

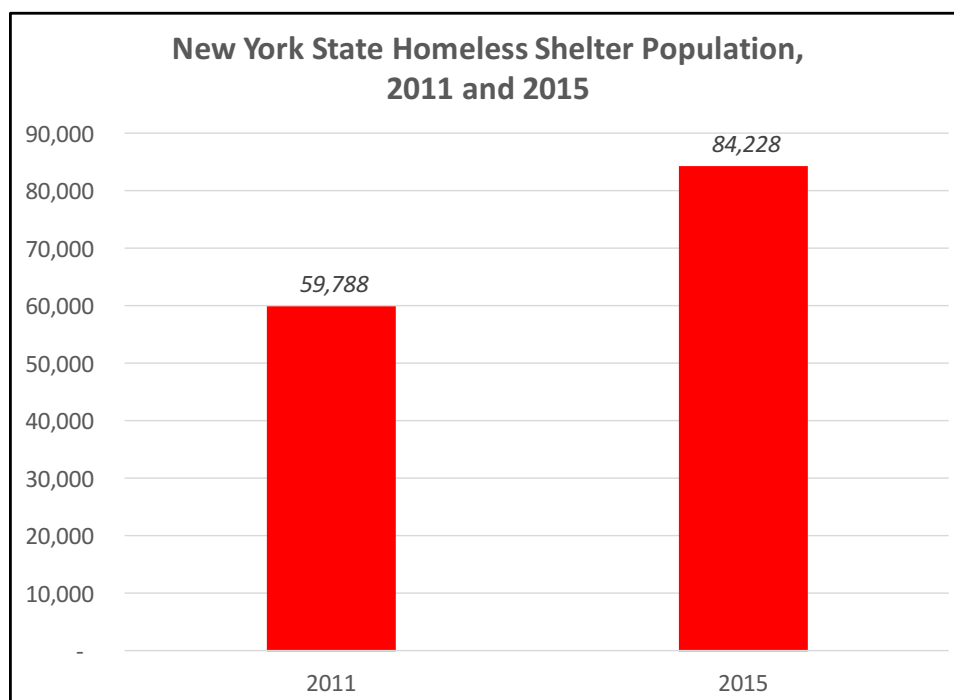


Rising Homeless in New York State

INTRODUCTION & SUMMARY

Homelessness in the state of New York has worsened dramatically over the past five years.

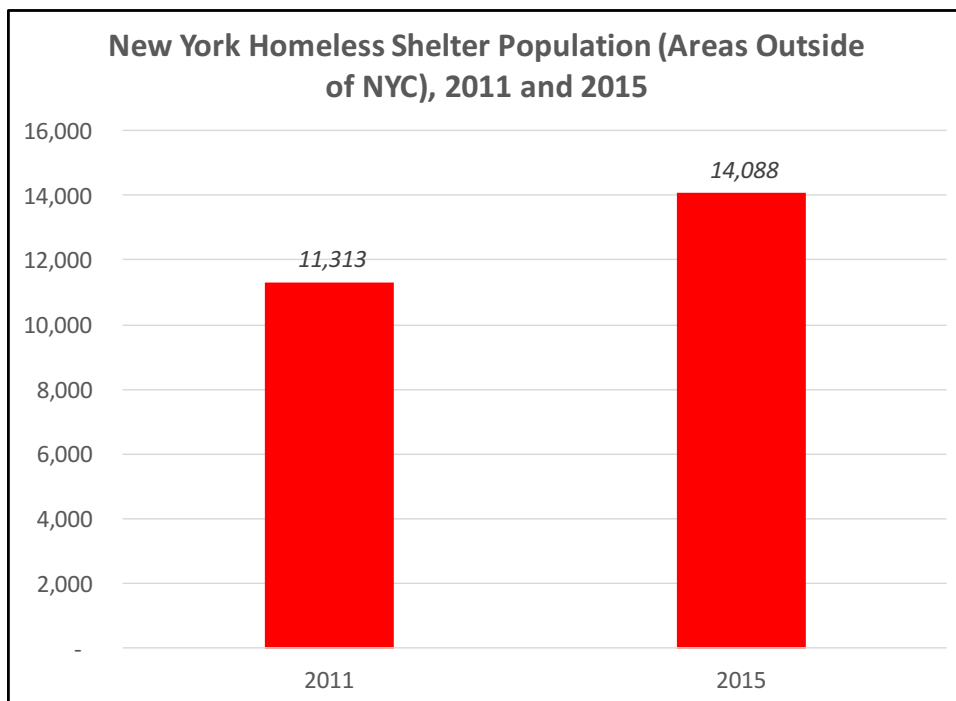
- Between 2011, when Governor Cuomo took office, and 2015, the number of people sleeping each night in homeless shelters statewide soared by 40.9 percent.
- And over the same period, the number of homeless families with children in shelters statewide rose by 29.1 percent.
- Currently there are well over 84,000 people – including more than 15,000 families and 31,000 children – sleeping each night in homeless shelters statewide.



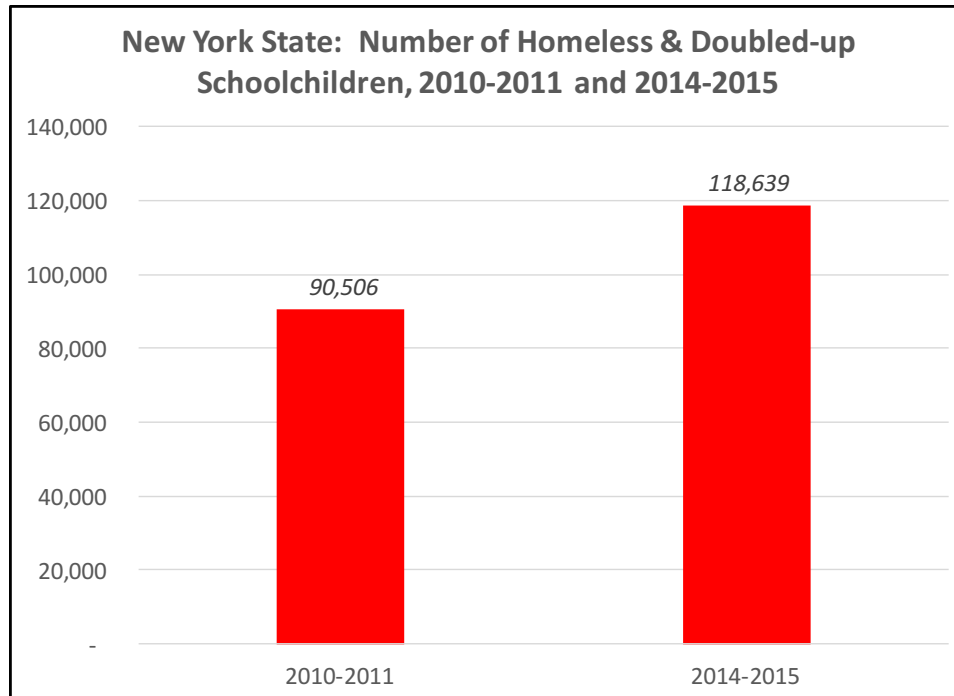
New York now has the highest statewide homeless population ever recorded, and the state's homeless population has increased steadily each of the past five years since Governor Cuomo took office.

While much of the rise in New York homelessness has been driven by the dramatic increases in New York City's homeless population, the last five years have also witnessed a significant and worrying growth in homelessness elsewhere in the state.

- Between 2011 and 2015, the number of homeless people sleeping each night in New York shelters outside of New York City increased by 24.5 percent.
- During the same period, the number of homeless families with children in New York shelters outside of NYC rose by 16.4 percent.



Even more alarming, the number of homeless and precariously-housed schoolchildren in New York state has grown dramatically since the Governor took office.



- Between the 2010-2011 and 2014-2015 academic years, the number of New York schoolchildren who were homeless, living doubled-up, or sleeping in hotels and motels statewide grew from 90,506 to 118,639 children, an increase of 31.1 percent.
- But over the same period, the rate of increase in New York's homeless and precariously-housed schoolchildren rose at a faster rate in areas of the state outside of New York City.
- Between the 2010-2011 and 2014-2015 academic years, the number of New York schoolchildren who were homeless, living doubled-up, or sleeping in hotels and motels outside of NYC rose by 50.2 percent, from 21,262 to 31,945 children, the highest number ever recorded.

However, despite the unprecedented increase in the state's homeless population, Governor Cuomo and the New York State Legislature have scarcely altered policies or funding levels put in place in the Pataki era. Indeed, in many respects Albany's approach to the worsening homelessness crisis is still stuck in the last century. Specifically:

- Rental assistance programs aimed at helping poor and homeless families and individuals obtain and keep permanent housing remain deeply inadequate and underfunded;
- The supply of permanent supportive housing for homeless people living with special needs falls far short of the need; and
- Conditions in far too many homeless shelters are substandard and even hazardous, and oversight and funding formulas are antiquated.

New York is suffering the worst homelessness crisis in its history. However, faced with a crisis of this magnitude, Albany continues to address worsening homelessness with the same inadequate, antiquated policies and funding levels of the Pataki era – indeed, of the last century.

Governor Cuomo and the New York State Legislature need to overhaul the State's approach to homelessness. Specifically, they must:

- Increase welfare housing allowances to reflect the real cost of rental housing in communities statewide;
- Enhance rent supplement programs (like the FEPS program) to ensure rent levels are at "fair market rent" levels and domestic violence survivors have access to these vital programs;
- Increase funding for anti-eviction legal services statewide;
- Commit to providing 15,000 new units of permanent supportive housing in New York City and 5,000 new units of supportive housing elsewhere in the state; and
- Work with local governments and service providers to ensure that all homeless shelters are decent, safe, and free from hazardous conditions.

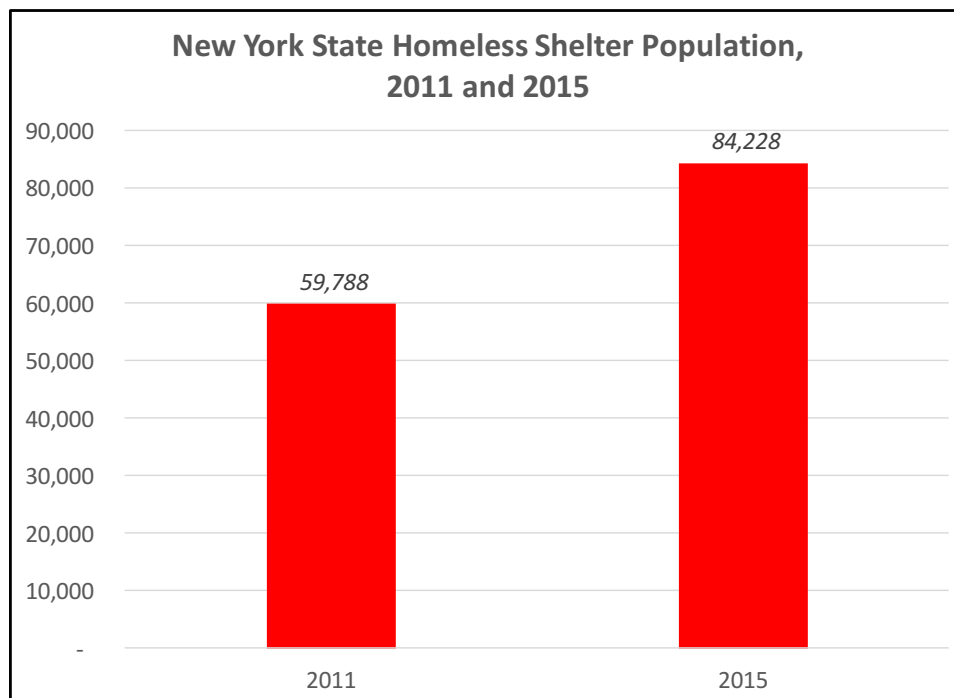
1. OVERVIEW: RISING HOMELESSNESS IN NEW YORK STATE

New York state is, in many respects, the capital of homelessness in the United States. New York has by far the largest homeless shelter population of any state. And, when one includes estimates of unsheltered homeless people, New York is second only to California.

- According to federal homelessness statistics from 2015 (the latest year that comprehensive federal data is available), more than one in five homeless Americans sleeping in a shelter (21.5 percent) is in New York state.
- And 28 percent of all homeless families with children sleeping in shelters in the United States is in New York.
- In New York in 2015, there were 84,228 people – including more than 15,481 families and 30,965 children – sleeping each night in homeless shelters statewide.

In the five years since Governor Cuomo took office, homelessness in New York state has grown to all-time record levels.

- Between 2011 and 2015, the total homeless shelter population in New York state grew from 59,788 people to 84,228 people, a dramatic increase of 40.9 percent.
- Over the same period the number of homeless families with children in shelters rose from 11,988 to 15,481 families, and increase of 29.1 percent.



Most, but by no means all, of the rise in statewide homelessness has been in New York City. The five NYC counties have always had by far the largest homeless population in the state, comprising over four-fifths of the state's shelter population – unsurprising given the city's

immense population (43 percent of the state's population lives in NYC), high poverty rates, and acute shortage of affordable housing.

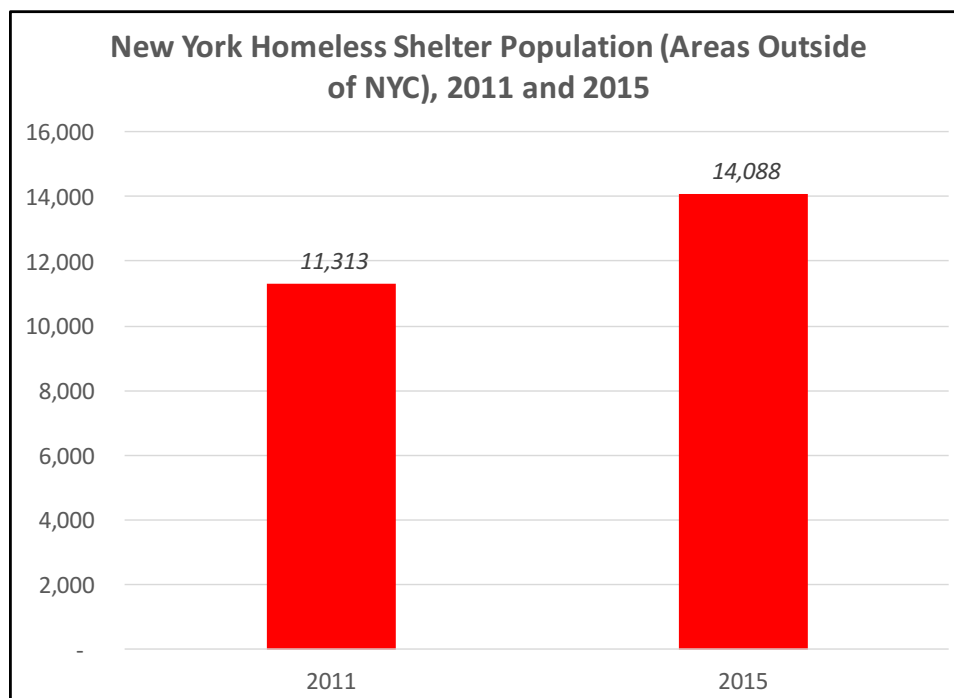
- Indeed, in 2015 according to federal data, 70,140 of the 84,228 homeless people sleeping in shelters statewide were in New York City shelters.
- And between 2011 and 2015, the New York City homeless shelter population rose by a dramatic 44.7 percent, the fastest rate in the state.

New York City's historic homelessness crisis of recent years has been well-documented in numerous policy reports and in the news media. There is a consensus that one of the major causes of that crisis was the disastrous policy failures of former Mayor Bloomberg, in particular the elimination of permanent housing aid for homeless families. Under Bloomberg's mayoralty, New York City's homeless shelter population rose by 73 percent.

But, as this report will show, much of New York City's historic crisis did not occur in a policy vacuum, and was to a significant degree fueled by actions taken by the Cuomo administration and the State Legislature.

And the reality of New York City's homelessness crisis should not ignore the significant rise in homelessness elsewhere in the state.

- Between 2011 to 2015, the homeless shelter population in New York outside of NYC increased from 11,313 to 14,088 people, a 24.5 percent increase.



- Over the same period, the number of homeless families with children in New York shelters outside of NYC increased by 15.5 percent. Family homelessness was by far the largest part of the increase in homeless shelter populations outside of NYC.

- By 2015, there were 30,965 homeless children sleeping in New York homeless shelters outside of NYC.

HOMELESS SHELTER POPULATIONS ACROSS NEW YORK STATE, 2011 AND 2015			
	2011	2015	PERCENT CHANGE
LONG ISLAND (NASSAU & SUFFOLK COUNTIES)			
Total shelter population	3,166	3,756	18.6%
Families with children	686	868	26.5%
WESTCHESTER COUNTY			
Total shelter population	1,495	1,770	18.4%
Families with children	288	381	32.3%
ONONDAGA COUNTY (SYRACUSE)			
Total shelter population	738	808	9.5%
Families with children	45	89	97.8%
ERIE COUNTY (BUFFALO)			
Total shelter population	760	858	12.9%
Families with children	114	129	13.2%
MONROE COUNTY (ROCHESTER)			
Total shelter population	694	727	4.8%
Families with children	119	139	16.8%

The largest increases in homelessness occurred in the suburban counties near New York City. But counties with medium-sized municipalities also saw homeless populations rise from 2011 to 2015.

- In Long Island (Nassau and Suffolk counties), the total homeless shelter population increased by 18.6 percent, while the number of homeless families with children in shelters rose by 26.5 percent.

- In Westchester county – including Yonkers, New Rochelle, and Mount Vernon – the total homeless shelter population increased by 18.4 percent, and the number of homeless families with children in shelters rose by 32.3 percent.
- In Onondaga county, including Syracuse, the homeless shelter population increased by 9.5 percent, while the number of homeless families with children in shelters nearly doubled (up 97.8 percent).
- In Erie county, including Buffalo, the homeless shelter population increased by 12.9 percent, and the number of homeless families with children in shelters rose by 13.2 percent.
- In Monroe county, including Rochester, the homeless shelter population increased by 4.8 percent, while the number of homeless families with children in shelters rose by 16.8 percent.

It is clear, then, that over the past five years homelessness in New York state rose to historically high levels. And while much of the increase in the state's homeless population came in New York City, the number of homeless people in shelters in the rest of the state also rose at a significant rate. And the fastest growing segment of New York's homeless population was families with children.

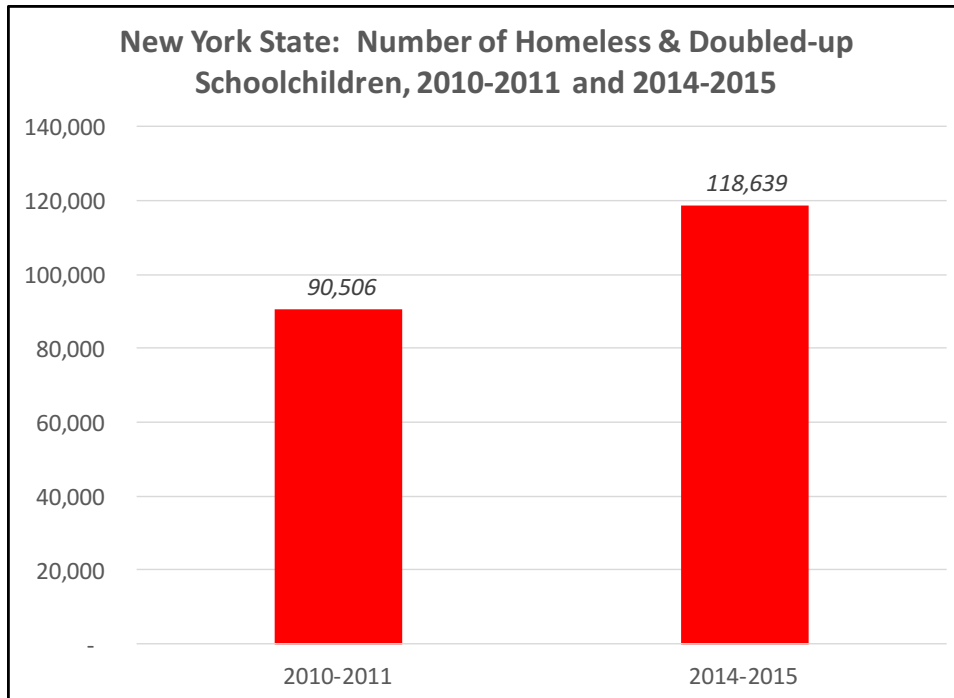
2. SHARP INCREASE IN THE NUMBER OF HOMELESS AND DOUBLED-UP CHILDREN IN NEW YORK STATE

Further evidence of the rise in homelessness in New York state over the past five years can be found in the soaring number of schoolchildren who are either homeless or living in doubled-up or temporary housing conditions.

Under federal law, public school districts are required to report annually on the number of students who sleep in homeless shelters; on the streets or other public spaces; in hotels and motels; or who live doubled-up with other households. This broader definition of homelessness, or near homelessness, is another strong indicator of severe housing problems among poor families in New York. (However, it is important to note that this measure does not include all children, only those enrolled in public school; for instance, it does not include most children under five years old. Some policy experts estimate that the actual number of homeless and doubled-up children may be around twice the number of homeless public school students.)

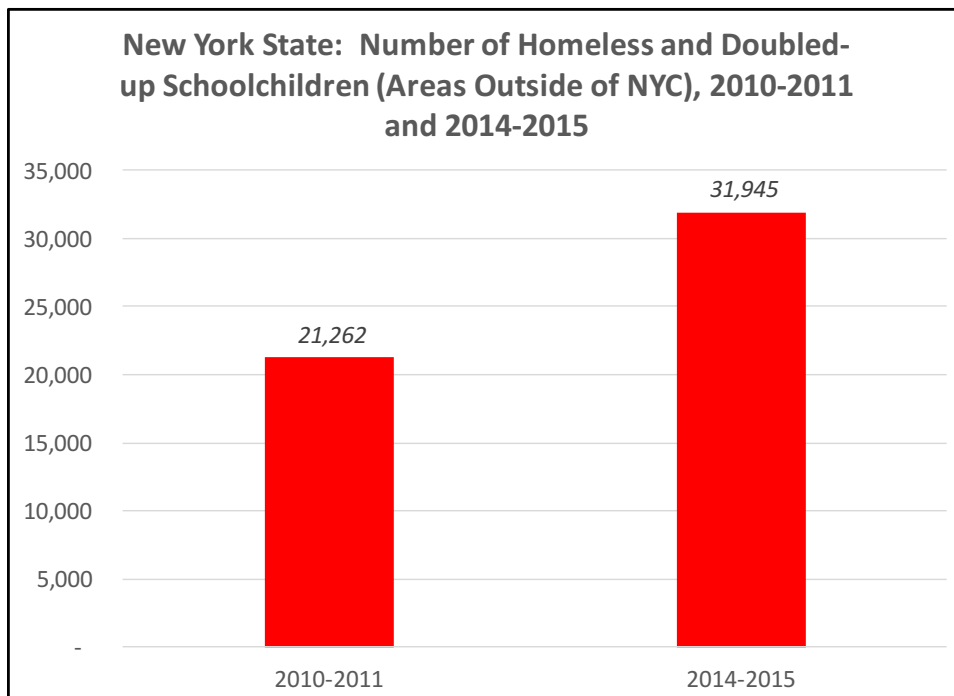
In New York state the number of homeless and doubled-up schoolchildren rose sharply between the 2010-2011 and 2014-2015 academic years.

- Over this period, the total number of New York's homeless and doubled-up schoolchildren statewide increased from 90,506 to 118,639 children, and increase of 31.1 percent (28,133 children).
- As with statewide homeless shelter populations, the majority of homeless and near-homeless schoolkids resided in New York City. Over the 2010-2011 to 2014-2015 period, the number of homeless and doubled-up public school students in NYC rose from 69,244 to 86,694 children, an increase of 25.2 percent (17,450 children).



However, the areas of the state outside of New York City saw much faster rates of increase in the number of homeless and doubled-up schoolchildren.

- In the rest of New York state, the number of homeless and doubled-up schoolchildren rose by 21,262 to 31,945 children, a dramatic increase of 50.2 percent (or 10,683 children).



As with the homeless shelter population data detailed above, the areas of the state with the largest increases in homeless and doubled-up schoolkids included the suburban counties near New York City and those with medium-sized cities. And many of these New York counties saw the number of homeless and near-homeless schoolchildren more than double.

- In Nassau county on Long Island, the number of homeless and doubled-up school children increased by 166.2 percent.
- In Suffolk county on Long Island, the number of homeless and doubled-up school children increased by 39.1 percent.
- In Westchester county, the number of homeless and doubled-up school children increased by 40.1 percent.
- In Onondaga county (including Syracuse), the number of homeless and doubled-up school children increased by 106.0 percent.
- In Erie county (including Buffalo), the number of homeless and doubled-up school children increased by 107.2 percent.
- In Monroe county (including Rochester), the number of homeless and doubled-up school children increased by 63.2 percent.

NEW YORK STATE: HOMELESS AND DOUBLED-UP SCHOOLCHILDREN, 2010-2011 AND 2014-2015 ACADEMIC YEARS			
	2010-2011	2014-2015	PERCENT CHANGE
TOTAL NEW YORK STATE	90,506	118,639	31.1%
NEW YORK CITY	69,244	86,694	25.2%
NYS OUTSIDE OF NYC	21,262	31,945	50.2%
NASSAU COUNTY	1,215	3,234	166.2%
SUFFOLK COUNTY	3,469	4,825	39.1%
WESTCHESTER COUNTY	1,912	2,678	40.1%
ONONDAGA COUNTY	1,274	2,625	106.0%
ERIE COUNTY	1,318	2,731	107.2%
MONROE COUNTY	1,857	3,030	63.2%

Data on the rising number of homeless and doubled-up schoolchildren provides further evidence of the worsening homelessness crisis statewide. And given that rising family homelessness is strongly correlated with a growing shortage of affordable housing, it also points to the major structural forces driving the rise in New York homelessness.

3. THE WIDENING HOUSING AFFORDABILITY GAP IN NEW YORK

The major cause of worsening homelessness in New York state is the widening affordability gap statewide – that is, the widening gap between the cost of housing (in particular rental housing) and stagnant and even falling incomes. The affordability crisis became especially acute in the wake of the 2008 financial crisis and the Great Recession. But even in the past five years of relative economic recovery, housing affordability problems have grown more severe throughout New York state.

- A recent analysis by the National Low Income Housing Coalition found that, in New York State, there are only 32 affordable housing units for every 100 households with extremely low incomes – essentially, households with poverty-level incomes.
- The analysis found that New York State lacks 624,688 rental housing units affordable to extremely-low-income households, the largest shortage of any state except California.
- In addition, poor New York households suffer from especially severe housing cost burdens. Nearly three-quarters (73 percent) of extremely-low-income households in New York state pays more than half of its income towards rent.

While the widening gap between rising apartment rents and stagnant renter incomes – particularly those of low-income renters – has been well documented in New York City, the problem is not isolated there. In Westchester, Long Island, and other suburban counties, rental housing costs have risen sharply, and by some measures exceed those in New York City. Likewise, even in medium-sized cities, like Buffalo and Rochester, that have far lower apartment rents than in New York City and its suburbs, rents have continued to rise while renter incomes – which were already far below those in the NYC area – have fallen.

- In Long Island, between 2011 and 2015, the federally-set “fair market rent” for a two-bedroom apartment increased by 3.4 percent, to \$1,718/month. Over the same period, however, the median renter income only increased by 1 percent – meaning that renter incomes at the median actually fell in inflation-adjusted terms.
- In Westchester county, also between 2011 and 2015, the “fair market rent” for a two-bedroom apartment increased by 1.9 percent, to \$1,591/month. But over the same period, however, the median renter income actually fell by 0.4 percent.
- In Rochester, rental housing costs were lower but the affordability gap widened even further. Between 2011 and 2015, the “fair market rent” for a two-bedroom apartment jumped by 7.8 percent, to \$867/month. But over the same period, the median renter income only rose by 1.9 percent, and even then was only \$27,834.
- In Buffalo, rental housing costs were also low but renter incomes, which were very low, still lost ground. Between 2011 and 2015, the “fair market rent” for a two-bedroom apartment jumped by 5.8 percent, to \$768/month. But over the same period, the median renter income only rose by 4.6 percent, and even then was only \$26,957, one of the lowest levels of any city in New York.

NEW YORK STATE: CHANGES IN RENTS AND RENTER INCOMES, 2011 AND 2015			
	2011	2015	PERCENT CHANGE
NEW YORK CITY			
Fair market rent (2 BR apt.)	1,403	1,481	5.6%
Median renter incomes	42,024	43,961	4.6%
LONG ISLAND (NASSAU & SUFFOLK COUNTIES)			
Fair market rent (2 BR apt.)	1,661	1,718	3.4%
Median renter incomes	50,021	50,541	1.0%
WESTCHESTER COUNTY			
Fair market rent (2 BR apt.)	1,561	1,591	1.9%
Median renter incomes	46,300	46,109	-0.4%
ERIE COUNTY (BUFFALO)			
Fair market rent (2 BR apt.)	726	768	5.8%
Median renter incomes	25,782	26,957	4.6%
MONROE COUNTY (ROCHESTER)			
Fair market rent (2 BR apt.)	804	867	7.8%
Median renter incomes	27,316	27,834	1.9%

According to the National Low Income Housing Coalition's annual *Out of Reach* analysis, in many parts of New York rental housing is simply unaffordable for poor households, as well as for low-wage workers.

- In Long Island, a full-time working family would need to earn \$33.04/hour to afford a “fair market rent” two-bedroom apartment.
- In Westchester, a similar working family would have to earn \$30.60/hour to afford such an apartment.
- And even in lower-cost cities like Buffalo, Syracuse, and Rochester, a family working full-time would still need to earn \$15/hour or more to afford a two-bedroom apartment – well above the minimum wage levels in those communities.

It is clear that, in the wake of the Great Recession and during the current slow recovery, low-income New Yorkers statewide have found it harder and harder to find and keep affordable rental housing. This is the major structural cause of rising New York homelessness in recent year. A key question, then, is how did the State respond to the worsening crisis?

4. ALBANY'S WOEFULLY INADEQUATE RESPONSE TO RISING HOMELESSNESS

As detailed above, there is overwhelming evidence that New York state's homelessness crisis has worsened dramatically over the last five years, both in New York City and in other parts of the state. But while New York City's historic rise in homelessness has garnered the most attention from policy makers and the news media – and even become fodder for cynical political attacks and tabloid headlines during the past year – there is no ignoring the significant rise in the number of homeless New Yorkers in the counties outside of the city.

However, in the midst of this worsening crisis, Governor Cuomo and the State Legislature have failed to change the State government's flawed approach to the problem. Indeed, in most respects, Albany's homeless policies and funding levels remain mired in the last century, specifically in the legacy of the Pataki administration's failed homeless policies.

There are numerous ways that failed State policies contribute to New York's rising homeless population. Here are some of the most important:

>> Inadequate rental assistance:

Perhaps the most serious failure in New York's homeless policy is the State's chronically inadequate rental assistance programs. In an era of rising housing costs and stagnant or falling incomes, rental assistance is a crucial tool to help bridge the affordability gap for homeless and poor families. And Albany's approach to rental assistance – far from sufficient even in the past – remains stuck in the last century.

A. Welfare housing allowances for the poorest New Yorkers:

The most vital of State-administered rental assistance programs is the so-called "shelter allowance" that provides rental assistance to the nearly 300,000 poor New York households who rely on public assistance. The Governor sets the rental assistance levels, county by county, for welfare recipients' shelter allowances. And for decades these levels have been woefully inadequate.

However, the abysmally low level of State-determined welfare housing allowances is most acute in New York City and the suburban counties.

- In NYC, for instance, the shelter allowance for a family of three is only \$400/month – not even one-third of the current \$1,481/month "fair market rent" for a two-bedroom apartment.
- Similarly, the shelter allowance in Suffolk county (\$445/month for a family of three) and Nassau county (\$447/month for a like family) is only one-quarter the value of the "fair market rent" for a two-bedroom apartment (currently \$1,781/month).

- The shelter allowance in Westchester county (\$426/month for a family of three) is less than one-third the value of the “fair market rent” (currently \$1,591/month for a two-bedroom apartment).

But even in the New York’s medium-sized cities, the welfare shelter allowance remains well below the actual cost of rental housing – often much less than half the value of federal “fair market rents.”

- In Rochester, where the “fair market rent” for a two-bedroom apartment is currently \$867/month, the State has set the shelter allowance for a family of three at only \$343/month.
- In Syracuse, where the “fair market rent” for a two-bedroom apartment is currently \$792/month, the State has set the shelter allowance for a family of three at only \$303/month.
- In Buffalo, where the “fair market rent” for a two-bedroom apartment is currently \$726/month, the State has set the shelter allowance for a family of three at only \$301/month.

And for single individuals, welfare housing allowances remain laughably low.

- In New York City, the shelter allowance for a single individual is only \$215/month – an amount that State officials have not increased since 1988. This is despite the fact that the “fair market rent” for a studio apartment is currently more than five times that amount (1,196/month).
- The highest shelter allowance for a single individual that the State has authorized in any county is \$309/month in Suffolk county, but in most New York counties the State has kept such housing allowances around, or in many cases below, \$200/month. This is despite the fact that in the suburban counties, the “fair market rent” for a studio apartment exceeds \$1,000/month.

Despite the wide, and widening, gap between poor households’ shelter allowances and the actual cost of housing statewide, Governor Cuomo has adamantly refused to increase the housing allowances. Instead, he has maintained the inadequate allowances established by former Governor Pataki.

In fact, the current State-set welfare housing allowances date back to 2004, and Governor Cuomo has repeatedly refused to increase them, despite multiple requests by advocates and local governments statewide. For the past two years, in fact, the de Blasio administration has asked Governor Cuomo and the State Legislature to increase shelter allowances in New York City, but the Cuomo administration has refused to do so.

B. Additional rental assistance programs:

Back in 2004, in large part to respond to court orders affirming the inadequacy of welfare shelter allowances, the Pataki administration allowed localities to propose additional rental assistance programs – called rent supplement programs – to assist targeted populations of poor people.

Several local governments, including New York City and the Long Island counties, proposed such programs.

However, the State had the final say on approving the programs. And in practice State officials, while negotiating the approval process, often insisted and mandated restrictions that sharply undercut the effectiveness of the programs.

A prime example of the State's role in hampering rent supplement programs is the Family Eviction Prevention Supplement (FEPS) program in New York City. Designed as a program to prevent evictions for families with children who are receiving public assistance, the FEPS program also allows some recently-evicted homeless families to obtain permanent housing. But State officials have imposed crippling restrictions on the program, sharply reducing its ability to help needy families, including the following:

- *Inadequate rent levels:* State officials have kept the rent levels for the program far too low. Currently, the maximum FEPS rent level for a family of three [CHECK] is \$1,050/month, while the "fair market rent" for a two-bedroom apartment in New York City is nearly one-third higher, \$1,481/month. This year, the de Blasio administration asked Governor Cuomo and the State Legislature to increase FEPS rent levels to reflect the real cost of housing in NYC. Once again, Cuomo, with the assistance of the Republican State Senate leadership, refused the request.
- *Reducing eligibility for the program:* State officials have long limited FEPS assistance only to families who lose their homes through evictions in housing court. However, research and experience show that many homeless people – in particular, women fleeing domestic violence – lose their homes through less formal mechanisms. The de Blasio administration, with the support of advocates, has asked the Cuomo administration to expand eligibility for the FEPS program to include domestic violence survivors. But this year, once again, Cuomo administration officials rejected the City's request.
- *Limiting the population served:* State officials have also repeatedly limited FEPS assistance only to welfare families with minor children, despite the fact that many welfare recipients facing eviction do not have children.

The State has also limited rent levels for similar rent supplement programs in the suburban counties near NYC.

- In Suffolk county, the Shelter Supplement Program (SSP) also has inadequate rent levels. For a family of three, the program only provides a maximum rent supplement of \$1,144/month, despite the fact that the current "fair market rent" for a two-bedroom apartment is \$1,661/month. (Like the FEPS program, the State-authorized SSP was an attempt by State officials to evade the obligations of court-ordered rental assistance resulting from class-action litigation.)
- In Westchester, a similar State-authorized shelter supplement program provides a maximum rent level of only \$1,162/month for a three-bedroom apartment, even though the current "fair market rent" for such apartments in that county is \$2,035/month.

Of course, the State's most drastic and negative impact on homelessness in recent years occurred in New York City, when, in 2011, Governor Cuomo eliminated State funding for the

Bloomberg administration's controversial Advantage rent supplement program. The deeply-flawed Advantage program had been widely criticized by advocates and policy experts. But the Cuomo administration, instead of attempting to correct the program's flaws or force the Bloomberg administration to replace the program with proven federal housing assistance, chose instead to unilaterally withdraw some \$200 million in State funding for the program.

What resulted was a game of chicken between the Cuomo and Bloomberg administrations, with homeless people caught in the middle. Ultimately Bloomberg made the disastrous decision to eliminate the program entirely, and then adamantly refused to replace it with any other housing assistance. The result was even larger increases in family homelessness in New York City, leaving the incoming de Blasio administration with well over 54,000 people in municipal homeless shelters each night.

Fortunately, the de Blasio administration moved to create new, better-designed, rent supplement programs to replace the flawed Advantage program (and reinstated federal housing aid for homeless New Yorkers). But, once again, the Cuomo administration hampered the City's efforts. It delayed the approval of the new programs, called Living in Communities (LINC), for months, and once again mandated too-low rent levels for the programs. As a result, when the programs were rolled out in the fall of 2014, very few landlords participated in the programs, and the de Blasio administration was forced to add City funding to bring LINC program rent levels up to federal "fair market rent" standards.

C. Underfunded homelessness prevention programs:

It is well-established that robust homelessness prevention programs – like legal services to assist low-income tenants facing eviction – not only reduce homelessness, but that they are far less costly than shelter and other homeless services. However, the State continues to provide woefully inadequate funding for anti-eviction legal services.

- According to the Empire Justice Center, 98 percent of tenants facing eviction in New York counties outside of New York City have no legal representation to challenge their evictions.
- According to a recent survey, 85 percent of legal services organizations statewide reported

All in all, it is clear that one of the most effective tools to prevent homelessness and to help homeless families and individuals escape homelessness – rental assistance – has been chronically underfunded by the State.

>> Lack of permanent supportive housing for homeless people living with special needs:

Three decades of research and experience have provided overwhelming evidence of the success of permanent supportive housing in reducing homelessness. Permanent supportive housing provides affordable housing combined with supportive services to assist people living with special needs, like individuals and families living with mental illness, HIV/AIDS, or other disabilities. Moreover, research has conclusively shown that permanent supportive housing costs far less to taxpayers than alternative institutional care, like shelters or hospitals.

Despite this unqualified record of success, Governor Cuomo waited five years before even beginning to address the serious shortage of supportive housing statewide. And even then, he only acted when – in the face of Cuomo's refusal to renew a longstanding State-City agreement to create supportive housing in New York City (and agreement first signed, ironically, by his

father) – Mayor de Blasio announced in November 2015 that the City of New York would move forward with its own plan to create 15,000 units of permanent supportive housing over the next 15 years.

Thus, in January of this year, Governor Cuomo announced his own plan to create 6,000 units of supportive housing, as part of a larger initiative to create affordable housing statewide. While this is welcome news, however, since January the Governor has released no details about either the supportive housing or affordable housing plans. Indeed, the Governor and the State Legislature even completed the 2016-2017 State budget without detailing the housing plans. Instead, the budget includes nearly \$2 billion in capital funds for housing, with \$57 million reportedly allocated for supportive housing, with the Governor and legislative leaders due to complete a “memorandum of understanding” this year to detail the purposes of that funding.

Cuomo’s announcement in January referred to a \$20 billion commitment to create 100,000 units of affordable housing statewide over the next decade. But as promising as this sounds, it is troubling that there have been no details provided, no public debate about the plan, and most of all, no multi-year commitment of funding.

With respect to permanent supportive housing: While the Governor’s plan to create 6,000 supportive housing units is a step forward, it still falls far short of the need statewide. Advocates have been calling for the State, with the help of the City, to provide 35,000 supportive housing units over the next decade – 30,000 in NYC and 5,000 units in the rest of the state. Thus, the forthcoming, more detailed Cuomo plan needs to match the City’s commitment for 15,000 units in NYC and also provide sufficient funding for 5,000 units outside of the city.

>> Conditions in many homeless shelters statewide are substandard or even hazardous:

The most harmful aspect of the State’s failed and outdated approach to New York’s worsening homelessness crisis has been inadequate resources for permanent housing and prevention. But, in the midst of rising homelessness, even emergency services like shelter have suffered, and State officials have neglected worsening conditions in shelters statewide.

A. The State’s negligent role in New York City:

Homeless people and advocates have raised alarms for more than a decade about deteriorating conditions in municipal shelters in New York City, identifying three types of shelters with the worst conditions: so-called “cluster-site shelters” (apartment buildings used as temporary shelter); commercial hotels and motels, and large City-operated shelters.

Indeed, with regards to shelters for homeless families and children, the very worst conditions have been found in cluster-site shelters and hotels and motels, which are operated largely by for-profit entities which are, in many cases, notorious slumlords. Nonetheless, State officials allowed the Bloomberg administration to dramatically expand the number of such substandard facilities – and the State paid most of the cost of operating these shelters.

The complaints of advocates and homeless families were confirmed by numerous news media investigations, and by audits and reports by government agencies. Indeed, the *New York Times*’ acclaimed 2013 investigative series about Dasani Coates, a homeless child, and her family documented horrendous conditions at the Auburn Family Center, a shelter directly operated by the City of New York. All of those hazardous conditions had been well documented in State inspection reports. However, State officials routinely ignored such reports, and failed to

take any substantive action to address longstanding, hazardous violations. At the Auburn shelter, for instance, State inspectors had documented years of hazardous violations such as lack of adequate heat, vermin infestation, and security lapses that endangered children and parents.

Even more troubling, State agencies and inspectors refused even to inspect cluster-site shelters and most commercial hotels and motels, claiming that State regulations did not cover such facilities – even though one-quarter of all NYC homeless families resided in cluster-site shelter, and thousands of families (including many people living with disabilities) resided in hotels and motels.

B. Homeless shelters outside of New York City:

State officials' negligence of poor shelter conditions is not limited to New York City. A February 2016 audit by the New York State Comptroller assessed State agencies' oversight of homeless shelters statewide. The audit found numerous deficiencies in the State's role, and documented many violations in shelters both outside of New York City as well as in the city.

The audit concluded that the New York State Office of Temporary and Disability Assistance “does not sufficiently monitor State-certified shelters, nor Local Districts' oversight of uncertified shelters, to ensure that inspection violations are addressed properly and timely and that shelters are operating in compliance with applicable State and local requirements.” It also found that, “At both State-certified and uncertified shelters, we observed a range of substandard living conditions, the most egregious of which pose obvious and dangerous risks to shelter residents' health and safety. These included fire and safety violations, rodent and vermin infestations, and mold conditions.” At a shelter in Westchester county, auditors found “a rooftop-access door off its hinges, which could allow anyone – including children – access to the roof.”

Just as in the case of the Auburn shelter in New York City, the State Comptroller audit found that State inspectors routinely cited shelters for the same violations over and over, without taking action to ensure that violations were corrected. Moreover, the State made little effort to inspect and regulate shelters that lacked prior State certification. This is a particularly troubling problem in many New York counties where shelters are not publicly administered, as in New York City and most of the suburban counties, and where public accountability is therefore absent.

C. Antiquated regulations and funding formulas:

As with the State's reliance on Pataki-era policies and funding levels for rental assistance and prevention services, it is clear that the State's oversight of homeless shelters and other emergency services is severely antiquated. Indeed, the fact that State officials and inspectors claim that they lack regulatory authority to inspect shelters (like cluster-site facilities and commercial hotels and motels) where thousands of the state's most vulnerable children and families reside speaks to the inadequacy of the current oversight scheme.

Moreover, funding formulas for many shelters unfairly place the majority of the financial burden on local governments. For example, shelter for homeless single adults and other childless adults is funded on the same formula as public assistance for such households. In 2011 Governor Cuomo changed that formula from a 50-50 State-locality share to one that shifts a larger financial burden onto local governments. Localities now pay 71 percent of the cost of shelter for childless adults, with the State paying on 29 percent. (In the same cost shift, the

State also assumed nearly all of the cost of shelter and public assistance for families with children.)

The new funding formula places a larger burden on local governments to provide shelter for homeless adults at a time of rising homelessness. It also creates incentives for local governments, particularly those in counties with fewer financial resources, not to create or fund shelters or to erect barriers to adults seeking assistance.

This unfair funding formula became a flashpoint over the past winter. In early January, Governor Cuomo issued an executive order requiring localities statewide to remove homeless people from the streets when temperatures are below freezing. Despite the worthy goal of the directive to protect vulnerable people from harm, local officials, advocates, and service providers statewide noted numerous practical problems with the abrupt policy shift. And many cited the fact that the Governor's order came with no new State resources, and in fact continued to shift the costs of emergency shelter largely onto localities.

5. CONCLUSION AND RECOMMENDATIONS

New York is suffering the worst homelessness crisis in its history. For the past five years, since Governor Cuomo took office, the number of homeless New Yorkers and homeless families sleeping in shelters statewide has risen each year.

However, faced with a crisis of this magnitude, Albany continues to address worsening homelessness with the same inadequate, antiquated policies and funding levels of the Pataki era. In fact, Albany's failed approach to homelessness is part of what is fueling this crisis. And that has to stop now.

Governor Cuomo and the New York State Legislature need to overhaul the State's approach to homelessness. Most important, they need to ensure that the poorest and most vulnerable New Yorkers have access to sufficient resources to obtain and keep permanent housing. Specifically, the Governor and State Legislature must:

- Increase welfare housing allowances to reflect the real cost of rental housing in communities statewide;
- Enhance rent supplement programs (like the FEPS program) to ensure rent levels are at "fair market rent" levels and domestic violence survivors have access to these vital programs;
- Increase funding for anti-eviction legal services statewide;
- Commit to providing 15,000 new units of permanent supportive housing in New York City and 5,000 new units of supportive housing elsewhere in the state; and
- Work with local governments and service providers to ensure that all homeless shelters are decent, safe, and free from hazardous conditions.

DATA SOURCES

Federal homeless shelter population data comes from the [U.S. Department of Housing and Urban Development's annual "point-in-time" estimates of homelessness](#) nationwide. Each winter HUD requires states and localities – through local “continuums of care” which administer HUD funding for homeless services and housing programs – to report on counts of homeless shelter populations and estimates of unsheltered homeless populations; the data is then released in the autumn.

This report utilizes data from 2011 through 2015, the latest year for which the HUD data is available. This report utilizes only the data on homeless shelter populations. The HUD estimates of unsheltered homelessness are controversial and have been widely criticized by advocates and policy experts as unreliable, particularly in large cities. (Having said that, the vast majority of New York state's homeless population resides in shelters. In 2015, according to the HUD data, an estimated 4,022 unsheltered homeless people were in New York state – only 4.5 percent of the total homeless population – compared to 84,228 homeless people in New York shelters.)

Data on homeless school children comes from the the New York State Education Department, which reports on the number of students experiencing homelessness during the academic year pursuant to federal law. As noted in the report, this data uses a broader definition of homelessness than the HUD reports, and includes schoolchildren who reside in homeless shelters; sleep on the streets or other public spaces; reside in hotels and motels; or who live doubled-up with other households. The data is collected by the [New York State Technical and Education Assistance Center for Homeless Students \(NYS-TEACHS\)](#).

Data on housing costs and renter incomes is included in the [annual *Out of Reach* reports released by the National Low Income Housing Coalition \(NLIHC\)](#). These reports also include information about federal “fair market rents,” which are established by HUD each year for localities. Additional housing data can be found in the recent report [The Gap](#), also released by the NLIHC.