

September 23, 2021

Hon. Bill de Blasio, Mayor  
City of New York  
City Hall  
New York, NY 10007

Steven Banks, Commissioner  
Department of Social Services  
180 Water Street  
New York, NY 10038

Corey Johnson, Speaker  
New York City Council  
City Hall  
New York, NY 10007

Re: Codify and Make Permanent Changes to the Application Process at PATH and AFIC

To Mayor de Blasio, Speaker Johnson and Commissioner Banks:

During the COVID-19 crisis, the Department of Homeless Services made many positive but temporary changes to the application process for family shelter. We, the undersigned not-for-profit organizations serving families experiencing homelessness, commend these changes and collectively call on you to make them permanent. Specifically, we ask that you immediately codify the practice of not requiring minor children to appear at PATH during the intake process, as well as that of not ejecting families from conditional shelter when found ineligible and reapplying. These changes allow families contending with homelessness to find stability in their placements, prevent children from being forced to sleep outside, and minimize disruptions to children's education.

In order to access shelter in New York City, families must apply in person at the Department of Homeless Services (DHS) Prevention Assistance and Temporary Housing (PATH) center if they have minor children, or at the Adult Family Intake Center (AFIC) if they do not. This means missing school and work, as every member of the family— including children on the initial application—must be present. As part of the application, families must prove they are experiencing homelessness, so families are provided with a 10-day shelter placement on a conditional basis while DHS reviews application information and conducts an investigation to make an eligibility determination.

If found ineligible, a family experiencing homelessness must leave their conditional shelter placement and return to PATH immediately to reapply, and in the best of circumstances, receive a new conditional placement while their updated application was processed. Prior to the pandemic necessitated changes, families would repeat this scenario successively every 10-days, missing work and keeping their children out of school, as they would not know when they would be able to leave the intake center to pick them up. And the new 10-day placement would not necessarily be in the same location as the prior placement, making it almost impossible to plan commutes to school, work and coordinate child care, endangering their jobs and their children's education.

Yet in some ways, these families were the lucky ones, as they were awarded new 10-day placements and did not need to sleep outside. If a family was found ineligible because DHS determined that a past address had enough room to house them, and the primary tenant at the address did not provide what DHS deemed a “reasonable justification” for failing to take them in, DHS would find that the family ineligible for shelter because they had an alleged “available housing option”. DHS makes such a finding even when informed by the primary tenant that the applicant family was not permitted to stay there. In this circumstance, DHS would not provide another emergency conditional placement to the applicant family for 30 days. As a result, prior to the pandemic, families experiencing homelessness (even those with small children) were left to sleep on the street, in hospital emergency rooms or on the subway. This policy caused some families to be without shelter, a condition that was always dangerous, even prior to COVID.

Families, especially those with minor children, need stability, which cannot be obtained when they must pack up and move their belongings every 10-days, or worse, when being forced to sleep outside. School and work schedules cannot be maintained, jobs cannot be kept, and the uncertainty creates conditions rife for charges of educational neglect. The current policy of allowing families to reapply from within shelter, and of providing all families found ineligible with another conditional placement, is a much more humane way to treat families and children, and creates the most stability for those families. By exempting minor children from being present at PATH, they can be spared a day of tense, stressful waiting rooms and uncomfortable conversations, and parents have the option to ensure their children can instead go to school, child care, and other child and youth appropriate activities.

We would like the opportunity to meet with you at your earliest convenience to discuss the need to codify and make permanent the current policies of reapplication from shelter and exemption of minor children from PATH. We look forward to working together to ensure that families may be housed with safety, dignity, and stability.

Respectfully,

ACLU of New York/ NYCLU

Advocates for Children of New York

Barrier Free Living

Brooklyn Defender Services

CAMBA

Citizens Committee for Children

Coalition for the Homeless

Community Service Society of NY

Enterprise Community Partners

Family Homelessness Coalition

Henry Street Settlement

The Legal Aid Society

New York Legal Assistance Group

RiseBoro

Safe Horizon

VOCAL-NY

Win