



Breaking the Cycle of Homelessness
for Women and their Children

To: Marjorie Landa, Deputy Comptroller for Audits, New York City Office of the Comptroller

From: Christine C. Quinn, President & CEO, Win

Date: July 26, 2019

Re: Need for an audit of DHS PATH intake and eligibility

Last year, Win noticed a troubling pattern in its shelter admission data: a high percentage of families entered Win shelter multiple times in one year. Further data analysis showed that the majority of families with multiple admissions returned after a brief shelter stay, which had ended because the Department of Homeless Services found them ineligible for services. Win also saw that, compared to the previous year, an increased number of children who were admitted to Win shelter were found ineligible. Concerned that families in need were cycling in and out of shelter without achieving housing stability, Win conducted a series of focus groups to learn more about the experiences of families and the issues that underlie what the data showed.

Win's research points to potential inefficiencies in the City's shelter intake and eligibility determination process for families with children, which are harmful for families and children, and a misuse of public resources. Reforms to the City's intake and eligibility determination process are critical to protecting public resources and ensuring that families can access needed services without undue delay. The Comptroller's Office is uniquely positioned and equipped to bring about major reforms that will make a difference in how resources are used, and will also make a difference in the lives of homeless families with children. As New York City's largest provider of services for homeless families with children, Win looks forward to collaborating with the Comptroller's Office on this important project.

Background on shelter intake and eligibility

In order to be found eligible for temporary shelter in New York City, families with children are required to prove that they have no other housing options available to them. The eligibility determination process begins by applying in person at the Department for Homeless Services' (DHS) Prevention Assistance and Temporary Housing (PATH) assessment center located in the Bronx. Not knowing where they will be sent from the PATH center in the Bronx, families pack whatever belongings they can fit into the two bags they are permitted to bring, attempting to decide which items will be essential to their time in shelter, leaving behind toys and other loved items.

Once at PATH, families are asked to provide an extensive housing history and corroboration that they cannot return to any of the places they stayed in the past. On the day they apply, families and children spend up to fourteen hours at PATH, meeting with multiple intake, assessment, and diversion workers. Families may be found eligible for shelter on the day they apply, in which case they are provided a

stable, temporary shelter placement. Families may also be found ineligible on the day they apply, and are diverted from entering shelter.

If a same day eligibility determination cannot be made, DHS places the family in a shelter on a conditional basis while DHS investigates whether or not a family has a housing option available with a friend or family member. DHS states that investigations and the resulting eligibility determination are made in ten days or less of application.¹ 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 their conditional shelter placement within 48 hours. For many families, this means leaving a shelter to go directly back to PATH, where they begin the application process again.

Eligibility criteria were relaxed from late 2015 to late 2016. 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 the shelter eligibility rules. Following the change, DHS found a greater percent of applicants eligible, and the number of families in shelter rose.² The City then petitioned OTDA again, this time to reverse the rule change. The State restored the City's authority to investigate whether or not shelter applicants could stay with a friend or family member. Following this change, the percent of families found eligible decreased to previous levels, and the number of families submitting multiple applications increased.³

Unlike families with children, single adults are not required to prove homelessness or undergo an eligibility determination process in order to access homeless shelter in New York City.

Troubling signs of inefficiency in the current process

New York City is investing resources in conducting intakes and investigations to determine whether or not families applying for shelter are truly homeless, only to repeat the process after a high percent of families are found ineligible and reapply. The City is also investing in repeated conditional placements for families during the investigation, which carries costs resulting from conducting intake a shelter, from turning over a unit (quickly preparing the unit for a new family), and providing transportation to and from shelter.

In May of 2019, the most recent month for which data is available, nearly 2,500 families with children applied to DHS for shelter.⁴ Of those who applied, nearly 60 percent were found ineligible for shelter

¹ DHS informational brochure. Available at <https://www1.nyc.gov/assets/dhs/downloads/pdf/path-brochure.pdf>

² As per data presented by Legal Aid Society and Coalition for the Homeless in public testimony to City Council. New York City Council, Committee on General Welfare, "Hearing Testimony, Oversight: PATH to Permanency," June 27, 2017, pg. 86. Available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3059519&GUID=0B6A7166-598D-45A0-93C5-ADC9E9136AF5&Options=&Search=>

³ Stewart, Nikita. (2017, March 21). "Harder for Homeless to Enter N.Y.C Shelter, Study Finds." *The New York Times*.

⁴ NYC Department of Homeless Services *Local Law 37 – DHS Report*. Dataset retrieved from: <https://data.cityofnewyork.us/Social-Services/Local-Law-37-DHS-Report/2mqz-v5im>

and about 41 percent (1,029 families) were found eligible. **Among families found eligible in the month of May, 42 percent (over 430 families) had submitted a previous application.** This means that **DHS processed and investigated over 430 applications at least twice – some as many as six times – before ultimately finding the families who entered shelter in one month eligible.** Moreover, 22 percent of May’s eligible families (about 225 families) submitted at least three applications. A similar pattern can be seen during the first six months of 2019. Much as in May, DHS found about 41 percent of families who applied for shelter during the six month period eligible, and about 45 percent of families found eligible had applied at least once before.

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 shelter in 2018, 67 percent (about 350 families) had left because their previous conditional placement ended with an ineligible determination.** This suggests that by finding them ineligible and ending their conditional placement, DHS was only delaying their access to a temporary shelter placement. This extends the time families in need are forced to live in unstable, precarious housing arrangements, while creating unit turnover costs.

Alarming, Win has seen an increase in the number of children who leave shelter because their families are found ineligible. About 17 percent of children who came to Win shelter in 2017 were found ineligible, and 23.5 percent were found ineligible in 2018.

It is inefficient to investigate multiple applications and provide multiple conditional shelter placements for a considerable percentage (nearly half) of New York City’s more than 13,000 homeless families with children.⁵ It is also troubling that homeless families with children are possibly being subjected to extended housing and school disruption and to a potentially traumatizing process multiple times due to inefficiencies in the eligibility determination process.

Insight from Win families

In order to explore potential reasons for inefficiencies and gain insight into the experiences of homeless families, Win’s Research and Evaluation department conducted a series of focus groups and in-depth interviews with eligible families in Win shelter. Focus groups and interviews captured the experiences of 29 families, and were conducted in the Spring and Fall of 2018 at four different Win sites.

Among learnings from the focus groups, three patterns emerged. The first relates to reasons for ineligible determinations. Among eligible families with multiple admissions to Win shelter in a year, the most common reasons for ineligibility were:

- inability to gather all required documentation within the required timeframe;

⁵ DHS Census for month of May 2019. Source: NYC Department of Homeless Services *Local Law 37 – DHS Report*. Dataset retrieved from: <https://data.cityofnewyork.us/Social-Services/Local-Law-37-DHS-Report/2mqz-v5im>

- the DHS investigator’s inability to corroborate parts of the family’s housing history due to unresponsive or uncooperative past landlords or hosts; and,
- being found to have other living options, even if they were deemed unhealthy, unsafe, or otherwise inappropriate by the parent/ applicant.

The first two experiences shared by families can be seen in DHS data on reasons for ineligibility of Win families; in fiscal year 2019, about 85 percent of ineligible decisions were due to an incomplete housing history.

Second, most eligible Win families who submitted multiple applications correlated their eventual eligible determination with the luck of being assigned a more helpful case worker than in previous applications. Lastly, eligible families who submitted multiple applications more frequently reported lack of information or clarity about the process and of documentation requirements than did families found eligible on their first application.

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 that is stressful, dehumanizing, and punitive, and that requires them to miss work and children to miss school. This may be a factor impacting eligibility decisions, as it may hinder a family’s ability to navigate a process described as complex and unclear in the midst of a traumatic housing emergency.

Win is calling for reforms to PATH and to the eligibility determination process

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. In order to bring an immediate end to practices that are harmful and potentially traumatic for families with children, Win is calling on the City Council to pass legislation to:

- require all staff who interact with families at PATH to undergo training in trauma-informed care and in customer service;
- provide a PATH Navigator who can provide families with information of the application process and documentation, as well as on resources available on-site; and,
- establish time windows for appointments, so families do not have to spend hours crowded in tense waiting rooms with their children.

In addition, Win is calling for an audit of DHS’ eligibility determination process, protocols, outcomes, and costs. Commonalities in the experiences of Win families suggests the need for a systemic review of the causes of multiple applications. Win believes that an audit of DHS’ process and protocols for making eligibility determinations for families placed in shelter on a conditional basis is needed in order to develop solutions. Win believes such an audit is aligned with the purpose and responsibilities of the Comptroller’s Office, and that the Office has the access, capacity, and competency to conduct a thorough, impactful audit that addresses inefficiency and improves the lives of thousands of New York City’s most vulnerable families.

Proposed purpose and scope of an audit

The high number of families who submit multiple applications before ultimately being found eligible for shelter suggests systemic issues that create inefficiencies in the eligibility determination process. Win's purpose for calling for an audit is to determine whether the current process and investigations create a harm or a benefit, as well as to propose potential corrections or reforms to reduce the inefficiency seen in the number of families who submit multiple applications before being found eligible.

Through an audit, the Comptroller's office can:

- a. learn more about the housing trajectory of families with children as they undergo multiple applications;
- b. identify the protocols, timelines, or other aspects of the application process and of DHS investigations that most frequently underlie ineligible determinations of applications by families who are later found eligible;
- c. propose changes or reforms to the application and investigation processes in order to reduce the inefficiency of multiple applications per family; and,
- d. determine whether investigations, as currently conducted, create financial savings by diverting or delaying families from entering shelter, as compared to providing shelter for them.

Win has formulated the following preliminary questions:

a. *Trajectory of families*

- How much time typically elapses between an ineligible determination and a re-application?
- How many families arrive at PATH from a prior conditional shelter placement?
- Are there any demographic commonalities or does a unique profile emerge of eligible families who submit multiple applications?

b + c. *DHS process and protocols*

- What are the reasons eligible families were previously found ineligible?
- What is the frequency of each of these reasons?
- What are the protocols or rules that trigger each of the ineligibility reasons?
- What is the purpose or reason for the rules and protocols that are contributing to ineligible decisions?
- Can and how can they be reformed?

d. *Financial savings*

- What is the cost of processing each application?
- What is the cost of conducting each investigation?
- How much does the cost of processing multiple applications, conducting multiple investigations, and providing multiple conditional shelter placements compare to the cost of

having provided shelter to each family for whom a determination could not be made the day they applied?