

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2022**

No. 3

Introduced by Council Members Levin, Brannan, Ayala, Rosenthal, Grodenchik, Reynoso, Rivera, Kallos, Dromm, Koslowitz, Menchaca, D. Diaz, Gibson, Lander, Feliz, Koo, Louis, Chin, Cabán and Gennaro.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to reporting on supportive housing

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the City of New York is amended by adding a new section 21-148 to read as follows:

§ 21-148 Annual reporting on supportive housing. a. Definitions. For purposes of this section, the following terms have the following meanings:

Coordinated assessment and placement system (CAPS). The term coordinated assessment and placement system (CAPS) means the continuum of care (CoC) system developed and required by the United States department of housing and urban development that relies on the existing network of nonprofit homeless assistance providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, and organizations that serve veterans and homeless and formerly homeless individuals to streamline the way people move from homelessness into permanent housing.

Interview. The term “interview” means a meeting between an individual applying for supportive housing and the housing provider for the purpose of placement.

Supportive housing. The term “supportive housing” means affordable, permanent housing with support services.

Unsheltered homeless person. The term “unsheltered homeless person” means an individual with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

b. Not later than September 1, 2022 and annually thereafter, the commissioner of social services shall post on the department’s website and submit to the speaker of the council information on supportive housing contained within the coordinated assessment and placement system (CAPS) for the preceding fiscal year. Such reports shall include, but not be limited to the following information about applicants for supportive housing during the reporting period:

1. The total number of unique individuals or families determined eligible for supportive housing by the department, disaggregated by the following information: (i) age group; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population category; (v) length of time the client has been homeless; and (vi) the client’s current shelter placement or if the client is an unsheltered homeless person at the time of eligibility determination.

2. The total number of unique individuals or families determined eligible by the department and referred for an interview for supportive housing, disaggregated by the following information: (i) age; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population category; (v) length of time the client has been homeless at the time of eligibility determination; (vi) the client’s current shelter placement or whether the client is an

unsheltered homeless person; and (vii) the referring agency or program at the time of eligibility determination.

3. The total number of unique individuals or families determined eligible by the department and not referred for an interview for supportive housing at any point during the reporting period, disaggregated by the following information: (i) age; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population category; (v) length of time the client has been homeless at the time of eligibility determination; (vi) the client's current shelter placement or if the client is an unsheltered homeless person; (vii) the agency or program choosing not to refer the client; and (viii) the reason the agency or program at the time of eligibility determination, did not make a referral, including but not limited to the client not having an income.

4. The total number of unique individuals or families who received an interview for supportive housing, disaggregated by the following information: (i) age; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population category; (v) average length of time the client has been homeless at time of eligibility determination; (vi) the client's current shelter placement or if the individual is an unsheltered homeless person; (vii) the referring agency or program at the time of eligibility determination; (viii) which supportive housing initiative or plan the unit for which the client interviewed is a part of; and (ix) whether the unit for which the client interviewed is an individual or family unit.

5. The total number of unique individuals or families who were referred, but did not receive an interview for supportive housing, disaggregated by the following information: (i) age; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population

category; (v) average length of time the client has been homeless at the time of eligibility determination; (vi) the client's current shelter placement or if the client is an unsheltered homeless person; (vii) the referring agency or program at the time of eligibility determination; and (viii) the reason the client was referred, but did not receive an interview.

6. The total number of unique clients or families accepted to supportive housing disaggregated by the following information: (i) age; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population category; (v) average length of time the client has been homeless at the time of eligibility determination; (vi) the client's current shelter placement or if the individual is an unsheltered homeless person; (vii) the referring agency or program at the time of eligibility determination; (viii) the average number of interviews the client attended; (ix) which supportive housing initiative or plan the unit for which the client was accepted is part of; and (x) whether the unit for which the client was accepted is an individual or family unit.

7. The total number of unique individuals or families rejected for supportive housing after an interview disaggregated by the following information: (i) age; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population category; (v) length of time the client has been homeless at the time of eligibility determination; (vi) the client's current shelter placement or if the individual is an unsheltered homeless person; (vii) the average number of interviews the client attended; (viii) which supportive housing initiative or plan the unit for which the client interviewed is part of; (ix) whether the unit for which the client interviewed is an individual or family unit; and (x) reasons the individual or family was rejected including, but not limited to, that the housing provider did not accept the client, and any reason indicated for such

rejection, including, but not limited to: (i) client did not show for interview, and, if known, the reason such client did not show; (ii) client did not complete interview and, if known, the reason such client did not complete the interview; (iii) available unit filled by another candidate who was referred; (iv) client not eligible due to funding requirements, and, if known, the funding requirements that resulted in such client not being eligible, disaggregated by eligibility criteria including client is unable to evacuate New York State office of mental health licensed housing within the timeline established under section 595.7 of title 14 of the New York codes, rules, and regulations; criminal convictions; or sex offender status; (v) medical needs beyond the scope of the facility; (vi) client needs treatment and/or medication monitoring beyond scope of this facility; (vii) client needs more support for personal care needs beyond scope of this facility and, if known, a description of such personal care needs; (viii) program does not provide the level of service the client needs and the level of service that the interviewing provider reports to be necessary; (ix) reasons related to physical appearance; (x) client was unable to evacuate within an established timeline; (xi) behavior in interview; (xii) client is currently suicidal or has a history of suicidality; (xiii) drug/alcohol related; (xiv) household composition inconsistent with unit; (xv) issue related to child welfare case; (xvi) issue related to family court; (xvii) lacked insight into mental illness; (xviii) language related; (xix) medication related; (xx) reasonable accommodation request not granted; (xxi) unit not physically accessible to client; (xxii) interview canceled by provider, and if known, the reason such interview was canceled; (xxiii) client needs less support than the program provides and, if known, what support the provider determined was not needed by the client; (xxiv) emotional support animal related; (xxv) service, guide or hearing

dog related; (xxvi) issue related to client having been in supportive housing in the past; and (xxvii) any other reason indicated in the record of such client's interview.

8. The number of referred unique individuals still awaiting placement in supportive housing at the end of the reporting period disaggregated by the following information: (i) age; (ii) gender; (iii) data collected pursuant to subdivisions i, j and k of section 15 of the charter; (iv) population category; (v) average length of time the individual has been homeless at the time of eligibility determination; (vi) the individual's current shelter placement or if the individual is an unsheltered homeless person; and (vii) the average number of interviews the individual attended.

c. For any information required pursuant to subdivision b that is not tracked by the coordinated assessment and placement system (CAPS), the department shall, after reviewing relevant records, no later than September 1, 2023, incorporate into the coordinated assessment and placement system (CAPS) and include such information in the reports required pursuant to this section.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 9, 2021 and returned unsigned by the Mayor on January 10, 2022.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 3 of 2022, Council Int. No. 147-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.