

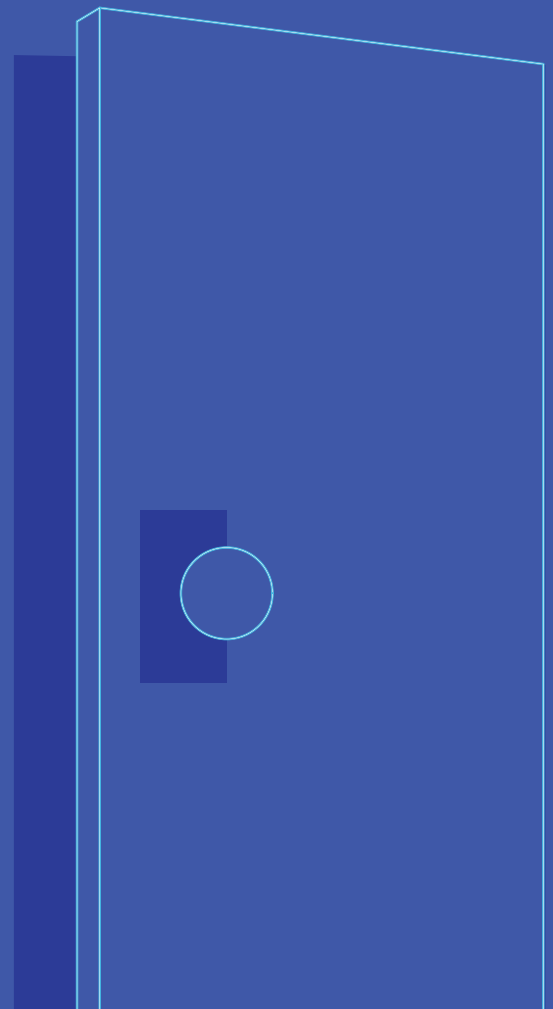
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WIN POLICY BRIEF SERIES

Improving PATH

Dismantling Barriers to Shelter for
Homeless Families with Children

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Overview

New York City is well-known, and often lauded, for having a right to shelter for people experiencing homelessness. That legal requirement has been transformative and has resulted in a city where the majority of people without homes are sheltered. However, accessing shelter is not as simple as walking through the door; New Yorkers in need face structural barriers to accessing shelter. Homeless families with children must demonstrate that they have no other place to stay in order to get access to shelter. Families applying for shelter—overwhelmingly Black and Latinx—face a system that is set up to turn them away—to distrust and question their requests for help. They face a system that often adds to, rather than ameliorates, the trauma they have experienced.

Typically, families gather every member and all of their essential belongings to go to the Prevention Assistance and Temporary Housing assessment center (PATH), the city's sole application and intake center for families with children in need of shelter, which is operated by the Department of Homeless Services (DHS). At PATH, families spend the day in waiting rooms, filling out forms, providing documentation, and going from meeting to meeting to tell (and retell) their story of hardship and undergo assessment. They begin by meeting with workers charged with diverting families from shelter, after which they begin the DHS application for shelter. The application requires families to prove that they have no other housing option, which means providing two years of personal information that DHS investigates to verify that a family is truly homeless. These investigations, conducted by staff known as “fraud investigators,” do not help or serve families in any way. Instead, they reveal the inaccurate and damaging stereotype through which the system views low-income families of color who look to it for help: as dishonest cheats.

These application and eligibility policies and processes are not only symptomatic of a broken system, but also cause the immediate damage of prolonging housing instability for families in crisis. Diversion and investigation measures are a stop gap for managing the daily shelter census, and too often merely delay shelter entry without preventing it. Moreover, as families are forced to move from place to place because they cannot access shelter,

these policies often force them into unsafe and otherwise inappropriate living conditions. Below in this brief, we share the experiences of Win families and Win and citywide statistics that illustrate just how traumatic this process is.

New York City must ensure that the shelter eligibility system is fair and equitable and works with other services towards the goal of ending family homelessness. This will require a systemic reform effort and an overhaul of guiding values and principles that should be directed and overseen by City Hall as part of the next administration's new approach to ending homelessness (directed by the First Deputy Mayor, as outlined in Win's *Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor*).¹ The city must work with the state to rationalize and humanize the shelter and benefit eligibility rules and processes that create unnecessary barriers to services. And, the city must also identify ways in which PATH can be a tool for advancing the citywide goal of ending family homelessness, including PATH in a larger vision of how agencies work together to help alleviate poverty and its consequences for New York City families.

However, there are also **immediate steps** the city must take so that families in need of shelter today undergo a fair process and are protected from further trauma. This brief focuses on these needed reforms, outlined in more detail in *Solutions* in the next section.

The city must immediately:

LOWER BARRIERS TO SHELTER AND SERVICES.

- Revise application documentation requirements to be reasonably accomplishable within the ten day conditional period, beginning with reducing the required housing history from two years to one.
- Accept a family's attestation for the reasons they cannot return to a previous residence as true.
- Establish Navigators at PATH to provide clear information and support to families going through the application process.
- Halt practices that force families and children to miss school and work to spend the entire day, sometimes more than once, at PATH. Provide time windows for application meetings.

PROTECT FAMILIES FROM TRAUMA.

- Require all staff interacting with families at PATH to be trained in trauma-informed care, and provide coaching and supervision to ensure implementation.
- Make permanent the pandemic-prompted exemption of children at PATH. Verify family composition and child well-being through remote methods and shelter staff.
- Codify the COVID period practice of allowing families to continue in their shelter placement while they re-apply for shelter.

These steps are needed to ensure that our safety net systems are actually helping families and furthering the goal of ending family homelessness, which must be a top priority for the next mayor.

Background

At Win, New York City’s largest provider of shelter and supportive housing for families with children, we noticed a troubling pattern in our shelter admission data: a high percentage of shelter-eligible families entered Win multiple times in one year. Further data analysis showed that the majority of families with multiple admissions had left shelter after a brief stay, and that they had left because the Department of Homeless Services (DHS) had found them ineligible for shelter after investigating their application, only for the family to reapply and return with another conditional shelter placement. Concerned that families in need were cycling in and out of shelter because the application and investigation process were blocking them from finding stability in shelter or in the community, Win conducted a series of focus groups to learn about PATH and the application process from families who had been through it.

Accessing Shelter

In order to access shelter in New York City, families with children must apply in person at the Department for Homeless Services’ (DHS) sole intake and assessment center, the Prevention Assistance and Temporary Housing (PATH) center, located in the Bronx. This means missing school and work, as every member of the family—including children—must be present. Not knowing where they will be sent, families pack whatever they can fit into the two bags they are permitted to bring to PATH, choosing between toys and other treasured belongings and the items that will be essential to their time in shelter.

Families and children spend up to fourteen hours at PATH, meeting with multiple intake, assessment, and diversion workers to complete their application for shelter. As part of the application, families must prove they are homeless. In most cases, families must furnish documents or other corroboration of every place they stayed during the previous two years. Documentation requirements can be insurmountable for families in housing crisis, who may be fleeing from situations of coercion and abuse that included the intentional theft of their critical documents, or who have lost or not received documents because of locks-outs and other types of displacement. While documents are reviewed and this investigation is conducted, DHS provides families with a shelter placement on a conditional basis, pending eligibility findings of the investigation into their application. Families may also be diverted from entering shelter that day, before they file an application.

DHS uses the housing history and emergency contacts each family must provide to assess whether or not they truly have a housing need by investigating whether any of these households can take the family in. These investigations are conducted by people known as “fraud investigators,”² and include contacting past landlords, hosts, friends and family members to determine whether the family can stay with any of them (even if the household refuses, DHS may still find that the applying family is not homeless because they have somewhere to go). DHS states that investigations and the resulting eligibility determination are made in ten days or less of application.³ During the investigation, a family may need to provide additional information and attend follow-up appointments at PATH. If the investigation ultimately results in an ineligible finding, the family must pack up and leave the shelter placement they were provided on a conditional basis while an investigation was being conducted. For many families, this means leaving a shelter to go directly back to PATH, where they begin the application process again and are provided another conditional placement.

A family can be denied shelter for various reasons, including not providing documentation that the PATH worker deems adequate of their two-year housing history, or because DHS determines they can return to live at one of their past addresses. **A family can be denied shelter even if the home DHS has identified for them refuses to take them in.** The family must then leave their shelter placement, but can return to PATH immediately to reapply. In many cases, the family receives a new conditional shelter placement while their re-application is being processed. But this is not true

in all cases; if a family reapplies after being denied because DHS determined they have somewhere else to stay, they will not be provided with a new conditional placement until 30 days have passed since the denial.

The process we have outlined here has been modified in two important ways due to the COVID-19 public health crisis. First, families are not required to bring children to PATH when they apply for shelter. Second, a family who is found ineligible because of a documentation problem is able to stay in their conditional shelter placement if they want to immediately reapply (as opposed to leaving their placement just to immediately get another conditional placement at PATH). As we explain in the sections that follow, we urge DHS to make these two critical changes permanent.

Troubling Evidence that Application Policies and Processes Prolong Instability

In May of 2019, nearly 2,500 families with children applied to DHS for shelter.⁴ Of those who applied, nearly 60 percent were found ineligible for shelter and about 41 percent (1,029 families) were found eligible. **Among families found eligible in May 2019, about 42 percent (over 460 families) had submitted a previous application.** This means that **DHS processed and investigated over 460 applications at least twice—some as many as six times—before ultimately finding the families who entered shelter in eligible.**

Moreover, 22 percent of May's eligible families (about 228 families) submitted at least three applications.*

MAY 2019 PATH STATS

- 1,029 families found eligible for shelter
- 436 applied more than once (42% of eligible families)
- 228 applied at least 3x (22% of eligible families)

Multiple applications often also mean multiple conditional placements in shelter. In 2018, about 520 families—representing 30 percent of all families served by Win that year—entered a Win shelter at least twice in the year. **Of eligible families with multiple admissions to Win in 2018, 67 percent (about 350 families) had left because their previous conditional placement ended with an ineligible determination.**

* A similar pattern can be seen during the first six months of 2019: DHS found about 41 percent of families who applied eligible; and about 45 percent of those eligible families had applied at least once before.

Not only is it traumatic and inhumane to subject homeless families with children to this endless run-around, but also, it is also inefficient to investigate multiple applications and provide multiple conditional shelter placements for more than four out of ten of the families with children in New York City shelters.⁵ New York City's Independent Budget Office reports that from 2002 to 2012 the city spent about two percent of the DHS budget annually on intake and eligibility reviews for families with children.⁶ Based on this historical spending level, **DHS could spend as much as \$44.2 million of the \$2.2 billion DHS budget adopted for fiscal year 2022 to intake and investigate whether they can deny shelter to the families with children who apply for it.** By contrast, the city allocated \$34 million—ten million dollars less—to CityFHEPS for fiscal year 2022, the city's rental assistance voucher program that is primarily provided to New Yorkers in homeless shelters to help them find and afford housing. The choice to invest more money in investigating families in need than in helping them afford housing is disgraceful.

The result of this choice is that homeless families with children are being subjected to extended housing and school disruption in order to repeatedly attempt to satisfy application and documentation requirements to secure a stable shelter placement. And the implications of this can be lifelong, especially for children and youth whose educational success is jeopardized by having to miss school to attend appointments, or because they are not provided transportation to school from a conditional shelter placement. Homeless students more frequently change schools mid-year, disrupting both academic learning and socio-emotional well-being. Not surprisingly, over half of homeless students are chronically absent from school, and nearly a third transfer schools mid year.⁷ The results are lower reading and math proficiency rates, lower graduation rates, and stifled life outcomes.

Not only is extended instability damaging, but also, the experience of the application and eligibility process has been described as traumatizing and dehumanizing.

Inside the Application Experience: Insight from Win families

Focus groups and interviews with Win families conducted by Win's research team in 2018 provided insight into the dynamics of the shelter application process. These conversations highlighted the skeptical and punitive approach taken toward families seeking help, as well as the tremendous emotional toll of navigating this often traumatic process.

Proving Eligibility: Too Much Left to Chance

In focus groups with families, four common experiences emerged:

- DHS claims that they are unable to independently verify housing history within the required timeframe;
- The DHS investigator was unable to corroborate parts of a family's housing history due to unresponsive or uncooperative past landlords or hosts;
- Families were ineligible because they were found to have other living options, even if they were deemed unhealthy, unsafe, or otherwise inappropriate by the parent/applicant; and
- Families were ineligible because they were found to have other living option, even if that other living option was expressly telling DHS they would not take the family in.

A fourth experience was shared by families who had to submit multiple applications: they more frequently expressed lacking information or clarity about the application process and about documentation requirements than did families found eligible on their first application. Additionally, most who had to apply multiple times correlated their eventual eligible determination and stable shelter placement with the luck of being assigned a more helpful case worker than in previous applications.

These insights point to inconsistencies and poor service quality that are deeply disturbing. Whether or not a family in need is able to access stable shelter cannot depend on the cooperation of friends or family with a DHS investigation, or on DHS' thoroughness and fairness

in assessing as available housing options that a family has already deemed unsafe or inappropriate. Families report being expected to stay in buildings where crime and behaviors such as public drug use were ubiquitous, and in places where they would be exposed to mold and other toxins.⁸ DHS can also determine that a family applying for shelter has a housing option in a home where the primary tenant has told DHS the family cannot stay.

Neither should eligibility rest solely on the family's ability to untangle and navigate a complex, opaque process and timeframe on their own in the midst of their housing crisis. And stable shelter definitely cannot be a matter of random assignment to one case worker or another. These factors make all the difference when it comes to whether a family will be admitted to shelter but they may not have anything to do with whether a family is homeless. The stakes are too high to continue to leave the housing stability of vulnerable families to chance. DHS must provide transparency, support, and consistent, quality services. And DHS must trust that families seeking help know what is best for their family.

The Human Toll Taken at PATH

Before stepping foot into PATH, most families experiencing homelessness have experienced trauma. Trauma occurs when a person has gone through events that are physically or emotionally harmful and have lasting effects on their well-being and functioning.⁹ Trauma causes feelings of fear and helplessness, and often overwhelms one's ability to cope. Trauma can interfere with a person's ability to complete daily tasks, and can manifest externally in many ways, including as confrontational or other apparently problematic behavior. Many of the common experiences of homeless families, such as intergenerational homelessness, domestic violence, and poverty, are traumatic. Homelessness itself is a traumatic experience, as families lose their sense of normalcy and safety.¹⁰

During focus groups, all families (those found eligible on their first application and those who submitted multiple

applications) describe their experience at PATH and with the eligibility determination process as a grueling ordeal, compounding the trauma and crisis they are often already experiencing.

Families frequently described behavior from PATH staff that was dehumanizing, punitive, and demoralizing. The treatment some families received at PATH triggered anxiety responses and was often re-traumatizing.

“It’s like you are in jail. Like they’re a police officer and you’re the criminal. They be a little bit too harsh, too much.”

—WIN FOCUS GROUP PARTICIPANT

The treatment they received from staff made many families feel judged and shamed by those who were supposed to help them. Win families describe it as:

“They make you feel unwelcome. Because sometimes you go there and they talk to you like—they make you feel how you are: homeless. That’s how they really make you feel; like they’re better than you. Like, even a worker told me there one time, ‘Well this isn’t my issue. I have somewhere to sleep at night.’”

—WIN FOCUS GROUP PARTICIPANT

“PATH is not a place where people are trying to go...They make you feel, almost like you’re not wanted there, like we don’t want to deal with you, we don’t want to deal with this.”

—WIN FOCUS GROUP PARTICIPANT

By not taking into account the trauma and lived experiences of homeless families, the treatment and environment families face at PATH can be retraumatizing and can trigger trauma responses, such as anxiety, difficulty regulating moods and responses, and difficulty completing forms and navigating the application requirements.

Solutions

Accessing shelter must be made fair and trauma-informed. Based on the alarming experiences of homeless families with children, Win is calling for reforms to make the shelter application process more humane, fair, and efficient.

1. **Revise documentation requirements so that they can reasonably be fulfilled within the ten day conditional shelter period, beginning with reducing housing history to one year.**

For many families with children, PATH is one stop in a longer journey of housing instability. Yet DHS requires documentation corroborating every place a family has stayed over the previous two years. The difficulty and burden of providing documentation and corroboration of two years of their housing history often proves insurmountable for families in housing crisis, resulting in a denial of shelter. **Notably, in fiscal year 2019, about 85 percent of ineligible decisions for families in Win shelter were due to an incomplete housing history.** Win families reported struggling to gather all required documentation within the conditional period, and receiving little support from DHS in the process. DHS must revise documentation requirements, beginning with limiting housing history to one year.

2. **Accept a family's attestation for the reasons they cannot return to a previous residence as true.**

The nature of family homelessness makes *proving* homelessness an onerous and unfair requirement. For most, PATH is the last resort after exhausting all other resources. Nonetheless, pursuant to state law, the city must assess a family's housing need in order to find them eligible for shelter. As part of this obligation, the city can investigate whether a family can return to a place they stayed in the past. DHS exercises this discretion even when a family says that they are unwelcome, unsafe, or otherwise unable to go back to an address.

These investigations are prone to incorrect determinations, as they depend on the responsiveness and transparency of landlords, acquaintances, and those whom a family has stayed with in the past. The regulations also permit DHS to turn a family away from shelter even if the alleged housing alternative they have stated they will not take the family in—thus knowingly turning away families with children who have nowhere else to go.

Further, investigations are intrusive and indicative of a distrust of families seeking assistance. Adults seeking shelter in New York City do not have to prove they are homeless. Families with children should be treated with the same trust and dignity. This does not mean that PATH cannot work with a family to make an alternative option viable; and there may be times that families actually do have other options for places to stay that are uncovered during the application process. But, these determinations should be made working with families, not through investigations that discount and undermine families' own best judgment. And, the city must end the practice of denying people shelter even when it knows a family will be rejected by the home the city has deemed appropriate.

Precedent for accepting self-attestation of need to satisfy eligibility requirements exists. For example, the U.S. Treasury Department permits self-attestation of economic hardship in order to access COVID rent relief programs.¹¹ There is also precedent for waiving investigations in the New York City shelter system. In response to a petition from the de Blasio Administration, the New York State Office of Temporary and Disability Assistance (OTDA), the body that regulates New York City shelter, granted the city leeway in implementing shelter eligibility rules in late 2015. DHS ceased conducting investigations. In the months following the change, DHS found a greater percentage of applicants eligible, and

the number of families in shelter rose.¹² The city then petitioned OTDA again, this time to reverse the rule change. The state restored the city's obligation to investigate whether or not shelter applicants could stay with a friend or family member. Following this change, the percentage of families found eligible decreased to previous levels, creating more housing instability for more families, and the number of families submitting multiple applications increased.¹³

3. Establish PATH Navigators, to provide clear, consistent information and support to families at PATH.

Families arrive at PATH in the midst of one of the most overwhelming crisis imaginable, and are expected to navigate a complex government bureaucracy. As reported by Win families, applicants at PATH are provided incomplete or unclear and confusing information about applying for shelter and about eligibility determination. Neither are they informed of what to expect at PATH—who they are speaking with, when they will be called in to a meeting, or why they are asked to provide certain information—nor of resources such as child care that are available at the center.

PATH and shelter application must be demystified. A customer-service type desk staffed by PATH Navigators must be put in place to provide every family at PATH with standardized, clear information and to answer questions about PATH, what to expect during their day at PATH, and the shelter application and eligibility determination process.

DHS must provide PATH Navigators who have the expertise and sensitivity to support struggling families. People who have experienced homelessness, PATH, and shelter application process have unique insight into strategies for avoiding common challenges and pitfalls in the process. They can also offer insight into dealing with and getting through the day at PATH, and into needs that may arise after, including the need for psychosocial support. This expertise is a valuable resource for others in similar circumstances, and DHS should endeavor to recruit and incentivize people with this lived experience to be PATH Navigators.

“They’re always changing everything. All of the documents, the stuff that...they provide to us sometimes. Some of them don’t tell you what is there. Sometimes you have to find out yourself.”

—WIN FOCUS GROUP PARTICIPANT

4. Provide time windows for meetings at PATH.

Parents and children report spending up to 14 hour days at PATH in order to apply for shelter and to receive a placement and transportation. Much of this time is spent waiting. Because parents do not know when they will be called in to speak with a worker, and are told that they must be present when called, they cannot leave PATH without jeopardizing the progress made in their application. Unable to leave to pick up children from school or child care, parents have little choice but to take their children out of school and activities to spend the day at PATH. Neither can parents make arrangements to avoid missing work if they must be on call at PATH.

Forcing parents who are juggling work, school, and caregiving responsibilities to put everything on hold to spend a day in waiting rooms would not be tolerated in any other context. Homeless families should be extended the same consideration, and provided time windows for when they must be present for meetings.

“Their communication in that building is horrible. They just send you around. Everybody should be on the same page. ‘Oh, you’re supposed to see such and such, go here.’ But nobody’s talking.”

—WIN FOCUS GROUP PARTICIPANT

5. Provide trauma-informed services at PATH.

In any context, it would be considered unprofessional to make comments or engage in behaviors that are judgmental, dismissive, or intentionally hurtful or punitive toward clients. In the context of homeless families and children seeking shelter, many of whom

are seeking refuge from violence or insecurity, it is abusive. Yet these are the types of interactions and rule enforcement that families in Win shelter describe witnessing and receiving at PATH. Families, and their well-being, are hurt by it.

“Personally, I wanted to cry. And I cried there because I get anxious. And everybody’s different, and sometimes they don’t have a professional person to deal with different types of people.”

—WIN FOCUS GROUP PARTICIPANT

Every worker at PATH, including DHS contracted security firms and non-profits providing services, must be trained in trauma, and in providing trauma informed care and services. This is critical to protecting families and children from trauma triggers and from retraumatization, as well as for supporting their ability to navigate the application process. Trainings must be accompanied by on-going coaching and supervision to ensure that the interactions, environments, and services provided are trauma informed.

6. Make permanent the exemption of children at PATH.

Families describe PATH as inappropriate for children. Children are expected to sit quietly in office chairs for hours and sometimes for various days in a row, and cannot go outside to play or eat for fear of not being present when called to meet with a worker. Bringing children and youth to PATH also means that they witness adult conversations between parents and workers, sometimes overhearing information that parents wish to shield their children from. Further, the environment at PATH is described as tense and highly emotionally charged, a place where stress and anxiety are palpable.

“Arguing. Fighting. That’s why I said I don’t think that’s an environment for kids to be in because they witnessing all of this stuff. Because sometimes you don’t want to expose your kids to certain things.”

—WIN FOCUS GROUP PARTICIPANT

Finally, homeless students face tremendous academic disadvantages. They are 1.5 times more likely to be chronically absent compared to housed students.¹⁴ Chronically absent students are less likely to pass their English language arts and mathematics state assessments, and are more at risk of being held back a grade than their regularly attending peers.¹⁵ DHS must not be a reason homeless students miss school.

DHS requires that children and youth go to PATH with adults on the first day they apply on the grounds that PATH workers must verify documents and family size and composition. However, DHS’ administrative needs do not justify exposing vulnerable children to further trauma and disruption. DHS also contends that they must conduct health and well-being screening of children to intervene in the case of immediate, presenting needs. But both actions—verifying family composition and well-being screenings—are then repeated as part of shelter admission. Instead of requiring children to go to PATH, DHS can collect the information they need from shelter providers. Moreover, if children don’t have to be at PATH they can be at school, with teachers able to assess their well-being and needs.

The need to reduce the number of people at PATH during the pandemic trumped DHS’ stated reasons for requiring children and youth to present themselves. So too does protecting children from trauma and from missing school. DHS must permanently stop requiring children and youth to go to PATH.

7. Allow families to remain in their conditional shelter placement while they reapply.

If a family is found ineligible for shelter because their application is missing information, they are able to immediately return to PATH to begin the application process over, and many families do just this. However, even if they are just going to immediately reapply, families are required to pack their belongings, leave their conditional shelter placement, and return to PATH to complete the new application. A new application may come with a new conditional shelter placement and the family may be placed in the same shelter while DHS investigates their new application, but the process of packing and once again leaving the place they are staying can cause uncertainty and stress, and can be retraumatizing, for families and children dealing with a history of housing insecurity.

DHS can reduce stressors and exposure to potentially retraumatizing experiences by allowing families who are immediately reapplying to remain in their conditional placement while they submit their next application. This has been the DHS policy during COVID to reduce the number of people at PATH, and should be made permanent. Families should have the stability of remaining in the same shelter until DHS has grounds to deny them services for a reason other than missing information.

Conclusion

Whether or not these alarming statistics and stories reflect compliance with New York City's legal obligation to provide homeless families with shelter is beyond the scope of this brief. But, there is little question that the intake process at PATH fails to meet the city's moral obligation to house homeless families. Moreover, the process is inefficient for the city and often traumatizing for families.

DHS and other agencies established to serve vulnerable families must actually serve them and avoid inflicting harm. Yet the shelter application and eligibility policies and processes are built on suspicion and distrust of the families who turn to it—predominantly low-income families of color—and function to deter families in need from seeking and accessing help. Creating administrative requirements that are onerous and opaque, especially for a family in housing crisis, and subjecting families to punitive and demeaning treatment only serves to control shelter numbers in the short-term, while prolonging housing instability at the cost of family well-being. These policies are also cruel and unjust. And the disdain and distrust

they belie towards the families seeking assistance could not be clearer. New York City must stop assuming that because some is poor they are a liar or trying to manipulate the system. It must stop designing its programs based on this toxic belief.

Lowering barriers to shelter does not increase homelessness. It decreases housing instability and makes it possible for families in need to get help. Instead of investing in prolonged investigations into whether or not a family with children is pretending to be homeless when they show up at PATH, the city must invest in making the system more efficient and humane toward the ultimate goal of ending family homelessness.

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ABOUT WIN

Win is New York City's largest provider of shelter and services for homeless families with children. Across its shelters and supportive housing, Win transforms the lives of New York City's homeless women and their children by providing a holistic solution of safe housing, critical services and innovative programs they need to succeed on their own—so the women can regain their independence and their children can look forward to a brighter future.

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