5 Council Members or just one Council Member that has a
6 question for this panel. I believe Council Member
7 Barron.

8 COUNCIL MEMBER BARRON: Okay, good, thank you so
9 much. I want to thank you Chairs for having this
10 very important hearing and thank the panel for
11 sharing their personal experiences and I'd like to be
12 added to those bills of which I am not already a
13 member listed as a cosponsor and the issue that we're
14 facing in terms of homelessness is so critical. We
15 know that everyone is intitled to decent affordable
16 housing and the temporary shelters are not the
17 solution and we are seeing now, just last week, what
18 are the consequences of people being in temporary
19 shelters and being in locations where people have
20 basically a nimby attitude, not in my backyard.

21 So, we know that on the upper west side, the
22 residence there hired a high powered attorney and
23 subsequently the men that were housed the Lucerne
24 were evicted and that's having a trickle affect and
25 the family residence in my community, I don't know if
it's the same one where testimony was entered into

3 the record but there is a family residence here in
4 East New York where the residence have been told they
5 have to vacate. We are going to be holding a press
6 conference in about an hour, saying no, this system
7 needs to be corrected. We need to make all the
8 provisions we can to get people into permanent
9 housing. We don't want to have a juggling and a
10 domino effect and a ripple effect because of
11 community opposition and then displacing another
12 location of people. We know that family shelters are
13 also very, very important and it provides a sense of
14 stability in the community and for those who are
15 there particularly now during this pandemic and with
16 the issues that we have regarding opening of schools.

17 So, I support the legislation. I ask to be added
18 to that and I want to offer words of encouragement to
19 all of those who are caught up in this shelter system
20 and just say that don't be discouraged, keep moving
21 forward. Thank you.

22 COMMITTEE COUNSEL: Thank you Council Member
23 Barron. Seeing no other questions from Council
24 Members for this panel, I will now call on Members of
25 the Administration to testify.

3 I'm going to now read off the names of the
4 individuals who are going to be testifying. For DSS
5 we have Bruce Jordan Chief Homelessness Prevention
6 Officer. Erin Drinkwater Deputy Commissioner of
7 Intergovernmental and Legislative Affairs for the
8 Commission on Human Rights. We have Dana Sussman
9 Deputy Commissioner of Policy and Intergovernmental
10 Affairs and Zoey Chenitz Senior Policy Counsel.

11 At this time, I am going to deliver the oath to
12 the Administration. Do you affirm to tell the truth,
13 the whole truth and nothing but the truth before this
14 Committee and to respond honestly to Council Member
15 questions?

16 PANEL: Yes.

17 COMMITTEE COUNSEL: Thank you all, you may begin
18 your testimony when ready.

19 BRUCE JORDAN: Good morning Chairs Levin and
20 Eugene and Members of the General Welfare and Civil
21 Human Rights Committee's. Thank you for the
22 opportunity to testify today on the topic of rental
23 assistance and source of income discrimination
24 programs.

25 My name is Bruce Jordan and I am the Chief
Homelessness Prevention Officer at the Human

3 Resources Administration HRA and I am joined by Erin
4 Drinkwater Deputy Commissioner for Intergovernmental
5 and Legislative Affairs at the Department of Social
6 Services DSS.

7 The Homelessness Prevention Administration's
8 mission is to keep New Yorkers stably housed and
9 ensure they are connected to resources like rental
10 assistance and legal services. Within the
11 Homelessness Prevention Administration of the Housing
12 and Homeless Services Initiative Division, the Rental
13 Assistance Program, the Legal Services Initiatives
14 unit, and the Early Intervention Outreach Team, all
15 of which are vital partners in assisting New Yorkers
16 in need and contributing to the first part of the
17 Mayor's Turning the Tide plan to prevent homelessness
18 where ever possible.

19 A system built upon, excuse me, a system built
20 over time against the back drop of affordable housing
21 scarcity structural inequality and severally rent
22 burdened New Yorkers. The reforms and initiatives we
23 are implementing are taking hold despite prior
24 decades of underinvestment in affordable housing and
25 rental assistance.

3 DSS serves 3 million clients each year. Poverty
4 and homelessness are often attributed to individual
5 decision making and individual circumstances, rather
6 than underlying structural inequality. However,
7 structural inequality is a reality for the families
8 and individuals who serve every day. We are making
9 progress. Our Census for 2017, 2018, and 2019 has
10 remained flat year over year for the first time in
11 more than a decade at approximately 60,000.

12 Today, the New York City Department of Homeless
13 Services Census is fewer than 55,000 but we still
14 have much work to do to address the problems that
15 built up over many years.

16 As I begin my testimony, it is important to
17 briefly provide some historical context. From 1994
18 to 2014, the shelter population in New York City
19 increased 115 percent and between 2011 and 2014,
20 following the abrupt ended Advantage Rental
21 Assistance program, the DHS shelter Census increased
22 by 38 percent.

23 During this same time, New York City faced
24 increasing economic inequality as a result of
25 stagnant wages, a lack of affordable housing, and an
increased cost of living. Rents increased by more

1
2 than 18 percent while wages increased by less than 5
3 percent and 150,000 rent regulated apartments were
4 lost. Combined these and other trends meant that by
5 2015 the city only had half the housing it needed for
6 about 3 million low-income New Yorkers. And while
7 the city's rental vacancy rate of 5 percent poses a
8 problem for people across all incomes, renters who
9 are only able to afford an apartment costing \$800 or
10 less must search in the market with a vacancy rate of
11 a mere 1.15 percent in 2017, down from 1.8 percent in
12 2014.

13 Today, roughly three out of every ten New York
14 City renters are severely rent burdened, spending
15 more than 50 percent of their income on rent. Many
16 of these individuals and families facing rent burden
17 are also those who cycle in and out of poverty,
18 living just one personal crisis away from
19 homelessness. COVID-19 has only exacerbated this
20 crisis.

21 Preventing homelessness whenever we can, a
22 prevention first model has been key to addressing the
23 homeless crisis that has built up over four decades
24 by stopping homelessness in the first place. Our
25 prevention model includes three key initiatives. An

3 expansion of the network of neighborhood based,
4 homebased offices in all five boroughs and universal
5 access to counsel through the Civil Office of Justice
6 and Rental Assistance.

7 Homebase is a community based prevention program
8 and serves as the first point of entry for those at
9 risk of becoming homeless. Under this
10 Administration, we expanded a number of homebased
11 locations from 14 in 2014 to 26 in 2020. This
12 expansion increases access so that people can reserve
13 close to home. At these locations, our contracted
14 providers work with families and individuals to
15 determine the prevention and diversion tools for
16 which they are eligible including on site processing
17 and triaging of public assistance and rental
18 assistance, landlords and family mediation,
19 educational advancement, employment opportunities,
20 and financial literacy services.

21 The numbers of households served by Homebase in
22 FY20 was 28,700. Almost tripling the 11,900
23 households served in Fiscal '14. Through Homebase,
24 we also increased access to payment of emergency rent
25 and utility arrears to assist New Yorkers at risk of

1
2 eviction remain in their homes and to cover the
3 increasing cost of rent.

4 To date, this Administration has provided
5 emergency rent arrears to approximately 50,000
6 households each fiscal year since FY15 and over a
7 quarter of a million grants to households since 2014.
8 The average payment per case between July 2019 to
9 April 2020 was \$4,231. We also made the payment
10 process more efficient and quicker by replacing the
11 old system of generated checks at each individual HRA
12 job center with a centralized rent arrears processing
13 unit.

14 Moreover, we have implemented an electronic
15 benefits payment system for Housing Authority rent
16 arrears payments and we are developing a similar
17 payment system for private landlords. Using Access
18 HRA class can confirm that the rent was paid to their
19 landlords and reform we work to codify in state law.

20 Under this Administration, we exponentially
21 expanded free legal services for New Yorkers facing
22 eviction and landlord harassment. Funding for legal
23 services for tenants increase more than 24 since
24 2014. Roughly 6 million to more than 128 million
25 currently, growing to 166 million in the baseline

1 budget when the right to counsel program is
2 implemented fully. With this investment, residential
3 evictions by marshals declined by 41 percent since
4 2013.
5

6 In 2019 alone, evictions decreased by 15 percent.
7 The largest single year decreased since the launch of
8 the city's universal access to counsel program. In
9 FY19, OCJ funded legal organizations, provided legal
10 assistance to over 41,000 households across New York
11 City facing housing challenges. Comprising over
12 105,000 tenants and their household members. This
13 reflected a 24 percent increase in households served
14 compared to the prior year and a 74 percent increase
15 compared to FY17.

16 Before the formal launch of Universal Access, as
17 of December 2019, nearly 400,000 New Yorkers received
18 free legal representation, advice, or assistance in
19 eviction and other housing related matters since 2014
20 through Tenant Legal Service Programs administered by
21 the Human Resource Administrations Office of Civil
22 Justice in the Homelessness Prevention unit.

23 Rental assistance, streamlined programs, policy,
24 process changes, HRA's rental assistance programs
25 help individuals and families move out of shelter or

3 avoid homelessness by providing monthly rental
4 supplements which bridge the gap between rents and
5 income.

6 After the city and state cut the Advantage Rental
7 Assistance program in 2011, homelessness grew by an
8 additional 38 percent. Upon taking office in 2014,
9 this Administration jumped in aggressively to fill
10 the gap and rebuild rental assistance and rehousing
11 programs from scratch in order to provide families
12 and individuals with the vital support needed to
13 secure housing or remain housed today.

14 HRA's rental assistance programs are a critical
15 component of a multipronged social service strategy
16 that responds to unmet affordable housing supply
17 needs. In 2018, HRA streamlined city funded rental
18 assistance programs for households in or at risk of
19 going into shelter. Collapsing seven unique programs
20 into one, making it easier for landlords inclined
21 alike.

22 The CityFHEPS program designed is consistent with
23 the settlement with the state [INAUDIBLE 00:49:43]
24 with respect to State FHEPS. We recognize, excuse me
25 one second please, technical difficulties. We
recognize rental assistance is a critical tool to

3 move families and individuals out of shelter and to
4 prevent entry into shelter. CityFHEPS is entirely
5 funded through City Tax Levy. To be eligible for
6 CityFHEPS, households must have a gross income at or
7 below 200 percent of the federal poverty level and
8 meet one of the following five criteria's.

9 The household includes someone who served in the
10 U.S. Armed Forces and is at risk of homelessness or
11 the household has an unexpired link CityFHEPS or SEPS
12 letter at the time of CityFHEPS eligibility is
13 requested. Not available after 2-28-2019 or the
14 household gets link six or pathway home benefits and
15 would be eligible for CityFHEPS if they were in a DHS
16 or HRA shelter or the household was referred by
17 CityFHEPS qualifying program and DSS determined that
18 CityFHEPS was needed to avoid shelter entry or the
19 household was facing eviction import or was evicted
20 in the past and includes someone who has previously
21 lived in a DHS shelter or includes someone who has an
22 active Adult Protective Services, APS case and is
23 designated community guardianship program or lives in
24 a rent controlled apartment and will use CityFHEPS to
25 stay in that apartment.

3 One of the goals of streamlining multiple rental
4 assistance programs was to increase our ability to
5 combat discrimination faced by a prospective renters
6 using subsidized vouchers in the housing market.
7 Referred to as source of income discrimination. The
8 streamlining of rental assistance programs has
9 resulted in more landlords and brokers opening doors
10 for our neighbors in need while also enabling HRA to
11 better track and attack SOI discrimination.

12 Fair Housing Litigation Unit FHLU, the process of
13 securing a rental assistant voucher is an important
14 first step towards achieving permanent housing for
15 our clients. Searching for an apartment in New York
16 City can be arduous for many people. However, it is
17 particularly difficult when some landlords are
18 actively discriminating against you based on your
19 source of income.

20 In New York City, it is illegal for landlords or
21 real estate brokers to refuse to rent to current or
22 perspective tenants who use any form of public
23 assistance to pay their rent, including Section 8,
24 Supplemental Security Income SSI, HIV AIDS Services
25 Administration HASA, Family Homelessness and Eviction
Prevention Supplement FHEPS, CityFHEPS, among others.

3 It is also unlawful for landlords and housing
4 agents to publish any type of advertisements refusing
5 to accept these programs, including online or print.

6 In May of 2017, the Department of Social Services
7 DSS, Source of Income discrimination unit SOI, was
8 established to combat illegal practices that prevent
9 New Yorkers from securing housing opportunities.

10 Today, the unit has been expanded and renamed the
11 Fair Housing Litigation Unit. This units primary
12 focus remains combating source of income
13 discrimination but it has been renamed in recognition
14 of the fact that SOI discrimination is often
15 intertwined with other forms of discrimination. The
16 unit works to prevent and prosecute instances of
17 housing discrimination based on loss of source of
18 income via multiprong approach that includes
19 education and outreach.

20 Pre-complaint intervention, investigations, and
21 filing and prosecuting complaints on behalf of the
22 city alleging a pattern or practice of source of
23 income discrimination.

24 When other forms of discrimination are identified
25 in an SOI case, the unit will take steps to address
those issues as well. On behalf of renters utilizing

3 rental assistance, their Fair Housing Litigation Unit
4 takes decisive legal action against landlords.
5 Including in New York State Supreme Court or
6 discrimination based on sources of income by
7 intervening whenever and wherever those seeking
8 housing may encounter in the housing process. From
9 inquiry and application through lease signing.

10 The units creation sends a powerful message to
11 city landlords that refuse to rent to New Yorkers
12 receiving public assistance to pay their rent. We
13 are here to work with all landlords but will not
14 stand for discrimination. We have lawyers working to
15 address this illegal, discriminatory, behavior and we
16 are prepared to intervene or prosecute to ensure all
17 New Yorkers can access the housing opportunities that
18 are rightfully theirs as they get back on their feet.

19 Coupled with our rental assistance programs, DSS
20 source of income discrimination unit has proven to be
21 an unformattable tool in fighting housing
22 discrimination fueling homelessness in our city.

23 FHLU prevents and prosecutes instances of housing
24 discrimination using a multiprong approach.
25 Education and outreach, the unit provides training on
fair housing across the five boroughs for legal

3 service provides, not-for-profit, community based
4 organizations, tenant advocacy groups, and DSS, HRA,
5 and DHS staff.

6 The unit will also address adequate inquiries
7 relating to fair hearing concerns. Pre-complaint
8 intervention, the unit reviews complaints and as
9 appropriate conducts intervention through negotiating
10 with brokers and landlords and leasing for any city
11 resident seeking tenancy. Robust Fair Housing and
12 Testing Investigations, the unit manages an extensive
13 citywide testing operation that will use secret
14 shoppers to identify all types of housing
15 discrimination. Filing and prosecuting complaints on
16 behalf of the city alleging pattern or practice
17 discrimination, through a designation from the New
18 York City Law Department, the unit is authorized to
19 file cases alleging pattern or practice
20 discrimination on behalf of the city.

21 Since this establishment, FHLU, DSS, SOI unit
22 filed several cases against landlords in New York
23 State Supreme Court for discrimination based on
24 source of income. In June 2018, the unit filed its
25 first two cases against New York City landlords in
New York State Supreme Court for discrimination based

3 on source of income. In the first case, City of New
4 York versus St. Marks Hamilton LCC and Oxford Reality
5 Group LLC, property management company Oxford Reality
6 told multiple callers seeking housing that vouchers
7 were not accepted and to see new states rental
8 apartment complex in Staten Island.

9 In the second case, City of New York versus
10 Everton Campbell Atlas Reality Associates INC. DSS
11 initiated an investigation that found advertisements
12 containing discriminatory language for units located
13 in the Bronx being published on multiple real estate
14 websites including apartmentfinder.com, hotpads.com,
15 and apartments.com. The discriminatory language
16 included phrases such as, not accepting any vouchers,
17 no vouchers are being accepted for this apartment and
18 this apartment is not accepting any vouchers.

19 In July of 2019, the DSS SOI unit filed its third
20 case in the New York Supreme Court for discrimination
21 based on source of income. In this case, the City of
22 New York versus Samson Management LLC, 700 Victory
23 Boulevard, New House Reality Inc and Lelu[SP?] and
24 Lili Lu, an investigation found that only Lili Lu,
25 the exclusive broker for the apartments, a 200 plus
unit building on Staten Island owned by 700 Victory

3 Boulevard LLC and managed by Samson Management LLC
4 was systematically denying housing opportunities to
5 perspective tenants with vouchers by failing to
6 follow up with them regarding available apartments,
7 while following up with non-voucher holders regarding
8 the same apartments.

9 Samson Management LLC owns or manages over 5,000
10 residential units across New York City. It has been
11 the subject of multiple federal investigation and
12 class action lawsuits regarding discrimination for
13 decades.

14 This case was initiated by the Fair Hearing
15 Litigation Unit, developed fully through in-house
16 capabilities, and then referred to the Fair Housing
17 Justice Center FHJC for additional field testing
18 required to initiate litigation. The Fair Housing
19 Litigation Unit takes action on matters received via
20 intake referral as well as unit initiated
21 investigations. Pursuing litigation where a pattern
22 and practice of SOI discrimination is uncovered.
23 Litigation is a necessary tool that the unit brings
24 to the table, but it is considered a tool of last
25 resort.

3 As the units top priority is helping DSS clients
4 utilizing rental assistance to secure housing, we do
5 this through an immediate rapid response intervention
6 in individual cases of SOI discrimination leveraging
7 all housing placement assistance and social service
8 tools that the Department of Social Services brings
9 to help New Yorkers in need get back on their feet.

10 The units first and fastest goal is turning a no
11 into a yes, so the New Yorkers in search of housing
12 could be connected to that housing swiftly in order
13 to stabilize their lives and maintain stability.

14 At DSS HRA, we understand an intentional policies
15 and practices perpetuate segregation and inequity
16 across the country and in our city and it will take
17 concerted effort from all levels of government
18 working with our partners in the private and non-
19 private sectors to undue that legacy.

20 Break interjectory and headed in the right
21 direction beginning to reverse the trend. While the
22 devastating impacts of economic inequality have
23 passed in action from prior administrations led to
24 the homeless crisis we face today, the initiatives of
25 the Department of Social Services HRA and DHS are
beginning to reverse the trend.

3 After nearly four decades of an ever increasing
4 homeless population in New York City, we have broken
5 the trajectory of growth in the homeless Census and
6 the new programs, reforms, and investments we are
7 implementing are headed in the right direction.

8 Currently, the DHS Census is 54,490 in comparison
9 to 59,561 a year ago. With the number of children
10 and adults in DHS shelters or families with children
11 at its lowest point of 10,404 families with 32,194
12 individuals in these families since December of 2012,
13 34,497.

14 Over the past months, we have been closely
15 monitoring the Census and what we've seen in a steady
16 decline in family homelessness and the steady
17 increase in the single adult homelessness as COVID-19
18 has magnified the realities of housing instability
19 for single adults in New York City.

20 In a five month period from November 2019 to
21 April of 2020, the numbers of New Yorkers who have
22 moved out of shelter to permanent housing will remain
23 in their homes as a result of our rental assistance
24 programs and supports increased by 9 percent from
25 139,328 to 147,700 and through June of 2020, we have

3 assisted more than 150,000 individuals move out of
4 their shelter or avoid entry into shelter.

5 While we know there is still much work to be
6 done, the data shows that our strategies to address
7 the crisis that has built up over 40 years are
8 beginning to take hold. For example, prevention
9 first, we are keeping more New Yorkers in their homes
10 by expanding access to legal services through our
11 first in the nation right to counsel program for
12 eviction cases. With evictions by Marshal pre-COVID
13 dropping by 41 percent since 2013. While evictions
14 are up all across the country. Rehousing helped more
15 than 150,000 New Yorkers move out of shelters or
16 avoid homelessness all together through our rental
17 assistance and rehousing programs.

18 Even in amidst of the COVID pandemic, HRA has
19 continued to focus on permanent housing placements
20 which are the best long term option for our clients.
21 We have rolled out a virtual walk through permanent
22 housing inspection process to continue move outs. We
23 are also creating new housing opportunities for
24 households experiencing homelessness through master
25 leasing and collaboration with the Department of
Housing Preservation and Development.

3 Now, we will move onto legislation. Intro. 146,
4 this bill will require that any individuals or
5 families receiving rental assistance vouchers
6 established by the Department of Social Services
7 would continue to receive assistance as long as the
8 household continues to meet any other eligibility
9 requirements. The bill would also require that the
10 maximum rent towards which rental assistance vouchers
11 may be applied annually increases at the same rate as
12 the fair market rents set by the United States
13 Department of Housing Preservation and Development.
14 The requirements set by the bill would be subject to
15 appropriation.

16 As we have testified to, our rental assistance
17 programs are one of many tools used to address
18 homelessness and housing instability. Every year
19 thousands of households exit shelter with a voucher
20 or receive vouchers in the community. Tens of
21 thousands of households are currently using vouchers.
22 Raising the FMR will increase the cost of these
23 vouchers but not generate savings and that cost grows
24 over time. As the previously placed population
25 renews leases at the higher rent.

3 Additionally, raising the cost above the value of
4 state rental assistance could inadvertently lead to
5 property owners unlawfully playing favorites by
6 picking the higher value city vouchers over state
7 vouchers. We are concerned about fiscal implications
8 given the current budgets realities facing the city.
9 Consistency across programs help prevent source of
10 income discrimination and ensure equal opportunity
11 for voucher holders trying to get back on their feet.

12 Intro. 2018, this bill will require – excuse me
13 one second. This bill will require the Department of
14 Homeless Services DHS to provide services to domestic
15 violence survivors in all DHS shelters. Services
16 will be coordinated by a social worker. We look
17 forward to working with the sponsor to address the
18 goals of this legislation and we anticipate that
19 there will be discussions at a staff level concerning
20 any legal issues that may be implicated by this bill.

21 DHS works very closely with HRA's domestic
22 violence programs, as well as the Mayor's Office to
23 end domestic and gender based violence. Our chief
24 priority is to ensure clients are able to access
25 services in confidential locations and to ensure
strong pathways for referrals, including those to the

3 New York City Family Justice Centers FJC's and to
4 diverse network of community based providers.

5 Intro. 1020, this bill will require that the
6 Department of Homeless Services and the Human
7 Resource Administration track and report certain data
8 regarding rental assistance programs, including
9 outcomes of Family Homelessness and Eviction
10 Prevention Supplement FHEPS and any future rental
11 assistance program created for New York City
12 residents.

13 We are interested in working with the sponsor to
14 address the goal and intent of the legislation. The
15 agency already submits reports to the City Council at
16 each fiscal plan as agreed upon in a monitors report
17 concerning rental assistance.

18 Intro. 1339, this bill will require the New York
19 City Department of Social Services DSS to arrange for
20 the provision of a written notice to applicants who
21 are found potentially eligible for rental assistance
22 programs administered by DSS. The notice will
23 provide information about protections under the New
24 York City Human Rights Law related to discrimination
25 on the basis of a person's lawful source of income.

3 We support the goal of this legislation and want
4 to work with the sponsor to align with our current
5 work. DSS currently has information about
6 protections under the New York City Human Rights Law
7 related to discrimination on the basis of a person's
8 lawful source of income and that's a lot of info. It
9 is included on the CityFHEPS shopping letter.

10 Preconsidered T2020-6576, this bill will require
11 the Department of Social Services DSS to provide more
12 information about its rental assistance program,
13 CityFHEPS online specifically DSS would be required
14 to make the status of an application or renewal
15 request available to applicants online.

16 DSS looks forward to working with the sponsor on
17 this legislation. Currently DSS provides a great
18 deal of information to clients through Access HRA.
19 We currently have an RFP in the field to continue to
20 improve this to. Given procurement rules, we are
21 limited on what we can discuss today.

22 Thank you again for this opportunity to testify
23 and I welcome your questions.

24 COMMITTEE COUNSEL: Thank you so much Mr. Jordan.
25 I just want to note for members of the public that
there is no need to use the raise hand function.

3 Again, there is no need to raise your hand as we will
4 be calling on you throughout the hearing. Please
5 listen for your name. The raise hand function is
6 specifically for Council Members who wish to ask
7 questions.

8 And now, we will move to Deputy Commissioner Erin
9 Drinkwater.

10 ERIN DRINKWATER: I don't have additional
11 testimony for the agency. We can move to CCHR now.

12 COMMITTEE COUNSEL: Thank you Deputy
13 Commissioner. So, we will move on to Dana Sussman
14 Deputy Commissioner Policy and Intergovernmental
15 Affairs at the Commission on Human Rights.

16 DANA SUSSMAN: Thank you. Good morning Chair
17 Levin, Chair Eugene, and Members of the Committee's
18 on General Welfare and Civil and Human Rights. Thank
19 you for convening today's hearing and for your
20 commitment to improving access to affordable, fair
21 housing in our city.

22 I am Dana Sussman Deputy Commissioner for Policy
23 and Intergovernmental Affairs at the New York City
24 Commission on Human Rights. Today, I am joined by my
25 colleague Senior Policy Counsel Zoey Chenitz. We
will be testifying today in support of the

3 Preconsidered unnumbered bill that would expand
4 source of income protections under the City Human
5 Rights Law and also in support of Intro. 2047, which
6 would prohibit housing discrimination based on arrest
7 or a criminal record.

8 My testimony will focus primarily on the proposed
9 expansion of source of income protections and the
10 Commissions work in this area. As you likely know,
11 the Commission is the local Civil Rights Enforcement
12 Agency that enforces the New York City Human Rights
13 Law, one of the broadest and most protective anti-
14 discrimination and anti-harassment laws in the
15 country now totaling 27 protected categories across
16 nearly all aspects of city living housing,
17 employment, and public accommodations. In addition
18 to discriminatory harassment and biased based
19 profiling by Law Enforcement.

20 By statute, the Commission has two main
21 functions. First, the Commissions Law Enforcement
22 Bureau enforces the City Human Rights Law by
23 investigating complaints of discrimination from the
24 public initiating its own investigations on behalf of
25 the city and utilizing its in-house testing program
to help identify entities breaking the law.

3 Second, the Community Relations Bureau which is
4 comprised of community service centers in each of the
5 city's five boroughs. The Commission provides free
6 workshops in individuals rights and employers,
7 businesses and housing providers obligations under
8 the City Human Rights Law and creates programming and
9 outreach on Human Rights and Civil Rights issues.

10 In the last five and a half years, since
11 Commissioner and Chair Carmelyn Malalis began her
12 tenure. The Commission has implemented 31 amendments
13 to the City Human Rights Law, including the nations
14 broadest ban the box criminal history discrimination
15 protections and employment. The nation's first
16 salary history ban and expansions of protections and
17 new requirements related to sexual harassment and
18 lactation accommodations, among many others.

19 The Commissions work has not paused because of
20 the COVID-19 pandemic. To the contrary, our work has
21 continued, expanded, pivoted to address current
22 challenges including racial disparities and access to
23 healthcare, housing, and essential needs. The needs
24 of frontline workers who have disabilities or who are
25 pregnant and need accommodations to continue to do

3 their job safely and the rise in anti-Asian bias and
4 discrimination.

5 As we just announced yesterday, the Commission
6 has assessed a record \$7.5 million in damages and
7 penalties for violations of the City Human Rights Law
8 in Fiscal Year 2020. This represents a 550 percent
9 increase in damages and penalties since Commissioner
10 Malalis took over the agency in 2015. These figures
11 exceed damages and penalties in the last fiscal year
12 by 18 percent and represent nearly double the damages
13 in penalties compared to Fiscal Year 2018.

14 Further, the Commission works to resolve cases
15 not just for monetary relief in the form of damages
16 and penalties but has applied creative approaches
17 informed by restorative justice offering to repair
18 the harm experienced by individuals in communities
19 impacted by the discrimination.

20 For example, this year the Commission has
21 negotiated Resolutions that require respondents to
22 invest in paid internship, apprenticeship, or
23 employment pipeline opportunities for
24 underrepresented groups and to create new high level
25 positions to oversee such efforts and to engage with
community based organizations to recruit workers or

3 perspective tenants. And the Commission has
4 maintained the cooperative approach to businesses and
5 public accommodations it established five years ago.

6 In many instances involving first time violators
7 of the City Human Rights Law, where there is no
8 complainant harmed by the violation. The Commission
9 has sought to educate businesses about their legal
10 obligations and work with them in creating
11 nondiscriminatory policies and practices rather than
12 levying fines. Many small business owners and
13 landlords themselves experience different forms of
14 discrimination in other areas of their lives. In our
15 approach in certain situations to educate rather than
16 penalize has greater impact in furthering the
17 understanding in adoption of human rights in this
18 city.

19 While assessing a record level of damages and
20 penalties, the Commission also closed a new high of
21 1,066 cases and reduced the average case processing
22 time by 100 days, an incredibly challenging feat,
23 especially under current circumstances and within a
24 telework environment.

25 The Commissions Law Enforcement Bureau this past
fiscal year filed 525 new cases and completed 403

1 successful emergency interventions. The Commission
2 settled 267 cases and completed 43 mediations, both
3 representing increases from the prior fiscal year.
4 These increases are a testament to the dedication of
5 the Commission staff who remain steadfast in their
6 efforts to vindicate New Yorkers human rights. So
7 many of our own staff have lost parents,
8 grandparents, and other family members in the last
9 few months and/or were forced to contend with
10 pandemic related challenges for themselves and their
11 families.
12

13 The agency also received an increase number of
14 reports of discrimination in Fiscal Year 2020 from
15 9,804 in Fiscal Year 2019 to 10,015 in Fiscal Year
16 '20. Consistent with past years, the protected
17 categories of disability, gender and race were the
18 top three most reported areas of discrimination.

19 I'm now going to highlight the Commissions work,
20 long standing work on combating source of income
21 discrimination.

22 Combating discrimination based on lawful source
23 of income has been a major priority for Commissioner
24 Malalis since the very beginning of her tenure. In
25 her first year, the Commission quadrupled the number

1 of investigations into lawful source of income,
2 filing 90 cases. A 300 percent increase from the
3 prior year's 22 cases. In 2016, the Commission
4 issued its highest civil penalty in a source of
5 income discrimination case in commission history.
6 Fining Best Apartments Incorporated, a management
7 company with control over more than 1,000 units
8 throughout the city \$100,000 for refusing to show a
9 perspective tenant an apartment after he revealed he
10 had a Section 8 voucher.
11

12 In January 2017, the Commission announced five
13 commission initiated cases filed against large
14 landlords and brokers that collectively controlled
15 approximately 20,000 units for repeatedly
16 discriminating against perspective tenants based on
17 their use of housing vouchers. A violation of the
18 City Human Rights Law.

19 The complaints, which the Commission filed on
20 behalf of the city followed proactive commission led
21 investigations developed from tips from perspective
22 tenants as well as the Commissions testing program.

23 The landlords and brokerage firms charged with
24 discriminatory practices include Park Chester, River
25 Park, Goldfarb, Martini and ABECO management.

3 Then, in 2018, the Commission announced a launch
4 of a groundbreaking dedicated source of income unit
5 to provide rapid response advocacy and interventions
6 for people experiencing discrimination while seeking
7 housing using vouchers. The unit undertakes
8 emergency interventions to stop discrimination in its
9 tracks. Our staff contacts the landlords or brokers
10 who are in danger of violating the City Human Rights
11 Law directly. To educate them and advocate for the
12 rights of tenants. In the last two fiscal years, the
13 unit has completed over 400 emergency interventions
14 on behalf of New Yorkers with housing vouchers, which
15 includes getting them into housing they had been
16 denied. Along with filing nearly 150 cases and
17 conducting testing and commission initiated
18 investigations.

19 Since 2014, the Commission has assessed over \$1.2
20 million in damages and penalties in source of income
21 cases. Of which over 450,000 were assessed in Fiscal
22 Year 2020 alone. The Commissions Law Enforcement
23 Bureau has taken an expansive approach to address
24 landlords use of other requirements like minimum
25 income requirements and credit checks to exclude
voucher holders.

3 In 2018, the Commission published materials that
4 explicitly prohibit the use of credit checks when a
5 voucher covers 100 percent of the rent.

6 In addition, the Commissions materials also state
7 that where the tenants rental portion is calculated
8 based on the tenants income, it is a violation of the
9 City Human Rights Law to impose any additional income
10 requirements on applicants for housing.

11 The Commissions materials, which include three
12 separate documents, with specific frequently asked
13 questions targeted to landlords, brokers and agents
14 and voucher holders are available in multiple
15 languages on our website.

16 Earlier this year, based on a case the Commission
17 initially brought and New York State Appeals Court
18 held vouchers for security deposits are, as the
19 Commission had asserted, a lawful source of income
20 and landlords must therefore accept them.

21 The Commission brought the case in 2017 against
22 the Lefrak organization on behalf of a woman who was
23 denied an apartment because she was seeking to use a
24 security voucher to pay the security deposit. The
25 Commission's case built on a prior decision in order
issued by Commissioner Malalis, finding that the

3 denial of a perspective tenant security voucher was
4 source of income discrimination. The upheld court
5 decision ensures that security vouchers can continue
6 to be administered by HRA and individuals who use
7 them are protected under the City Human Rights Law.

8 In the last Fiscal Year, the Commission has
9 pioneered a new requirement in source of income
10 discrimination resolutions, mandating that landlords
11 found to have violated the City Human Rights Law
12 source of income protections reserve or set aside a
13 specific number of units in their housing stock for
14 voucher holders. This novel strategy applies the
15 Commissions commitment to restorative justice to
16 source of income discrimination cases.

17 Not only does it repair the harm to the impacted
18 complainant by ensuring they obtain housing along
19 with damages but it also creates a structural
20 response to the broader crisis of access to housing
21 for voucher holders and reduces the likelihood of
22 future tenants facing the same kind of
23 discrimination. This new approach was just profiled
24 in an article in the Gothamist last week and I
25 encourage the Council Members to check out that

1 article if you haven't already and hear some of the
2 stories of the complainants that were helped.
3

4 I highlight now several case resolutions. This
5 is just a small sample of the many that the
6 Commission has worked on, the Commission staff has
7 worked on over the past years. In June 2020, a
8 complainant, a Section 8 recipient, filed a complaint
9 alleging that her landlord refused to allow here to
10 begin using her Section 8 voucher after she became
11 eligible for the voucher during her tenancy. The
12 Commission's Law Enforcement Bureau investigation
13 revealed that respondents intentionally failed to
14 process the legally required paperwork for her
15 voucher.

16 After the Law Enforcement Bureau issued a
17 probable cause finding, the parties entered into a
18 conciliation agreement in which the respondents
19 agreed to pay complainant \$15,000 in emotional
20 distress damages, waive over \$14,000 in rent arrears
21 and other fees, train employees with job duties
22 related to reviewing or evaluating rental
23 applications and revise their tenant screening
24 policies and display the Commissions Fair Housing
25

1 poster at any and all of their buildings in their
2 portfolio.
3

4 And another settlement from February 2020, a
5 perspective tenant who had received rental assistance
6 through Section 8 filed a complaint alleging that a
7 broker would not allow her to apply for an apartment
8 because of a rental voucher. At the time, the
9 complainant was a homeless mother.

10 Respondents cooperated fully with the
11 Commission's investigation. Complainant and
12 respondents entered into a conciliation agreement
13 requiring respondents to pay \$25,000 in emotional
14 distress damages and lost housing opportunities
15 damages to complainant and \$15,000 in civil
16 penalties. Respondents also updated their policies
17 and source of income discrimination and agreed to
18 attend an anti-discrimination training.

19 In October 2019, the Commission settled a case
20 involved in source of income discrimination by
21 Michael Partridge Reality Cooperation. In which a
22 frontline staffer told a perspective tenant that
23 vouchers were not accepted. The Commission
24 negotiated \$5,000 in emotional distress damages to
25 the victim and ordered anti-discrimination training

3 for the respondents and creation of the anti-
4 discrimination policy.

5 And finally, in August of 2019, the Commission
6 ordered a landlord with 15 buildings to pay \$20,000
7 in emotional distress damages and \$4,000 in civil
8 penalties for refusing to accept a perspective
9 tenants Section 8 voucher. The tenant had lost her
10 voucher as a result of discrimination and had to seek
11 alternative housing options. In addition to her
12 voucher restoration, the landlord agreed to train all
13 employees with job duties related to reviewing and
14 accepting perspective tenants and to post to the
15 Commission's Fair Housing poster in all of their
16 buildings in New York City.

17 My testimony now includes a chart that shows the
18 numbers of inquiries, complaints, commission
19 initiated investigations and successful pre-complete
20 interventions from calendar years 2015, 2016, 2017,
21 and Fiscal Years 2018, 2019, and 2020.

22 I won't go over all of these numbers but if
23 people are interested, this testimony will be posted
24 on the Commission's website later today and we can
25 share those.

3 The Commission's Community Relations Bureau has
4 also engaged in deep community outreach and
5 engagement to educate New Yorkers on their rights to
6 be free from discrimination based on lawful source of
7 income. During Fair Housing month each year, the
8 Commission hostesses symposium and over the past
9 several years, source of income discrimination has
10 been a key focus. We built relationships with
11 community based organizations doing critical work on
12 the ground who make direct connections to our team
13 and help us spread the word about our work.
14 Including Neighbors Together, Housing Court Answers,
15 Community Action for Save Apartments, Legal Hand,
16 Nazareth House, Part of the Solution, Asian Americans
17 for Equality, St. Nicks Alliance Community
18 Development Corporation, Northwest Bronx Community
19 and Clergy Coalition, North Brooklyn Housing Task
20 Force, and Met Council.

21 In Fiscal Year 2020, the Commission conducted
22 over 40 Fair Housing Workshops, held seven onsite in
23 community mobile housing rates clinics, and
24 participated in over 50 additional fair housing
25 related events. The Commission supports the proposal
to reduce the current six unit minimum for

3 jurisdiction on source of income cases to three
4 units. Which will help ensure access for New Yorkers
5 with vouchers to a broader range of affordable
6 housing staff.

7 As you may be aware, last year, New York State
8 passed source of income protections statewide that
9 are broader than current protections under the City
10 Human Rights Law and we support more closely aligning
11 the two statutes.

12 I will turn it over to my colleague Zoey Chenitz
13 to discuss Intro. 2047. Thank you for the
14 opportunity today and I just want to express
15 gratitude as well to the first panel. That brought
16 to life so much of the work that we are all trying to
17 address and it is not easy to speak about one's
18 personal experience and I am deeply grateful that I
19 had the opportunity to hear their stories today.

20 The Commission believes that access for all New
21 Yorkers to affordable housing free from
22 discrimination is key to the city's wellbeing and we
23 look forward to working with the Council further on
24 these bills. Thank you.

25 COMMITTEE COUNSEL: Zoey Chenitz, you may begin.

3 ZOEY CHENITZ: Thank you. Good morning Chair's
4 Levin and Eugene and Members of the General Welfare
5 Committee and the Committee on Civil and Human
6 Rights. Thank you for convening today's hearing. I
7 am Zoey Chenitz Senior Policy Counsel at the New York
8 City Commission on Human Rights and I am pleased to
9 represent the Commission today in support of Intro.
10 2047, which would amend the New York City Human
11 Rights Law to prohibit most housing providers from
12 inquiring about and discriminating against applicants
13 based on their arrest for conviction history.

14 Intro. 2047 aligns with the Commissions
15 longstanding commitment to racial justice and greater
16 social equity. As we have been reminded by recent
17 events including the public health crisis caused by
18 the pandemic and widespread social activism seeking
19 to end systemic racism, two frequently disparities
20 play out a long lines of race. Whether we are
21 talking about issues of poverty, access to
22 healthcare, health outcomes, food security or
23 involvement in the criminal legal system.

24 Policies like Intro. 2047 have been enacted in
25 city's across the country. They are growing in
popularity because city's recognize that given the

3 long history of racial discrimination in the criminal
4 legal system, arrests or conviction histories ought
5 not to bar people from accessing stable housing for
6 themselves and their families.

7 Policies like this one represent a step toward
8 ensuring that whether they are recently returning to
9 their communities from custody or if their records
10 are older, New Yorkers with arrests and conviction
11 histories and their families are given the best
12 possible opportunity to thrive. Our conversations
13 with residents and advocates and communities across
14 the city, consistently reaffirm the desire for such
15 support.

16 Our support for this legislation also stems from
17 the Commissions long track record of enforcing
18 protections in the employment context for New Yorkers
19 with a history of criminal system involvement. The
20 first such protections were added in 1977 when the
21 Commission was given joint enforcement authority with
22 the New York State Division of Human Rights over
23 Correction Law Article 23A.

24 Over the years, additional protections were added
25 to the New York City Human Rights Law. Most notably
with the passage of the Fair Chance Act in 2015 which

1 prohibits most employers, labor organizations and
2 employment agencies from inquiring about or
3 considering a job applicants criminal history until
4 after a conditional offered employment in times of
5 need. And guarantees a job applicants receive proper
6 notice and an opportunity to be heard before they may
7 be rejected from a job based on an individualized
8 assessment of their criminal history.
9

10 Since 2015, the Commission has filed 486
11 complaints alleging employment discrimination based
12 on criminal history. And as of last week, has 145
13 open matters related to employment discrimination
14 based on criminal history. The Commission has
15 conducted a total of 1,261 tests related to Fair
16 Chance Act, excuse me, related to the Fair Chance Act
17 from Fiscal Year 2016 through to the present and
18 filed a total of 100 commission initiated complaints
19 resulting from investigative testing.

20 In Fiscal Year 2020, the Commission assessed
21 approximately \$800,000 in damages and civil penalties
22 arising from claims of employment discrimination
23 based on criminal history. The Commissions Law
24 Enforcement Bureau has also been successful in
25 obtaining far reaching policy reforms that address

3 employment discrimination based on criminal history
4 in systemic ways with a focus on restorative justice
5 remedies.

6 For example, as the Commission testified in
7 January, the Law Enforcement Bureau has settled cases
8 in which respondents have among other things, agreed
9 to partner with reentry organizations to
10 intentionally include people with criminal histories
11 in the job applicant pool to incorporate New York
12 City's Ban the Box policies and their job
13 applications for offices nationwide and to
14 voluntarily disregard certain categories of
15 convictions that are not otherwise subject to such
16 restrictions when accessing job applicants.

17 Including all convictions more than seven years old,
18 marijuana convictions over two years old, convictions
19 where the person participated in a diversion program,
20 and juvenile convictions.

21 The Commission is also grateful for its close
22 partnerships with many advocates and community groups
23 that work with us to educate New Yorkers about their
24 rights under the Fair Chance Act including the Legal
25 Aid Society, Legal Services NYC, The Legal Action
Center, Local New York, The Community Services

3 Society, the Fortune Society, and the Osborne
4 Association, among others.

5 Despite the absence of specific protections based
6 on criminal history, in 2018, the Commission
7 succeeded in resolving a case on behalf of New
8 Yorkers who have been denied housing based on their
9 criminal histories, utilizing a desperate impact
10 theory of discrimination.

11 The case was against PRC Management LLC, a
12 housing management company that controls 100
13 buildings with 5,000 units citywide and that had a
14 policy of categorically denying housing to applicants
15 with criminal histories. The Commission charged that
16 this policy had a desperate based on race, color, and
17 national origin since Black and Latinx New Yorkers
18 are disproportionately impacted by arrest,
19 conviction, and incarceration rates citywide and
20 applicants were not afforded an individualized
21 assessment.

22 The theory of this case was consistent with Fair
23 Housing Act Enforcement guidelines issued in 2016 by
24 the United States Department for Housing and Urban
25 Development or HUD. Under the terms of the
settlement, PRC management agreed to pay \$55,000 in

1 emotional distress damages to a victim who was
2 impacted in the case and \$25,000 in civil penalties,
3 to revise its application and screening policies,
4 train staff on its new policies and the law and
5 invite applicants with criminal histories who were
6 previously denied housing to reapply.
7

8 The Commission strongly supports Intro. 2047
9 which would provide the first ever housing
10 protections for New Yorkers specifically based on
11 criminal system involvement. Because desperate
12 impact claims such as those in the case against PRC
13 Management can be harder to investigate and proved in
14 claims of direct discrimination, this addition to the
15 law would significantly strengthen protections in
16 this area.

17 Intro. 2047 would effectively prohibit
18 discrimination against perspective tenants who have
19 criminal records by making it an unlawful
20 discriminatory practice under the New York City Human
21 Rights Law for a real estate broker, landlord, or
22 their employee or agent to inquire about or take an
23 adverse action based on a rental applicants arrest or
24 conviction history. Adverse actions would include
25 denial of a rental application, higher application

3 fees, failure to take action on an application or the
4 imposition of additional requirements or less
5 favorable lease turns.

6 The bill would also prohibit housing providers
7 from directly or indirectly expressing a limitation
8 based on a rental applicants arrest or conviction
9 history. For example, by stating in ads and
10 application materials that they will not approve
11 tenants with criminal records.

12 The bill exempts from its coverage any action
13 taken pursuant to a federal or state law or
14 regulation that requires consideration of criminal
15 history or housing purposes. It also would not apply
16 to people renting out a room in their or their
17 families home or to people seeking a roommate.
18 Importantly, the bill does not restrict housing
19 providers ability to pursue legal remedies if the
20 tenants conduct violates their lease turns.

21 Intro. 2047's simple straight forward prohibition
22 on inquiries and adverse actions based on criminal
23 history provides clear guidance for housing providers
24 including smaller and less sophisticated actors
25 concerning their obligations under the law.

3 New York City often leads the nation in
4 introducing and implementing new legal protections
5 strengthening human rights. In this area, it is time
6 to amend our lot to join the slate of other
7 jurisdictions who have already passed these
8 protections. These jurisdictions include Seattle,
9 Berkeley, Oakland, the District of Columbia, Los
10 Angeles, San Francisco, Detroit, and Oregon, among
11 many others.

12 Intro. 2047 would place New York City among those
13 jurisdictions including Seattle, Berkeley and Oakland
14 with the strongest housing protections based on
15 criminal history.

16 Expanding the New York City Human Rights Law to
17 protect against housing discrimination based on
18 criminal history would offer multiple potential
19 benefits for the wellbeing of our city. Such
20 protections help to limit disparities and access
21 stable housing for protected classes of people who
22 already face discrimination in housing and who are
23 over represented in the criminal legal system.

24 This includes Black and Latinx people, LGBTQI
25 people, people with mental health disabilities,
victims of sexual violence and increasingly women and

3 mothers. By reducing the collateral consequences of
4 criminal history in the housing context, this bill
5 can help to alleviate problems of housing
6 discrimination and segregation.

7 Intro. 2047 can also help to address rates of
8 homelessness and housing instability within the city.
9 According to the coalition for the homeless, in 2018,
10 at least 20 percent of adults who entered New York
11 City shelters did so directly from a jail or prison.
12 And the research shows that jail and prison stays
13 tend to increase the risk of homelessness.

14 As we know, a stable home is the foundation for a
15 persons wellbeing as well as the wellbeing of their
16 families and communities. A stable home enables
17 people to find and maintain employment and promotes
18 better health outcomes since people with a stable
19 home are better able to receive health treatments and
20 to care for children and other dependents.

21 Increasing access to housing also significantly
22 reduced rates of child poverty and rates of
23 recidivism. In short, we all stand to benefit when
24 barriers are removed stable affordable housing for
25 our fellow New Yorkers.

3 While this bill will not on its own solve all of
4 the challenges facing people with criminal history,
5 we believe it is an essential step toward helping our
6 city move toward a brighter future.

7 For all of these reasons I've discussed, the
8 Commission strongly supports Intro. 2047 and we look
9 forward to working on it with you. Thank you.

10 COMMITTEE COUNSEL: Thank you to the members of
11 the Administration for your testimony. We are now
12 going to move on to questions for the Administration.
13 I want to remind Council Members that should you have
14 questions, please use the Zoom raise hand function
15 and I will call on you in the order in which you have
16 raised your hands. We will now turn to our Co-Chairs
17 Chair Levin and Chair Eugene for questions. Chair
18 Levin, you may begin.

19 CHAIRPERSON LEVIN: I'm going to pass it over to
20 Chair Eugene for a moment because I've got some
21 childcare issues at the moment but I will be
22 listening and then I will come back to my questions
23 after.

24 COMMITTEE COUNSEL: Alright Chair Levin, we will
25 now pass it over to Chair Eugene for questions.

3 CHAIRPERSON EUGENE: Thank you very much Chair
4 Levin. Thank you very much and I want to take the
5 opportunity also to thank all the participants, the
6 members of the community who came to testify and to
7 share with us their situation. The situation they
8 are facing in the housing system and I want to thank
9 also all the members of the panel, their testimonies
10 also and one of the things I want to mention is Mr.
11 Jordan was talking about the different programs in
12 front of the Administration to address the
13 homelessness and also the discriminations. But based
14 on what he said, it seemed that everything that is
15 correct is an okay and beautiful but Mr. Jordan, do
16 you believe that the system is well structured enough
17 and you have done everything possible to ensure that
18 the people who have vouchers, who are in the housing
19 system can have access to suitable housing and that
20 can now fulfill their needs and also bring them some
21 dignity as members of our society?

22 BRUCE JORDAN: So, thank you Chair Eugene for
23 your question.

24 CHAIRPERSON EUGENE: You are welcome.

25 BRUCE JORDAN: Given the tools that we have at
hand, I think my testimony has demonstrated that we

3 have made tremendous strides in servicing our
4 clients. As I indicated, I mean, we moved out
5 150,000 individuals and/or prevented them from going
6 into shelter. The Census are down to 54,000,
7 evictions are down 41 percent. We work tirelessly
8 with our providers, both shelter providers and also
9 with our providers in the community such as Homebase
10 and Legal Service providers to closely monitor any
11 pending eviction actions or any barriers to moveouts
12 and we proactively work together to address them on a
13 case by case basis as best we possibly can.

14 CHAIRPERSON EUGENE: Hello? It seems there is a
15 problem with - Hello?

16 COMMITTEE COUNSEL: Mr. Jordan you are on mute.

17 BRUCE JORDAN: Can you hear me now?

18 COMMITTEE COUNSEL: Yes.

19 BRUCE JORDAN: I would just also add of course
20 there is always more work to do as I did indicate in
21 the testimony. Thank you.

22 CHAIRPERSON EUGENE: Thank you very much. Of
23 course, you know, I always mention what my father
24 usually said. He usually taught also the children
25 there is no perfection in life. Whatever you are
doing, how great you could be, how intelligent you

3 can be but you will never reach perfection. There is
4 always room for improvement and he used to say that
5 every time before you go to sleep. Take a moment to
6 think about what you have done during the day and
7 what you will be doing tomorrow and see what you can
8 do to improve what you have done.

9 And based on your experience, what do you believe
10 that we as a city can do to make the housing system
11 better? Based on your experience, based on
12 everything that you have said, in order to ensure
13 that the people who are benefiting from the housing
14 system, who have vouchers. Because what we have been
15 seeing throughout the city and also in the
16 testimonies, it seems to indicate that we have to do
17 a lot. Could you just elaborate? Give us some
18 example. Something that you believe that we should
19 do to better the system. Any new approach, any way
20 to rethink the system that we have.

21 I don't say that we are doing you know, a lot but
22 as I said, there is no perfection and you do agree
23 that much more need to be done. Is there anything
24 that you are thinking about or what you think that we
25 can do to the circumstances right now, to what we
have right now. What could we do to implement and to

3 better the system that we have in addition to
4 increasing the vouchers and putting in legislation
5 and stuff like that. Is there anything that you
6 believe that we more we can do, we should do?

7 BRUCE JORDAN: Well, thank you once again Chair
8 Eugene. I think one of the things that we need to
9 continue to do together is to work with our partners
10 in both the state and the federal government to
11 increase the housing supply. As you said in addition
12 to all the other things that we've been talking about
13 and trying to do, but we're constantly at this
14 Administration evaluating what we can do thus, that's
15 why we streamlined right, in order to make the
16 programs more easier to make it one and more sellable
17 and more understandable by both staff, clients, and
18 landlords and brokers.

19 So, we're constantly evaluating but we have to
20 work within the means of what we have. But really, I
21 mean, it's really a supply issue.

22 CHAIRPERSON EUGENE: Thank you very much for your
23 answer. You know, I always, when I'm thinking about
24 the city, when I'm thinking about our society, I
25 believe that all of us, we are all members of the
community. We are all members of the society. We

1
2 are all human beings. Whenever there is an issue, I
3 believe regardless of our position, our social and
4 economical status, we should all come together to
5 resolve the issues facing our society in our cities.
6 I may be wrong but that's what I believe on and you
7 did mention that some of the time, you negotiate with
8 the landlord, with the brokers because as I said, we
9 are all in this together. All in this together, you
10 know, I believe the best way to ease off any issues
11 is to bring all the departments, everybody at the
12 table.

13 You mentioned that you have had negotiations with
14 the brokers. Could you elaborate on those
15 negotiations? What happened? What did you discuss?
16 What was the goal in the negotiation and what was the
17 outcome? Did it reach the outcome, what you were
18 trying to do by negotiating with the landlord or the
19 brokers?

20 BRUCE JORDAN: So, thank you once again, Chair
21 Eugene. I mean, it started with the beginning of the
22 Administration when we reintroduced and recreated
23 these subsidies. We had to go on a vigorous campaign
24 with RSA and the different broker and landlord
25 organizations and basically try to let them know that

1 this wouldn't be advantage all over again. That
2 there were different programs. We tried to make them
3 understand what the rules are. Over time, we tried
4 to adjust based on the tools we had and add things we
5 could. So, we added a landlord bonus, we added a
6 unit whole, we also added basically additional
7 security type mechanism that if a landlord was
8 worried about maybe damaging the apartment or maybe
9 not renting to someone because they felt the security
10 voucher process didn't work for them or wasn't
11 enough. They could not only get the security voucher
12 returned to them but they can get up to \$3,000
13 additionally towards damages. So, all of these
14 things came about by this administration who was
15 willing to sit down and listen to everyone involved
16 within the means that they had but we could do just
17 by the city itself going it alone. But once again,
18 like I said, I don't think we can by ourselves
19 address the supply demand.
20

21 CHAIRPERSON EUGENE: Thank you very much Mr.
22 Jordan, thank you. Deputy Commissioner Sussman, I
23 would like to ask you a few questions. I don't know
24 if my colleague Council Member Levin is available or
25

1
2 can I still you know, enjoy the opportunity to ask a
3 few questions.

4 So, let me ask some questions to Deputy
5 Commissioner Sussman. You mentioned something that I
6 like. You were talking about as I said previously
7 that we are all in this together and we have to reach
8 all the partners, regardless if it's good or bad.

9 But you know, everybody, everyone is a partner and
10 you mentioned Commissioner, Deputy Commissioner
11 Sussman, that you educate the business owners.

12 That's wonderful. You educate the people. We have
13 to reenforce law but one of the things that is very
14 important, education also is very important and I
15 think that I had the opportunity to discuss that you
16 know, in detail with the Commissioner herself.

17 Because some of the time people can give value to
18 rules and regulation and principle because of lack of
19 information and education. And I question in the
20 effort that the Human Right Commission is doing and
21 educating in the business on this and also, what I
22 call the other partners. Can you elaborate on the
23 type of training or education that you have had the
24 opportunity to provide to the business owners in
25 terms of housing and discrimination in housing and

3 also in the type of discrimination in other issues
4 effecting the people that we are serving in New York
5 City.

6 DANA SUSSMAN: Sure, thank you for the question
7 Chair Eugene. We take training outreach and
8 education incredibly seriously. It has been a key
9 part of our ability to ensure that as many New
10 Yorkers as possible both know what their rights are
11 but also know what their obligations are under the
12 City Human Rights Law and as I mentioned, the law has
13 changed dramatically over the past five or six years
14 and so, to keep up with those changes and ensure that
15 people have the tools to comply, we have invested
16 greatly in building out workshops and trainings and
17 building our capacity to provide trainings in
18 multiple languages across the city.

19 Those often used to be held in person, they are
20 all now virtual and you know, we will continue to
21 explore the best way to deliver them. We also
22 require training when we are resolving cases. So, in
23 many circumstances where we have you know, an
24 individual landlord or a broker who this is the first
25 time that we learned that they are violating the City
Human Rights Law or they are unaware of the

3 requirements under the City Human Rights Law. They
4 might be a small business. They don't have you know,
5 an in-house attorney to advise them. We would often
6 in those situations require training by us, so we
7 know exactly what content they are receiving. It is
8 free and it is you know, something that we would
9 offer monthly or quarterly, so that they take the
10 training, they change their policies, they ensure
11 that you know customers who are coming to them get
12 information about their rights and we resolve those
13 cases without a fine, with a penalty and we move on.

14 Now, if we see those same respondents come back
15 because we learn of other you know, additional
16 violations, at that point we would consider monetary
17 fines or penalties against that respondent in
18 addition to other potential - but we find that
19 education and providing sort of an education first
20 approach, especially with smaller operators is
21 really, really critical. But we also think that when
22 there are large operators with you know, housing
23 stock in the thousands that have resources and know
24 or should know what the laws are, that we enforce the
25 law aggressively to ensure that the message is being
sent that violations of the City Human Rights Law

3 impacting large populations of New Yorkers,
4 particularly vulnerable New Yorkers, those violations
5 are taken seriously and that there will be
6 repercussions.

7 So, we have a really broad and sort of varied
8 approach depending on what the particular situation
9 of that case and that potential respondent is.

10 CHAIRPERSON EUGENE: Thank you very much. I see
11 that my colleague, Council Member Holden is raising
12 their hand. Operator, moderator, can you please give
13 Council Member Holden the opportunity?

14 COMMITTEE COUNSEL: I'd like to call on Council
15 Member Holden for questions. Again, Council Members
16 in general, please keep your questions to five
17 minutes. The Sergeant at Arms will keep a timer and
18 let you know when your time is up. And for any other
19 Council Members who have questions, please use the
20 Zoom raise hand function.

21 Over to Council Member Holden.

22 SERGEANT AT ARMS: Time starts now.

23 COUNCIL MEMBER HOLDEN: Thank you Chair's and
24 thank you all for your testimony. It's an important
25 hearing. I support the proposed legislation
mentioned today; however, I do have some questions

3 and concerns regarding Intro. 2047. For Senior
4 Policy Council, Zoey Chenitz, my concern is
5 specifically for folks registered as sex offenders,
6 arsonists, and people with recent violent felonies
7 including drug dealers. Do you think that the bill
8 might include either a timeframe for applicants who
9 have a recent history of violence or have
10 demonstrated that they have been rehabilitated at
11 all?

12 ZOEY CHENITZ: Thank you for the question Council
13 Member. If I can take a step back just to give a
14 little bit of a frame, I think that might be useful.
15 So, as I mentioned in my testimony, the Commission
16 comes to this issue with quite a lot of experience in
17 the employment sector. And in that context, our law
18 takes an approach perhaps along the lines of what you
19 may be contemplating. Rather than I though
20 prohibition, there is a procedural set of
21 requirements for covered entities. So, if someone is
22 applying for a job, they are first assessed based on
23 their qualification but then given a conditional
24 offered employment and it is only after that their
25 criminal history is reviewed and it's generally with
a focus on a relationship between someone's criminal

1 history and the specific job at issue and then there
2 is a three day hold period during which the person
3 can come back with information that might be - you
4 have the wrong criminal history record for me or here
5 is evidence of medication.
6

7 Our view is this is not a useful framework in the
8 housing context. It's a poor fit. In part, that's
9 because in the employment context an analysis that is
10 specific to one job, say you are applying for a job
11 as a driver, would be very different if you were
12 applying for a job say in a manufacturing plant. The
13 nature of your job would vary.

14 In the housing context, the considerations for
15 someone's criminal history are largely going to be
16 the same we anticipate with respect to any unit
17 someone would be applying for. And so, that creates
18 the risk of creating a group of people who may be
19 unable to secure stable housing with all of the
20 negative social outcomes that all of the speakers
21 today have highlighted.

22 So, with that view in mind, we do believe that a
23 flat prohibition offers important benefits, both to
24 those who are seeking housing and also for the
25 covered entities. It's straight forward and simple

3 to understand as Chair Eugene highlighted in his
4 questions. There are smaller housing providers in
5 the city who may be less sophisticated. This is a
6 law that everyone can understand. It doesn't have
7 any added expenses; it doesn't slow down the housing
8 market in getting that assessment.

9 And I would also add, related to your specific
10 question, that there is already a very extensive body
11 of state laws that dictate where people on the
12 registry can live and that provides for an incredible
13 amount of supervision for them. It's leveraging
14 nothing to undermine that but it would do the good
15 deed of ensuring that everyone in our city who is
16 returning has access to stable housing for themselves
17 and for their families and we believe that is to the
18 benefit of New Yorkers.

19 COUNCIL MEMBER HOLDEN: But you mentioned some
20 other cities that already have this legislation. I'm
21 a little concerned because I looked at some of those
22 cities and they have a little bit more specific
23 language than we do, then we are proposing here. You
24 know, also Seattle's law, I believe, their laws are
25 encountering lawsuits and have not had a positive
result on addressing discrimination. Do you know

3 anything about – have you looked into Seattle’s
4 problems now that they are facing with a similar kind
5 of law?

6 ZOEY CHENITZ: I am vaguely familiar. I am
7 somewhat familiar with the litigation that you
8 referenced, so my understanding is that Seattle
9 passed a packet of legislation together which
10 including one legislative piece that’s simply not an
11 issue here, which is a requirement that housing
12 providers except the first application that was
13 qualified, that they received in time.

14 So, that first time requirement is not at issue
15 here and that was a significant portion of what the
16 plaintiff’s and the litigation had challenged in
17 Seattle. My understanding is that there has been
18 quite a number of different appeals that have already
19 now gone up and been decided and the most recent
20 decision was decided in Seattle’s favor, which was to
21 clarify what the standard of review would be for the
22 Fair Chance Housing proposal and the Washington State
23 Supreme Court held that its rational basis review.

24 So, I think our expectation – sorry.

25 COUNCIL MEMBER HOLDEN: My time is up, so I just
want to just mention that I think there are some

3 consequences for other tenants that I think we have
4 to consider and I think there needs to be a language
5 that the person should have demonstrated that they
6 have been rehabilitated, that they are not let's say
7 lighting fires. They are not doing arson; they are
8 not doing certain things that can jeopardize the
9 other tenants.

10 So, I think this needs to be looked at a little
11 bit more specifically and we need to look at other
12 city's that have this kind of legislation but they do
13 have more specific language. Thank you. Thank you
14 Chair's.

15 ZOEY CHENITZ: Do I have time to respond briefly
16 to that?

17 COMMITTEE COUNSEL: You can wrap up, sure.

18 ZOEY CHENITZ: Yeah, I just wanted to say we'd
19 welcome the opportunity of course to discuss all of
20 these approaches and questions with you. But I did
21 want to clarify that this bill focuses on peoples
22 past and protecting against discrimination based on
23 speculation of how future - it doesn't in any way
24 limit landlords ability to obtain you know, legal
25 remedies or actual conduct or for violations of lease

3 terms. And I think that's a very important
4 distinction to bear in mind. Thank you.

5 COMMITTEE COUNSEL: Thank you. Seeing no other
6 Council Members with their hands raised, I'm going to
7 turn it back over to Chair Levin for questions.

8 CHAIRPERSON LEVIN: Thank you very much Ms.
9 Kilawan and I want to thank all of the - oh, Chair
10 Eugene?

11 CHAIRPERSON EUGENE: Thank you. Can you hear me?

12 CHAIRPERSON LEVIN: Yes.

13 CHAIRPERSON EUGENE: Yes, thank you very much.
14 Can you give me the opportunity to ask a very quick
15 question?

16 CHAIRPERSON LEVIN: Of course.

17 CHAIRPERSON EUGENE: Thank you very much. Deputy
18 Commissioner, just to take me back on what's on the
19 comment of my colleague Holden. Intro. 2047
20 currently does not allow consideration of any type of
21 criminal background for housing related papers. And
22 does CCHR agree with this approach, if not, what type
23 of limitation should exist in this bill? Is there
24 any language that should be changed?

25 I know that you say that you would be happy to
continue the conversation but what is the position of

1
2 CCHR on this approach and if CCHR doesn't agree,
3 what's the type of limitation should exist in this
4 bill?

5 Commissioner? Hello? Hello?

6 DANA SUSSMAN: Hi, sorry, it was not letting me
7 unmute briefly. Can you hear me?

8 CHAIRPERSON EUGENE: Can you hear me? Did you
9 hear my question?

10 DANA SUSSMAN: Yes, yes, I did, thank you. I can
11 let my colleague Zoey Chenitz respond but I will say
12 that the Commission supports the bill as it is
13 proposed now. There are likely some changes that we
14 can work through with the Committee and with City
15 Council and with our you know, our Administration
16 partners but the framework that's been proposed is
17 the framework that the Commission supports at this
18 point.

19 And Zoey, if you have anything to add, please
20 feel free.

21 ZOEY CHENITZ: I don't have anything to add,
22 that's what I would have said, thank you.

23 CHAIRPERSON EUGENE: Now, I want to turn it back
24 to my colleague Chair Levin. Thank you Chair Levin.

3 CHAIRPERSON LEVIN: Thank you Chair Eugene. So,
4 thank you to the Administration officials and to my
5 Co-Chair. Again, I apologize if there is some
6 squawking here from the little one.

7 I would like to ask from HRA just about some of
8 the voucher issues. My first question is how many
9 CityFHEPS shopping letters are currently out in the
10 market?

11 BRUCE JORDAN: So, thank you for your question.
12 Okay, now, I'm unmuted. Go ahead Erin, you can
13 start.

14 ERIN DRINKWATER: Can you hear me? Sorry about
15 that technical difficulties. The question was how
16 many shopping letters are in the field. We would
17 have to get back to you on the exact number. I think
18 what's important to note is that individuals might be
19 eligible for more than one program but we can get
20 back to you with that exact number. I don't know if
21 Bruce has anything to add.

22 BRUCE JORDAN: No, nothing to add. Thank you.

23 CHAIRPERSON LEVIN: I mean, is that something
24 that we keep track of? Is the number of shopping
25 letters out there specifically for CityFHEPS because

1
2 you know, that's what we're talking about here. Is
3 that something that the city keeps track of?

4 ERIN DRINKWATER: Sorry, problem with the mute.
5 So, what we are looking at is the fact that there are
6 multiple solutions here and in regards to the number
7 of shopping letters, we want to make sure that people
8 are moving out and that could be through the multiple
9 tools that we have available to us on the rental
10 assistance side in the way of subsidized moveouts as
11 well as unsubsidized moveouts.

12 And then, on the prevention side, we also want to
13 be certain that for folks who are in community, that
14 we are making sure that we are connecting clients to
15 the most appropriate resource. That might be paying
16 rent or utility arrears. It might be the connection
17 to the Office of Civil Justice and our anti-eviction
18 and anti-harassment work or it might be referrals to
19 Homebase to gain access to any number of preventative
20 tools of the 26 locations across the city.

21 CHAIRPERSON LEVIN: That's all understood. I
22 just want to know, because the CityFHEPS at the
23 moment, you can't get CityFHEPS as a preventative
24 voucher. You can only get it if you are in shelter
25 right?

3 ERIN DRINKWATER: No, the CityFHEPS voucher has
4 the eligibility criteria posted online in which it
5 can be used also as a prevention tool. It is
6 primarily used as a moveout tool, the vast majority
7 of uses of CityFHEPS is for moveouts from shelter
8 into permanent housing. But there is a subset of the
9 CityFHEPS voucher that is used to maintain permanent
10 housing in limited circumstances for individuals who
11 are in community.

12 Part of the issue with the shopping letter is the
13 way in which that shopping letter is generated from
14 either from HRA and DHS. But it is, CityFHEPS
15 primarily a moveout tool. It complements the
16 StateFHEPS program and can also be used as I
17 mentioned, in limited circumstances for preserving a
18 tenancy in the community.

19 CHAIRPERSON LEVIN: Okay, I get all that. I
20 actually just really want to know, I'm really
21 genuinely interested here, does the city keep track
22 of how many are out there at any given time?

23 COMMITTEE COUNSEL: In order to void any of the
24 technical difficulties that we've been experiencing
25 with the muting and unmuting, if you can all remain
unmuted during this question and answer period, that

3 will mitigate for the technical difficulties we've
4 been experiencing. So, please remain unmuted at this
5 time, all of the members of the Administration.

6 ERIN DRINKWATER: Part of the challenges with a
7 concrete number is the ways that that shopping letter
8 is generated. So, to have a confirmed number is a
9 challenge because of the ways in which that number
10 can be, that voucher can be issued.

11 CHAIRPERSON LEVIN: Okay, what's the average
12 length of time that a client has a shopping letter?

13 ERIN DRINKWATER: So, shopping -

14 CHAIRPERSON LEVIN: Before they find an
15 apartment.

16 ERIN DRINKWATER: Shopping letters can be renewed
17 annually and the time from the issuance to move to
18 apartment is reliant on a number of factors. I don't
19 have an average number for your today. It includes
20 anything from finding the correct size apartment,
21 finding an apartment that meets the needs of the
22 client as it relates to perhaps a bureau preference.
23 Clients can reject an apartment just like you or I
24 can, it might not meet their specific needs.

25 So, there is a number of factors that play in
having a shopping letter and then moveout.

3 CHAIRPERSON LEVIN: How do we — was is our
4 methodology for assessing whether the CityFHEPS
5 program is successful or not?

6 ERIN DRINKWATER: So, last year alone, the
7 CityFHEPS program moved over 12,000 individuals and
8 were able to utilize that program. That significant
9 number as we have all of our rental assistance tools
10 but the voucher itself isn't the only tool, right.
11 We have the NYCHA set asides, we have legal services
12 and we have the payment of rent and utility arrears.

13 CHAIRPERSON LEVIN: Understood, I'm really just —
14 because we're just really talking about CityFHEPS
15 here. I understand that it is a tool in the toolbox.
16 So, let's kind of establish that that is tool in the
17 toolbox. There are other tools in the toolbox. It's
18 not the only thing but for a few years now, I've been
19 trying to drill down on this particular program.
20 Because this particular program really has an outside
21 role in that toolbox and the evidence of that is when
22 we look at the data from 2011 to 2014. When there
23 was not a rental assistance program run by the city
24 and that's when we saw a 30 percent increase or 40
25 percent increase in the shelter Census.

3 So, let's just — because I just want to make sure
4 that like, all of my questions are going to be about
5 CityFHEPS.

6 ERIN DRINKWATER: Okay, so I'm happy to talk —

7 CHAIRPERSON LEVIN: What is the methodology that
8 we use to determine whether it's meeting its
9 objectives.

10 ERIN DRINKWATER: Right, so you mentioned I think
11 an important factor here, which is the pretty
12 significant increase we saw in homelessness when
13 advantaged was not an existence.

14 We saw a 38 percent increase in the years that we
15 did not have that tool available to us. CityFHEPS is
16 something that we streamlined in 2018. Prior to
17 that, it existed as seven unique programs. The
18 streamlining that occurred in 2018 made that program
19 easier to use for clients, easier to understand and
20 accept for landlords. That work is important.

21 When you look at our Census, if you want to talk
22 about how we are measuring it, our Census has been
23 flat year over year from 2017, 2018, and 2019, which
24 has not occurred for over a decade.

25 Furthermore, our families with children Census is
at 2012 levels. So, this program —

3 CHAIRPERSON LEVIN: Well, right now it's at 2012
4 levels but that's because of an eviction moratorium.
5 In February it was not at 2012 levels. It is today,
6 we've had an eviction moratorium in place now for six
7 months.

8 I just, I get all the history, I don't really
9 want to kind of go around in circles here. I'm just
10 really trying to get at, you know, this is a
11 governmental program. It's a linchpin to our
12 homelessness efforts.

13 I just want to know what the, I mean other than
14 kind of these broad issues of you know, whether our
15 shelter Census is remaining constant or like, how are
16 determining, how are measuring the success of this
17 actual program? Is that program working? And the
18 reason I ask is that we've been hearing from clients.
19 I've been hearing from clients for years now, years,
20 years. We had this exact hearing, an oversight
21 hearing on maybe the prior iteration of the vouchers,
22 I don't know, it was like a couple of years now. We
23 had a hearing already about this.

24 We know anecdotally the challenges here. I just
25 want to know what rigor the agency uses to assess
whether it's working or not because how are we to

1 know, how many iterations have we had? We've had
2 Link, we had Link one through gazillion. No more
3 Link, Link's out. Then it was CityFEPS and now it's
4 CityFHEPS. And we've had so many iterations and how
5 are we gauging whether these are successful or not?
6 That's what I want to know. What metrics are we
7 using, what are the metrics? That's what I'm trying
8 to get at.

10 ERIN DRINKWATER: So, part of the metrics
11 include, do landlords accept the program. We've
12 worked very closely with landlords to have them
13 understand the program, to provide incentives to
14 them, including a landlord bonus. As my colleague
15 Mr. Jordan mentioned, we talked about the unit whole
16 bonus. Working with landlords is critical. We need
17 to have that supply available to us to ensure that
18 our clients can utilize the voucher and move into
19 locations.

20 We also want to be mindful of the fact that while
21 the program is - folks can be eligible for the
22 program for five years and has the good cause
23 extension for future years, we also want to be
24 mindful to make this something that clients
25 ultimately are able to pay their rent on their own.

3 So, we are balancing both the incentives that we
4 have for the landlords to have them use and accept
5 the program and then the future ability to pay with
6 our clients.

7 CHAIRPERSON LEVIN: Commissioner, I'm sorry, I
8 apologize, those are all kind of considerations,
9 maybe qualitative considerations for the program but
10 they are not metrics. What I am looking for are
11 metrics, percentage of shopping letters that are out
12 there that are accepted within you know, that
13 resulted in an apartment in three months, six months,
14 nine months, twelve months, eighteen months, twenty-
15 four months.

16 You know, I'm looking for - I'm looking for data.
17 I understand that it is an art as much as it is a
18 science but for years now I have been asking for
19 numbers and I still don't have them. And so, what
20 I'd like to know are what are - what are the data
21 here. I mean, frankly, I sent a letter I think to
22 Commissioner Banks back in November of 2019 and I
23 don't know if I ever received a response to that
24 asking all of these questions.

25 I don't know what the data is, so I don't know.
All I know is anecdotally people tell me they've had

1 vouchers for years, two, three years, four years and
2 haven't been able to find an apartment and that seems
3 logical to me because the vouchers are worth what
4 they are worth and they are not the Fair Market Rent.
5

6 So, I mean, I don't know if it is much more
7 complicated than that but I have no data. I have no
8 data from the Administration and I've asked for it a
9 number of times. So, that's what I'm kind of getting
10 at here is where is the data, I need the data.

11 ERIN DRINKWATER: Sure, I mean we provide
12 regularized reporting to Council Finance with each
13 budget plan on the rental assistance program and our
14 moveout numbers.

15 As it relates to some of the metrics that you are
16 talking about, I do think that it is more new ones.
17 We have clients who have preference just as much as
18 you or me in terms of what they want to do in terms
19 of finding an apartment. And so, clients can reject
20 apartments just as quickly as they can -

21 CHAIRPERSON LEVIN: How many have rejected
22 apartments?

23 ERIN DRINKWATER: I can speak to the number of
24 clients that I've worked with in my office and there
25

1
2 are instances in which clients reject apartments and
3 it can be for any number of reasons.

4 CHAIRPERSON LEVIN: Do we keep track of that? Do
5 you keep track of whether they are rejecting
6 apartments. Like, is there a number of clients that
7 have rejected apartments?

8 ERIN DRINKWATER: I would have to speak to my
9 colleagues in terms of what numbers we have on that.

10 CHAIRPERSON LEVIN: Do you understand my
11 frustration? I've been asking now - I mean, honestly
12 you and I have talked about this letter I sent back
13 in November of last year. I never got a response, I
14 mean COVID intervened there but I sent the letter in
15 November asking all these questions and never really
16 got a response.

17 ERIN DRINKWATER: We can certainly follow up on
18 the letter. I think as you rightfully noticed, it
19 possibly was caught up in the COVID response but I am
20 happy to look at that letter.

21 CHAIRPERSON LEVIN: COVID started in March and I
22 sent the letter in November. I mean, this has been
23 ongoing. The reason that you may be sensing some
24 frustration in my voice here is that we've been at
25 this for years and frankly, I mean, the

1 Administration has been supportive of Home Stability
2 Support HSS, that's the bill in Albany and this
3 legislation does much the same as HSS, it's just that
4 the city is going to have to pay for it instead of
5 the state.
6

7 And so, if we're really - if the city's objection
8 to this is really that we don't want to pay for it,
9 we think the state should pay for it, then that's an
10 argument that I will accept at face value.

11 ERIN DRINKWATER: And we've quoted that. I mean,
12 we've pointed to the places where we've had the most
13 success in driving down homelessness. We've talked
14 about the work that was done collaboratively with the
15 federal government as it related to focus on veterans
16 homelessness. Having the additional resources from
17 the federal and state government is critical and it's
18 even more critical now when we're operating in a
19 world in which we are facing a very significant
20 budget declines. We're facing layoffs at the city
21 that not only will impact staff but potentially
22 programs because of the very real budget situation
23 that we're currently facing.

24 I know we've talked and I've talked to your staff
25 about supportive long-term borrowing. These are all

3 real situations that we need to face and I think
4 having a program where now we would increase the
5 city's obligation is problematic. There is also the
6 very real problem of setting up a situation in which
7 the state program would be less attractive to
8 landlords and they would be able to hold out and you
9 know, only accept a CityFHEPS voucher.

10 That is troubling and we don't want that. We
11 want to make sure we have as many tools and I know
12 you only want to talk about CityFHEPS today and
13 that's fine, but there is not a single tool that
14 works for everybody. And that's why we have the
15 multifaceted approach. It's why for some people,
16 it's going to be supportive housing. For others,
17 it's going to be a roommate. We need to be able to
18 match the variety of solutions that we have available
19 to us for each client.

20 CHAIRPERSON LEVIN: Okay, so then because I've
21 been asking for data and numbers and they are not
22 forthcoming, what would the Administration say to
23 somebody or a family, an individual or a family who
24 has had a CityFHEPS voucher for 36 months and can't
25 find an apartment. What would the Administration say
to that person?

3 ERIN DRINKWATER: That we stand ready to continue
4 to work with them. That one of the resources that we
5 have available through our housing specialists,
6 through our team and DHS –

7 CHAIRPERSON LEVIN: They are not working. Three
8 years with a voucher is not an acceptable outcome. I
9 mean, it's not a successful outcome. That means that
10 we've been paying whatever we pay a month. What it's
11 \$3,000 a month for somebody to stay in shelter.

12 We've been paying all of those months. All those
13 months longer. I mean one other way to look at this.
14 We see how many fewer people are in shelter right now
15 because of the eviction moratorium. How much are we
16 saving by those families not in shelter and if we
17 were to look at that and say, how much would it have
18 costs us if there was no eviction moratorium to keep
19 those families from being evicted. Mr. Nash is
20 holding up a calculator, I can't see the numbers but
21 he is probably giving me some good – how much would
22 we have saved, if you just took the number of
23 families. The difference between the number of
24 families that would have been in shelter and we know
25 that they are not in shelter because of the eviction
moratorium.

3 That's that difference between 69,000 or 59,000
4 and 54,000 and so those number of families, if we
5 were to have CityFHEPS, since it is available to
6 people in communities to keep them in their
7 apartments, how much is the difference between what
8 we would have paid to keep them in their apartments
9 versus what we would have paid to keep them in
10 shelter and I guarantee you, it is more than \$1,000 a
11 family a month, that difference.

12 The argument that it is not fiscally sound, even
13 at this time to increase the city's obligation.
14 We're obligated, we have a right to shelter. We're
15 already obligated. We already paid for it. We just
16 paid for it in terms of shelter, instead of paying
17 for it to keep people in their apartments or get
18 somebody in an apartment.

19 I mean, my frustration here is that we've been
20 having this conversation for years now. Years, and
21 we've held off and we held off in March to see if the
22 state were going to act and I guess the argument
23 could be made that we'll just off again until March
24 2021 to see if the state wants to take this up again.
25 Whether the governor has any interest in taking this
up again. But at a certain point, I'm out of the

1
2 Counsel and Mayor de Blasio is out of the mayoralty
3 and at the end of 2021, are we going to look back and
4 say gee whiz, we really should have just you know,
5 waited longer.

6 I mean, at a certain point, the opportunity will
7 be past and this is - there are people that are in
8 shelter for years because these vouchers don't work.
9 We don't have Section 8 vouchers. There is no
10 Section 8 vouchers available. I mean, there is like
11 a handful of Section 8 vouchers. If you get a
12 Section 8 voucher, it's like winning the lottery.

13 It's like winning the lottery and guess what,
14 Section 8 vouchers work. Someone gets a Section 8
15 voucher; they are staying in their apartments. They
16 are finding new apartments. I mean, honestly, I
17 don't quite understand why we just don't make a city
18 funded Section 8 voucher that has all of the
19 obligations of a Section 8 voucher to the point where
20 a perspective landlord doesn't know the difference.
21 It's just a Section 8 voucher.

22 You know, the landlord will say, what does it
23 matter to the landlord whether it's federally funded
24 or not or city funded. If it is the same voucher, a
25 landlord will take it because we know a landlord will

1
2 take Section 8 vouchers except for those that engage
3 in source of income discrimination but we know by and
4 large we present a CityFHEPS voucher and a Section 8
5 voucher to a landlord, we know which one they will
6 pick. We all know.

7 I mean, I don't know if you have a response to
8 that but I mean really, without data from the
9 Administration, all we have, all we have is the
10 evidence in front of our faces and like, what we can
11 see with our own eyes but the fact that we don't even
12 know how many vouchers, I mean how many shopping
13 letters are out there at any given time. We don't
14 know what the average length of time that somebody is
15 shopping for an apartment. All this anecdotal
16 because we have no data from the Administration.

17 So, I don't know what to say other than, you
18 know, we have to act and we have a super majority of
19 sponsors on this legislation and I'm not waiting any
20 longer. I mean, I don't know. I will turn it over
21 to my colleagues if they have any other questions.

22 COMMITTEE COUNSEL: No other questions from
23 Council Members. No Council Members have their hands
24 raised. Chair Eugene would like to ask a question at
25 this point.

3 CHAIRPERSON EUGENE: Yes, thank you so much.

4 Thank you. To the Commissioner, Deputy Commissioner,
5 we know that there have been a citywide voucher pause
6 and I believe that CCHR has been affected by that
7 also. Could you speak in detail, can you tell us how
8 CCHR is going to be impacted? You know, especially
9 the housing administration is frustrated. Is CCHR is
10 going to be impacted by these citywide budget cuts.

11 DANA SUSSMAN: Thank you for the question Chair
12 Eugene. Like, all city agencies were grappling with,
13 you know, an unprecedented budgetary crisis. We are
14 currently you know, working within the current
15 constraints that we have. We continue to do the
16 work. Our work has been impacted by both going to
17 telework over a single weekend. We moved our entire
18 workforce to telework and continue to do most of our
19 work remotely. And we are challenged, as we have
20 been challenged before with an incredibly broad
21 mandate under the you know, one of the broadest anti-
22 discrimination laws in the country to do this work
23 effectively and to address systemic problems within
24 our current resources.

25 And so, it's not a new challenge for us. It's
been, we were an agency of about 55 staff when the

1
2 Commissioner started in 2015. We are larger than
3 that now. We are not at our largest but we have
4 greatly appreciated the support of the Council and
5 the Administration in growing our agency from when we
6 started five and a half years ago. But we continue
7 to move within the current constraints and get as
8 creative as we can to remain as effective as
9 possible.

10 CHAIRPERSON EUGENE: Yeah, during the public
11 hearing that we have had, the Committee on Civil and
12 Human Rights, we have been trying to ask the
13 Commissioner of CCHR about the budget constraints.
14 You know, the challenges that they are facing in
15 terms of you know, enforcing the law and also
16 providing the services to the people in need. And
17 they never give us a clear, you know, response about
18 the needs [DROPPED AUDIO 2:23:10].

19 We know the New York City invasion of human right
20 is current in war in the Fair Housing Assistance
21 program and we see funding from — why doesn't CCHR
22 try to enroll also in this program?

23 DANA SUSSMAN: This is something that I know we
24 have discussed before. It is my understanding based
25 on conversations that I have had with our Deputy

1
2 Commissioner for Law Enforcement, who has testified
3 before this Committee before that the HUD
4 administrative requirements and reporting
5 requirements would require one early or entirely the
6 staff time of one staff member and we do not have the
7 staff to spare at this point.

8 CHAIRPERSON EUGENE: I'm sorry, could you repeat
9 that for me. Would require what?

10 DANA SUSSMAN: It is my understanding that to
11 comply with all of the reporting requirements that
12 this program administered through HUD requires, would
13 eat up one staff members entire portfolio. And so,
14 that would reduce our Law Enforcement staff or
15 support staff by one effectively and so, the
16 assessment was made by our Deputy Commissioner, that
17 at this stage, we cannot afford to lose additional
18 staff member time to comply with those administrative
19 requirements.

20 We can reassess that at a later stage but because
21 we are a file as of right agency. Essentially, if
22 you state a claim of discrimination under the City
23 Human Rights Law, we cannot turn you away. Our doors
24 remain virtually open. We are trying to be as
25 effective as we can with our current resources and

3 so, to commit that kind of level of staff time to the
4 Administrative requirements for the HUD program, just
5 does not make sense for us right now.

6 CHAIRPERSON EUGENE: Yeah, but I really don't
7 understand that because usually more funding, more
8 resources and we would be able to hire some
9 additional you know, staff to fulfill this
10 requirement, I believe. That would be beneficial
11 also to the people that we are serving because a lack
12 of resources you know, has been a challenge for many
13 institutions. When you have enough resources, enough
14 you know, opportunities so that means you can do much
15 more. You can provide more services. So, don't you
16 think that would be beneficial to New York City and
17 to the people that we are serving to apply to this
18 program and get more money, more resources to hire
19 additional staff you know, complying with this
20 requirement?

21 Can you hear me?

22 DANA SUSSMAN: Yes, I'm sorry, it doesn't allow
23 me to unmute myself.

24 CHAIRPERSON EUGENE: Oh, okay.

25 DANA SUSSMAN: You know, we are working and
crunching the numbers like every other city agency to

1
2 expand our work to ensure that we are using our
3 resources as effectively as we can. I think that
4 there are questions as to how quickly you know, how
5 quickly the resources from HUD would impact the
6 agency. And again, our staff have dockets of you
7 know, 30 to 70 cases each and if we are pulling staff
8 members away to handle some of those administrative
9 requirements, those cases would then not be assigned
10 to an attorney or would be assigned to other
11 attorney's.

12 So, again, I don't have more detail I can share
13 right now. We are happy to get back to you on this
14 but I've had this conversation with our Deputy
15 Commissioner for Law Enforcement who her expertise
16 is, she is formerly from the Department of Justice.
17 Her expertise is in housing discrimination. She is
18 very familiar with the HUD program. I can get back
19 to you further on this later but again, just checking
20 in with her this morning about this and her
21 assessment was that this program did not make sense
22 for us right now.

23 CHAIRPERSON EUGENE: Yeah, but it seemed to me
24 that the issue is an issue of resources to hire more
25 people because you can not afford to lose one staff

1 member because more resources, if you have the
2 funding or the resources, you would probably be in
3 better position to hire more staff, I believe. But
4 let me ask one thing, when did the CCHR last apply
5 for this funding? Can you tell me when?

7 DANA SUSSMAN: If I could just clarify something,
8 I think is important. The money - there is a lot
9 strings attached to that HUD money and from what I
10 understand, it will not be allowed to be applied to
11 personnel. And because it varies you know, quarter
12 to quarter, we could not guarantee that we could
13 fulfill you know, that wouldn't be a guarantee
14 particular sum and again, from what I understand, we
15 couldn't actually apply it to personnel lines.

16 So, it wouldn't be that sort of you know, easy
17 answer of if we did a. we would get b. We would not
18 be able to add personnel based on that HUD money.

19 CHAIRPERSON EUGENE: Alright, thank you very
20 much. Let me turn it back over to Chair Levin.

21 CHAIRPERSON LEVIN: Thank you Chair Eugene.

22 CHAIRPERSON EUGENE: Thank you so much.

23 CHAIRPERSON LEVIN: You know, I'm going to ask a
24 couple of more technical questions on the rental
25 assistance vouchers. When using CityFHEPS vouchers,

1
2 who is currently tasked with completing inspections
3 of apartments prior to move in and has this changed
4 recently?

5 ERIN DRINKWATER: I'm going to start and then
6 turn it over to my colleague Mr. Jordan. So, we
7 conduct the inspections. Those happen at the
8 provider level. The apartment review, list, and
9 guidance is posted online. So, landlords have an
10 opportunity to review that. We have a whole section
11 of information for landlords available about the
12 program online and I can turn it over to Bruce to go
13 through some additional information about that
14 apartment checklist.

15 BRUCE JORDAN: Yeah, so thank you Councilman
16 Levin. For apartments out of shelter, DHS, I mean,
17 the shelter providers do those inspections for
18 apartments in the community. The CBO's like Homebase
19 do that and for any rooms, there is a special unit
20 within DHS that does those, completes those, excuse
21 me.

22 CHAIRPERSON LEVIN: And what's the program again
23 that moves people out of state?

24 ERIN DRINKWATER: Special One Time Assistance
25 program SOTA.

3 CHAIRPERSON LEVIN: SOTA, who does the
4 inspections for SOTA?

5 ERIN DRINKWATER: So, I don't want to misspeak on
6 the record. That program did change earlier, I
7 believe earlier this year, so I want to be mindful
8 about my testimony on the record. I will get back to
9 you. There are inspections though for those move
10 outs.

11 CHAIRPERSON LEVIN: Okay, but you will tell me
12 later who does them?

13 ERIN DRINKWATER: I'm going to get back to you.
14 I don't want to misspeak on the record. Thank you.

15 CHAIRPERSON LEVIN: Okay. Can you provide us,
16 for the past year, can you provide us the number of
17 annual placements by population. So, families with
18 children, adult families, single adults by gender, an
19 average median, maximum and minimum length of stay in
20 the shelter system until placement into permanent
21 housing with a voucher?

22 ERIN DRINKWATER: I don't have that data readily
23 available today.

24 CHAIRPERSON LEVIN: When can we expect that data?

25 ERIN DRINKWATER: As we normally do after
hearings, if the Committee can follow up with the

1 data requests, we will move to answer those as
2 quickly as possible.
3

4 CHAIRPERSON LEVIN: Okay. One way that we have
5 heard around CityFHEPS is, landlords complain about
6 payment issues. Does HRA take any actions to ensure
7 that rental assistance payments are made on time?
8 Made on or before the scheduled payment date and what
9 is the process and has that process been amended in
10 any way in recent years?

11 ERIN DRINKWATER: I'm going to refer to my
12 colleague, Mr. Jordan.

13 BRUCE JORDAN: So, thank you Chair Levin.
14 Provided that of course we have the correct
15 information from the landlord. Provided also that
16 the landlord is not conflating missed payments that a
17 client might have had to pay or didn't pay from their
18 share, we had had some problems in the past when we
19 first started the program because payments were going
20 through the states WMS system. But we are in the
21 process now as we mentioned earlier, we have RFP out
22 with different things but we have a process where we
23 are doing a landlord management system that will be a
24 better portal for landlords to actually put in their
25 own information in real time. There will less

3 touches across DHS, HRA and DHS, which sometimes in
4 the past could create a problem with different
5 entities working with a client, all in their housing.
6 There will be just one entity touching the golden
7 record, so that payments will go to the correct place
8 and we have various vehicles through both once again,
9 our legal providers, our homebased providers. We do
10 have hotlines where clients and landlords can call
11 and let us know there is an issue and we'll address
12 it asap.

13 CHAIRPERSON LEVIN: How much does the CityFHEPS
14 voucher pay compare to fair market rent right now?
15 What's the percentage?

16 ERIN DRINKWATER: Sorry, I'm pulling up my
17 worksheet. Bruce, if you have it ready and
18 available, I just had closed the document, sorry.

19 BRUCE JORDAN: So, Chair Levin, an example would
20 be three people would be \$1580, which could possibly
21 get you a two bedroom apartment versus the Section 8
22 NYCHA FMR levels for 2020 would be \$2669.

23 CHAIRPERSON LEVIN: So, the difference there
24 being about \$900 a month?

25 BRUCE JORDAN: Somewhere around there, yes.

3 CHAIRPERSON LEVIN: Do you have examples of other
4 unit size or household composition?

5 BRUCE JORDAN: Excuse me, excuse me, let me just
6 clarify. A two bedroom would be \$2107 FMR level but
7 a household size would be \$1580. So, it's a little
8 less, excuse me.

9 CHAIRPERSON LEVIN: \$500.

10 BRUCE JORDAN: About \$500 less.

11 CHAIRPERSON LEVIN: \$500 less. I guess don't you
12 guys think that that would open up a lot more
13 apartments to be available to people if we could get
14 up to that FMR?

15 ERIN DRINKWATER: Council Member, as we stated
16 previously, the concern has to do with additional
17 resources. Getting additional funding, additional
18 resources from the federal government, from the state
19 government. You've mentioned that we've been
20 supportive of the Home Stability Support program,
21 that is in fact true.

22 And while that would do what you are seeking here
23 for this program, it would do it across the board and
24 we wouldn't lose the valuable resource that a
25 StateFHEPS that individuals move out of shelter each
year utilizing.

3 CHAIRPERSON LEVIN: Why not do both? Why not do
4 that this year and still fight for HSS on the state
5 level? But in the meantime, saying we're not going
6 to wait any longer?

7 ERIN DRINKWATER: I completely appreciate the
8 sentiment. As I said earlier, the city is very much
9 focused on the ability to have the authority to
10 utilize long-term borrowing. Without getting
11 additional resources from the state, we are currently
12 facing not only layoffs but program cuts that are
13 going to have further devastating impacts. We need
14 to focus our attention on getting that authority and
15 again, getting additional resources from the federal
16 government, whether it be in state and local aid and
17 or additional resources from the state.

18 CHAIRPERSON LEVIN: Okay. Okay, I appreciate
19 very much the testimony of every member of the
20 Administration that is here and I look forward to
21 working expeditiously on these pieces of legislation
22 and moving forward.

23 ERIN DRINKWATER: Thank you. And just for a
24 note, we do have staff who are staying to watch this.
25 I need to jump to prepare for another hearing. Thank
you.

3 COMMITTEE COUNSEL: Thank you to the members of
4 the Administration for your testimony and for
5 answering Council Member questions. Once more, I
6 want to remind everyone that we are going to be
7 moving on now to additional public testimony. I will
8 be calling individuals to testify in panels and also
9 calling your name one by one as you are up to
10 testify.

11 Again, for Council Members who are on our hearing
12 right now, if you have questions for a particular
13 panelist, use the raise hand function in Zoom and you
14 will be called on after the entire panel has
15 completed their testimony.

16 Again, public testimony will be limited to three
17 minutes. Please wait for the Sergeant at Arms to
18 announce that you may begin before you begin to
19 deliver your testimony. And our next panel is going
20 to be Christine Quinn, Vasha Gerhards[SP?], Sarah
21 Wilson and Devone Nash. We will now begin with
22 Christine Quinn.

23 SERGEANT AT ARMS: Time starts now.

24 CHRISTINE QUINN: Thank you very much and I just
25 want to start off by saying thank you to Chair Levin
and thank you to Chair Dr. Eugene for having this

1 hearing. Well, let me say, go Steve go. You were
2 asking all the right questions. They were dodging
3 every answer and I think the real question to okay
4 the state might be more than the city's then but we
5 need to lead. New York has a history of doing more
6 than the state, doing more than other people and then
7 the others follow suit. Look at the Smoking bill as
8 just one example.
9

10 So, the question here is, do we want to humanly
11 lead? The Council is saying yes, the Mayor is saying
12 no. Let me just go to my testimony.

13 I'm Christine Quinn the President and CEO of WIN,
14 the largest provider of shelter and services to
15 families with children in New York City. I am here
16 today to support all of the legislation on the
17 agenda, but in particular, to urge the passage of the
18 Intro. 146 which would peg the city's rental voucher
19 values to the fair market rent.

20 The CityFHEPS voucher is intended to offer a
21 clear straight forward exit plan out of shelter for
22 eligible families but because the voucher amount is
23 so low, that exit path is closed. Last year, all of
24 all WIN families who had access to CityFHEPS vouchers
25

1 only 28 percent left shelter using one, only 28
2 percent.
3

4 To put that in stark comparison, 32 percent of
5 the families left for placements that were not stable
6 that were high risk to return to shelter and these
7 struggles have not abated no matter what you hear
8 about dropping rents since COVID-19 struck.

9 The problem is that CityFHEPS pays far below
10 market value even in the most affordable parts of the
11 city. The CityFHEPS maximum rent allowed to three or
12 four persons is \$1,580 per month. According to
13 street easy data, there is no neighborhood, not one
14 in the city, where the median asking rent for a two
15 bedroom apartment is this low.

16 In order to make CityFHEPS an effective tool, its
17 rents must reflect the actual cost of housing in New
18 York City. CityFHEPS maximum rent amount should be
19 tied to New York City's Fair Market Rents or FMR.
20 The FMR is used to set rents for HUD subsidy programs
21 including Section 8 which the Chair spoke of. In
22 FY21, FMR for a two bedroom apartment in New York
23 City is \$2,053 a month. This would increase the
24 maximum rent allowed by \$473. Those are different
25

1 numbers than the one we heard from the representative
2 of the city.

3
4 SERGEANT AT ARMS: Time is expired.

5 CHRISTINE QUINN: He gave the NYCHA number, which
6 is a little higher, FYI. This would increase the
7 rent allowed by \$473 a month. This would
8 significantly broaden access to many neighborhoods
9 for voucher holders in the last five months instead
10 of there being one neighborhood with affordable
11 rents. I will submit the rest of the testimony for
12 the record but I just want to say, when you give
13 somebody a CityFHEPS voucher, you are giving them
14 hope. You are sending them a message that they
15 worked hard and they now have a vehicle to get out of
16 shelter. But when you give them a CityFHEPS voucher
17 that can't rent one apartment in one neighborhood,
18 you are giving them false hope and that is just
19 cruel.

20 And I'm so thrilled that Chair Levin and Chair
21 Eugene and the sponsors of the bill, which I believe
22 is up into the 40's are going to end that cruel
23 practice of false hope and get vouchers into homeless
24 families hands that can actually help move mothers
25 and children out of shelter. The best way to prevent

3 a homeless child from growing up to be a homeless
4 adult is to get them out of shelter.

5 Thank you all very much.

6 COMMITTEE COUNSEL: Thank you so much for our
7 former Speaker Christine Quinn. We will now call on
8 Sarah Wilson.

9 SERGEANT AT ARMS: Time starts now.

10 SARAH WILSON: Hi, my name is Sarah Wilson, I am
11 here with Safety Net Project and I'm hear to speak in
12 favor of Intro. 146 regarding increasing the amount
13 of the CityFHEPS voucher to be the fair market rate.

14 I'm happy to be here but I'm also upset to be
15 speaking. The fact that I was here over three years
16 ago, specifically June 27, 2017 as the Council Member
17 mentioned to speak on this exact same issue that's
18 over three years later and there have been
19 unfortunately many deaths, many horrible things that
20 have happened over that time period that could have
21 been avoided, especially prior to COVID.

22 With that said, I'm sorry, the issues like what
23 goes on in the upper west side, the problem is that
24 you put 300 people into three separate addresses.
25 It's not the problem, it's not the people that you
are putting places, it's the policies that are

3 putting them there. It's over populated and its
4 people with very minimal resources.

5 Anyway, this is all linked in and relevant
6 because with your vouchers standing the way that they
7 are not being at fair market value, not only have you
8 created this but you are forcing them to live in it
9 because they can't get out. The dollar amount as was
10 stated before should be something similar to what
11 goes on with Section 8 vouchers.

12 Bear with me, the fact that it would 30 percent
13 or a third of the income. The fact that sorry, okay,
14 going further. I'm also speaking on the fact that I
15 did have a voucher in 2017 and then I was not - I had
16 extreme difficulty trying to obtain it as well as use
17 it.

18 When I was able to obtain it because the shelter
19 did not help me, I spent 744 days in shelter on a
20 voucher that took 72 hours. I was able to obtain it
21 but no one wanted to accept it, so I started going
22 and looking at apartments not telling them I had a
23 voucher. Being showed it and then being declined
24 because source of income discrimination. People
25 said, we did not want a non-working tenant. We
wanted things of that nature.

3 But in hindsight, I didn't put my efforts into
4 pursuing that because I put it into housing.

5 I will close up with saying this because there is
6 a lot going on today. When you are looking at
7 someone and it hurts your eyes because you are
8 supposed to help them, not remove them from the line
9 of sight in your shuffling people around working on
10 shelters when you need to be working on a housing
11 vouchers. It's like monopoly money, it's not the
12 right dollar value, they can't ever get out.

13 The only way to change a homeless persons
14 situation is to house them.

15 Thank you for letting me speak.

16 SERGEANT AT ARMS: Time is expired.

17 COMMITTEE COUNSEL: Thank you so much Sarah and
18 we will now have Devone Nash.

19 DEVONE NASH: Hi, good afternoon. My name is
20 Devone Nash, I'm currently at North Star residence
21 shelter with my nephew. We started out when he was
22 18 in the shelter and we're still here. It is now 33
23 months later. I'm going to change my testimony
24 today, only because there was some numbers that you
25 guys were looking for.

3 Well, the government pays for me to be here and
4 my nephew \$3,343. 41 every month. The FHEPS voucher
5 is \$1,325. Now, you guys are going to give me money
6 for rent, \$1,325 but you are giving these guys
7 \$3,334.41 at 33 months. That comes out to be roughly
8 \$110,035. 53. That's just on the housing and feeding
9 us. The other services, which I got zero because
10 I've been in this system for 33 months and I am still
11 here.

12 So, this system that you guys spent \$93,535.53 on
13 could have actually, the combined total with \$110,000
14 plus \$93,000, you guys could have bought a house in
15 33 months. You could have bought me a condo, a two
16 or three bedroom condo for \$203,571. That makes
17 absolutely no sense and in my building alone, its 15
18 families on every floor times 11.

19 So, that's 165 families at \$3,334 per month with
20 an additional because we have to go get our breakdown
21 and they pay per month \$6,169.02 every month. Every
22 month for us to stay in the shelter to of no end in
23 sight. But let's say we do get an apartment, you say
24 okay, we'll give you \$1,325 to live comfortably or to
25 help you deal with that but you are paying these
people all of this money. This is atrocity, this is

1 a waste of money. You could have gave me \$2,500 a
2 month to live comfortably in a two bedroom apartment
3 and saved \$4,062 every month, if you just gave me
4 \$2,500 for an apartment, a decent apartment.
5

6 I can find an apartment for \$2,500, a two bedroom
7 apartment for me and my nephew, who happens to have
8 special needs. So, now you stick us in a place with
9 no — I had to go out on my own and I found an agency
10 called CASES that actually helped me. I've been
11 asking since the day I walked in the system. I said
12 my nephew has psychological problems. He needs help
13 from day one, everywhere I went, every agency I went
14 to I told that to. You know when I got help?
15 January, when I decided to call up all of these other
16 resources because I have a psychology major and I was
17 able to and so, I was doing these actual services and
18 so, I decided to reach out to these people. There is
19 no communications with the city and state, none of
20 the agencies. You guys sit up there and you talk and
21 you smile and you say all of these nice things but
22 it's just window dressing. It's fancy window
23 dressing and it's very expensive dressing, window
24 dressing to be exact with no services.
25

3 So, you have a window that's worth \$203,571.06
4 and it's broken but you keep on pouring money into
5 it. Can someone please explain that to me? Why are
6 you willing to give them over \$6,100 a month, but you
7 will not give me \$2,500 for rent?

8 That's the question I would like to ask and I'm
9 here. I am here in the system, so this can be
10 verified. So, you guys have to know what the city is
11 paying out every month. So, you guys sit up there
12 and act like you don't know and you are pulling these
13 figures out. That woman was right, there is no end
14 in sight in here and how many people that go out, how
15 many people come back? That's what you need to know.
16 That's what you should be asking because your system
17 is not working.

18 They told me that I have to have, if I have a two
19 year lease, I have to have the difference and so, the
20 difference is \$725.00 a month. So, for one year, I
21 got to have \$8,200 in the bank just to move in that
22 apartment. If I want a two year lease, I got to have
23 \$16,400. Where am I going to get that kind of money
24 from? Where am I going to get that kind of money
25 from to live under the FHEPS program that you guys
created? Where am I going to get that from?

3 Somebody please answer, anybody, anybody can take it.

4 Anybody can verify my figures, because this is what I
5 go down to get. This is my breakdown; this is
6 breakdown right here. This is my breakdown.

7 So, this is what the city is paying every month.
8 So, you have proof right here and the numbers don't
9 lie. I'm a numbers person. The numbers don't lie.
10 I'm just asking for \$2,500 out of \$6,000 and you can
11 save. If you gave everybody enough money to get an
12 apartment, you can wipe out this.

13 Sorry, but I'm actually through this. So, yes,
14 it's a little bit personal.

15 CHAIRPERSON LEVIN: You can pay a mortgage with
16 that \$2,500.

17 DEVONE NASH: Yeah, you most definitely can pay a
18 mortgage. I know people who are paying less than
19 \$2,500 a month on mortgage. I know people paying
20 less than that. With 3 percent down, you could have
21 gave me 3 percent, you could have bought me a house
22 for this kind of money. I'm still here, I'm still
23 here. That means this is going to go on, it's going
24 to keep going on, till, what did you say 2021, that's
25 when it is coming around again.

3 So, in 2021, I will be here 45 months and what
4 will you guys have to say then. I'm a statistic,
5 this is not working. It's not working what you are
6 doing there, it's not working, it's not. It's not at
7 all. And this is me, imagine all the other people
8 who gave up. You should see the people around me;
9 they walk around with their heads down. People do
10 not give you eye contact. They are sad. People are
11 very stressed out around this time, this was before
12 COVID.

13 So, just imagine how they are going through right
14 now with COVID going on. You know, you should see
15 the food. They give these people \$125 a week to feed
16 us rotten fruit, molded bread, spoiled milk. Give me
17 \$125, I'll make it work, I'll make it work. I don't
18 need it. Me and my nephew, we live off of \$10 every
19 day. We eat \$5 we spend our meals down \$10 a day,
20 \$300 a month, every month. Every month because I
21 don't eat this. You are paying for nothing. Most of
22 that stuff go in the garbage and they check off that
23 we are eating it. We're not eating it. There is
24 tons of it going in the garbage, tons of it.

25 So, you are not feeding us. All that is a lie
what you are saying there. You can give me \$125 a

1
2 week, that's \$500 a month but you give me \$354 in
3 food stamps but you know this is what it is going to
4 cost for me to eat. Why are you doing this? Why?
5 It's like you are making us suffer on purpose and
6 then you're throwing money, where is this money going
7 to? Who is it going to? It's supposed to be for us,
8 right? But we're not receiving anything. The
9 Counselors are overworked. My counselor has 4
10 floors, 15 families on each floor, you do the math.
11 How is she supposed to help when every two weeks she
12 has got to put in paperwork. So, she is inundated
13 with paperwork alone. Just to check and make sure
14 that we are here every day.

15 So, where is the time for her to say, let me help
16 you get an apartment. Let me help you with some
17 things that you got going on. Where is the time? We
18 don't even have a job developer here. How are you
19 supposed to get a job without - get an apartment
20 without a job? Something so vital. What is wrong
21 with you people? What is wrong?

22 CHAIRPERSON LEVIN: Thank you Mr. Nash.

23 DEVONE NASH: It's not like you don't know that
24 people need this stuff to survive. It's not like you
25

1 don't know it. So, you are purposely doing this and
2 why?
3

4 CHAIRPERSON LEVIN: Mr. Nash, you are right.

5 DEVONE NASH: You are purposely doing it.

6 CHAIRPERSON LEVIN: You are right. We're not
7 purposely doing it but you are right. You are right,
8 you are right.

9 DEVONE NASH: Don't patronize me please, don't
10 patronize me. Don't patronize me, I am living in
11 this. I've been living in this shelter for my nephew
12 for three years. Don't do that, don't do that, don't
13 do that. At \$203,571.06, don't do that. That's more
14 than some people make in a lifetime. Don't do that,
15 don't do that.

16 CHAIRPERSON LEVIN: Thank you.

17 DEVONE NASH: You are welcome.

18 COMMITTEE COUNSEL: Thank you Mr. Nash. We are
19 now going to call on Vasha Gerhards.

20 SERGEANT AT ARMS: Time starts now.

21 COMMITTEE COUNSEL: I think you are having some
22 technical difficulties with bringing on Vasha
23 Gerhards, so we are going to now turn to any
24 questions that Council Members have for this panel.
25 Turning to our Chairs, if there are any questions at

2 this point and if any other Council Members are on
3 right now have questions, we just ask that you use
4 the raise hand function and I will call on
5 accordingly.

6 Chair Eugene, Chair Eugene.

7 CHAIRPERSON EUGENE: Yes, I don't have any
8 questions but I just have a very short comment and I
9 want to thank the gentleman who came to testify with
10 such emotion and I want to thank him for his
11 statement. But I want to – can you hear me?

12 And I just want him to know that – can you hear
13 me?

14 SERGEANT AT ARMS: Chair, I think you need to fix
15 your microphone, we're having a hard time
16 understanding.

17 CHAIRPERSON EUGENE: Hello, can you hear me now?
18 Can you hear me?

19 SERGEANT AT ARMS: We can hear you but it's
20 coming in very choppy sir.

21 CHAIRPERSON EUGENE: Okay, let me do something.
22 Give me one second, very quick, very quick. Yes,
23 hello?

24 SERGEANT AT ARMS: Much better, much better.
25

3 CHAIRPERSON EUGENE: Thank you very much. Thank
4 you. Ye, I was saying that you know, I want to thank
5 the gentleman who testified but I want everybody to
6 know that we in the City Council, what we are doing,
7 we are fighting on behalf of the people by trying to
8 improve and to do everything that we can do to serve
9 the people who are in need of affordable housing and
10 issues, the human right issue. People have the right
11 to have access to dignified affordable housing for
12 themselves and for their children and we will
13 continue to do that.

14 The other thing that I want to mention and I am
15 delighted to see as a matter of fact, the picture
16 from the Speaker Christine Quinn, and I want to thank
17 her for her participation to this very important
18 public hearing. You know that address so many issues
19 affecting the people that we are serving. I know
20 that she knows her stuff and I commend her for the
21 way, for her passion, her dedication to fight for the
22 people who are seeking affordable housing in New York
23 City.

24 Thank you so very much. Thank you Chair. Thank
25 you.

3 CHRISTINE QUINN: Thank you very much Dr. Eugene,
4 I really, really appreciate that and I learned a lot
5 working with you and working with Chair Levin, so I'm
6 great to have the opportunity because of both of your
7 leadership to have this conversation today and
8 hopefully to have action very soon. So, thank you.

9 CHAIRPERSON EUGENE: And thank you again. Thank
10 you.

11 CHAIRPERSON LEVIN: I also want to thank this
12 panel for your very valuable insight and for making a
13 very compelling and data driven case for this
14 legislation and I greatly appreciate it and Speaker
15 Quinn, I do want to also offer my condolences on the
16 loss of your father.

17 CHRISTINE QUINN: Thank you very much.

18 CHAIRPERSON EUGENE: I'm sorry. Can I extend my
19 condolences also to you?

20 CHRISTINE QUINN: Of course, of course.

21 CHAIRPERSON EUGENE: I didn't know that. I knew
22 your father, very nice person, a wonderful person,
23 and I see vividly you know, every time that he came
24 to the City Council and I think he was a veteran
25 also.

CHRISTINE QUINN: He was, he was.

3 CHAIRPERSON EUGENE: He was.

4 CHRISTINE QUINN: Thank you both very much. I
5 haven't really announced it publicly so to speak but
6 he was a World War II veteran in the Navy. He was
7 part of the bombing of Wake Island and escorted the
8 Missouri to the surrender. He got COVID in March and
9 died from complications of COVID.

10 CHAIRPERSON EUGENE: I'm sorry, sorry.

11 CHRISTINE QUINN: Thank you. He was great up
12 until the very end. He lived a classic I would say
13 historic New York life and he loved being at the
14 Council and you two and so many others were so kind
15 and generous to him, so thank you for that. I will
16 always remember it.

17 CHAIRPERSON EUGENE: You know, as a former Chair
18 of the Veterans Committee, I got a great you know,
19 respect for all the veterans. You know, and I admire
20 all of them for their service and thank you to you
21 for your fathers service to this nation. Thank you.

22 CHRISTINE QUINN: Thank you.

23 CHAIRPERSON EUGENE: And God give you the comfort
24 that you need. Thank you.

25 CHRISTINE QUINN: Thank you.

CHAIRPERSON LEVIN: Thank you Chris.

3 CHRISTINE QUINN: Thanks Steve.

4 CHAIRPERSON LEVIN: I want to thank this entire
5 panel and we're going to do our best at this Council
6 to make this right. So, greatly appreciate your
7 time. Thank you.

8 COMMITTEE COUNSEL: Thank you to this entire
9 panel and now we are going to call up the members of
10 our next panel who are going to be in this order,
11 Joseph Soto, Salik Karim and Alison Wilkey. And we
12 will begin with Joseph Soto.

13 SERGEANT AT ARMS: Time starts now.

14 JOSEPH SOTO: Can you hear me now?

15 COMMITTEE COUNSEL: Yes, we can hear you.

16 JOSEPH SOTO: Okay, my name is Joseph Soto. Good
17 afternoon everybody. My condolences to Quinn and all
18 our families that has been affected by the COVID,
19 including my own.

20 My story is basically the same as everybody
21 else's. I'm just going to be reiterating what
22 everybody else has already said but through a
23 different perspective. I came out of prison last
24 October. I did 25 years. I was in there since the
25 age of 17 and I worked real hard, real hard to get
out of my first parole. You know, I got out, the

1 first summer when I got out of parole, they had seen
2 how good I was, they let me go. They said, you are a
3 perfect candidate to get out and they let me go at
4 level four. I didn't have to work my way up to level
5 four. That's how hard I worked.

6
7 Three months after my release, I'm working in the
8 health department as a peer specialist, this is my
9 ID, right. Three months after that, I was ready to
10 leave and get my own place but when I got out of
11 prison, I had to go straight to a shelter. And then
12 the Fortune Society was fortunate to let me, I was
13 fortunate enough to let them let me go and stay in
14 the academy.

15 However, throughout my stay there, I am listening
16 to everybody tell me their stories, many stories like
17 Nash. Nash, I feel your pain. I tried to go through
18 a voucher program but after six months out of prison,
19 I still couldn't navigate that system. I said, you
20 know what, forget that. I'm not going to get stuck
21 in the system for years. For 25 years I dreamed
22 about having my own place and being a productive
23 member to society. I'm already a productive member
24 of society working as a peer specialist. Now my only
25 thing I need to do was to get my own place and I did

1
2 it on my own without the voucher, without no help
3 from the city because I didn't want to get stuck in
4 that system. I don't got no help from the city. I
5 don't got no food stamps; I don't got no voucher. I
6 don't even got Medicaid. They cut me off of
7 Medicaid. I'm paying for my own health insurance.
8 Actually, this month, I can't afford it but it is
9 what it is. 75 percent of my income goes to my rent.
10 I shopped around trying to get something that is
11 decent that is legal but I was denied because this
12 one place I really, really wanted and I talked to my
13 broker, I said, I want that place. I will make all
14 the sacrifices I need but the landlord was like, you
15 know, he's a felon. And then after that, you know, I
16 guess he caught himself and then he stuck with that I
17 don't make enough money.

18 You know, I really wanted that place. That
19 place, I fell in love with. However, I ended up
20 here. This is a one bedroom apartment but it is
21 illegal apartment. It's got one entrance, so it's a
22 fire hazard and believe it or not, I'm good. I am
23 happy to be here because I'm not stuck in that system
24 that a lot of my brothers and sisters are stuck in.
25 You know, I'm doing - I mean, sometimes I wonder how

1
2 I am going to feed myself. I wasn't able to pay my
3 health insurance this month but I keep my phone on
4 and I'm here. But I remember that one apartment that
5 I wanted that was as real nice apartment and I
6 couldn't get in because of my history. And I think
7 that is one of the main topics we're talking about
8 here. That's why I decided to testify today. I
9 still would like to go to that apartment. In fact,
10 my tenants is ASL school and I am an ASL instructor.
11 I even tried to use that as an angle to get in there.

12 I said listen, I could help with the assignments
13 but they didn't want me there. They didn't want my
14 class of person in there. I refused to be stuck in
15 the system. I refused to get stuck in the ghetto's.

16 I am in a real private apartment, a private
17 house. I sleep in the basement. I'm good for now.
18 I'm struggling but I'm good. I'm going to continue
19 to do what I can to be a productive member of the
20 society to help my peers, to help my people and
21 that's all I got to say. Thank you for letting me
22 say it.

23 CHAIRPERSON LEVIN: Thank you Mr. Soto.

24 COMMITTEE COUNSEL: We're going to move onto
25 Salik Karim.

3 SERGEANT AT ARMS: Time starts now.

4 SALIK KARIM: Good afternoon. My name is Salik
5 Karim and I am Advocacy Coordinator for Justice and
6 Opportunity. I am also a formerly incarcerated
7 person living in New York City who has been unfairly
8 discriminated against in the housing application
9 process by the use of criminal background checks.

10 In spite of being released from prison in 2005
11 and maintaining full time employment since May 2005
12 and received both a bachelor's and master's degree in
13 social work, I continue to be discriminated against
14 in the housing process. This discrimination not only
15 affects me but my family as well.

16 The use of criminal background checks creates a
17 false narrative about who I am and what I have become
18 in spite of my past history. It locked me into my
19 past, it creates barriers blocking movement into my
20 future.

21 I want to clearly state that housing is a human
22 right, not a human privilege, a human right.
23 Therefore, everyone should be able to secure this
24 human right. The use of criminal background one
25 second, I'm sorry. The use of criminal background
checks has impacted not only me but my fiancé, now

3 wife, by not allowing us to use my income as a
4 resource for potential other housing opportunities
5 namely fair market, a lot of your apartments, housing
6 subsidies, [INAUDIBLE 3:08:09].

7 In order to find an apartment together, we got
8 married and we both had to leave Brooklyn New York
9 where we both lived for all of our lives. Because I
10 kept being denied apartments because of my record.
11 This effectively resulted in displacement from our
12 family, friends, and community. It has also limited
13 our selection ability and opportunity to obtain more
14 secure and stable housing.

15 Though I have recently secured housing in Queens
16 New York, I could be evicted on a landlords whims
17 because there are little if any protection available
18 and then I will be back in the same situation of
19 being denied apartments after apartments because of
20 my record.

21 The simple act of moving apartments which most
22 New York City residents do many times, isn't
23 available to me and my family. If my landlord raises
24 my rent -

25 SERGEANT AT ARMS: Time expired.

3 SALIK KARIM: And I can't afford it, I might not
4 be able to find another apartment before my lease
5 expires. My 24 year old conviction leads me and my
6 family in housing instability. I am not the only
7 person in this situation. One in three Black men in
8 the United States has a felony conviction. By
9 continuing to allow housing providers to deny housing
10 based on convictions, we continue a significant
11 portion of Black men to lifetime housing insecurity.

12 This is one of the reasons so many people need
13 shelter and why the glaring racial disparities in
14 shelters. This is why the City Council must pass
15 Intro. 2047 to ban the use of criminal background
16 checks due to a person's arrest and all conviction
17 history.

18 No one should have to live with this sense of
19 insecurity like I have experienced when it comes to a
20 human right of housing. Thank you very much.

21 CHAIRPERSON LEVIN: Thank you Mr. Karim and I
22 just want to thank you and acknowledge your work on
23 this. This bill would not be heard today and on its
24 way to becoming law if it weren't for your efforts.
25 You introduced me to this legislative idea and I want
to just thank you for doing that.

3 COMMITTEE COUNSEL: Thank you Mr. Karim and now,
4 we are going to have Alison Wilkey.

5 SERGEANT AT ARMS: Time starts now.

6 ALISON WILKEY: Good afternoon. My name is
7 Alison Wilkey and I am the Director of Public
8 Policies at John Jay College Institute for Justice
9 and Opportunity and I want to thank Chair's Levin and
10 Eugene for the opportunity to present testimony today
11 about Intro. 2047 prohibiting housing discrimination
12 based on arrest or criminal record.

13 The John Jay College Institute for Justice and
14 Opportunity's mission is to create opportunities for
15 people to live successfully in the community after
16 involvement with the criminal legal system by
17 addressing structural and racial economic
18 inequalities. While much of our work focuses on
19 pathways to education, housing policy has become a
20 focus for the institute because so many of our
21 college students that we serve who have been impacted
22 by the criminal legal system have trouble finding and
23 maintaining housing.

24 Housing instability interferes with the students
25 ability to enroll in college and to succeed through
graduation. And in this way and in so many other

3 ways, the inability to access housing is a barrier to
4 economic opportunity. While my testimony is focused
5 on discrimination based on conviction history, I also
6 want to voice support for increased rental assistance
7 and ending voucher discrimination. All the bills
8 under discussion today are important cases of the
9 changes we need to breakdown the racial and economic
10 barriers that prevent New Yorkers from accessing safe
11 and affordable housing.

12 I've submitted written testimony but I want to
13 focus my time here to speak about the issue of safety
14 and to address any critics who say this bill would
15 limit the ability of landlords to provide safe
16 housing for tenants.

17 First, it's really important to be clear that
18 increasing access to housing increases safety. An
19 inability to meet economic need is the key driver of
20 violence. Housing is a core human need, it provides
21 a foundation for people to get and maintain jobs, to
22 care for their families, to contribute to their
23 communities. It's the foundation for economic
24 wellbeing which decreases violence. And for people
25 who have been in the criminal legal system, stable
housing also decreases recidivism. So, when we

3 eliminate barriers to housing, we improve
4 neighborhood safety for everyone.

5 Second, it is a fallacy to believe that
6 conviction history tells us who will be a good tenant
7 or a good neighbor. Using background checks to
8 determine whether a person is a good tenant simply
9 infringes our racist criminal legal system.

10 The inequities of our criminal legal system are
11 well documented and have been brought fully to
12 attention in recent months from the protests sparked
13 by the killing of Black men and women by police. Yet
14 we are still living with the reality that one and
15 three African American adult men in the United States
16 has a felony conviction.

17 This reflects the reality that Black people and
18 other people of color are the targets of law
19 enforcement and are treated more harshly and have
20 worse outcomes once in the criminal legal system. I
21 guarantee you that landlords have White tenants who
22 have possessed or sold drugs when they were young or
23 vandalized property or engaged in other criminal
24 acts. That those White tenants didn't live in highly
25 policed neighborhoods. So, they didn't end up in the

3 criminal legal system and end up with a lifetime
4 barrier of the conviction record.

5 SERGEANT AT ARMS: Time is expired.

6 ALISON WILKEY: Says more about the circumstances
7 of your birth than the content of your character and
8 what we think we know about risk turns out to be
9 false. People with the most serious convictions
10 typically have the lowest recidivism rates.

11 For landlords who have a genuine concern about
12 creating safe community, this bill does nothing to
13 change that. Nothing in this bill takes away the
14 ability of landlords to do reference checks or to get
15 information about a person's past tenancy nor does it
16 take away the ability to address an existing tenant
17 who is causing problems. So, long is the basis for
18 that is their behavior, not an arrest or conviction.

19 I'm happy to answer any other questions about the
20 bill, about Fair Chance Acts and other jurisdictions
21 and about this issue of safety. Thank you.

22 COMMITTEE COUNSEL: Thank you to everyone on this
23 panel. If any Council Members or if the Chair's have
24 any comments or questions at this time, otherwise we
25 will move onto the next panel.

3 Okay, so I am now going to call on our next
4 panel. I just want to remind everyone that public
5 testimony is limited to three minutes and please wait
6 for the Sergeant at Arms to announce that you may
7 begin your testimony before you begin to speak.

8 The next panel will be Reverend Winnie Varghese,
9 Stanley Richards, and Erobos and we will begin with
10 Reverend Winnie Varghese.

11 SERGEANT AT ARMS: Time starts now.

12 REVEREND WINNIE VARGHESE: Good afternoon. My
13 name is Winnie Varghese. I am a priest at Trinity
14 Church on Wall Street. Thank you to Council Member
15 Levin and Eugene for your leadership and persistence
16 and serving the unhoused and vulnerable in this city.

17 Trinity Church is the convener of faith
18 communities for just reentry. An interfaith
19 coalition across the five boroughs working to end the
20 cycle of homelessness and incarceration in New York
21 City. This requires that Mayor de Blasio and the
22 City Council take action to create a just reentry
23 system that provides for the safety of people
24 released from jail. Stable housing for justice
25 involved people and their families and coordinated

3 support services that are held accountable to the
4 wellbeing of each person.

5 So, thank you for the opportunity to testify on
6 2047. We are grateful for the leadership of Council
7 Member's Levin, Powers, Lander, and Cornegy and
8 Public Advocate Williams in supporting this
9 legislation that seeks to address rampant housing
10 discrimination against New Yorkers with criminal
11 justice records.

12 A criminal justice record is not the measure of a
13 person, nor should it be used to deny housing. In
14 New York City, 15,000 to 20,000 New Yorkers are
15 caught each year in the cycle of homelessness and
16 incarceration. This cycle is perpetuated by the
17 discrimination that our neighbors face during reentry
18 from jail and prison and in some cases, even before
19 they are convicted of a crime.

20 In New York, the probability that a person with a
21 criminal record could even view an available
22 apartment is 50 percent. Ban the Box and the Fair
23 Chance Act apply in education and employment but not
24 yet in housing. We must make it possible for a New
25 Yorker who has served their time to rebuild their
lives.

3 At this time, NYCHA replicates the discrimination
4 we see in the private market, by preventing people
5 with criminal records from returning home to their
6 former households. While federal law prohibits
7 individuals with some restriction already, who can
8 come back into federally funded public housing, NYCHA
9 uses its own broad discretion to deem residents as
10 dangerous leading to eviction and family separation
11 through a policy called permanent exclusion.

12 To be clear, NYCHA currently has the discretion
13 to exclude people who have simply interacted with the
14 criminal legal system, not yet convicted of a crime.
15 Upon arrest and prior to conviction, eviction
16 proceedings can begin. When we think about who
17 cannot afford bail, we know who gets caught in this
18 trap. According to the Vera Institute, between 2012
19 and 2013, 2,200 people formally living at a NYCHA
20 address, were released from a city jail, and sought
21 housing in a shelter.

22 As faith leaders, we are called to proclaim the
23 beloved community. Defined as a society that takes
24 particular care of the vulnerable, the unhoused,
25 those in prison. From the time of our agent text,
the fairness of systems of justice is important

3 enough to be referenced as a sign of a communities
4 faithfulness. Injustice equals a lack of love and
5 fear of God.

6 Faith Communities for just reentry calls upon
7 Speaker Johnson and members of the City Council to
8 pass the Fair Chance Housing Legislation proposed.
9 Putting and end to landlord discrimination against
10 New Yorkers with a criminal record and their
11 households. We ask that the City Council call for
12 NYCHA to end discriminatory permanent exclusion
13 policies.

14 I want to thank the Council again for their
15 leadership on this issue and I am grateful for the
16 opportunity to have spoken before you today. Thank
17 you.

18 COMMITTEE COUNSEL: Thank you Reverend Varghese.
19 Now we are going to have Stanley Richards.

20 SERGEANT AT ARMS: Time starts now.

21 STANLEY RICHARDS: Good afternoon. My name is
22 Stanley Richards and I am the Executive Vice
23 President at the Fortune Society.

24 The Fortune Society is a 53-year-old organization
25 that supports successful reentry from incarceration
and promotes alternatives to incarceration. Thus,

1 strengthening the fabric of our community. We do
2 this by focusing on three possibilities. One,
3 believing in the power of people to change. Two,
4 building lives through service programs shaped by the
5 experiences of our participants and three, changing
6 the minds through education and advocacy to promote
7 the creation of a fair, humane, and truly
8 rehabilitative correctional system.
9

10 While many individuals in the criminal justice
11 system know about the Fortune Society's role in
12 providing services and performing advocacy for
13 individuals, who at some point in their lives were
14 incarcerated. Fewer individuals know that we also
15 collect rent, refer calls to our Superintendent and
16 have an annual haunted house party for kids and other
17 families in the West Harlem community.

18 In other words, we are also the landlord and
19 service provider for two buildings in West Harlem.
20 So, we know the in's and out's of the world as well.
21 As a result of our experience, we know that a
22 resident or tenants prior arrests or criminal
23 convictions simply do not predict community safety or
24 compliance to pay rent, be a good neighbor, or
25 decrease the safety of the community at large.

3 First, we are the service provider of the Fortune
4 Academy. One of the people testifying today was a
5 former resident. Which residents and staff also
6 refer to as the castle because of its beautiful
7 architecture. The castle is an emergency and
8 transitional supportive housing program that provides
9 a safe, rehabilitative community for homeless people
10 coming home from incarceration or who have conviction
11 histories.

12 Through regular case management, we assist
13 residents with a wide range of needs including
14 gaining and maintaining more stable permanent housing
15 and employment, substance use treatment, recovery,
16 financial planning and management and family
17 reunification.

18 Second, we are the landlord for the nearby
19 building Castle Gardens. A mixed use, supportive and
20 affordable residential development, and service
21 center in an environmentally sustainable building.
22 Castle Gardens provides long-term housing solutions
23 for homeless, justice involved individuals and their
24 families. As well as low income individuals and
25 families from West Harlem in the greater New York
area.

2 Fortune decided to build both buildings in 2002
3 and then in 2010 because homelessness for people
4 returning home from jail and prison is a massive
5 barrier to reentry and stability. We saw and
6 continued to see the massive impact homelessness has
7 on the men and woman who walk through our doors
8 pursuing stability including housing.

9 SERGEANT AT ARMS: Time expired.

10 STANLEY RICHARDS: We saw people come to Fortune
11 seeking employment but having no place to sleep or
12 staying in the shelter. We hear about the stories of
13 people staying in the shelter trying to maintain
14 their sobriety but trying to navigate the massive
15 drug use that continues in shelters. There are still
16 no laws on the books that offer protections and
17 accountability that are needed to ensure that people
18 with conviction histories can have a fair chance to
19 seek and obtain affordable and low income housing.
20 Based on the work that the individuals do to change
21 their lives, instead of the crime or conviction that
22 he or she was convicted for.

23 Despite this fact, safety, and community reaction
24 almost always two reasons that landlords use when
25 asked why those chose to use criminal background

3 checks when assessing an individual for housing. But
4 when it comes to safety, not only does a lack of
5 housing actually contribute to poor safety conditions
6 overall, studies have found little connection between
7 an individual's criminal history and whether he or
8 she will be a good tenant.

9 As Human Rights Watch has noted, the existing
10 criteria invite arbitrary rejection of applicants
11 without careful assessment of any real safety risk
12 they might pose.

13 As a result of the arbitrary nature of how
14 landlords use criminal history and the fact that it
15 does not have a connection to good tenancy, we urge
16 the implementation of Intro. 2047. Which is similar
17 to other laws known as the Fair Chance Housing.

18 At the Fortune Society's Castle Garden building,
19 we do an individual assessment including interviews
20 to assess a potential tenants application. Instead
21 of running a name through a computer database, our
22 staff does a careful case by case analysis of each
23 one of our potential tenants. In doing so, we rely
24 on a number of variable factors that demonstrate
25 rehabilitation instability and not on the structural

3 racism that underlays our criminal justice system
4 which is also at the core of HUDS concern.

5 The Fortune Society has also kept its promise to
6 our partners, our tenants, and community at large of
7 running and operating a safe, congregate, supportive,
8 and low income housing facility. In fact, a number
9 of community members have expressed their
10 appreciation that with the presence of the castle and
11 Castle Gardens, their neighborhood has become safer
12 and more beautiful.

13 We have demonstrated how landlords can maintain
14 safe buildings and communities and integrate diverse
15 experiences without discriminating based on
16 conviction histories and/or credit history.

17 As a formerly incarcerated man of color, I know
18 first hand how it feels when you are judged based on
19 what you did or how much time you served. I also
20 know the difference that emerge when you see and
21 engage people without judgement and you lead with
22 hope and opportunity. New York City has an
23 opportunity to end the housing discrimination based
24 on conviction history which disproportionately
25 impacts Black and Brown individuals and families and
the practice now by passing Intro. 2047 and send

1
2 landlords a message that discrimination in any form
3 against one person is discrimination against all in
4 society. Let's lead with hope and redemption and
5 pass Intro. 2047. Thank you.

6 CHAIRPERSON LEVIN: Thank you Mr. Richards.

7 COMMITTEE COUNSEL: Thank you Mr. Richards and
8 now we are going to have Erobos as our next witness.

9 SERGEANT AT ARMS: Time starts now.

10 EROBOS: Hello, good day to everyone. First and
11 foremost, let me thank the people that made it
12 possible for me to attend this hearing, which would
13 be the Fortune Society, Joseph Soto and Aminta
14 Kilawan and their advocacy capacity.

15 I want to highlight a community that is not you
16 know, add to the crisis unfortunately is the
17 undocumented. As a formerly incarcerated
18 undocumented man of color, I can tell you that I make
19 up over a million people in the city that's
20 undocumented. Over 70 percent of us are employed or
21 seeking employment and we pay taxes, even though we
22 are undocumented, which means we pay for the police,
23 we pay for the fire, teachers, we pay for the City
24 Council and we don't have a voice in this process
25 because of our legal status or lack thereof. We

1
2 can't get vouchers; we can't be accessible for any
3 federal programs. All of that, we are cut out from
4 and if it were not for GMHC and the Fortune Society,
5 I'd be stuck in the shelter system I would say over
6 ten years now or sleeping on somebody's couch and it
7 was very difficult. Right, I mean, there were times
8 where you know, I didn't get a work authorization so,
9 I had no money, no income. People couldn't hire me.
10 I had to steal to eat. I got arrested for that. I
11 was getting into problems in the shelter system,
12 getting into fights. Basically, working my way back
13 to the incarceration system of which I have done 18
14 years.

15 So, the Fortune Society took a chance on me with
16 no vouchers, no nothing and it's safe housing and I
17 can echo what Stanley said and even Alison Wilkey.
18 This is a safety issue because if it was not for the
19 safety of this place, where you know there is no
20 violence, no parts of violence. It is safe, it is
21 clean, I have my own place, you know, I'm employed,
22 so I pay rent. You know, if it weren't for this
23 place, I could be a danger to society. I could be
24 out there in desperation which drove me to criminal
25 factors to begin with, lack of economic opportunity,

1
2 discrimination, economic oppression is what it is all
3 dealing with. I could be out there putting myself at
4 risk and being a danger to the community just to
5 survive. Back to prison, back to ICE or whatever and
6 I'm not doing that because of the wholesome culture
7 and the stability of the castle that Stan spoke about
8 and you know, I'm wondering if there is any kind of
9 pathway people are undocumented. Because the only
10 difference between an undocumented person that's
11 working and one that's not working, it is just that.
12 You know, just our status can improve but yet we pay
13 taxes.

14 SERGEANT AT ARMS: Time expired.

15 EROBOS: Yes, Sergeant, I hear you. Keep hope
16 alive. So, I want to thank the Fortune Society. I
17 want to thank Aminta Kilawan, Joseph Soto and a last
18 word for Chair Levin, you have subpoena power. You
19 should not be begging and asking anybody for data.
20 Just subpoena them, make them give it to you, any
21 department. You know, and yeah, thanks for the
22 opportunity and I appreciate all that's been said.
23 Thank you.

24 CHAIRPERSON LEVIN: Thank you very much sir.
25 Thank you. Point well taken as well, thank you.

3 COMMITTEE COUNSEL: Thanks very much Erobos. And
4 now we are going to call on our next panel which will
5 be in this order, Velvet Ross, Michelle Carreras,
6 Sofia Janz, and Winston Tokuhisa. And we will begin
7 with Velvet Ross.

8 SERGEANT AT ARMS: Time starts now.

9 VELVET ROSS: Good afternoon. Thank you Chair
10 Levin and Chair Eugene. My maternal and paternal
11 grandparents were a part of the great migration from
12 the gen pro cell. They stress education as the key
13 to a better life. Adhere to those tenants, I adhere
14 to those tenants. I attended a specialized high
15 school in New York City, took advantage of the
16 educational opportunities afforded of me. I went on
17 to undergrad and then graduate school. I am a former
18 Ms. Flight World New York, former board member of the
19 Community Board 7 in the Bronx and a former school
20 teacher.

21 I was told that if I abided by these rules and
22 did all the right things, I would be fine but I was
23 wrong. I found that plain respectability politics
24 did not allow me from becoming homeless. I became
25 homeless after living in an unsafe apartment that was
unlivable. That lead to the deterioration of my

1 health and led me to become disabled and unable to
2 work.

3
4 With these multiple structural factors, gender,
5 race, and poverty, it forced me into the shelter.

6 The saving grace was receiving a CityFHEPS voucher.

7 I thought this would give me the opportunity to live
8 a better environment. A new opportunity to start

9 over and to live a better quality of life. Trying to
10 find a safe and habitual apartment for a single
11 person on \$1,246 is a herculean task.

12 I don't have enough Black girl magic for that.

13 With that amount, I'm still living in the modern Jim

14 Crow because data shows that African Americans often

15 face barriers while attempting to move for more

16 favorable neighborhoods. It set me on a path to see

17 the deep, dark, racial gendered classes,

18 institutional divides in housing, homelessness, and

19 eviction.

20 Living a new existence as a displaced, Black,

21 disabled woman, even with my education, navigating

22 the bureaucratic system, amazed of obtaining and

23 keeping and keeping a voucher is still cumbersome.

24 As now, I am dealing with trying to renew my

25 shopping letter after my case was closed by Homebase

3 while I was hospitalized and because of that, now I
4 am on the verge of becoming homeless again.

5 The dream of equity and equality that my
6 grandparents had is still that, a dream. Let's do
7 the work and make the reality pass. Please pass
8 Intro. bill 146, so that fair market value is fair
9 for the next generation. Thank you.

10 CHAIRPERSON LEVIN: Thank you.

11 COMMITTEE COUNSEL: Thank you and now we will
12 have Michelle Carreras.

13 SERGEANT AT ARMS: Time starts now.

14 MICHELLE CARRERAS: Hi. Hello. I am here to
15 testify today. I am a survivor of domestic violence.
16 I have spent the last two and a half years in a
17 domestic violence shelter. Myself and my 9-year-old
18 son.

19 I am currently a student studying to be a medical
20 center tech while helping my son with his remote
21 distance learning. My story is one of a billion in
22 this city. I feel like every day that I am in this
23 shelter, my safety, my son's safety is put at risk.
24 I was told domestic violence victims get you know,
25 you guys get a lot more leeway, you guys get a lot

1
2 more help and I find that it is harder for us. There
3 is the stigma attached to it.

4 I speak to landlords; I speak to brokers and I
5 don't get a call back the minute that I mention that
6 I have a voucher. The minute that I mention that I
7 am in a DV shelter. There is very little help for us
8 in the system that is already broken. Our housing
9 specialist she is over worked. She will give us
10 applications, but the applications do nothing for us.
11 The management companies are telling us they don't
12 have anything to match our voucher amount. My
13 information in regards to my voucher and in regards
14 to how I make my money, that's where I stop hearing
15 from anybody. It's already been like I said two and
16 a half years and its to the point where it is very
17 discouraging and I don't understand how is that why I
18 have to go back into DHS family shelter system in
19 order to get help when I am a domestic violence
20 victim.

21 I have had to have my son added to an order
22 protection while being in the shelter. So, I'm at my
23 whit's end, my hands are tied and I'm stuck in the
24 system and it's a revolving door unfortunately that
25 we can never get out of. You are just running in

1 circles. [DROPPED AUDIO 3:35:14] happy people and
2 productive people in society and its impossible with
3 everything going on in this climate to move forward.
4

5 I thank you again for listening to us. I really,
6 really hope you take into the consideration to the
7 families that are struggling. As I said, I am one
8 family in this shelter and there is over 50 families
9 in this shelter.

10 COMMITTEE COUNSEL: Thank you Michelle. Now I
11 will call on Sofia Janz.

12 SERGEANT AT ARMS: Time starts now.

13 SOFIA JANZ: Good afternoon ladies and gentlemen
14 and thank you for allowing me to testify in regards
15 to my struggle with my family. But this rental
16 discrimination started even when we were in the
17 shelter because of the lack of information. The lack
18 of the right information, because they would give us
19 in other words, a pie that was empty and we were told
20 to eat from it. But yet, when we were out searching
21 for apartments every day, every day of the week, the
22 weekend, all of these hours and just to get home on
23 time was a struggle. My children are depressed. We
24 have all gone through therapy. My youngest has
25 mental disabilities as well as my middle daughter and

1 we've been struggling with everything to find out
2 where we can go and thank God for someone giving me
3 information about Neighbors Together. We've gotten
4 more information about rental discrimination and it
5 helped us because we were able to record an agent in
6 this recording and she made so many mistakes in
7 regards to the apartment knowing that I was qualified
8 for it and it was a two bedroom unit. And once she
9 found out I had a voucher, it was oh, my God, you
10 don't qualify. The amount is too high for your
11 voucher. We will not accept.

12 So, with that, it made us go right back to square
13 one. Feeling like a victim, feeling like we are
14 never going to get out of the hole and we were
15 victims of domestic violence, we were in the shelter,
16 we were switched to another shelter, a regular family
17 shelter and with all the money that was spent to just
18 house us there, it was incredible to see the math
19 behind it and to understand it. We're not even
20 getting half of the amount that they were charging
21 the city to keep us there for a month. And we're
22 still struggling and we've gotten some positive
23 feedback from it and with the help and the
24 organization that has been helping us and we've
25

3 gotten to know them this last year. We are more
4 knowledgeable. We have more feedback, we have more
5 information and I've been paying it forward helping
6 other people, especially my neighbors, especially
7 people I bump into in the street or at these
8 interviews for apartments. And we really need to put
9 some fire behind this motion. This 146 bill, Intro.
10 sorry, excuse me. The Intro. 146 bill because once
11 we can get a lease in a month that can cover a one to
12 two bedroom and look at our family size, we can
13 actually start living like we are people. Because we
14 were never supposed to lose the fact that we are
15 people. We are part of this city, we are part of
16 this government, we are part of this world.

17 SERGEANT AT ARMS: Time expired.

18 SOFIA JANZ: Thank you so much.

19 COMMITTEE COUNSEL: Thank you Sofia. Now, I will
20 call on Winston Tokuhisa.

21 SERGEANT AT ARMS: Time starts now.

22 CHAIRPERSON LEVIN: Sorry, if you could hold the
23 time for a second. Just before the next person
24 testifies, I just want to acknowledge that we have
25 been joined by Council Members Treyger, Dromm, and
Rosenthal and Council Member Rosenthal does have a

1
2 question. Council Member Rosenthal, do you want to
3 ask your question now?

4 COUNCIL MEMBER ROSENTHAL: Thank you Council
5 Member Levin. No, I will wait until the end of the
6 panel. Thank you so much.

7 CHAIRPERSON LEVIN: Okay, thank you. Okay, my
8 apologies, you can continue.

9 COMMITTEE COUNSEL: I will call on again, Winston
10 Tokuhisa.

11 SERGEANT AT ARMS: Time starts now.

12 WINSTON TOKUHISA: Good afternoon. My name is
13 Winston Tokuhisa. I am inspiring software engineer.
14 I am also 34 years old and I've been struggling with
15 housing insecurity for almost half of my life. I
16 first become homeless in 2006 after my father locked
17 me out.

18 Since then, I have been actively seeking the
19 right path out of poverty. After researching a
20 variety of different career options, I've come to the
21 conclusion working in the information technology
22 sector is the best for me. Unfortunately, even the
23 most in demand skills, the housing authority caused
24 by the lack of sufficient rent subsidy have become
25 progressing.

3 When I first seen my FHEPS voucher in the summer
4 of 2018, I thought things were fine and looking up.
5 Unfortunately, by the time my voucher turned into
6 CityFHEPS the following year I realized it was no
7 where near enough to cover the rent in NYC even with
8 the increase.

9 Not long until I considered myself beaten, I
10 tried to get creative in my search for housing.
11 Unfortunately, even when I was able to find
12 opportunities, I can neither overcome DHS or HRA's
13 demands nor source of income discrimination. The
14 main challenges of finding housing with the CityFHEPS
15 voucher, I have been finding viable units for the
16 allowed price and more recently raising the COVID-19
17 clock. It is virtually impossible to find even a
18 small studio of the price of \$1,265 and the lack of
19 chance one does, the landlord will either refuse to
20 take the voucher or create something they can't.

21 Prior to 2020, one could afford to be patient.
22 Now, each day spent in a shelter an increased chance
23 of catching or transmitting COVID-19. These
24 challenges have affected me and my ability to get
25 housing by being in the shelter system for over two
years. And face some unreasonable amount of pressure

3 on DHS vendors, I refuse to move out to anything less
4 than stable housing. Accordingly, this will
5 significantly delay my goal of becoming a software
6 engineer.

7 More recently, I have tested positive for COVID-
8 19 exposure. Maybe if the city will pay my rent
9 instead of double that to the shelter, this would not
10 have happened. The city must increase voucher
11 amounts at fair market rate for two reasons. First
12 and foremost, it will enable individuals to move out
13 of shelters saving their lives by reducing the risk
14 of COVID-19 exposure and transmission.

15 In addition, it will put a leak in taxpayer
16 spending by putting money in some of the actual
17 problem instead of an imagined one. The city must
18 also create and enforce robust social discrimination
19 said laws holding the loopholes landlords have abused
20 to avoid housing to people – to avoid giving housing
21 to people who need it most.

22 Thank you for taking the time to hear my words.

23 COMMITTEE COUNSEL: Thank you so much Mr.
24 Tokuhisa and I know that Council Member Rosenthal has
25 a question for this panel. Council Member Rosenthal?

3 COUNCIL MEMBER ROSENTHAL: Great, thank you so
4 much. I'm actually walking between meetings, so
5 sorry, I am not flipping the video but I really just
6 want to thank both Michelle and Sofia for
7 illustrating the specific experience of women who are
8 DV survivors seeking the support from the shelter
9 system. It's their stories and perhaps the next
10 panel as well that are exactly what we need to hear
11 about in order to understand what better the city
12 could do.

13 So, I really just, I just want to thank you.

14 COMMITTEE COUNSEL: Thank you Council Member
15 Rosenthal.

16 Seeing no other Council Members with hands raised
17 for questions for this panel, we will move on to the
18 next panel. In this order, witnesses will be Annie
19 Carforo, Nicole McVinua, Shiniqua Bryan, and Lavoune
20 Witherspoon, and we will begin with Annie Carforo.

21 SERGEANT AT ARMS: Time starts now.

22 ANNIE CARFORO: Hi everyone. My name is Annie
23 and I work at Neighbors Together with homeless New
24 Yorkers who are looking for housing with rental
25 assistance programs and I am grateful to testify on
behalf of some incredibly important and frankly long

3 over due bills that will address rental assistance
4 vouchers and source of income discrimination.

5 Homelessness in New York City, we all know it is
6 on the rise and more families are falling into the
7 cycle for longer periods of time. My members,
8 amazing people, are not homeless because they are
9 lazy or they are incapable of independent living.
10 They are homeless for a simple reason, because the
11 solutions to address homelessness are failing.

12 Contrary to the testimony of Deputy Commissioner
13 Drinkwater, moveout options from shelter are
14 extremely limited and the primary tool, CityFHEPS, it
15 falls so far below market rent that there is not one
16 neighborhood in the city that has a median asking
17 rent within \$100 of the current voucher rate.

18 When my members receive their vouchers, they are
19 left entirely in the dark in terms of how to navigate
20 the housing market. The Know Your Rights information
21 Mr. Jordan referred to in his testimony is small box
22 telling voucher recipients source of income
23 discrimination is illegal, nothing more. Not what to
24 do when a broker stops answering your calls or texts.
25 Not what to do if you are told your income is too low
to qualify for an apartment.

3 The source of income unit at the City Commission
4 on Human Rights does incredible work to defend our
5 members from source of income discrimination, but
6 that is contingent upon our members having the
7 information needed to report discrimination and
8 having access to the unit.

9 This Administration has continuously underfunded
10 the City Commission on Human Rights shrinking the
11 current source of income unit. Despite the
12 shortcomings of the CityFHEPS program, our members
13 are breaking their backs to look for apartments.
14 Searching six to eight hours a day, calling,
15 emailing, texting brokers, talking to friends,
16 joining Facebook groups, walking the streets looking
17 for vacancies.

18 For the units they can find within their price
19 range, they are almost guaranteed to get
20 discriminated against. And so many of our members
21 have to accept and internalize the degradation,
22 humiliation, and frustration of discrimination
23 because they are not taught their rights.

24 For my members that do find housing with their
25 vouchers, they are often forced to accept dangerous
conditions with abusive landlords who will happily

3 accept a signing bonus and then increase the rent
4 just beyond their voucher rate at the time of a lease
5 renewal.

6 My members are doing nothing wrong. In fact,
7 they are doing everything within their power to get
8 back on their feet. They are trapped in an agency
9 with an Administration that based off of earlier
10 testimony does not care to understand the failures of
11 their programs.

12 For Council Members who want to better understand
13 what homeless New Yorkers are up against, put the
14 current system to the test. Go to a housing search
15 website like Street Easy and look for a studio for
16 \$1,265. Look at the quality and the locations of the
17 apartments and assume that at least half of those
18 available units will discriminate against you, if you
19 are planning on using a voucher.

20 Now, adjust your search. Increase the maximum
21 rent for a studio to \$1,665, which is what CityFHEPS
22 voucher would be worth under Intro. 146. Look at the
23 quality and the location of those apartments and
24 imagine that we implement Intro. 1339, you understand
25 your rights and how to identify and report source of

3 income discrimination and CCHR has the necessary
4 resources to keep up with the demand.

5 SERGEANT AT ARMS: Time expired.

6 ANNIE CARFORO: But by passing Intro. 146 and
7 Intro. 1339, City Council has the power to give
8 homeless New Yorkers a real chance to find housing
9 and fight back against source of income
10 discrimination. Thank you for your time.

11 COMMITTEE COUNSEL: Thank you Annie. We will
12 move on now to Nicole McVinua.

13 SERGEANT AT ARMS: Time starts now.

14 NICOLE MCVINUA: Good afternoon, my name is
15 Nicole McVinua and I am the Director of Policy at
16 Urban Pathways. Urban Pathways is a nonprofit
17 homeless services and supportive housing provider.
18 We assist single adults through a unique combination
19 of street outreach, drop-in services, safe havens,
20 extended stay residents, and permanent supportive
21 housing.

22 Urban Pathways serves over 3,700 New Yorkers in
23 need each year and our ultimate goal is to help those
24 we serve achieve and sustain their highest level of
25 independence. To that end, housing rental subsidies
are an essential tool for helping our clients achieve

1 independent living, and we know that a competitive
2 voucher has the potential to provide meaningful
3 access to the private market for low income New
4 Yorkers. However, rental vouchers must be
5 competitive in order to be functional and the current
6 city funded housing voucher CityFHEPS falls short, as
7 we've heard from many people today.
8

9 The current maximum apartment rent for a
10 CityFHEPS voucher holder makes it next to impossible
11 to find housing in the city's private market, leading
12 to frustration and to recipients competing for the
13 same apartments in a very limited pool that matches
14 the rates. This forces those exiting homelessness to
15 move to neighborhoods that may be far from their
16 supportive resources, including their friends, their
17 family, healthcare and mental healthcare and
18 employment opportunities.

19 The single adults Urban Pathways serves who
20 qualify for a CityFHEPS voucher receive a maximum
21 monthly rental allowance of only \$1,265 for a one
22 person household. And this amount only accounts for
23 72 percent of the fair market rent for an efficiency
24 apartment, which for FY21 would be \$1,760 a month.
25

3 So, we've heard the numbers. We know it is very
4 difficult to find an apartment and that is why we are
5 testifying in full support of Intro. 146, which will
6 match the maximum rental allowance of any fully city
7 funded housing rental subsidy to the FMR.

8 Matching the city's voucher rates to the FMR
9 would make the CityFHEPS voucher much more effective.
10 It would also prevent folks from getting evicted when
11 their rent increases since the lease renewal, at a
12 lease renewal because there would be a raise with the
13 FMR.

14 This would make a world of difference for our
15 clients who are in our drop-in center and our safe
16 havens, especially those who don't qualify for other
17 housing opportunities like supportive housing. We
18 would also like to suggest to Council that another
19 way to improve the efficacy of the CityFHEPS voucher
20 would be to expand the eligibility to current
21 supportive housing tenants.

22 We have a number of tenants in our programs who
23 have had great success and recovered and they are
24 ready to move on to fully independent housing. And
25 so, by making the CityFHEPS vouchers available to our
supportive housing tenants, we could then open up

1
2 supportive housing slots for the folks coming out of
3 shelter who really need those supportive services the
4 most. So, we would like to recommend that to the
5 Council. And then we would also like to voice
6 support for Intro. 1339 to provide rental – those on
7 rental assistance with source of income
8 discrimination information because we know that that
9 is a huge barrier also, as we've heard today.

10 Thanks very much and we urge you to pass Intro.
11 146 and Intro. 1339.

12 COMMITTEE COUNSEL: Thank you Nicole and now our
13 next person is going to be Shinique Bryan.

14 SERGEANT AT ARMS: Time starts now.

15 SHINIQUA BRYAN: Yes, hello, good afternoon. My
16 name is Shinique Bryan. I am currently a recipient
17 of the CityFHEPS program. In which I have the
18 CityFHEPS vouchers for 1580. I currently reside in
19 one of the homeless hotel shelters with my family. I
20 have a 13-year-old with special needs and I have a
21 15-year-old and my spouse.

22 It's a complete struggle. Every day I am calling
23 brokers, either once I tell them that you know, I
24 have a voucher, I either get, I'm busy or I don't get
25 a response or I get you are not eligible. I have

1
2 been applying to the HPD Housing Connect, either the
3 only time we get a response from that is when you
4 either don't meet the qualifications or your voucher
5 doesn't you know, cover the whole subsidy amount.

6 It's a really difficult task. I'm also employed
7 with the Board of Education and you know, it's been a
8 really trying task with everything that is going on
9 with COVID and then dealing with you know, my own
10 personal stress with my children to do remote
11 learning and it's really a task to be able to
12 function mentally. You know, it's very depressing.

13 So, that's why passing this, you know, there is
14 nothing that you can get for \$1,580. The most that
15 you can get is like a one bedroom. I even said I
16 would take a one bedroom but a lot of brokers are
17 like, you can't do that with a family of four people.
18 So, it's very discouraging. So, that's why I really
19 vouge for the passing of this bill Intro. 146 and
20 Intro. 1339. It will really make a difference and it
21 the problem of homelessness I believe.

22 Thank you so much. I hope that everyone is safe.
23 Everyone that was affected by this COVID, my deepest
24 and sincerest condolences and I just wish everyone
25

1
2 the best and everyone stay safe and blessed. Thank
3 you for listening.

4 COMMITTEE COUNSEL: Thank you so much Shiniqua.
5 And now, our next witness is going to be Lavoune
6 Witherspoon.

7 SERGEANT AT ARMS: Time starts now.

8 LAVOUNE WITHERSPOON: Hello?

9 COMMITTEE COUNSEL: Hi Lavoune, we can hear you.

10 LAVOUNE WITHERSPOON: Oh, okay, thank you. My
11 name is Lavoune Witherspoon. First I would like to
12 say I am a member of Neighbors Together and I would
13 like to thank Ms. Annie Carforo as well as the
14 Council Members for really putting this together
15 because this situation really to me needed to be
16 heard.

17 A little bit about myself. I am a CityFHEPS
18 person right now, but I had the first city voucher
19 which was linked in 2014. I found the one bedroom
20 that DHS approved for me and my son to move in and
21 then when I got there, about coming into the first
22 year, I had a lot of violations in the apartment.
23 Long story short, I complained about the issues. Me
24 and my slum landlord were going back and forth to
25

1 court, it was in a private house and then he evicted
2 me.
3

4 He evicted me in 2017 and for that year, I didn't
5 want to bring my son back into the shelter system. I
6 tried to reach out to a lot of people, so somebody
7 could take notice of what was going on because the
8 voucher wasn't working for the people. So, that
9 \$1,268, that what I was able to get, was a slum
10 landlord apartment.

11 So, as we fast forward to 2020, I'm back in the
12 shelter, another two years with a new voucher that
13 was only a \$50 something difference that's still not
14 working for the people. You know, and this Intro.
15 146, oh my gosh, it really needs to be passed and
16 once again, I'm just so happy that you guys really
17 gave me this opportunity to kind of speak out because
18 it was kind of quiet for a while coming from the
19 higher up, you know, but I know we have to stick
20 together. The low income people, the homeless
21 families are the working families. We are the ones
22 that live in the system, the shelter system that's
23 very bad and a couple of people spoke on it which I
24 feel like is a catch 22. How can you take thousands
25 of dollars to live in a homeless shelter that's bad,

3 is dangerous, you don't have the proper food. No one
4 is helping you. You pay all this money but then you
5 won't advance the vouchers and what is more bad is
6 that, if my voucher is \$1,023 and I find a one
7 bedroom for \$1,500, we are not allowed to add the
8 balance of the rest of the money to add up for the
9 \$1,500. If that's not a catch 22, I don't know what
10 is. Because it's like okay, you gave me the voucher,
11 I don't have enough money but I'm willing to pay the
12 difference. We're not allowed to do that or we could
13 lose our voucher and get in trouble.

14 You know, so, I just want to say again thank you
15 because when I spoke with Annie, I just cried because
16 it was like finally. You know, we as people, we
17 really have to stick together. It's not a one man
18 thing. It's all of us, we have to stick together but
19 I'm grateful for you guys you know.

20 So, I don't know if my time is up but that's just
21 what I wanted to say. I just wanted to say thank you
22 again. I'm just so happy that it's actually being
23 noticed really now, it's really being noticed. This
24 is very serious, it's a problem. Thank you.

25 CHAIRPERSON LEVIN: Thank you, thank you.

3 COMMITTEE COUNSEL: That concludes this panel.

4 Thank you Ms. Witherspoon. Chair Levin, do you have
5 any remarks or questions for this panel? Otherwise,
6 we will move onto the next one.

7 CHAIRPERSON LEVIN: I just want to thank Ms.
8 Carforo and Neighbors Together. When I met with them
9 oh, probably almost two years ago now, you know, they
10 confirmed on the ground what we had suspected and had
11 been talking about which is just the – you know, how
12 difficult in real terms it is. And so, they pointed
13 out how they are able to navigate for their clients
14 and a lot of it is just, it's like shoestring stuff
15 and it also involves working with the Commission on
16 Human Rights and so, I just want to acknowledge that
17 you know, they are – it is so, so difficult and so, I
18 just want to really acknowledge all of the clients
19 and providers that are out there every day trying to
20 make this work despite these huge obstacles in their
21 way and Ms. Witherspoon, you are absolutely right.
22 You know, the catch 22 and the frustration of having
23 you know, an apartment that you could make up the
24 difference for but because of a policy decision that
25 they decided on several years ago, you know, they

1
2 make it literally impossible to have anything out of
3 reach of whatever the CityFHEPS amount is.

4 And so, we could be doing so much better by all
5 the clients out there. So, thank you so much to this
6 panel.

7 COMMITTEE COUNSEL: I will call on our next
8 panel. The witnesses for our next panel will be in
9 the following order. Sharon White-Harrigan, Kendra
10 Clark, Shawn Void and Victor Herrera. We will begin
11 with Sharon White-Harrigan.

12 SERGEANT AT ARMS: Time starts now.

13 SHARON WHITE-HARRIGAN: Thank you so much and
14 thank you Chair Levin for the work that you do and
15 the City Council Members for having this hearing. My
16 name is Reverend Sharon White-Harrigan and I am the
17 Executive Director of the Women's Community Justice
18 Association, also known as WCJA. The Co-founder of
19 the Justice for Women Task Force and a member of the
20 Faith Communities for Just Reentry. And we support
21 the bills that are on the table and as a person who
22 is also a returning citizen, I too have been the
23 target of housing discrimination because of my record
24 and on the other end of the spectrum, having ran a
25 shelter contracted with DHS, the vouchers as we know

3 it make it impossible for people to succeed and it's
4 appalling to be here having to testify to things that
5 should be a natural human right and asking for a fair
6 chance in housing.

7 When will the city get the message that those
8 closest to the problem have the solutions. Policies
9 and regulations are constantly created for a
10 population that they do not understand. How many
11 people in DHS have been homeless or incarcerated?
12 People need stability to further their course in life
13 and the current voucher system is designed to keep
14 the Black and the Brown community oppressed because
15 that is the population that is in the shelter system.
16 And then you have people in DHS, like Arlene Bogart,
17 a Program Administrator in the Directors meeting not
18 knowing people's history, calling people with justice
19 histories garbage.

20 And is this the entity we ought to believe and
21 trust in to help the people effectively and have
22 their best interests at heart, to care about the
23 community that they serve when there is zero
24 accountability. We need to change how we do things
25 and who you have doing it. The reality is that the

1 systems are never going to work until you bring we,
2 us, the people to the table.
3

4 So, let's do the right thing here. Let's pass
5 these bills because the vouchers as it is, is just
6 another knee on our necks and guess what? We still
7 can't breathe. Thank you.

8 COMMITTEE COUNSEL: Thank you so much Reverend.
9 And now, we will have Kendra Clark to deliver
10 testimony.

11 SERGEANT AT ARMS: Time starts now.

12 KENDRA CLARK: Yes, hi, can you all hear me?

13 COMMITTEE COUNSEL: We can hear you.

14 KENDRA CLARK: Sorry, my video for some reason is
15 failing to work today. I am Vice President of Policy
16 and Strategy with Exodus Transitional Community. We
17 are a preventative reentry and advocacy organization
18 with locations in East Harlem as well as upstate New
19 York and we also have hotels that we're currently
20 servicing for people who are released from
21 incarceration during COVID in Queens and Manhattan.

22 I just want to start today by really thanking
23 Council Member Levin. Every one who spoke, Devon
24 Nash, I really appreciated your testimony. You know,
25

1 getting to hear from all the folks first hand is
2 really important for us.

3
4 As a directly impacted organization, 90 percent
5 of our staff have criminal justice histories as well
6 as you know, 100 percent of our residents.

7 I wanted to fully support as an agency all three
8 of the bills today, Intro. 2047, 146, and 1339. Just
9 to speak briefly on the issue with the vouchers, you
10 know, as a MOCJ funded hotel in April when we opened
11 up the hotels during COVID, you know, we were told
12 that we were not because we were not a DHS funded
13 shelter, our folks would not be considered homeless
14 right. They wouldn't qualify for any of these
15 housing vouchers.

16 I just want to personally let you know it took me
17 four months of working and you know, really fighting
18 the system and working with HRA and really pulling in
19 CSH and I really want to give them a shout out on the
20 phone because I think if wouldn't have been able to
21 pull them in, we would still probably be sitting here
22 today not having access to the cap system or access
23 to the voucher system for our residents.

24 With that being said, when I got access to the
25 cap system, I called the HRA number for a week

1 straight, left voice mails. I never heard a
2 response. It was not until I had to take it up to a
3 higher you know ranking official at HRA for them to
4 be able to actually give me my password, so I could
5 actually move through the cap system.
6

7 So, there is definitely a lack of communication
8 and coordination. If I was calling the HRA hotline
9 for a week, trying to get this as a Vice President, I
10 can only imagine how frustrating it is for our
11 residents and our participants to continuously call a
12 number and not have anyone answer or not get any
13 response back.

14 In addition to that, I have folks who have had
15 expired FHEPS vouchers and now, we are reissuing you
16 know, getting them reissued. One person that just
17 came to me in the last two days, about ten people
18 have showed me expired FHEPS vouchers that they need
19 to get renewed. One was from March of last year, so
20 it has been about 18 months.

21 So, you know, from our experience, what we're
22 seeing, people are having these vouchers for 18
23 months, two years and they are still not able to get
24 housing. So, any you know, improvements that we can
25 make upon the voucher systems, I think is really

1
2 important. In addition to that, I just want to let
3 you all know it took me five years after coming home
4 from prison as a White woman to find housing. I had
5 to stay in a relationship that I was not happy in -

6 SERGEANT AT ARMS: Time expired.

7 KENDRA CLARK: Because I was not able to qualify
8 for all the housing vouchers. And again, five years
9 is just such a long waiting period for someone to try
10 to get housing when you are coming home and working
11 and doing what's right.

12 In addition, I wanted to just respond a little
13 bit to Council Member Holden. You know, he spoke a
14 lot about how we could demonstrate that we've been
15 rehabilitated or he talked about consequences to
16 tenants and you know for me personally, it kind of
17 almost seems like we should just wear a sign across
18 our neck that says, I'm a formerly incarcerated six
19 times felon. And that's what I should just have to
20 wear around no matter how long I've been home because
21 apparently that's kind of more important than giving
22 people housing and housing is a human right.

23 We should not be talking about consequences or
24 demonstrating rehabilitation when this is a human
25

3 right. Folks need to come home and get on their feet
4 and they can't do so without housing.

5 In addition, I think that we should also you
6 know, really think through if you wanted to talk
7 about demonstrating rehabilitation, who would
8 demonstrate that? As a formerly incarcerated woman,
9 I haven't even applied for a certificate of good
10 conduct, because I would have to demonstrate and
11 rehabilitate it to parole and parole had nothing to
12 do with my rehabilitation.

13 They did not help me when I came home, so just
14 thinking through, who do we have to demonstrate these
15 things to, I think is a very important point in this
16 and I really want to stand firm that this should - do
17 we want to plant prohibition on this and that we
18 should not have any waiting periods. There should
19 not be any display of rehabilitation. Housing is a
20 human right and you know; we are here to fight for
21 that.

22 So, thank you very much.

23 COMMITTEE COUNSEL: Thank you Kendra. We will
24 now move onto Shawn Boyd is our next witness.

25 SERGEANT AT ARMS: Time starts now.

3 SHAWN BOYD: Good afternoon. Thank you for
4 giving me the opportunity to speak. My name is Shawn
5 Boyd. I was recently released this past December
6 from prison after serving 30 years for a crime that I
7 did not commit.

8 When I was released, I had no idea of how
9 difficult it would be to find housing here in New
10 York. There is no system in place that will prepare
11 you for this difficult transition or challenge and
12 words cannot describe what one will face upon
13 entering in a city shelter.

14 Imagine preparing every day for your release from
15 prison and your first day at home being placed in an
16 environment that lacks structure, caring or basic
17 hygienic necessities, where drug addiction and mental
18 disabilities are allowed to run freely.

19 Housing is a fundamental right of every human
20 being. Housing is just as vital to our society as
21 liberty and justice for all. Yet, we have in a
22 society that denies us this fundamental right.

23 I get up and go to work every day. I am taking
24 classes online to further my education. I'm active
25 in my community working with the youth. I'm a law
abiding citizen and I pay my taxes and I still cannot

3 find affordable housing. The laws that govern
4 housing in New York, whether we look at the process
5 of background checks, NYCHA using B misdemeanors to
6 deny applicants. This system is no different than
7 the Black calls that were instituted during the past
8 reconstruction period of slavery, to keep former
9 slaves from keeping progress in society.

10 There are many former prisoners like myself who
11 have educated themselves and who really want to be
12 given an opportunity to be an integral part of
13 society but by denying us a fair chance at housing,
14 you stack the deck against us before we even answer
15 the door.

16 We need to address these problems that denies the
17 fundamental right of fair housing. I thank you for
18 giving me the time to speak.

19 COMMITTEE COUNSEL: Thank you.

20 CHAIRPERSON LEVIN: Mr. Boyd, thank you.

21 SHAWN BOYD: Yes.

22 COMMITTEE COUNSEL: We will now call on Victor
23 Herrera is our next witness.

24 SERGEANT AT ARMS: Time starts now.

25 VICTOR HERRERA: Hi everyone. I am going to
basically go off of what I already wrote okay,

3 because honestly it can't be no clearer than what
4 basically I've been going through.

5 My name is Victor Herrera, I am a native New
6 Yorker and it directly impacted individuals who spent
7 three years in the Department of Homeless Services
8 inadequate shelter system. I want to thank the
9 panel, especially the Chair Stephen Levin for pushing
10 many of the concerns on the City Council Committee on
11 General Welfare.

12 Much of the discrimination faced by the homeless
13 and formerly incarcerated are three fold. Mental
14 health discrimination, criminalization and the use of
15 homeless status income based discrimination to keep
16 the economically challenged from equally benefiting
17 from the programs that's enforced.

18 As someone who was also formerly incarcerated,
19 the highly policed shelter environment manifests
20 serious trauma for me as the person in the
21 environment feels no different in a correctional
22 setting. While in the shelter system, including 30
23 Street Men's Shelter, I was criminalized and
24 subjected to unlawful uses of practices under the
25 guys reporting emotionally disturbed persons by VHS
police on account of my reform activities. And have

3 provided previous testimony on the subject of housing
4 discrimination to this Committee.

5 I am presently faced with a hold over eviction
6 and am increasingly concerned about how I will find
7 alternate housing as I have been overlooked many
8 times over with no reasons of clear justification.
9 Even while applying for units within my own community
10 board for which I am supposed to be able to benefit
11 from community preference.

12 I have always believed that changes do occur when
13 you change the environment of those affected.
14 Whether from good to bad or bad to good. The tests
15 only can be demonstrated by the history of planning
16 and implementation. Those changes cannot occur when
17 we continue to deny those human beings economic
18 equality where programs we can clearly see have not
19 worked.

20 One example is NYC Connect. Implemented by the
21 City of New York Housing Preservation Development and
22 Housing Development Corporation under the umbrella of
23 Department of Homeless Services. That was intended
24 to provide an online portal to find and apply for
25 affordable housing. I have tried to use this
resource but discriminatory assessment and selection

3 criteria have prevented me from qualifying though I
4 have submitted 50 to 100 online applications. I saw
5 clear evidence of income based discrimination when I
6 applied for a unit priced at \$509 monthly which I
7 could more than afford with a monthly voucher for
8 \$1,265 from CityFHEPS. But the unit required a
9 yearly income of \$24,600 which I did not meet.

10 This requirement allowed the developer and a
11 nonprofit to escape accountability and deny me
12 eligibility. The practice is a barrier for many of
13 the homeless and formerly incarcerated. People to
14 obtain affordable units which only perpetrates
15 homelessness on a higher level.

16 I also want to bring to the Council's attention
17 further concerns related to housing discrimination
18 and treatment of people experiencing homelessness
19 which are not directly addressed by these bills and
20 ask that you consider amendments of further
21 legislation to address these issues. I am personally
22 deliberately over livid by how the City of New York
23 is permitted to use and disseminate housing
24 situations as those of the homeless and developers
25 who then use to pick and choose through
disqualification poverty stricken individuals from

3 benefiting and to add insult to injury to the
4 Department of Homeless Services who are very familiar
5 with my advocacy and reformats activities has
6 included, which has included federal litigation. Has
7 lead me to question whether the lottery system is
8 actually a controlled type process that discriminates
9 against the homeless and poor community as well as
10 with disabilities, conviction records and mental
11 health. The growth in homelessness [INAUDIBLE
12 4:12:10] to house the homeless individuals.

13 All the legislation, the Council is concerned
14 today [dropped audio 4:12:22] need to be passed
15 immediately. We must remove the stigma many of has
16 been subjected to in violation of the Equal Housing
17 Opportunity Act. Housing is a human right. The City
18 collectively preferred to wait the prison to shelter
19 pipeline.

20 Thank you for letting me speak.

21 COMMITTEE COUNSEL: Thank you so much Mr.
22 Herrera.

23 Seeing no Council Member questions for this panel
24 and I'm not sure that Council Member Levin has any
25 questions as well. We will move on to our next panel
and I will call Eric Lee, Joseph Loonam, Nicole

3 Branca, and Giselle Routhier. We will begin with
4 Eric Lee.

5 SERGEANT AT ARMS: Time starts now.

6 ERIC LEE: Hi, good morning. My name is Eric
7 Lee, I am the Director of Policy and Planning for
8 Homeless Services United. Thank you Chair Levin and
9 Chair Dr. Eugene and Members of the Committee, both
10 Committee's for allowing me to testify today.

11 In the sake of time, I will summarize my written
12 testimony. HSU strongly supports Intro. 146 to
13 increase city funded housing voucher rent levels to
14 FMR. If vouchers do not better reflect the true cost
15 of housing in New York, not just the cheapest, many
16 more households will be evicted in the coming months
17 and we will see a new wave of families entering
18 shelter.

19 Homebase providers are already seeing households
20 that never would have needed their services before.
21 There are tenant who previously had higher incomes
22 who are living in higher rent apartments that are now
23 unable to make rent. Since their rents are too high,
24 these tenants would lack future ability to pay, which
25 is a requirement for one shot deals and if tenants

3 cannot find a way to make their own rent, they are
4 eventually going to be evicted.

5 Raising CityFHEPS to fair market rent would also
6 help families and individuals currently residing in
7 shelter to move out more quickly. In response to
8 First Deputy Commissioner Drinkwater's comments about
9 how personal preferences can impact housing
10 searching. By increasing rent amount levels, you
11 will give more households more options.

12 We also urge the Council to consider expanding
13 eligibility for CityFHEPS in the community to serve
14 more individuals. Many individuals at risk of
15 eviction never have been homeless previously would
16 not qualify for a CityFHEPS voucher and they would
17 have to go to shelter in order to qualify.

18 HSU also supports Intro. 1020 which does
19 reporting around StateFHEPS. It's critical to
20 understanding to what degree families are able to
21 access this benefit as well as to maintain it in a
22 timely manner. There is currently no way for
23 families to actively request assistance with applying
24 for FHEPS or if there is issues with the current
25 application through the Access HRA app. Without this
ability, we don't know whether or not they can

1 maintain it. We recommend that the data for this be
2 parsed by zip code as well as by HRA catchment area,
3 as well as increasing the frequency from quarterly to
4 monthly reports, so that you can better get real time
5 tracking for how this is going.
6

7 Prior to COVID, homebased providers reported that
8 families are being inappropriately referred by HRA
9 centers to them. Every time someone is referred,
10 there is another chance they may fall between the
11 cracks. To try to get at this, it would be helpful
12 to also track the number of new cases that were
13 submitted, new FHEPS cases submitted by HRA without
14 needing Homebase referrals, as well as the number of
15 HRA referrals to Homebase specifically for FHEPS
16 issues.

17 We also recommend broadening the reporting
18 requirements for other city subsidized rental
19 assistance to include in community versus moveouts
20 from street or shelter, so that we can -

21 SERGEANT AT ARMS: Time expired.

22 ERIC LEE: Better understand the ability of if
23 people can access FHEPS or whether or not they might
24 then secondarily qualify for CityFHEPS if they get
25 turned down for FHEPS or can't access it. And

3 finally, for Council Member or Chair Levin's
4 Preconsidered 6576. We welcome the opportunity to
5 work with Council Member Levin and the Committee to
6 further identify bottlenecks in the CityFHEPS
7 application process and how we can help solve for
8 them.

9 Thank you for your time and for allowing me to
10 testify.

11 COMMITTEE COUNSEL: Thank you so much Eric. I
12 will call on Joseph Loonam as our next witness.

13 SERGEANT AT ARMS: Time starts now.

14 JOSEPH LOONAM: Alright, thank you for allowing
15 me the opportunity to testify. The COVID-19 pandemic
16 has put unprecedented pressure on housing resources
17 in New York City and we are bracing for a rise in
18 homelessness this winter and into 2021.

19 The City Council must take every step available
20 to ensure that housing for all people and vulnerable
21 populations are not disproportionately impacted by
22 the current and growing housing crisis. Currently,
23 there are two bills being considered by the Council
24 that could have a major impact on New Yorkers ability
25 to secure permanent and dignified homes. Intro. 146
which would expand CityFHEPS vouchers to a market

3 rate and ensure 204 which would prevent a landlord
4 from inquiring about a criminal history.

5 We know that criminal conviction reduces the
6 probability of a landlords allowing perspective
7 tenants to view an apartment rental by more than 50
8 percent and formerly incarcerated people are nearly
9 ten times more likely to be homeless than the general
10 public.

11 If New York City is to make good on its
12 progressive reputation, the City Council must
13 eliminate these discriminatory practices with a first
14 step being a clear prohibition.

15 These issues are directly related to the
16 controversy emerging in the upper west side. Where
17 temporary shelter placed in a hotel to allow for
18 physical distancing during COVID-19. Residents have
19 come out and drove to defend homeless members of
20 their community for horrific attacks, threats of
21 violence, but unfortunately until recently our Mayor
22 has not shown the same courage.

23 Last week, we found out that there were plans to
24 clear out family shelters, fire current employees
25 working there and move the residents from the Lucerne
Hotel. This is just the latest injustice that

1 residents from the Harmonious Shelter are faced.
2
3 Many have languished in a shelter for years because
4 they cannot find apartments with their CityFHEPS
5 voucher. It is all too a common story for members of
6 local New York. People often spend years fighting to
7 get CityFHEPS vouchers believing that once they have
8 a shopping letter in hand, they will soon have a home
9 of their own. Only to realize that getting a voucher
10 is simply the start of the fight.

11 A research project led by Vocal New York leaders
12 and Take Root Justice engaged directly impacted
13 people, people who have experience as I deemed, to
14 try to reveal how prevalent this problem is. They
15 found the voucher holders are three times less likely
16 to hear back from the Department than those with
17 income. When they do hear back, they are less likely
18 to be invited for a viewing. In several cases, they
19 were told bluntly, we do not accept vouchers.

20 We found though that the largest barrier is the
21 simplest act that the vouchers do not pay enough.
22 When we began our research into the issue, it was our
23 intention to only test listings that were within the
24 range of the CityFHEPS voucher or mainly test listing
25 that were in the range of the CityFHEPS voucher.

3 But what we quickly realized as that there were
4 simply not enough apartments on the market for us to
5 get the kind of data we needed for our report.

6 Currently, the average rent for a one bedroom
7 apartment in every single one of the five boroughs is
8 higher than what the CityFHEPS voucher will pay.
9 That means, every day thousands of voucher holders
10 are competing for a woefully small number of
11 apartments that by definition are the cheapest and
12 worst maintained housing in New York City.

13 Rather than a ticket out of the shelter system,
14 vouchers have become tickets to humiliation. Many
15 people who are set to be transferred out of the
16 Harmonious Shelter, had vouchers for months or even
17 years. They have watched voucher after voucher
18 expire while the rents in New York City climb further
19 and further out of reach. This is a public policy
20 failure of the worst kind because it offers people
21 false hope. It allowed city officials to claim they
22 are doing all they can to help people secure
23 permanent housing while more and more people endure
24 the indignities of shelter because their vouchers are
25 useless.

Thank you for your time.

3 COMMITTEE COUNSEL: Thank you Joe. I will now
4 call on Nicole Branca as our next witness.

5 SERGEANT AT ARMS: Time starts now.

6 NICOLE BRANCA: Thank you for the opportunity to
7 testify today. My name is Alisa Kyle, testifying in
8 place of Nicole Branca and I am the Director of the
9 Housing Link at New Destiny Housing Corporation. A
10 26-year-old nonprofit committed to ending the cycle
11 of domestic violence and homelessness by connecting
12 families to safe, permanent housing and services.

13 New Destiny supports all of the legislation
14 introduced today and thanks the Council for their
15 work on behalf of our most vulnerable New Yorkers.

16 I would also like to thank the people with lived
17 experiences who have shared their stories today.

18 Most notably, I would like to address Intro. 146 and
19 the significant affect it would have on the lives of
20 domestic violence survivors and their children.

21 Domestic violence is the number one reason families
22 become homeless in New York City.

23 In Fiscal Year 2018, 12,541 people entered DHS's
24 shelter system due to domestic violence and another
25 6,400 entered HRA's separate domestic violence
shelter system. Yet, there are few housing resources

1
2 made available for survivors and their families with
3 the less competitive city and state subsidies
4 typically being the only one.

5 As a result, these families struggle to find
6 apartments below the fair market rent. We know this
7 first hand. For the past six years, New Destiny in
8 partnership with the Mayor's Office to end domestic
9 and gender based violence, has worked out of the
10 city's family justice centers to provide housing
11 assistance.

12 Our program, called Housing Link connects victims
13 of domestic violence with safe, permanent housing
14 around New York City. 74 percent of our families
15 with subsidies have CityFHEPS or FEPS. Our clients
16 typically remain in shelter for several months while
17 our team searches for landlords that will accept this
18 lower rental subsidy.

19 Bringing maximum rent allowances for CityFHEPS up
20 to fair market rent would provide a far greater
21 access to housing for low income New Yorkers like our
22 Housing Link clients.

23 According to the 2017 New York City housing and
24 vacancy survey, the vacancy rate in New York City is
25 3.63 percent and as low as 1.18 percent for the most

3 affordable apartments in the city. Simply stated
4 CityFHEPS voucher holders and therefore many
5 survivors of domestic violence are forced to compete
6 in an incredibly tight market with a subsidy that is
7 almost \$400 a month lower than Section 8.

8 New Destiny also supports the removal of time
9 limits for participation in the CityFHEPS program.
10 This too would put CityFHEPS holders on more equal
11 footing with Section 8 holders and mitigates the
12 risks of our families returning to shelter.

13 In order for CityFHEPS to be the impactful city
14 funded voucher program it was developed to be, it
15 must ensure every family holding a voucher is able to
16 utilize the assistance by aligning the voucher levels
17 with the fair market rate and eliminating the current
18 time limit which places an unrealistic expectation on
19 families.

20 New Destiny strongly encourages the Council to
21 pass Intro. 146. Thank you for the opportunity to
22 speak today and I welcome any questions.

23 COMMITTEE COUNSEL: Thank you and now we will ask
24 Giselle Routhier to deliver testimony.

25 SERGEANT AT ARMS: Time starts now.

3 GISELLE ROUTHIER: Good afternoon. My name is
4 Giselle Routhier. I am the Policy Director at
5 Coalition for the Homeless. I want to thank the
6 Council and the Committee's today for the opportunity
7 to testify. We have submitted detailed written
8 testimony in conjunction with Legal Aid Society but I
9 will cover some main points now.

10 On Intro. 146, the Coalition for the Homeless and
11 the Legal Aid Society support raising CityFHEPS rent
12 levels to the fair market rent. A critically
13 important result of this change is that it will
14 significantly expand the number of studios and one
15 bedroom apartments available to homeless single
16 adults. By increasing the CityFHEPS rent levels for
17 studio apartment by nearly 40 percent and the one
18 bedroom CityFHEPS rent levels by 36 percent.

19 Maximum rent levers for larger apartments will
20 increase upwards of 25 percent as well. This will
21 greatly expand the pool of available apartments for
22 homeless individuals as well as families.

23 In support of this goal, we have several
24 important recommendations for amending the current
25 bill language. First, the bill language must be
amended to explicitly raise the CityFHEPS rent levels

3 to the most recent FMR's. As the bill is written, it
4 requires city vouchers only to be indexed to FMR.
5 Thereby leaving open the possibility that voucher
6 increases will simply mirror FMR increases without
7 matching their levels exactly.

8 Second, we support adding requirements that
9 apartments rented with CityFHEPS be subject to unit
10 inspection standards similar or equal to the Section
11 8 housing quality standards. Using the higher
12 federal standard for all city subsidies would promote
13 housing quality, streamline the inspection process,
14 reduce confusion among city and shelter staff,
15 consumers, and landlords, reduce source of income
16 discrimination and maximize the availability of
17 federal dollars for New York City tenants.

18 Third, the bill language should expand the
19 definition of rental assistance voucher to include
20 all city initiated vouchers rather than vouchers that
21 are fully city funded.

22 In some cases, CityFHEPS and its predecessor
23 Link, had some portion of funding allocated from the
24 state and federal governments. That should not
25 preclude CityFHEPS or any future programs from
abiding by the requirements to meet the FMR standard.

3 Lastly, the language should also specify that the
4 city can and should use state and federal money to
5 fund the increase of city initiated vouchers to FMR.
6 Thereby providing a sounder financial footing for the
7 continuation of the program.

8 For too long, the state and federal governments
9 have failed to contribute an appropriate level of
10 funding for rent assistance programs.

11 The coronavirus pandemic has clearly highlighted
12 the indisputable fact that housing is healthcare.
13 New York City was grappling with record homelessness
14 prior to the pandemic. The Department has noted
15 several times in their testimony, the decrease in the
16 shelter Census over the past few years but I think it
17 is important to dive into that more clearly.

18 Over the course of this pandemic and in the
19 months and years before, we have seen diverging
20 trends in homelessness among families and single
21 adults. Disturbingly, the number of single adults in
22 shelters has reached all-time record highs many
23 nights during 2020.

24 In the latest comprehensive data from July, there
25 were more than 19,500 single adults each night in
Department of Homeless Services, shelters, safe

1 havens, stabilization beds, and veterans beds,
2 representing a 9 percent increase from the previous
3 year and 122 percent increase from 2010.
4

5 Even at the same time that the number of families

6 -

7 SERGEANT AT ARMS:

8 GISELLE ROUTHIER: And I will wrap up. The
9 importance of raising CityFHEPS to FMR is that it
10 will significantly raise the levels for studios and
11 one bedrooms, a critical tool for helping to reduce
12 homelessness among single adults and adult families.

13 All homeless adults and families regardless of
14 whether they are homeless prior to the pandemic or as
15 a result of the pandemic, urgently need an effective
16 way to leave homelessness and return to stable
17 housing as quickly as possible.

18 I want to thank you for the opportunity to
19 testify today and please see our written testimony
20 for our full comments, including information on the
21 other bills being heard today. Thank you so much.

22 COMMITTEE COUNSEL: Thank you for your testimony
23 Giselle. I am now going to call up our next panel.
24 In the following order witnesses will be Basha
25 Gerhards, Suzanne Adler, Victoria Phillips, Irene

3 Linares, and Justin La Mort. And we are going to
4 begin with Basha Gerhards.

5 BASHA GERHARDS: Good afternoon. My name is
6 Basha Gerhards, Vice President of Policy and
7 Planning.

8 SERGEANT AT ARMS: Time starts now.

9 BASHA GERHARDS: Oh, time started. Thank you for
10 the opportunity to speak today. To the Chair's and
11 for those who have shared their experiences. REBNY
12 strongly support efforts to expand access to rental
13 assistance programs. The data is clear that
14 expanding access to vouchers is an effective tool to
15 help integrate neighborhoods of opportunity and
16 provide financial security for tenants and
17 neighborhoods experiencing significant change.

18 Stabilizing households prior to experiencing
19 housing instability, the trauma of an undeserved
20 eviction process and entering the shelter system is
21 simply the right thing to do. Housing instability is
22 particularly acute in communities of color and for
23 people experiencing mental health challenges because
24 of the deep unjust impact at the justice system on
25 those communities. Fair Housing guidance also
recognizes this disparate impact. For this reason,

1 REBNY appreciates the efforts being made by the City
2 Council to expand access to stable housing. The
3 principle criteria for identifying if a tenant is
4 qualified for housing should be their ability to pay
5 without regard to the source of income. An owner has
6 an equal obligation to tenants already in the
7 building to provide a safe, healthy, and livable
8 environment. The warrant of habitability. Indeed,
9 achieving this balance is important and consistent
10 with the Fair Housing Act, which only prohibits
11 arbitrary and overly broadbands related to criminal
12 history.
13

14 Fair Chance Housing Statutes at the Detroit Fair
15 Chance Housing ordinance strikes a reasonable
16 balance. The law states that owners may only
17 investigate the applicant's criminal history for
18 crimes relevant to the safety of other people or
19 property. Coupled with implicit bias training and
20 other education tools, if the Council modifies Intro.
21 2047 to mirror that model, it will better support the
22 obligation to tenant safety and will be consistent
23 with existing fair housing guidance.

24 Additionally, government should consider
25 solutions that allow individuals who have been

3 convicted of certain criminal history to have their
4 records sealed and expunged, so that property owners
5 are not able to view any criminal history in relation
6 to minor and nonviolent charges.

7 Thank you for the consideration of these points.

8 COMMITTEE COUNSEL: Thank you Ms. Gerhards. I
9 also want to remind everyone who is testifying,
10 members of the public, that we are limiting testimony
11 to three minutes. Please try to the best of your
12 ability to limit your testimony to three minutes. If
13 you are submitting written testimony, we have it in
14 its entirety to be submitted for the record and we
15 have lots of individuals signed up to testify today
16 and we want to make sure we get to everyone.

17 So, please to the extent you can, please limit
18 your testimony to three minutes and also wait for the
19 Sergeant to announce that you may begin before
20 delivering your testimony.

21 So, we will continue on with this panel to
22 Suzanne Adler.

23 SERGEANT AT ARMS: Time starts now.

24 SUZANNE ADLER: Hello everyone. Thank you so
25 much for having me. My name is Suzanne Adler and I
am a Licensed Real Estate Agent with Triplemint and I

1
2 am also a housing advocate with Neighbors Together
3 and I am speaking today in support of Intro. 146. I
4 am glad to have my voice included in this because I
5 think that it's a voice that's really missing from
6 this conversation and it is a voice that really is
7 necessary in making any real and lasting change
8 because I think that the CityFHEPS voucher can work
9 but I think that the way that it is set up right now
10 is not working and by raising the amount to market
11 value is going to be a really, really good start.

12 I want to just to tell a quick story because I
13 think that that will be the most compelling for
14 everyone listening and that is, my first experience
15 with dealing with a CityFHEPS voucher and this was
16 when I was just starting off in real estate a few
17 years ago. I had a listing with a landlord. It was
18 a small studio right underneath the train in
19 Woodhaven Queens and I listed it based on the size
20 and based on you know, where it was the location. I
21 listed it for \$1,200. And I proceeded to receive 100
22 emails. I'm not even kidding, 100 emails about this
23 apartment and then, I was trying to navigate all of
24 those emails, so I decided to have an open house and
25 I had 60 people come to the open house. There was a

3 line around the block. All people with CityFHEPS
4 vouchers. I had no idea what any of this was and I
5 couldn't believe how many people were looking for an
6 apartment that couldn't find one.

7 And in the end, I convinced the landlord to take
8 the voucher. We went through what I would describe
9 only as a nightmarish experience of dealing with the
10 bureaucracy of the CityFHEPS voucher process, the
11 application process and in the end, it was
12 heartbreaking but this tenant did not get the
13 apartment and the deal fell apart.

14 And I mean, if this is happening over one
15 apartment and there is thousands of people that are
16 looking and there is tens of thousands of people who
17 are not in stable housing, can you imagine going to
18 look for an apartment and you are standing in line
19 with you know, 50 people to try to look at and you,
20 you know, are wondering if you are going to be chosen
21 and you also don't sleep well at night because you
22 are living in a shelter.

23 It just seems to me like this is a financial,
24 like a good business decision to raise the voucher
25 amounts. I think that landlords would be open to it
if they are educated to it. You know, I know they

3 have no choice but like, I feel like we would have a
4 lot more buy in if we could really all work together
5 and the real estate industry really needs to have a
6 seat at the table with that and I think that you
7 know, there is good agents out there. Like myself
8 and many of my colleagues.

9 SERGEANT AT ARMS: Time expired.

10 SUZANNE ADLER: I thank you very much and I hope
11 you pass it.

12 COMMITTEE COUNSEL: Thank you Suzanne. Now I
13 will call on Victoria Phillips as our next witness.

14 SERGEANT AT ARMS: Time starts now.

15 VICTORIA PHILLIPS: Hello, can you hear me?

16 COMMITTEE COUNSEL: We can hear you.

17 VICTORIA PHILLIPS: I'm good, I'm not choppy,
18 right?

19 COMMITTEE COUNSEL: No, we hear you very well.

20 VICTORIA PHILLIPS: Okay, I wanted to make sure
21 because you all don't tell people when it is choppy.
22 Good afternoon Chair Council Member and all others.
23 My name is Minister Dr. Victoria A Phillips, known
24 more as Ms. V and I am the Community Health and
25 Justice Organizer at the Mental Health Project Urban
Justice Center and founder of Visionary V.

3 Over the past two decades of my career of medical
4 and criminal justice, I have been fortunate to work
5 in various settings as nursing staff, mental health
6 professional, and even the director of the reentry in
7 hospitals, nursing homes, prisons, and jails and
8 within New York City shelter system. In my current
9 position I also have times working in the position of
10 monitoring those in New York City Corrections with a
11 mental health diagnosis Brad H and part of that
12 includes discharge plan.

13 Are you aware that currently about 52 percent
14 incarcerated in New York City are individuals with a
15 mental health concern? They all need housing. I
16 observe on a daily basis the importance of affordable
17 and nondiscriminatory housing to support the positive
18 and stable foundation for returning citizens from
19 incarceration with mental health concerns. Our
20 nation has a nasty habit of creating unbearable
21 conditions or situations and then turning back to our
22 citizens while saying, do better or pull yourself up
23 out of boot straps.

24 Just look at how we disregard our veterans who
25 also cycled throughout our criminal legal system,
hospital, and shelter system. Let's be honest, our

3 criminal justice system is built on White Supremacy.
4 That is clear by the large imprisonment of Black and
5 Brown people.

6 I have worked as a case manager attempting to
7 locate clients housing and heard the blatant
8 discrimination. I have been the mental health
9 professional working through the anguish of helping
10 people that are constantly being judged by
11 convictions and stepping outside of my affiliations.
12 I would like to say, with a mother buried in the
13 military cemetery, I say greater things to any
14 Council Member who says a human being on domestic
15 sole must prove themselves before being afforded a
16 safe place of shelter. In a society where I have
17 seen how easily one could be caught up in a criminal
18 legal system, one third of Black men have records and
19 such known corruptions within the largest gang in New
20 York City, the NYPD.

21 A conviction should not be the barrier to stop
22 someone from stable foundation to do better. Shall I
23 remind you of great men who also had records? Like,
24 Dr. Martin Luther King Jr. who wasn't respected by
25 the nation until he wasn't alive. Or even Nelson

1
2 Mandela, two individuals are often used as examples
3 in my reentry groups.

4 Anyone can become great when supported to do so.
5 Lastly, I'd like to remind you all that during this
6 pandemic there has not been one day when a political
7 figure or a media has not mentioned once mental
8 health. Imagine the agony of maintaining your
9 stability mentally while finding shelter. Imagine a
10 parent returning home eager to be reunited with their
11 children and needing shelter. The soldier who was
12 not properly discharged, forced to self-medicate and
13 cycle throughout all our systems. They are our
14 vulnerable populations. They are often disabled,
15 elderly and often forgotten and overlooked.

16 It is time to remove the bigotry out of our City
17 Council and real estate communities and house the
18 homeless. Remove renting a place of refuge as a
19 privilege and return it back to being an enforced
20 human right.

21 Thank you for sponsoring this bill Intro. 2047
22 Council Member Levin and all other Co-Sponsors. You
23 all stay blessed. Peace and blessings.

24 COMMITTEE COUNSEL: Thank you so much Ms. V for
25 your testimony.

3 Now I will call on Irene Linares as our next
4 witness.

5 SERGEANT AT ARMS: Time starts now.

6 IRENE LINARES: Great, hi. Good afternoon
7 everyone, my name is Irene Linares and I am the
8 Research and Policy Coordinator at TakeRoot Justice.
9 TakeRoot provides legal participatory research and
10 policy support to strengthen the work of Grassroots
11 and community based groups in New York City to
12 dismantle racial, economic, and social oppression.

13 I am here with Vocal New York with whom we
14 partnered on a research project documenting the
15 search for housing using housing vouchers. New York
16 City's rental assistance programs were designed to
17 help communities like Vocals access stable housing by
18 guaranteeing and portion of their rent but as others
19 here will testify, source of income discrimination is
20 pervasive throughout New York City. Subsidy holders
21 often do not have the information on the rights
22 available to them and voucher amounts are too low to
23 keep up with market rent.

24 These issues and more are highlighted in Vocal
25 and TakeRoots new research report Vouchers to
Nowhere. How source of income discrimination happens

3 on the policies that can fix it. Our primary
4 research method was matched pair testing. A method
5 used to test for differential treatment and
6 discrimination. We contacted 114 real estate agents
7 with listings on Zillow and Trulia, presenting as
8 someone having a housing subsidy and then contacted
9 the same agent again presenting as having income from
10 employment.

11 Our findings show that people with housing
12 subsidies heard back from agents nearly three times
13 less often than those callers with income from
14 employment. When subsidy holders did hold back from
15 agents, they were more likely to be told that units
16 were not available. Several also experienced blatant
17 source of income discrimination being told that
18 subsidies were not accepted.

19 Subsidy holders were less likely to be invited to
20 view apartments than people with income from
21 employment. Subsidy holders waited longer to hear
22 back from agents than people with employment income
23 and the resource she provided by the Human Resources
24 Administration to subsidy holders seeking housing in
25 Brooklyn is outdated and ineffective as a resource.

3 Our testing process also made clear the
4 limitations of the CityFHEPS voucher. Setting
5 housing search parameters on websites like Zillow and
6 Trulia using only the CityFHEPS voucher amount,
7 yields relatively few results demonstrating that the
8 current maximum payment amount of the voucher
9 relegates recipients to compete for a small pool of
10 lower quality housing.

11 We urge the City Council to take immediate action
12 to protect renters from source of income
13 discrimination. During the COVID-19 crisis access to
14 housing is the more urgent need than ever. We call
15 for the city to pass Intro. 146 which calls for
16 increasing the CityFHEPS voucher to market rate.
17 Pass Intro. 1339 to ensure that subsidy holders know
18 their rights and how to report source of income
19 discrimination. Increase the financial penalties for
20 source of income discrimination, so that the serve as
21 meaningful deterrence. Expand the triggering
22 criteria for the City Certificate of No Harassment
23 program to include cases in which landlords
24 discriminated against applicants or tenants based on
25 source of income. Pass legislation to illuminate
credit checks for subsidy holders.

3 Those recommendations and more are detailed in
4 our report.

5 SERGEANT AT ARMS: Time is expired.

6 IRENE LINARES: It is imperative that the City
7 Council ensure that every New Yorker has safe
8 housing. Thank you for your time.

9 COMMITTEE COUNSEL: Thank you Irene. Our next
10 witness will be Justin La Mort.

11 JUSTIN LAMORT: Thank you very much for the
12 opportunity to testify today. My name is Justin La
13 Mort and I am a Supervising Attorney at Mobilization
14 for Justice.

15 MFJ envisions a society in which there is equal
16 justice for all and we have been doing so for the
17 last 50 plus years. And we try to achieve this
18 through providing the highest quality direct civil
19 legal service assistant providing community education
20 and partnerships engaging in policy advocacy and
21 bringing impact litigation.

22 I would also like to recognize that Brooklyn Law
23 Schools Housing Right clinic who drafted a report.
24 We've had many friends and partners today speak and I
25 will try to be very brief and not go off what was on
our written testimony and focus on a few amendments

3 we would like to see. MFJ broadly supports a slate
4 of legislation that is being brought today. It is
5 practical and long overdue. We support the move to
6 try to make a discrimination free NYC but believe
7 there could be a few changes that would make those
8 bills even better.

9 First, we would like to see Council Member Powers
10 bill which makes the important change from six to
11 three households move down to two. So, that would be
12 aligned with what happened at the state level. We
13 agree with our partner that TakeRoot, Neighbors
14 Together and Vocal that by making source of income
15 discrimination a triggering criteria to the
16 Certificate of No Harassment program by HPD would be
17 a powerful motivator to prevent landlords from trying
18 to profit through discrimination.

19 And we would also want to make sure that the city
20 adequately funds the source of income discrimination
21 unit at New York City Council Commissions for Human
22 Rights as enforcement is always the biggest challenge
23 when it comes to source of income discrimination.

24 Our office recently handled a case, the Fair
25 Housing Justice Center and Housing that took months
over a year. A real estate broker told our client

3 who has HASA that he will not take that program. Our
4 client, Mr. C said he felt defeated and that even
5 though he had this government money, when they tell
6 you that they won't work with you, thought he was
7 lost. But only with a coalition of attorney's and
8 testers who investigation through litigation were
9 able to be successful.

10 So, making sure there is adequately funding for
11 enforcement is the only way to prevent source of
12 income discrimination. We also want to applaud the
13 efforts to address housing as healthcare and housing
14 as important through racial justice by making sure
15 that people are trying to reenter based on a history
16 of conviction are no longer discriminated towards
17 housing.

18 Lastly, as to the bills addressing the vouchers,
19 we applaud the use of creating better access and
20 transparency towards those vouchers. But as many
21 people said, the numbers simply do not add up. We
22 agree with Coalition for the Homeless that instead of
23 using the term index, we should make sure that we are
24 using the far caps, so that way a future
25 administration which will be changing soon will not

3 make sure that we have an artificially low rent
4 level.

5 We would also like to see an expansion of
6 restorative justice that the Human Rights Commission
7 has been doing by putting set aside for vouchers.

8 SERGEANT AT ARMS: Time expired.

9 JUSTIN LA MORT: And see that program expanded to
10 other affordable housing programs such as 421-A or
11 other lotteries.

12 Thank you for your time and we hope that these
13 bills are passed so that we have a discrimination
14 free NYC and we see vouchers that people can actually
15 use. Thank you very much.

16 COMMITTEE COUNSEL: Thank you Justin. We will
17 now call our next panel, which will be in this order.
18 Jacob Malafsky, Alexandra Dougherty, Reverend Wendy
19 Calderon Payne, Alfonzo Riley, and Katie Shaffer and
20 we will begin with Jacob Malafsky.

21 SERGEANT AT ARMS: Time starts now.

22 JACOB MALAFSKY: Thank you everyone. My name is
23 Jacob Malafsky and I am a Tenants Rights Attorney.
24 Today I want to speak about the necessity that passed
25 Intro. 2047 which would prohibit landlords from
discriminating based on conviction history. As a

3 tenants attorney, I have learned that the general
4 culture of landlords in housing court is their
5 believe that justice involved individuals don't
6 deserve housing in their building.

7 This belief is generally not qualified and
8 explanations are not give why individuals with
9 criminal record should automatically be denied
10 housing.

11 If you was currently protected by the law, which
12 allows landlords to conduct background checks and
13 deny housing to individuals with conviction histories
14 as well as their families. This culture and belief
15 that individuals conviction histories are not
16 entitled to housing is dangerous to both the
17 individuals who are reentering and society as a
18 whole. Many of my clients are or have the potential
19 to become very productive members of society but
20 there are still so many obstacles to overcome such as
21 finding stable housing.

22 My clients have worked very hard to rebuild their
23 lives, find employment and/or go back to school. It
24 is not uncommon for landlords to overlook these
25 accomplishments and only focus on the mistake they
made in the past, often which are decades old.

3 While many of clients are protected from
4 discrimination from the past in employment and
5 education, they do not have the same protections in
6 housing. They leave the decision whether someone is
7 rehabilitated and therefore entitled to one of the
8 most fundamental necessities up to a landlord.
9 Housing is integral to maintain employment and being
10 successful in school and to prevent recidivism.

11 I often find myself confused that if my clients
12 completed their debt to society, that we deny them
13 housing. Ideally, many of my clients who have family
14 in NYCHA or other federally funding housing would go
15 live with their family and to provide support.
16 However, under current law and policies, this option
17 is generally not available. If the only viable
18 option to find a stable home and to continue to
19 rebuild their lives is a private apartment.

20 However, because of the current law, many
21 landlords make this possible. Given a person in the
22 family to live in the street or shelter. It is a
23 particular concern during COVID-19 for many families
24 are expected to lose their homes due to financial
25 hardships. The additional burden of trying to find
an apartment with a conviction history during these

3 trying times will only exacerbate the living eviction
4 of homeless crisis.

5 I don't think I would have been able to finish
6 college, graduate law school and pass the bar if I
7 didn't have stable housing after I reentered. It is
8 necessary to pass Intro. 2047 today and ensure that
9 everyone is given a fair chance to rebuild their
10 lives through stable housing.

11 Thank you everyone for the opportunity to testify
12 today.

13 COMMITTEE COUNSEL: Thank you Mr. Malafsky. We
14 will now call on Alexandra Dougherty.

15 SERGEANT AT ARMS: Time starts now.

16 ALEXANDRA DOUGHERTY: Can you hear me?

17 COMMITTEE COUNSEL: Yes, we can hear you.

18 ALEXANDRA DOUGHERTY: Alright, good afternoon.
19 My name is Alex Dougherty, I am a Senior Staff
20 Attorney in Policy Counsel of the Civil Justice
21 Practice at Brooklyn Defender Services.

22 I'd like to thank the Committee's and Chairs
23 Eugene and Levin for inviting us to testify today and
24 I would like to take this opportunity to speak in
25 support of removing barriers to permanent affordable
housing for New York City tenants.

3 Brooklyn Defender Services clients are already
4 embroiled in multiple legal systems and therefore
5 they routinely face barriers to stable and affordable
6 housing. It is easy to understand why our clients,
7 like many of the folks who offered powerful testimony
8 already today are frustrated by the existing programs
9 and guidelines. Their experiences demonstrate a
10 clear need for more concrete options for every New
11 Yorker facing housing instability.

12 BDS supports all of today's bills. Our
13 colleagues in the Fair Chance for Housing Campaign
14 have made clear how discriminatory background checks
15 perpetuate cycles of homelessness, as well as the
16 systemic racism of the criminal legal system. An
17 arrest or conviction should not constitute a
18 permanent barrier to stable housing, yet BDS clients
19 leaving Rikers are likely to enter the shelter system
20 because they are routinely denied permanent housing.

21 Prohibiting discrimination on the basis of an
22 arrest or conviction record is an important step
23 towards guaranteeing equal access to stable housing.
24 We also support Intro. 146. Rental assistance
25 vouchers are a vital resource for New Yorkers
experiencing homelessness who are at risk of eviction

3 but rent caps and source of income discrimination
4 strictly limit the pool of housing available to
5 voucher holders.

6 This housing is already the most competitive in
7 the city. The need for all of these bills is made
8 even greater by the impending eviction crisis fought
9 by the COVID-19 pandemic. Rents have been rising in
10 the neighbors hardest hit by the pandemic and those
11 neighborhoods also see the highest rates of eviction
12 filings in the city.

13 BDS clients searching for stable housing have
14 been universally unsuccessful since March. Most of
15 these clients are voucher holders and we have found
16 that the voucher eligible housing stock has
17 dramatically decreased since March. BDS applauds the
18 Council's commitment to removing barriers to housing
19 for all New Yorkers but with that commitment in mind,
20 we urge you to consider public housing residents and
21 applicants going forward.

22 Today's bills will provide support for New
23 Yorkers hoping to gain access to private housing but
24 they will not apply to state or federally funded
25 housing including NYCHA which is home to as many as a
million people. NYCHA's own regulations go

1 significantly further than federal law requires from
2 barring potential tenants and evicting tenants who
3 have any contact with the criminal and legal system.
4 BDS represents clients who are denied by NYCHA after
5 years on the waiting list or who face eviction from
6 their long time homes because of NYCHA's restrictive
7 and cumulative policies. Amidst the city's
8 affordable housing crisis and rampant gentrification,
9 these clients have no where else to go.
10

11 We ask that the Council consider 2047 as a
12 necessary and important starting point in our goal to
13 ensure truly equal access to stable housing for
14 everyone. Thank you.

15 SERGEANT AT ARMS: Thank you.

16 COMMITTEE COUNSEL: Thank you Ms. Dougherty. We
17 will now call on Reverend Wendy Calderon Payne as our
18 next witness.

19 SERGEANT AT ARMS: Time starts now.

20 REVEREND WENDY CALDERON PAYNE: Hi guys. I am
21 Reverend Wendy Calderon Payne; I am the Executive
22 Director of Bronx Connect and Manhattan Connect.
23 Since 1999 we have successfully supported justice
24 involved young people and families as they navigate
25 their way out of destructive lifestyles and into

1 fulfilling productive lives. We have found few
2 components are central in helping a young person make
3 the behavioral change they need to live an adult free
4 - sorry. To live an adult life free of justice
5 involvement. We find that at Bronx Connect seeing an
6 exciting future for a young person starts with seeing
7 people who look like you and sound like you. Bronx
8 connect youth are surrounded by staff and mentors who
9 have walked in their shoes and ended up on a healthy
10 path. Our staff have highly similar stories of
11 struggles and yet, they are living, breathing proof
12 that things can change and with the right support
13 changes, support systems change, people can overcome
14 their circumstances. Our model proves that a
15 difficult circumstance like justice involvement
16 doesn't have to be a life sentence.

18 In 2019, we were pleased to purchase two R7 Zone
19 residential buildings. This experience has given us
20 an upfront experience with CityFHEPS as we inherited
21 a family with the CityFHEPS voucher. As we have had
22 to move this single mom out of that old basement
23 moist apartment, we spent over six months trying to
24 find anyone, and I mean anyone who would take this
25 working mom with four children on a \$210 voucher. No

1 one was willing to help me or this woman, even I
2 offered to pay to match the CityFHEPS four month
3 benefit. No one wanted this woman for three reasons.
4 One, outright CityFHEPS had a terrible reputation of
5 red tape and not paying all the time.
6

7 Two, they could easily get \$2,010, they could get
8 more than that for a two bedroom apartment in the
9 Bronx and finally, what one developer who I know to
10 be an honest person said Wendy, in four years, this
11 woman is going to have four teenagers in an apartment
12 with two bedrooms and it's going to be a nightmare.
13 Those six months were nerving. There were multiple
14 times when CityFHEPS stopped paying. I could never
15 find a case manager and then I realized that
16 CityFHEPS families don't have case managers, only
17 unless they are about to be evicted, then they get a
18 Homebase Case Manager.

19 I was actually told that I had to evict this lady
20 in order to get her permission to move. Though I
21 knew this wasn't correct, I still paid a lawyer to
22 start the process, although she and I knew we weren't
23 going to do this.

24 In the end, I convinced the board to buy another
25 building, so that I could move her into the top floor

1 apartment there. But even then, I was being told I
2 had to "evict her". Finally, I was able to advocate
3 to somebody in HRA and -

4 SERGEANT AT ARMS: Time is expired.

5 REVEREND WENDY CALDERON PAYNE: I am going to
6 finish. I am going to broadly support moving this
7 legislation forward today. I would just like to make
8 a point. There is money in the budget because so
9 many of these CityFHEPS vouchers are not being used.
10 They are being given out like candy but everybody
11 knows no one will find a landlord who will take them.

12 In addition to that, what really shocked me is
13 when I read in an article that what the city was
14 paying in the homeless shelter for this family of
15 four, was significantly less than what I paid on the
16 mortgage for a four family house. And I thought this
17 is the biggest waste of money ever. We could empower
18 nonprofits to take houses and renovate them and get
19 homeless families in there and get regular people in
20 there. We could change the market if we thought
21 about where our money was going and that's why I
22 would like to support these bills but I would also
23 like to just have an honest conversation about why we
24 are spending so much money on homeless shelters that
25

3 do not help people get out of poverty and
4 homelessness. Thank you.

5 COMMITTEE COUNSEL: Thank you Reverend. We will
6 now call on Alfonzo Riley as our next panelist.

7 SERGEANT AT ARMS: Time starts now.

8 ALFONZO RILEY: Good afternoon distinguished
9 members of the New York City Council and others. My
10 name is Alfonzo Riley and I am employed by the Legal
11 Aid Society as a Paralegal Case Handler.

12 I want to thank Council Members Levin and Eugene
13 for the opportunity to present today testimony in
14 support of Intro. 2047, prohibiting housing
15 discrimination based on arrests or a criminal record.
16 I can speak to the need for this legislation because
17 I have been denied housing because of a criminal
18 record.

19 In December 2018, I was granted executive
20 clemency by Governor Cuomo after serving 30 years, 10
21 months, and 24 days in prison for a crime that I
22 committed when I was 18-years-old.

23 While in prison, I earned a bachelor's degree and
24 many certificates including a paralegal certificate.
25 I was released from prison the following month in
January 2019, approximately 20 minutes after I was

3 released from prison, I was offered and accepted a
4 freelance paralegal job. I continued to work
5 steadily as a freelance paralegal for three months
6 until I secured employment by the Legal Aid Society.
7 I mentioned that to say that I have been gainfully
8 employed since I was released yet, despite my gainful
9 employment as a paralegal, I have been denied housing
10 because I was incarcerated.

11 I applied for at least three apartments where the
12 brokers or landlords said there will be a criminal
13 background check, which I had to pay for. Prior to
14 the background checks, I was told there shouldn't be
15 a problem with me getting the apartments. I was
16 denied each time however based on what could only be
17 in my criminal record.

18 As mass incarceration and over policing have
19 disproportionately affected minority communities,
20 housing discrimination based on a criminal record by
21 extension will continue to adversely affect the same
22 communities.

23 To deny a New York City resident housing of their
24 choice, that they are able to afford, not only
25 negatively affects a person with a criminal record
but also puts their children at a disadvantage as

1 well. Housing discrimination continues to affect the
2 schools children can attend, the air they breathe,
3 the playgrounds they have access to etc.
4

5 This type of discrimination can affect
6 generations starting from a single household.
7 Housing based on one's choice and abilities should be
8 a human right. The events that led to my conviction
9 occurred over 32 years ago but the collateral
10 consequences of those events last to this day despite
11 my transformation which was demonstrated by the fact
12 that I was granted the extraordinary relief of the
13 executive clemency.

14 I am not the person that made a bad decision that
15 many years ago as a teenager. I am a law abiding
16 taxpaying and voting resident of New York City and I
17 want to be judged on the decisions I am making now,
18 not the one's I made as a youth.

19 I am one example among many which is the reason
20 Intro. 2047 should be passed.

21 SERGEANT AT ARMS: Time is expired.

22 ALFONZO RILEY: Thank you very much.

23 COMMITTEE COUNSEL: Thank you so much Alfonzo for
24 your testimony. I will now call up the next panel.
25 In this order, witness will be Robert Desir, Antonio

3 Garcia, Wendy O'Shields, and Forest Genier

4 Denton[SP?] will have Amy Blumsack deliver her
5 testimony. We will begin with Robert Desir.

6 SERGEANT AT ARMS: Time starts now.

7 ROBERT DESIR: Good afternoon. I am Robert
8 Desir, Staff Attorney with the Legal Aid Society
9 Civil Law Reform Unit. This testimony is on behalf
10 of the Legal Aid Society and the Coalition for the
11 Homeless. I thank Chair's Levin and Eugene, Members
12 of the Committee on General Welfare and on Civil and
13 Human Rights and Members of the City Council for
14 holding this hearing and for taking the lead in these
15 important matters.

16 You have our written testimony that is submitted
17 in tandem with the Coalition for the Homeless. My
18 testimony will focus on the source of income
19 discrimination expansion Intro. 2047, Intro. 1339,
20 and Intro. 146. The Legal Aid Society supports the
21 Council's proposal to expand prohibitions on source
22 of income discrimination to buildings with three or
23 more units.

24 Since the source of income law has been passed,
25 it has been an important tool in lifting New Yorkers
out of homelessness allowing them to leave

3 substandard conditions and overcome the prejudice
4 that prevents them from exercising choice, to live in
5 an apartment they can afford without being
6 stigmatized because they use a voucher or subsidy to
7 pay the rent.

8 We suggest that the projections be expanded to
9 include the smaller nonowner occupied units as is the
10 case with the state law. This housing stock
11 comprises a growing portion of the rental stock as
12 speculators move past the multifamily buildings and
13 look towards opportunities within this market.

14 The Council should also consider that source of
15 income discrimination takes many forms and owners
16 knowing the law, use credit checks where irrelevant
17 and impose minimum income requirements or rent to
18 income ratios that effectively put an apartment out
19 of reach for those with subsidies creating a
20 disparate impact.

21 We support Intro. 2047. The disproportionate
22 impact of over policing and incarceration on
23 communities of color is one driver homelessness among
24 Black and Latinx New Yorkers. We view stable housing
25 as the first vital step to a successful reentry to a

3 society and towards keeping people from becoming
4 further justice involved.

5 Moreover, it is well recognized that arrest
6 records are hardly evidence of misconduct and that
7 landlords borrow against perspective renters who have
8 not been convicted of crimes is unacceptable.

9 This bill would advance racial justice by
10 reducing barriers to permanent housing for a large
11 subset of people currently languishing in shelters
12 and on the streets. We support the Council in
13 raising apartment seekers awareness of their rights
14 and protections and support Intro. 1339.

15 Although source of income protections have been
16 in place for over a decade, the various forms of
17 illegal rejections remain rampant and many remain
18 unaware of their rights. We know that the apartment
19 search is highly time sensitive and very competitive
20 particularly at the rent levels available to those
21 with vouchers and subsidies. Tenants who are aware
22 of their rights are certain to fair better.

23 SERGEANT AT ARMS: Time expired.

24 ROBERT DESIR: With respect to Intro. 146, we
25 defer to the coalition but we will add that raising
FMR to allow the vouchers to meet asking rents is a

3 vital component of moving homeless New Yorkers into
4 permanent housing, increasing choices available to
5 renters, and attacking patterns of housing
6 discrimination.

7 I thank you for the opportunity to testify.

8 COMMITTEE COUNSEL: Thank you Mr. Desir. I will
9 now call on Antonio Garcia as our next panelist.

10 SERGEANT AT ARMS: Time starts now.

11 ANTONIO GARCIA: Good afternoon and thank you for
12 the opportunity to testify on Catholic Charities
13 Eviction Prevention Services and how proposed changes
14 to the city's rental assistance programs can help us
15 serve those who are at risk of homelessness due to
16 loss of employment on expected expenses or high rent
17 burden.

18 My name is Antonio Garcia and I am the Director
19 of Preserving Housing. A homelessness prevention
20 program of Catholic Charities Community Services.
21 Through our preserving housing programs, Catholic
22 Charities operates four home base offices in the
23 Bronx and one office in Harlem. All funded by the
24 city and the state of New York.

25 Using housing subsidies such as CityFHEPS and
FEPS, we assist families and individuals who left the

3 shelter system by providing after care services that
4 include relocation to other apartments. Not for this
5 subsidy supplementing the inadequate shelter
6 allowance provided by the family assistance and
7 safety net programs, public assistance recipients
8 could not afford to pay the current rent levels in
9 New York City.

10 Nevertheless, current fair market values have
11 outpaced this subsidies maximum rental allowances,
12 leading applicants, and housing advocates to have
13 little success finding suitable apartments within
14 this limit. Landlords continue to deny apartments to
15 tenants because this subsidies rent levels are too
16 low and others enter into the so-called side deals
17 that are so detrimental to the housing stability of
18 the voucher holders.

19 Finding suitable and affordable apartments for
20 families and individuals coming out of the shelter
21 system is an integral part of the homelessness
22 prevention work that Catholic Charities does. We
23 know how difficult it is to find apartments that are
24 affordable for the working poor of New York City,
25 especially for those receiving public assistance and
how increasingly important these subsidies will be as

1 families recover from lasting economic and medical
2 consequences of the COVID-19 pandemic. That is why
3 we support Intro. 146 which will allow the maximum
4 rent of New York City's housing subsidies to increase
5 annually at the same rate as HUDS fair market rents.
6 And also remove limits on how long otherwise eligible
7 households could receive rental assistance.
8

9 By providing the means for families to access and
10 maintain safe, stable, and affordable housing, Intro.
11 146 will help usher in a period of sustained and
12 equitable recovery. Thank you.

13 COMMITTEE COUNSEL: Thank you Mr. Garcia. We
14 will now call on Wendy O'Shields as our next
15 panelist.

16 SERGEANT AT ARMS: Time starts now.

17 WENDY O'SHIELDS: My name is Wendy O'Shields and
18 I am the Homeless Rights and Housing Advocate in New
19 York City. I am the Co-Founder of the Urban Justice
20 Safety Net Activist and I support amending Intro.
21 bill 146-2018.

22 Let the record show as per September 15, 2020,
23 worldometer statics counts the United States
24 coronavirus cases at 6 million. Total deaths
25 199,000a and recovered are 4 million.

3 The U.S. Center for Disease Control death count
4 is comparable. Currently our country has 50 million
5 unemployed and counting post COVID-19. We are in a
6 compound emergency with infectious disease as the
7 driver for our unprecedented economic disaster.
8 There are direct actions the city can take to mediate
9 our emergency circumstances.

10 Number one, the HUD U.S. Final 2020 Fair Market
11 Rent for a studio will be \$1,760 and a one bedroom is
12 \$1,801 in the New York City Metro area. The metro
13 area includes upstate Putnam County and Rockland
14 County. Their inclusion pulls down the monthly
15 rental amount for the New York City metro area. The
16 HUD fair market – excuse me. The HUD fair market
17 will be inadequate for our expense of New York City
18 five borough market.

19 Number two, increase CityFHEPS voucher and
20 calculate the monthly rent on the market rent for our
21 five boroughs.

22 Number three, house DHS and nonprofit long term
23 shelter stayers with the increased CityFHEPS market
24 rent voucher. Begin with the residents residing in
25 shelter for 25 to 15 years then 15 to 5 years and the
subsequent 4 years to 12 months.

2 Number four, house the DHS COVID-19 shelter
3 residents with the increased market rent CityFHEPS
4 voucher.

5 Five, house the pre-COVID-19 DHS and nonprofit
6 shelter hotel residents with the increased market
7 rent CityFHEPS vouchers.

8 Six, the CityFHEPS voucher disclaimer does not
9 guarantee payment of rent and it should be removed.

10 Suggestions: Number one, post COVID-19 -

11 SERGEANT AT ARMS: Time is expired.

12 WENDY O'SHIELDS: I will submit the rest. Thank
13 you.

14 CHAIRPERSON LEVIN: Thank you Mr. O'Shields.

15 COMMITTEE COUNSEL: Thank you and now we will
16 have Forest Genier Denton, we will have Amy Blumsack
17 deliver testimony.

18 SERGEANT AT ARMS: Time starts now.

19 AMY BLUMSACK: Good afternoon and thank you to
20 the Chairs and other City Council Members for the
21 opportunity to testify. My name is Amy Blumsack, I
22 work at Neighbors Together and will be testifying on
23 behalf of our member Shanere Denton[SP?] in support
24 of Intro. 146 and Intro. 1339.

3 My name is Shanere Denton, I am a mother of three
4 and I am determined to strive for greater for my
5 children. It is hard keeping hope and faith but I am
6 fighting. My children understand what is happening
7 only to a degree. They ask, did you find anything
8 yet mom? When are we going to have our own beds
9 because we bundle up in a room space. We're making
10 it work.

11 I am CityFHEPS voucher holder. My voucher should
12 cover all utilities and rent in the amount of \$1,580.
13 I received this voucher from Housing Corp because I
14 was going to become homeless. This voucher is to
15 help prevent homelessness and I've had my voucher
16 since October 2019. I have to do an intake twice to
17 renew the voucher and currently, I am still searching
18 endlessly day and night to find a place my children
19 and their minds can focus and be at peace. A place
20 to call home.

21 The great issue here is that you cannot find
22 anywhere in New York's five boroughs for \$1,580. If
23 anyone knows of a realtor or broker or a home owner
24 renting a one bedroom to a family size of four, let
25 me know. I, and many others would be very interested
to know.

3 Housing Connect, affordable housing in Section 8
4 and Serve NYC all cite the same response. Your
5 voucher subsidy does not cover available units or we
6 have no units available for your household size.
7 When they are asking households of three and up for
8 incomes of \$80,000 and better.

9 As a single parent, I only have a job, not a
10 career. It is very, very depressing. Every day it
11 is a rejection. It hurts mentally and emotionally,
12 as if I am not trying and I know I paid over \$300 all
13 together or more in application fees.

14 The scammers make it even harder because we are
15 desperate trying to provide a way for our family. We
16 are faced with so many challenges. Where is the help
17 for homeless people really? Please tell us.

18 Thank you for your time.

19 COMMITTEE COUNSEL: Thank you so much Amy. I'm
20 going to call up our next panel, which is our last
21 panel for today. Chrystal Neavus, Debra Berkman,
22 Yamina Sara Chekroun, Abraham Gross, Theo Chino. We
23 are going to begin Chrystal Neavus.

24 SERGEANT AT ARMS: Time starts now.
25

3 CHRYSTAL NEAVUS: Hello, I am Chrystal
4 Neavus[SP?]. I am here to sorry. I am testifying
5 for Intro. 1339 and Intro. 146.

6 My mother, she is legally blind, we have the
7 CityFHEPS voucher through Housing Court and APS. Can
8 you hear me?

9 COMMITTEE COUNSEL: Yes, we can hear you.

10 CHRYSTAL NEAVUS: Okay, I'm sorry. So, I'm with
11 my mother. She is legally blind. We got CityFHEPS
12 through the Housing Court, APS as well because of her
13 blindness and we've been looking all over the places
14 and every where we look, they would leave us red.
15 They wouldn't answer back and these Intro.'s and laws
16 would help us and benefit the people of the community
17 and of New York City by reducing homelessness with
18 these new vouchers that we are trying to propose.
19 Because 1580, when I search for a two bedroom or one
20 bedroom. A one bedroom is already \$1,700. A two
21 bedroom is about \$1,800 to \$1,900, almost close to
22 \$2,000 and she has a child who also has her same
23 disease of macular degeneration and might become
24 legally blind as well.

25 And we are trying to find a place and everyone is
always turning us away, saying that they don't

1 accept, that they don't accept. That it is not
2 accepted here, as well as when they gave it to her,
3 they didn't give her laws to know what she qualifies
4 for. What happens if a landlord tells her that they
5 don't accept it and everything.
6

7 If they would have gave it to us with our rights,
8 it would be much easier and much faster to try to
9 help find us an apartment. And it is just horrendous
10 trying to look for an apartment out in New York City.

11 I don't know what else to say. I would think
12 that Intro. 1339 with the Know Your Rights bills is a
13 very good thing for the citizens of New York City, so
14 that they can know their rights and the Intro. 146,
15 for the Increase Your Voucher because the rent is
16 expensive.

17 SERGEANT AT ARMS: Time.

18 CHRYSTAL NEAVUS: Thank you so much. That's
19 mostly what I got to say for now.

20 COMMITTEE COUNSEL: Thank you so much Ms. Neavus.
21 We are now going to call on Debra Berkman as our next
22 panelist.

23 SERGEANT AT ARMS: Time starts now.
24
25

3 DEBRA BERKMAN: Chair's Levin and Eugene, Council
4 Members and staff, good afternoon and thank you for
5 this opportunity to speak.

6 My name is Debra Berkman and I am Coordinating
7 Attorney in the Public Benefits Unit and in the
8 Shelter Advocacy Initiative of the New York Legal
9 Assistance Group or NYLAG. Which is a free legal
10 services provider serving low income New Yorkers.

11 Our Shelter Advocacy Initiative provides legal
12 services and advocacy to people in the shelter system
13 and we also have a very robust tenants right unit
14 that represents people in housing court eviction
15 cases, advocates before administrative agencies, and
16 obtains and preserves rent subsidies.

17 The proposed legislation to expand the
18 prohibitions against discrimination based on legal
19 source of income is a sorely needed adjustment that
20 should help permanent housing become more attainable.

21 However, it does not go far enough. In order to
22 truly fix source of income discrimination, this
23 Council must look at all of the causes of this
24 discrimination. According to many NYLAG clients, so
25 much of landlords reluctance to rent to voucher
holders stems from the New York City Department of

3 Social Services own practices. Not from the clients
4 themselves.

5 Many NYLAG clients have rental vouchers but
6 cannot obtain apartments with them. Of course, most
7 importantly, the rental amount cap is far below
8 market in New York City which the Council seeks to
9 address today and which is wonderful, but even when
10 NYLAG clients are able to find apartments that fit
11 within the rental guidelines, the process of getting
12 an apartment approved for a voucher is slow and
13 overly burdensome for landlords and is often riddled
14 with administrative errors by DSS.

15 After a client finds an apartment and a landlord
16 willing to take CityFHEPS it can take months for that
17 apartment to be approved for CityFHEPS voucher use.
18 One reason for this delay is that for clients in
19 shelter who are seeking to use a voucher, housing
20 specialists or case workers are the ones processing
21 the application and act as an intermediary between
22 DSS and the landlord. Clients report a total
23 breakdown of information between their shelter case
24 workers, DSS, and landlords. And if a willing
25 landlords makes a mistake on an application, which so
often happens, it can take many days or even weeks

1 before that information is relayed from DSS to the
2 case worker, to the landlord.

3
4 Clients also report that often DSS is not able to
5 schedule apartment inspections in a timely manner.
6 And even when a landlord is willing to hold an
7 apartment to complete the process, often after
8 several weeks, they will be forced to rent an
9 apartment to someone who can start the lease more
10 quickly.

11 Once an apartment is approved and the client
12 moves in, problems with DSS persist. Clients who
13 rely on vouchers report that DSS does not pay their
14 rent on time and many people report that their rent
15 is paid late every month and sometimes that rent
16 paying is discontinued without notice to either our
17 client or to the landlord.

18 Indeed, landlords have created a website
19 www.nyc.fheps.com to warn each other about the
20 pitfalls of renting to voucher holders. Although
21 some of the stories posted complaint about so-called
22 difficult tenants. Most complaints state that they
23 will not rent to voucher holders because of DSS's
24 slow processing time and late rents.

3 Additionally, while we wholly support Intro. 146,
4 in addition to these proposed changes, we want to
5 urge this Council to expand CityFHEPS eligibility to
6 specifically include long term tenancies.

7 Expanding current eligibility criteria would
8 allow more families access to this aid and reduce
9 long term shelter costs. Currently, New York City
10 must meet one of the following criteria in order to
11 be eligible for CityFHEPS. Have veteran status, have
12 prior shelter history, receive APS services or Adult
13 Protective Services, or live in a rent controlled
14 apartment. But prior to its supersession by
15 CityFHEPS, the city's special exit and prevention
16 supplement which is known as SEPS didn't allow
17 program administrators to grant the supplement to
18 long term tenants.

19 And once the program converted to CityFHEPS, the
20 long term tenancy criteria was eliminated. Only a
21 small fraction of NYLAG's clients meet the current
22 CityFHEPS criteria, while many meet the prior long
23 term tenancy criteria.

24 Many tenants with nonpayment housing court cases
25 are elderly and have resided in their apartments for
decades and have rent and income thresholds that meet

3 CityFHEPS guidelines. Yet remain ineligible due to
4 this restrictive criteria.

5 In fact, in New York, 20 percent of people older
6 than 25 live in poverty and many tenants rely on
7 monthly Social Security incomes that are usually not
8 enough to keep up with the cost of the rent even with
9 rent freezes.

10 Excuse me, expanding CityFHEPS eligibility
11 criteria for long term tenants will also save the
12 city hundreds of thousands of dollars in shelter
13 costs. Thus, we strongly recommend that this Council
14 pass the state of resolution and expand current
15 CityFHEPS criteria -

16 SERGEANT AT ARMS: Time.

17 DEBRA BERKMAN: Thank you.

18 COMMITTEE COUNSEL: Thank you Debra.

19 CHAIRPERSON LEVIN: Debra, can I ask a quick
20 question? A follow up question here? So, you said,
21 I was a little confused earlier when Deputy
22 Commissioner Drinkwater was speaking about CityFHEPS
23 criteria. I don't know if you heard that. Where she
24 said that some long term tenants could apply for
25 CityFHEPS. She said you know that there were some

1
2 CityFHEPS vouchers that could be applied to people in
3 the community, I think she said.

4 DEBRA BERKMAN: Well, there are criteria that can
5 be applied to people in community but long term
6 tenancy. So, if people who are long term tenants
7 also meet one of the other criteria for people in the
8 community, then they can.

9 CHAIRPERSON LEVIN: What criteria -

10 DEBRA BERKMAN: Long term tenancy itself is not a
11 criteria.

12 CHAIRPERSON LEVIN: Right, so it would have to
13 meet one of those veterans APS case.

14 DEBRA BERKMAN: Right, APS case is the most
15 common.

16 CHAIRPERSON LEVIN: I see, okay, okay.

17 DEBRA BERKMAN: Because long term tenants and APS
18 clients go hand and hand at times.

19 CHAIRPERSON LEVIN: I see and just to reiterate
20 that criteria because I encountered this when I tried
21 to get people a CityFHEPS voucher and was told oh,
22 they don't apply because you know, they are not a
23 veteran, not APS, not in a rent controlled apartment,
24 not rent stabilized, rent controlled apartment.

25 DEBRA BERKMAN: Exactly.

3 CHAIRPERSON LEVIN: Which means they would have
4 had to have start living there in like 1971.

5 DEBRA BERKMAN: Right, or if they had a prior
6 shelter history but if they haven't had a prior
7 shelter history, so it's veteran status, prior
8 shelter history, APS services. Or there is one more
9 or live in a rent controlled apartment. Exactly, not
10 rent stabilized.

11 CHAIRPERSON LEVIN: And that way they could
12 potentially get a CityFHEPS voucher?

13 DEBRA BERKMAN: Right, so when they say that
14 certain people who had been in the community for a
15 long time would be eligible, it would be because they
16 were eligible under one of those other criteria.

17 CHAIRPERSON LEVIN: Right, so they would have had
18 to had been in a shelter before? If you had never
19 been in a shelter before and didn't meet those other
20 criteria, you are not getting a voucher.

21 DEBRA BERKMAN: Exactly. Not a CityFHEPS
22 voucher.

23 CHAIRPERSON LEVIN: Not a CityFHEPS voucher.

24 DEBRA BERKMAN: Right.

25 CHAIRPERSON LEVIN: You can get a Section 8?

DEBRA BERKMAN: It's a possibility.

2 CHAIRPERSON LEVIN: Possibility. I've seen it
3 happen once or twice. Literally once or twice.

4 DEBRA BERKMAN: Right.

5 CHAIRPERSON LEVIN: Okay, alright, thanks so
6 much. I appreciate it.

7 DEBRA BERKMAN: Thank you.

8 COMMITTEE COUNSEL: Alright, now we will call on
9 Yamina Sara Chekroun.

10 SERGEANT AT ARMS: Time starts now.

11 YAMINA SARA CHEKROUN: Good afternoon everyone.

12 My name is Yamina Sara Chekroun and I am a Civil
13 Defense Attorney at New York County Defenders
14 Services, a public defender office in Manhattan.

15 Our office is in support of the several proposed
16 bills that were on today's agenda and I have
17 submitted testimony addressing each of the seven
18 bills and I'm going to speak about one of them today.

19 Please read the rest of my comments for my full
20 comments. The prohibitions on discrimination
21 outlined in these bills should be expanded to protect
22 all New Yorkers regardless of the type of housing
23 that they live in and regardless of who they live
24 with.

3 Every day, I represent clients with criminal
4 legal system involvement who are facing housing
5 insecurity. Their safety and their ability to
6 protect themselves and their families from COVID-19
7 depend on their ability to access safe and permanent
8 housing. With these bills, NYC does take some
9 important and long overdue steps to protect renters.

10 These bills will ensure that subsidies are usable
11 in conjunction with fluctuating rental market rates.
12 They also make applications and status approval
13 accessible to all parties, which will assist tenants
14 and advocate in court.

15 While these bills offer some critical protections
16 against discrimination for those with involvement in
17 the criminal legal system, they fail to adequately
18 protect all persons. For these reasons NYC supports
19 the passage of Intro. 2047-2020 the bill to prohibit
20 housing discrimination on the basis of arrest or
21 criminal record.

22 Though we recommend it with amendments. We
23 recommend that the bills should be amended to remove
24 the exceptions contained in paragraphs D1 and D2 on
25 the basis that the U.S. Commission on Human Rights
has explicitly recommended that consideration of

3 criminal history for housing purposes be removed from
4 the providers discretion.

5 Paragraph D1 should thus be amended in that way.
6 The exception contained in D2, should be removed on
7 the basis that there is no legitimate interest in
8 permitting discrimination when the units owner,
9 owners family resides in the housing accommodation.

10 Low income renters often rely on room rentals and
11 permitting such discrimination unfairly harms those
12 who have come into contact with the criminal legal
13 system particularly people of color.

14 Our communities are made safer when people have
15 access to housing in their communities. They are not
16 made safer when we use a very small snapshot of
17 someone's past to make a decision as to whether or
18 not they would make a good tenant or neighbor.

19 We have an obligation to recognize the inherent
20 inequality in the criminal legal system and to make
21 sure that we do not drive other forms of systematic
22 oppression based on that reality.

23 SERGEANT AT ARMS: Time.

24 YAMINA SARA CHEKROUN: By passing these bills, we
25 send a message of hope not of fear. Thank you.

3 COMMITTEE COUNSEL: Thank you Yamina. We will now
4 have Abraham Gross as our next witness.

5 SERGEANT AT ARMS: Time starts now.

6 ABRAHAM GROSS: Good afternoon honorable Council
7 and Chair – can you hear me Chair Levin?

8 COMMITTEE COUNSEL: We can hear you.

9 ABRAHAM GROSS: Okay. Chair Levin, respectfully,
10 we heard your conversation with the Assistant
11 Commissioner and I am very troubled by what I heard
12 because from my own personal life experience, no,
13 that is not true. Before you are eligible for one of
14 these vouchers, the criteria is a lot of times, when
15 I was forced into shelter, they said to me no, you
16 have to stay in shelter for a minimum of three
17 months. In some cases, six months.

18 So, what she is saying that you could just check
19 out of the shelter with one of those vouchers is not
20 true. And the question is why? Our government
21 agencies have the resources to help the homeless
22 population. They have the ability; the money is
23 there. There is a more fundamental problem and if
24 she, in a live Zoom conversation with you is lying
25 about such a critical thing as to whether or not
there is any option to get out of the shelter with

3 one of these vouchers, I think there is a more
4 fundamental problem here. And that is what I want to
5 bring to your attention. And that is what I am
6 respectfully asking you to please follow up with me
7 after my testimony. I have been aggrieved by the
8 system and by other Council Members in ways that
9 cannot be imagined.

10 Just very briefly give you the facts, after ten
11 years of applying to affordable housing, I qualified
12 for the single time. I won the lottery out of 74,000
13 applicants; my number was 103. I went through a four
14 month process, gave 350 financial documents showing
15 that I was eligible. I was supposed to sign a lease
16 on June 10, 2019 after which I was rejected four
17 times for four different reasons. Some of which are
18 specifically prohibited by the regulatory agreement.
19 Such as, inconsistent information without saying what
20 it was.

21 For the past year, my life has been destroyed. I
22 have been forced into a legal battle with HPD and
23 Breaking Ground and you know, what I could tell you
24 is, what has come out in litigation is that out of
25 74,000 applicants, they rejected, admitted to
rejecting 99 percent of the applicants. Yet at the

3 same time, more than 60 percent of those apartments
4 have gone to people who are egregiously unqualified.
5 Why? Either because they own million dollar
6 apartments out of state or because they are friends
7 and family of people within HPD and the message I'm
8 trying to communicate to you, is that the evidence is
9 so incriminating and the Department of -

10 SERGEANT AT ARMS: Time expired.

11 ABRAHAM GROSS: I just, I want to conclude this
12 point please, is that you know, this is happening
13 primarily in my humble opinion because people in
14 positions of power have invested financial interest
15 and you know, this is, homeless people should not
16 have to suffer because of corruption and greed. And
17 you know, I was about to be forced into a shelter in
18 September and I begged for some kind of help for
19 preventive. They said to me, no, you have to go into
20 a shelter. Once I was in the shelter, respectfully
21 shelters are a lot worse than what people think.

22 They said to me, you know, you have to stay here
23 for three months. So, the system is broken but what
24 I'm imploring with you to please understand is that
25 there is very deep corruption here. I'm not a
conspiracy guy person but I'm someone who has watched

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2 as these powerful organizations which I'm just
3 wrapping up here. Which are meant to help the
4 homeless population, instead have spent more than
5 \$600,000 that doesn't include HPD, which is free by
6 Corporation Counsel. But Breaking Ground has hired a
7 top law firm to deny me a prose litigant the only
8 opportunity he got in ten years.

9 That is inhuman especially at COVID considering
10 the facts they told you, please understand I did not
11 say a single allegation that I cannot back up with
12 evidence and you seem like a compassionate person of
13 integrity.

14 The last thing I will say really is that one of
15 the Council Members who is on this call saw my
16 grievance, promised to help, hung me out to dry, did
17 not respond and then was awarded a luxury apartment
18 in the complex from which I was rejected.

19 So, we need help. We need public officials of
20 integrity like yourself. Thank you for your work.
21 Please follow up with me in some way. Please ask me
22 a question. Please say something. Please, don't let
23 this just be you know, if what I'm saying is true,
24 then we really need serious help from people like
25

1
2 yourself of integrity and people in positions of
3 power.

4 Thank you for letting me go over the time.

5 CHAIRPERSON LEVIN: Thank you Mr. Gross. I will
6 follow up. If you send me an email to slevin [s-l-e-](mailto:s-le-v-i-n@council.nyc)
7 v-i-n@council.nyc we can follow up that way.

8 ABRAHAM GROSS: Thank you so much. Thank you.

9 CHAIRPERSON LEVIN: Yeah.

10 COMMITTEE COUNSEL: Thank you Mr. Gross for your
11 testimony. We will call on Theo Chino as our last
12 panelist for this panel but then we do also have one
13 more panel before we conclude for today.

14 SERGEANT AT ARMS: Time starts now.

15 THEO CHENO: Thank you. The law in it's majestic
16 equality forbid rich and poor alike to sleep on the
17 bridge, to beg in the street, and to steal their
18 bread and Aneto France wrote that a long time ago.

19 My name is Theo Chino. I live at 640 Riverside
20 Drive, two blocks away from the Fortune Society,
21 which are tenant association approved in the
22 neighborhood a long time ago.

23 I am the Co-founder of the website Around my
24 Block to teach and educate New Yorkers about getting
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2 into politics and I am a candidate for Public
3 Advocate because Jumaane Williams is useless.

4 My grandfather is a World War II veteran from the
5 442nd Division and is the cofounder with Mr. Farmer
6 of the Congress for Racial Equality, as a Japanese
7 man.

8 I am testifying today because all those bills are
9 just band aid. Band aid that the City of New York
10 and the City Council keep putting one after the
11 other, after the other, after the other.

12 I can't talk to you about the Department of
13 Homeless Services given the 168th Street armory to
14 help homeless people and to help the community new
15 balance to cover that building and millions of
16 dollars funnel for the Westchester rich people to run
17 around the track and 50 kids from the community to
18 have access to the armory.

19 Excel GDS, a nonprofit that build, that was
20 participating in rebuilding the armory has been
21 evicted by Homeless Services. The only thing they
22 did is bring children from the community, poor
23 children that could not hang out with the [INAUDIBLE
24 26:56] from Westchester.
25

3 There is a lawsuit, so you will read about it.

4 The problem is, if we want to fix homelessness, we
5 have to provide what I have, \$160 apartments. I have
6 a three bedroom for \$169 a month. To this day,
7 nobody is asking me why. HPD is corrupt to the core
8 and it needs to be investigated from the bottom up.
9 Mary Ann Hendrickson needs to be investigated, fired
10 if she needs to be fired and the City Council needs
11 to look into it. People from all over time went from
12 NYCHA resident, like [INAUDIBLE 27:40] met with
13 President Trump and nothing was done.

14 It's President Trump, so we cannot expect much.
15 But we have talked to the AG, to the Public Advocate,
16 to Council Members all over the City of New York and
17 nothing has been done.

18 So, now what do we have left? Capitalism works
19 only if it is fair, transparent and every body is
20 playing under the same rule. When one group is
21 playing under a different rule, it does not work.

22 So, thank you Mr. Levin. If you have any
23 questions, please ask but I will join Mr. Gross in
24 saying everything is corrupt and it needs to be
25 looked at from the bottom up to the top. Please, as
a Council Member, please use your power to

2 investigate HPD, NYCHA, and OSS. Thank you very much
3 for your time.

4 CHAIRPERSON LEVIN: Thank you Mr. Chino.

5 COMMITTEE COUNSEL: I'm going to call up our last
6 panel at this time. We will begin with Suhali Mendez
7 and then proceed to Aracelous Figorora[SP?] and
8 finally Katie Shaffer. And so, we will begin with
9 Suhali Mendez now.

10 SERGEANT AT ARMS: Time starts now.

11 SUHALI MENDEZ: Thank you. Good afternoon
12 everyone. Good afternoon Chairs and Members of the
13 Council along with the general public.

14 My name is Suhali Mendez, I am a Senior Advocate
15 in the Disability Justice program at New York Lawyers
16 for Public Interest.

17 The organization I am working for is a life
18 organization with a robust instability rights
19 practice and advocates in housing for people with
20 disabilities, which is a very important part of our
21 work. And part of our work in housing is
22 representing matters of tenants involved in the
23 reasonable accommodations such as apartments in
24 common area retrofitting. Transfers to accept for
25

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2 apartments and use of service animals as well as
3 other housing discrimination issues.

4 I would like to talk more about Council Member
5 Powers bill to ensure that people with disabilities
6 continue to live meaningful lives in their
7 communities.

8 With regards to the bill, according to 2017, the
9 report shows that there are 900,100 people with
10 disabilities that reside in New York City yet, the
11 housing stock in New York City is inaccessible to
12 people with disabilities. In our work, we see
13 various forms of housing discrimination which
14 continues to be an issue for New Yorkers.

15 Source of income discrimination and failure to
16 provide reasonable accommodations are often
17 interconnected. Obviously, there are discriminatory
18 in nature and can include individuals with
19 disabilities. [DROPPED AUDIO 31:23] which is
20 obtaining housing and obtaining housing due to the
21 doctors and these actions can include isolation and
22 engagement within their communities and obviously
23 there are many examples of discrimination which has
24 been discussed by previous individuals.

25 SERGEANT AT ARMS: Time is expired.

2 SUHALI MENDEZ: In other situations. And the
3 other thing we would like to point out is that there
4 needs to be more stricter laws around this. There
5 needs to be more accountability [DROPPED AUDIO 32:26]
6 and not accepting the individuals and acting in
7 discriminatory matters.

8 So, I admire the Administration's effort towards
9 this and I also want to point out to the City Housing
10 Preservation Development HPD's report that everyone
11 take into consideration that housing laws -

12 SERGEANT AT ARMS: Time expired.

13 SUHALI MENDEZ: For income and many other forms
14 of discrimination should be considered. Thank you
15 for your time.

16 COMMITTEE COUNSEL: Thank you Suhali and I just
17 want to note that you were coming in and out. So, if
18 you do have written testimony you would like to
19 submit, we heard most of what you said but I just
20 want to be sure that we get the full testimony. So,
21 you can submit written testimony if possible.

22 And now, we will move on to Aracelous Figorora is
23 our next panelist.

24 SERGEANT AT ARMS: Time starts now.

3 Good afternoon. My name is Aracelous Figorora
4 and I'm from District 9 in the Bronx. I sit as a CC
5 Board Member as well in the community and I advocate
6 for parents with children with special needs.

7 I have been struggling with obtaining help with
8 the CityFHEPS. This Intro. or laws that are going to
9 take in effect, the 1339 and the 146 hopefully can
10 help not only me but a lot of fellow New Yorkers who
11 are struggling as me finding a place to live that we
12 can afford.

13 Unfortunately, the vouchers are not enough for
14 the rent of New York City and that's something that
15 has to be looked into. How they budget these
16 vouchers for each family. It is very important and I
17 think if you guys are taking the time to listen to
18 us, that means it is a positive outcome. It could be
19 a positive outcome. So, I advocate, I urge you to
20 take the right decision and to look into this. It's
21 not only one, two, three, it's a lot of people,
22 thousands of people going through the same thing in
23 shelters and in their own house. In city courts,
24 trying to find a place that they can afford and
25 unfortunately, the budget for this CityFHEPS program
is not being the right budgeting. It needs to be

3 increased because the rent in New York is super
4 expensive.

5 And like I say, thank you for listening to me
6 today and this shows that you guys are working
7 towards to resolve this problem who is affecting
8 millions of people. Thank you and have a blessed
9 day.

10 COMMITTEE COUNSEL: Thank you Ms. Figorora. I
11 will now call on Katie Shaffer as our last panelist.

12 SERGEANT AT ARMS: Time starts now.

13 KATIE SHAFFER: Okay, thank you. Hi, my name is
14 Katie Shaffer, I am the Director of Advocacy and
15 Organizing at Center for Community Alternatives.
16 Thank you all for hosting this hearing, particularly
17 Council Member Levin and Council Member Eugene. I
18 really appreciate it.

19 I am here speaking in support of all of the bills
20 being discussed but in particular Intro. 2047
21 legislation to prohibit housing discrimination on the
22 basis of an arrest or criminal record.

23 CCA is an organization with offices across New
24 York State including in New York City. We provide
25 direct services, organizing and advocacy and through
those we support and build power with New Yorkers

3 directly impacted by the criminal legal system and we
4 advocate for changes in New York laws and policies
5 that would make a difference to the folks that we
6 work with.

7 I think as you all know the legislation before
8 City Council today is of critical importance. Each
9 day members and clients of CCA are funneled into the
10 shelter system because they are discriminated against
11 in both the public and the private housing systems.
12 When members of our community cannot live with their
13 families in NYCHA housing, they can't rent an
14 apartment due to discrimination based on their
15 record, they are forced into the shelter system or
16 into street homelessness. This is unconscionable.
17 Housing is a human right and we have to treat it and
18 protect it as such. We also have to recognize the
19 discrimination on the basis of arrest or conviction
20 is fundamentally, racially discriminatory. Systemic
21 racism in our policing and criminal legal system mean
22 that Black and Latinx New Yorkers are stopped,
23 searched, frisked, arrested in far greater numbers.

24 It means the discrimination on the basis of
25 records disproportionately impacts Black and Brown
people in New York City.

3 The jail to shelter and prison to shelter
4 pipeline also makes New York less safe. Shelters are
5 traumatizing as you all have heard to people who have
6 been in carceral settings. They pose a health risk
7 as the COVID-19 pandemic has made abundantly clear.

8 For CCA leaders and participants struggling with
9 substance use, homelessness makes recovery even
10 harder. Housing is fundamentally foundational to a
11 stable life. Access to housing like access to jobs
12 and education and healthcare is important to
13 individuals but also for their families in their
14 larger communities.

15 When each of us has what we need to thrive, all
16 of us are safer. It is therefore critical that City
17 Council reject the false and fear mongering claims
18 made by landlord industry groups ensuring safe and
19 stable housing increases community safety.

20 While more work is needed at the city, state, and
21 federal level to pass automatic expungement laws and
22 end permanent exclusion at NYCHA and other public
23 housing authorities across the state, this bill is a
24 critical step forward –

25 SERGEANT AT ARMS: Time expired.

3 KATIE SHAFFER: Towards ensuring that all New
4 Yorkers have a roof over their heads. Thank you.

5 COMMITTEE COUNSEL: Thank you so much Katie. At
6 this time, I would like to state that if there is
7 anybody on this Zoom meeting right now who we
8 inadvertently missed that would like to testify,
9 please at this point, use the Zoom raise hand
10 function and we will call on you in the order in
11 which your hand was raised.

12 CHAIRPERSON LEVIN: I'm sorry Katie, what is your
13 organization?

14 KATIE SHAFFER: Center for Community
15 Alternatives.

16 CHAIRPERSON LEVIN: Great, thank you.

17 KATIE SHAFFER: We work with about 2,500 New
18 Yorkers every year.

19 CHAIRPERSON LEVIN: Thanks so much. Thank you
20 for your testimony.

21 KATIE SHAFFER: Thank you Council Member.

22 COMMITTEE COUNSEL: Seeing no raised hands, I
23 will turn this over to Chair Levin to deliver closing
24 remarks and adjourn our hearing for today.

25 CHAIRPERSON LEVIN: I want to thank everybody's
patience today and for everyone who delivered

3 testimony. We greatly appreciate it and I'm very
4 proud to have this record of this hearing set today
5 and look forward to passing this set of legislation
6 as quickly as we can. This is legislation that
7 cannot come too soon and we look at this with the
8 knowledge that this won't solve all of our problems
9 or resolve all of the issues that we face as a city
10 but we will be making a positive impact one step at a
11 time.

12 So, we want to thank everybody for your time and
13 attention and appreciate it very much. And with
14 that, this hearing is adjourned. [GAVEL] Thank you
15 all.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date SEPTEMBER 24, 2020