

Senior Homelessness Prevention Program

Policy Paper



Prepared by
David Rubel

www.davidrubelconsultant.com

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This Report was prepared for

Bronxworks

Main Office at 60 E. Tremont Ave.

Bronx, NY 10453

www.bronxworks.org

BronxWorks, is a multiservice non-profit organization based in the South Bronx. It provides both preventive and responsive services to address local housing issues. The housing programs at Bronxworks provide assistance to Bronx residents through two primary branches: Homeless Services and Eviction Prevention. Homeless Services programs are the Homeless Outreach Team (HOT), Living Room/Safe Haven, Family Shelters, and the Brook Housing Complex. Eviction Prevention programs are Family Eviction Prevention Supplement (FEPS) Application Assistance, HomeBase, the Homeless Prevention and Relocation Support Services Program, and the Emergency Needs for the Homeless Program. The BronxWorks Senior Homelessness Prevention Program (SHPP) not only helps seniors take advantage of these existing resources, but also aids them in navigating housing court.

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Senior Homelessness Prevention Program (SHPP) Policy Paper

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Summary

- Despite strong concern from elected officials, government agencies and the public, the severely rent burdened elderly poor in New York City have slipped through the cracks. To avoid eviction and remain in their homes with stability, this group needs help today. While Mayor de Blasio's administration should be commended for committing millions of new dollars for stopping evictions and preventing homelessness, not all tenants require full legal representation. Many elderly tenants in Housing Court only need a social services case management program model to stop an eviction and stabilize their housing situation. With a client triage system, depending on the complexity of the case, a tenant may be represented by an attorney or social services case management or both. BronxWorks' Senior Homelessness Prevention Program (SHPP) is based on this model; the effectiveness of the program has proven itself by preventing 150 evictions annually at a significantly lower cost than legal representation. By using a client triage system, the City can save tax levy dollars, help prevent an eviction and ensure housing stability. For a tiny fraction of what the City is spending on building new housing for the elderly, the Report recommends that funds should be redirected to helping the elderly avoid eviction and remain in their apartments.

Main Findings

Current data shows that severely rent burdened low income elderly renters deserve more consideration from government policies and programs

- **For the severely burdened low income renter, the elderly comprise a disproportionately high number:** Within the several million low income New Yorker renters is a subgroup most at risk of eviction: **severely burdened low income renter** (households paying more than 50% of their income on rent). According to a Citizens Budget Commission rent affordability study, seniors comprise 31% of all severely burdened low income renter households for a total of 132,610 households. Since seniors comprise 23% of renter households, the 31% figure of severely burdened low income renter households is disproportionate.
- **Older adults, age 55 or older, made up 22% of all unrepresented tenants in a recent Housing Court survey.** In August 2016, the New York City-Human Resources Administration (HRA) Office of Civil Justice issued its first annual report. Included in the Report were the results of a two-day survey conducted in all five borough Housing Courts. The results of the survey show that unrepresented tenants age 55 and older, with incomes below 200% of the Federal Poverty Level, comprise 22% of total housing court eviction cases (a total of 384 house-holds completed surveys).

- **Singles age 50 and over have doubled their NYC Shelter use between 2004 and 2014.** In 2004, 5,993 used the NYC Shelter system; the number of adults 50 and over, doubled to 12,157 in 2014. Because of demographic and economic changes discussed in other findings, older single adult use of the NYC Shelter System is expected to continue to increase. When adult families are included, the total figure jumps to 15,142 people in 2014 or 21% of all adults in the NYC Shelter System.
- **New York City's elderly very poor population has seen a large increase over the past 15 years:** As thousands of New Yorkers reach retirement age, with no savings or pension, they fall into the category of very poor. The number of elderly, age 65 and over, living in households below the Federal Poverty Level, grew from 160,277 in 2000 to 205,522, an increase of 28%. During the same period, 1998-2013, the total non-elderly very poor population grew by 4.6%. Another indicator of elderly poverty, the number of elderly receiving Medicaid more than doubled between 1998 and 2013.

City programs and resources could be better accessed by the elderly poor/at risk of eviction tenants

- **NYC-HRA Eviction Prevention Programs should give greater consideration to elderly renters:** The NYC-HRA Office of Civil Justice Anti-Eviction and Homelessness Prevention Program dollars should give greater consideration to the needs of the severely rent burdened low income elderly. While the elderly comprise 31% of the City's severely rent burdened low income households, only 6% of the current \$62 million eviction prevention dollars are helping elderly households. The four findings above show that the severely rent burdened low income elderly far exceed 6% of the households in need of HRA funded anti-eviction and homelessness prevention services.
- **SNAP and SCRIE are still underutilized:** The two main income support programs, Supplemental Nutrition Assistance Program (SNAP) and Senior Citizen Rent Increase Exemption (SCRIE), are seriously underutilized by eligible elderly. Both are entitlement programs with no waiting lists. If a senior meets eligibility rules, they will receive the benefit. NYC-HRA estimates that as many as 174,000 seniors qualify for SNAP but are not participating. The NYC-Department of Finance estimates that 61% of the SCRIE eligible population are not participating. Of the top ten community districts for SCRIE underutilization, four are in the Bronx (4, 7, 8 and 10).

The City should give more consideration to cost effective models for eviction prevention and housing stability for elderly poor renters

- **Elderly and non-elderly (families, single adults) are two distinct groups with different housing stability needs, issues and resources.** These two groups require different approaches/models of case management and expertise. The elderly have income, entitlement programs, health and mental health issues and needs with their own knowledge networks. Elderly specific case management

services have proven very successful for not only preventing evictions but also stabilizing the elderly tenant to avoid another housing court eviction proceeding.

- **To maximize the effectiveness of City funds, in addition to legal representation, other eviction prevention models should also be used.** A client triage model will allow for the best use of a lawyer's services in Housing Court. For more complex evictions, the tenant will have legal representation in court. For more routine cases, the tenant can be served with the a less costly a social services case management model. A referral partnership between the court, legal services organizations and case management providers would allow the City to better spend tax levy dollars where need is greatest. The BronxWorks Senior Homeless Prevention Program (SHPP) has been in operation for three years. As shown in this report, the SHPP program has been successful in preventing eviction and stabilizing housing for at least 150 tenants in each of the years it has been operating. Other successful triage models currently operating include the NYC-HRA's Housing Help Program (first piloted by the United Way in 2008) and the University Settlement Navigators programs. The experience of these programs shows that the client triage model is cost effective and will save City tax levy dollars.¹

Tenants in the Bronx are more vulnerable to eviction than in the other boroughs

- **Bronx exceeds the other boroughs in housing court volume/evictions:** Despite the Bronx having around 1/6 of the City's population, Bronx Housing Court still has by far the most volume as evidenced by comprising at least 1/3 of all non-payment eviction petitions, warrants of eviction and marshal evictions citywide in 2015. NYC-HRA Housing Court Survey shows that Bronx Housing Court has the largest number of tenants without legal representation.

Government affordable housing production programs are very expensive and take years to build. For the severely rent burdened low income elderly/at risk of eviction, urgent help is needed now

- **Gap between affordable housing production and eligible low income elderly continues to grow.** The very low income rent burdened seniors can't depend on the affordable housing production programs, they need urgent help with housing stability now. With the loss of the Federal HUD Section 202 Capital Advance program, the City has tried hard to continue to produce affordable housing for the low and

¹ Housing Help Program Final Report. 2010. United Way, Seedco and NYC Department of Homeless Services. ROLES BEYOND LAWYERS Summary, Recommendations and Research Report of an Evaluation of the New York City Court Navigators Program and its Three Pilot Projects December 2016. *Prepared by Rebecca L. Sandefur, American Bar Foundation, and Thomas M. Clarke, National Center for State Courts.*

very low income elderly. However, the Housing New York, A Ten Year Five Borough Housing Plan will offer little relief to the very low income/extremely low income renter household groups. Elderly renters will have to compete with other low income households for the 20% of housing that will be created under the Ten Year Housing Plan for the very low income/extremely low income group. There are 378,968 elderly and non-elderly severely rent burdened households in this income group. The City is now spending \$800 million annually for affordable housing production for the “very low income /extremely low income”. With around \$2 million annually (or .25%) the housing court based elderly client triage model could be fully funded in all five boroughs. For just a tiny fraction of the annual amount of tax levy dollars that will be spent on constructing new housing for seniors, at risk of eviction seniors could get help they need today.

Main Recommendation

- **Baseline in the City budget cost effective eviction/homelessness prevention programs targeted to senior citizens:** Keeping low income at risk of eviction elderly in their homes with stability can best be met with a client triage program approach: legal representation or elderly specific case management (or both) depending on the circumstances of each case. City and State agencies should make funding available for a client triage elderly specific case management model that will operate in all five boroughs. If the City covered the cost of SHPP in the Bronx and expanded it to all five boroughs, the total cost would be a little over \$2 million.

1. Introduction

1a. In recent years, the elderly renter housing crisis in New York City has been well documented.

Over the past four years, there has been extensive coverage of the low income senior population and the housing crisis they have been living with. These research studies and news articles have done an excellent job of alerting New York City and State elected officials, government agencies, other stakeholders and the public to the urgent needs of New York City's low income senior citizens. While there has been a groundswell of public policy research reports, City and State government haven't provided a response commensurate to the needs and solutions.

- Senior Housing in New York City: The Coming Crisis. NYC Office of the Comptroller May 2013
- Call to Action: Building a Housing Agenda for Older New Yorkers. An Intervention to Increase Public Savings and Improve Seniors' Stability 2014, Council of Senior Centers and Services Inc.
- Reducing Rent Burden for Elderly New Yorkers Improving the Senior Citizen Rent Increase Exemption Program. Enterprise Live-on New York 2016
- REPORT ON THE NEW YORK CITY RENT FREEZE PROGRAM: Identifying and Enrolling Eligible Households. NYC Department of Finance 2015
- Seniors Housing Needs are a Special Challenge. Suzanne Travers. City Limits Magazine June 25, 2015
- The Senior Housing Crisis. by Sally Goldenberg Politico Magazine 2-29-2016

One issue that wasn't directly addressed in these reports is the problem of housing court evictions for low income seniors. BronxWorks with its large network of programs for senior citizens, is keenly aware of the daily issues. This report is devoted solely to shining a light on the problem of evictions and housing stability facing low income senior citizens.

1b. While the housing vulnerable elderly are a top concern for everyone, they have fallen through the cracks of public policy and government programs.

A strong focus on elderly housing court evictions and increase in shelter use has been missing so far in the policy reports and government agency programs. Since the beginning of the de Blasio administration in 2014, there has been a major increase in eviction prevention programs under the authority of the Human Resources Administration-Office of Civil Justice, and also a major increase in affordable housing production with the Ten Year Housing Plan. This report shows that while the new policies are a big step in the right direction, more attention must be directed to the needs of the low income at risk of eviction of elderly. The problem has different parts and resources must be better directed to meet urgent needs.

2. Low Income Elderly Renters at Risk of Eviction Needs Statement

3-A. Analysis of Citywide and Borough Demographic Trends for the at Risk of Eviction Senior Population

New York City's low income elderly population has seen a significant increase: The increase in the low income elderly population is much larger than the non-elderly low income population. Here are two different sources of data both showing very significant increases in the number of elderly poor.

Chart 1. Change in New York City Medicaid Enrollees 1998-2013

	1998	2003	2008	2013	15 Year Change	% Change
Non-Elderly	1,736,873	-	-	3,044,528	1,307,655	75%
Elderly Age 65 and over	75,721	100,553	125,429	187,071	111,350	147%

Source and notes: https://www.health.ny.gov/statistics/health_care/medicaid/eligible_expenditures/ The fact that Medicaid enrollment saw a sharp increase elderly participation cannot be explained by elderly using Medicaid spend down since this has been available for the past 25 or more years.

Chart 2. Change in NYC Elderly Poor (Age 65 and older) based on the 2000 Census and American Community Survey (ACS) 2014

	2000 Census	2014 ACS Survey	14 Year Change	% Change
Non-Elderly	1,668,938	1,746,354	77,416	4.6%
Elderly Age 65 and over	160,277	205,522	45,245	28%

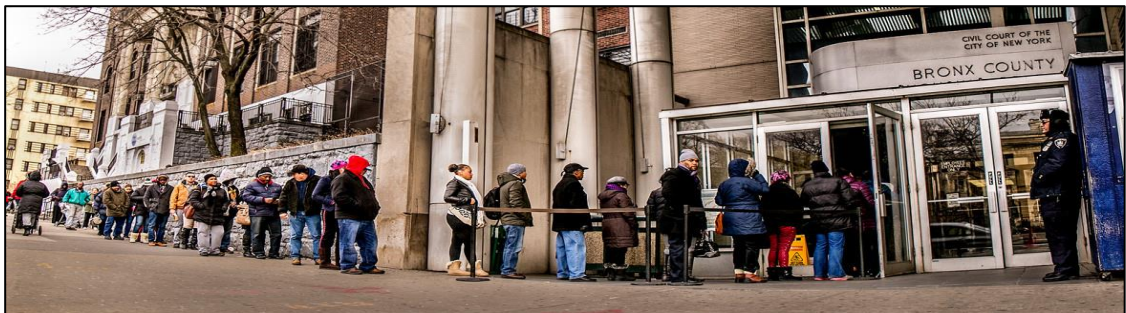
Source: 2014 American Community Survey 1-Year Estimates New York City and Boroughs. NYC Department of City Planning.

Analysis of Medicaid Enrollment with 2000 Census and American Community Survey (ACS) 2014 data for determining number of very poor elderly: In 2014, there were 205,522 elderly poor residing in households with incomes below the Federal Poverty Level (ACS data are only estimates). While Medicaid enrollment is a reliable source of data on the number of low income elderly living in New York City, recent asset transfer changes to the Medicaid law did contribute to the increase in participation. The chart shows that in New York City there has been a very large increase in the low income elderly population over a 15 year period from 1998 to 2013. There are not any other demographic groups that have seen such a large increase. The chart shows that as people stop working and begin retirement, they do not have sufficient income to

support themselves. In fact, their income is so low they qualify for Medicaid (annual income of \$14,508 or less in 2016). At the same time that the population of low income seniors has been growing, the pool of affordable housing has shrunk considerably.²

Two other indicators below show low income elderly renters are confronting a housing crisis:

- **Seniors comprise 31% of all severely burdened low income rental households:** According to a Citizens Budget Commission November 2015 Report³ on rent affordability in New York City, there are 428,394 renter households that are considered low income and severely burdened (HUD housing affordability guidelines define severely burdened as a household paying 50% or more of their income on rent). Seniors make up 31% of the renter group known as “low income severely burdened”. A total of 132,610 households, with an age 60 years or older head of household, fall under this category⁴.
- **Singles age 50 and over have doubled their NYC Shelter use between 2004 and 2014.** In 2004, 5,993 adults age 50 and over used the NYC Shelter system; this group doubled to 12,157 in 2014. Because of demographic and economic changes discussed in other findings, older single adult use of the Shelter System is expected to continue to increase. When adult families are included, the total figure jumps to 15,142 people in 2014 or 21% of all adults in the Shelter System.⁵



The following two need indicators have a significant overlap with the low income elderly population:

- **Immigrants/limited English proficiency:** Elderly also need help with translation services. Nearly two thirds of immigrant residents age 65 and older have limited English proficiency, while nearly 200,000, or 37 percent, live in linguistically isolated households.
- **20 year elderly growth projection for New York City:** According to the New York City Department for the Aging (DFTA) by 2040, New York’s 60+ population will significantly increase to a projected 1.86 million, a 48.5% increase from 2000. This group will comprise 20.1% of the total population

² Call to Action: Building a Housing Agenda for Older New Yorkers. Council of Senior Centers & Services of NYC, Inc. 2014

³Whose Burden is it Anyway, Housing Affordability in New York City Citizens Budget Commission 2015

⁴ The figure of 1132,610 is based on data in the Citizens Budget Commission 2015 report.

⁵ Recent NYC Shelter Utilization Trends by Dennis Culhane, University of Pennsylvania 2016.

compared with 15.6% in 2000. Consequently, the elderly, who were less than one in every six New Yorkers in 2000, will make up more than one in every five in 2040.³

- **Citywide real estate market changes are most severe for people living on fixed incomes:**

Due to a combination of economic and demographic factors, the pool of affordable rent stabilized housing becomes smaller with each passing year⁶. Low income seniors living on fixed incomes are least prepared to meet the challenges of living in a neighborhood undergoing gentrification. Seniors are also least equipped to deal with landlords bent on using harassment to empty apartment and get a substantially higher rent.

“The wave of “predatory equity” and accompanying harassment has been well documented. In response, the City Council passed Local Law 7, the tenant harassment law, in 2008. MFY’s experience since then demonstrates that landlord harassment of senior tenants has continued. We still commonly see typical harassment tactics: baseless non-primary residence eviction cases; vague nuisance allegations; withholding of repairs and maintenance while unregulated – and younger – tenants in the same building receive prime services; and even gut renovations of buildings while small groups of regulated tenants are still living there – almost literally running roughshod over elderly holdouts.”⁷

The 2015 State of New York City’s Housing and Neighborhoods Report by the Furman Center at New York University included a special section on gentrification. Four south Bronx neighborhoods were included in the gentrifying group: Mott Haven, Hunts Point, Morrisania and Belmont. “In some low-income neighborhoods, however, rent growth was particularly steep. Of the 22 neighborhoods that were low-income in 1990, we classify 15 as “gentrifying,” meaning they experienced rent increases higher than the median SBA (SBA means sub borough area).”⁸

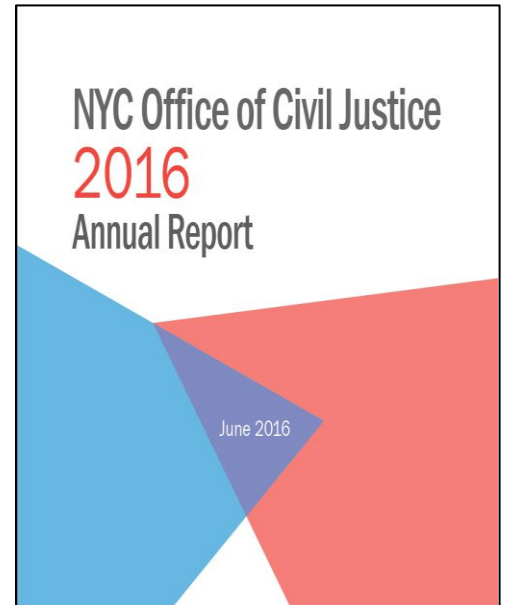
⁶ http://gothamist.com/2015/07/15/rent_stabilized_map_nyc.php

⁷ TESTIMONY ON HARASSMENT OF ELDERLY TENANTS PRESENTED BEFORE: THE NEW YORK CITY COUNCIL’S COMMITTEE ON AGING PRESENTED BY: MICHAEL GRINTHAL SUPERVISING ATTORNEY MFY LEGAL SERVICES, INC. APRIL 15, 2013

⁸ State of New York City’s Housing and Neighborhoods in 2015. Furman Center at New York University.

3-B. Analysis of NYC-Human Resources Administration (NYC-HRA) Office of Civil Justice August 2016 Report and NYC Housing Court Survey Findings:

“Growing public investment has greatly expanded low-income tenants’ access to legal assistance with Housing Court cases. At the same time, resources are not unlimited. This section of the report examines the question of “unmet need,” seeking to understand the composition of unrepresented tenants in Housing Court—and particularly of those who are low-income.”⁹



- **HRA survey results show that tenants age 55 and older comprise 20.6% of total housing court eviction cases lacking legal representation:** In August, 2016, NYC-HRA Office of Civil Justice issued its first annual report. Included in the Report were the results of a two-day data collection survey conducted in all five borough Housing Courts conducted by HRA Office of Civil Justice, HRA Office of Evaluation and Research and the State Office of Court Administration.

The results of the Survey show that for unrepresented tenants, the age 55 and older group comprise 22% of total housing court eviction cases with incomes below 200% of the Federal Poverty Level. For age 65 and older, the grouping was 6.9%. The data does not show whether these households are families or single adults.

Chart 3. Tenants With or Without Legal Representation
(Based on NYC-HRA Housing Court Survey¹⁰)

Age of Respondent	All Unrepresented	%	Unrepresented with incomes below 200% Poverty Level	%
19-24	12	2.9	6	2.6
25-34	91	22.3	53	22.8
35-44	118	28.9	64	27.6
45-54	103	25.2	58	25.0
55-64	59	14.5	35	15.1
65 and over	25	6.1	16	6.9
Total	408	100	232	100

More data is needed to determine if City dollars are reaching the elderly tenants in housing court. According to the HRA Housing Court survey, people age 55 and older, with incomes below 200% of the Poverty Level, are 22% of all tenants in Housing Court without legal representation. HRA anti-eviction representation for the elderly age 65 and older is only 6% of total cases¹¹. While this figure

⁹ NYC-HRA Office of Civil Justice Annual Report August 2016.

¹⁰ NYC-HRA Office of Civil Justice Annual Report August 2016.

¹¹ NYS Office of Court Administration; HRA Office of Civil Justice Annual Report

is consistent with the survey number, additional data is needed to document how many near elderly, ages 55 to 64 also have access to counsel.

- **Bronx leads the other boroughs in housing court volume/evictions:** While the Bronx has 1/6 of the City's population, Bronx Housing Court has 1/3 of the citywide housing court eviction volume as measured by the number for people in housing court with eviction papers. As shown in Chart 4 below, Bronx Housing Court still has by far the most volume as evidenced by non-payment petitions, warrants of eviction and marshal evictions.

Chart. 4 Borough Comparison of 2015 Housing Court Activity¹²

	Residential Eviction Petitions	%	Warrants of Evictions	%	Marshal Evictions	%
Bronx	85,945	36.4	42,287	37.9	7401	33.7
Brooklyn	63,531	26.9	32,770	29.3	7033	32
Manhattan	40,622	17.2	13,875	12.4	2898	13.2
Queens	36,577	15.5	19,220	17.2	3939	17.9
Staten Island	4,957	2.1	2311	2.1	717	3.3
Total	231,632		111,666		21,988	

The housing court eviction volume indicators clearly show that tenants in the Bronx are most likely to be brought to housing court and issued a warrant of eviction. In 1997 (with an 2001 update), Bronx Works (formerly Citizens Advice Bureau) conducted a study comparing Housing Court volume in the five boroughs¹³. Over the past 20 years, little has changed. Bronx Housing Court still far exceeds the other boroughs despite having a much smaller number of at risk tenant households.

- **While the HRA Anti-Eviction Legal Services program is targeting program resources to where the needs are greatest (Bronx and then Brooklyn), the two day Court survey data shows that among unrepresented tenants, the Bronx had by far the largest number and % share.**

"Borough-level analysis finds notable variation in appearance with counsel and the proportion of representation through free/low-cost legal services providers. Altogether, the two-day sample data suggest that representation rates are lowest in the Bronx and highest in Staten Island and Brooklyn." ¹⁴

¹² Data reported by New York City Civil Court, as reported on the "Statistical Report of Activity of L & T Clerk's Office, ST-30" published on the Housing Court Answers website, available at <http://cwtfhc.org/for-researchers/>.

¹³ [New York City Housing Court Usage and Preventive Services: A Comparative Study of Borough Housing Courts and Low Income Renters by David Rubel](#). Citizens Advice Bureau. 1997

¹⁴ NYC-HRA Office of Civil Justice Annual Report 2016

**Chart 5. Borough Comparison of Tenant Representation in Housing Court
Results of HRA Two Day Survey**

	Eviction Petitions in Which Tenant Appeared	%	Tenant appeared with Counsel	%	Tenant appeared without Counsel	%
Bronx	869	40	148	23	721	46
Brooklyn	600	28	228	35	372	24
Manhattan	491	23	140	22	351	23
Queens	109	5	35	5	74	5
Staten Island	100	4	100	15	33	2
Total	2169	100	651	100	1551	100

Source: NYS Office of Court Administration, HRA Office of Civil Justice 2016

Chart 6. Distribution of HRA Funded Legal Services by Borough

Borough	Households Receiving HRA Funded Legal Services Oct-2015 to May-2016	%
Bronx	2,926	40
Brooklyn	2272	31
Manhattan	865	12
Queens	1055	14
Staten Island	232	3
Total	7,350	100

Source: HRA Office of Civil Justice 2016

Chart 5 shows that greatest unmet need for representation is in the Bronx. HRA allocated the largest amount of new anti-eviction funding to the Bronx. Even though the Bronx is receiving the most HRA funding, Chart 6 data shows that the Bronx still needs more resources just to reach a comparable level of court representation with the other Boroughs.

3-C. Government income support programs, especially SNAP and SCRIE, are under-utilized

The one thing that all parties involved with Housing Court agree on is that the biggest reason for eviction is insufficient income to cover rent. Government income support programs can make a difference for increasing the amount of money a senior has to cover the rent. There are two as of right income support programs for the low income elderly: the Federally funded ***Supplemental Nutrition Assistance Program (SNAP)*** and City funded ***Senior Citizen Rent Increase Exemption (SCRIE)***. These programs are based solely on meeting eligibility requirements; there are no waiting lists or limited funding. Both programs are presently not fully utilized with thousands of eligible seniors not participating.

- **Supplemental Nutrition Assistance Program (SNAP):** NYC-HRA estimates that of senior eligible for SNAP do not receive SNAP:

“DFTA and the city's Human Resources Administration are also engaged in a push to enroll more seniors in SNAP, the Supplemental Nutrition Assistance Program formerly known as food stamps. As of 2013, there were 375,000 city residents 60 and older enrolled in SNAP, two-thirds of them immigrant seniors, but HRA estimated that another 174,000 seniors qualified for the program but were unenrolled. Although nationally, seniors report not applying for SNAP out of shame or concern they will be taking food from needy children, in New York City, language barriers, fear of government, and above all the complex bureaucracy in applying are reasons eligible people don't enroll, the NYC Coalition Against Hunger has found.”¹⁵

- **Senior Citizen Rent Increase Exemption (SCRIE):** The New York City Department of Finance estimates that less than half of all SCRIE eligible households are currently NOT enrolled in the SCRIE program. Below are the top 10 City neighborhoods for underutilization of the SCRIE program; four of them (in yellow shading) are located in the Bronx.

ELIGIBLE POPULATION ESTIMATES: We estimate that 94,047 households, or 61% of the eligible population of 155,366, may not be taking advantage of the benefit. Only about 10% of these are newly eligible households due to the recent income limit increase of \$50,000.

• **UNDER-ENROLLED NEIGHBORHOODS:** This report identifies the top 10 City neighborhoods with the highest number of non-participating eligible households for SCRIE. They are: Stuyvesant Town/Turtle Bay, Coney Island, **Kingsbridge Heights/Mosholu**, **Riverdale/Kingsbridge**, **Throggs Neck/Co-op City**, Upper West Side, Kew Gardens/ Wood- haven, Upper East Side, Flushing/Whitestone, and **Highbridge/S. Concourse**.¹⁶

3-D. Despite increase in the very poor elderly, government housing production for this group has decreased

To understand how the government assisted affordable housing programs are used by the elderly, the first issue that must be discussed is the range of incomes that fall under the heading of affordable housing. Affordable housing can include households with incomes below 30% of Area Median Income all the up to 80% of Area Median Income. However, the only affordable housing that the severely rent burdened low income senior can afford are units with a very deep subsidy allowing for households with incomes below 30% of AMI to rent in. Therefore, it's important to separate the most vulnerable from the rest of the larger and vulnerable population. Section 202, the main housing production program for this group of elderly, was

¹⁵ City Limits Magazine 6-25-2015

¹⁶ NYC Department of Finance REPORT ON THE NEW YORK CITY RENT FREEZE PROGRAM: Identifying and Enrolling Eligible Households https://www1.nyc.gov/assets/finance/downloads/pdf/scrie/scrie_drie_report.pdf

discontinued in 2013. The Federal government no longer gives states funding for new housing construction. The only other option is housing that financed with the Project Based Section 8 (Housing Choice Voucher).

- **Section 202 Capital Advance program discontinued since 2013:** For years, the Federal Section 202 Housing to New York City created subsidized supportive housing for elderly so that a tenant paid no more than 30% of income (regardless of how low their income was). A senior living on a fixed income of social security or less could still afford to live in a Section 202 building. The Section 202 Capital Advance program has been discontinued; in its last funded year, 2013, New York City received \$71 million.

- **110,912 elderly poor seniors are currently on waiting lists for New York City senior apartments:** According to research conducted by LiveOn NY, as of March 2016, there were 110,912 senior citizens on waiting lists for one of 277 Section 202 apartment buildings in the five boroughs based on responses from building managers. Only 43% of the building managers responded to the LiveOn NY survey. LiveOn NY projects that the actual number is closer to 200,000.

Section 6 in this report is a discussion of why New York City Ten Year Housing Plan will not be able to provide much relief to the very low income elderly (pages 24 to 26).

3. Discussion of How a Non-Lawyer Based Anti-Eviction/Homelessness Prevention Program for Senior Renters Can Operate in Housing Court

4-A. Housing court based elderly specific eviction prevention case management model is needed

The case management model involves a case manager helping a tenant access all the resources they need to prevent eviction and achieve housing stability. While the immediate goal is stopping the eviction, equally important is making sure the tenant will not be back in housing court six months or one year later. In other words, the real goal is housing stability. The case management knowledge base for the elderly while there is some overlap with family, there is also a large body of information that is elderly specific. There are at least 20 elderly specific programs; each one has a distinct set of regulations. The knowledge curve needed to be able to help a senior access these programs is very high. The network of resources in terms of available programs and requires a case manager with experience navigating these systems. Below is a brief description of how each has an elderly specific component to it.

- Government income support programs: SEPS, SNAP, SCRIE, one shot payments, FEPS, Section 8 vouchers
- Retirement financial planning: most elderly live on fixed incomes. Case managers need to have knowledge of retirement income sources including social security, SSI and pensions.
- Declining cognitive/ADL skills: elderly can end up in housing court due forgetting to pay rent or not maintaining their apartment.
- Mental health especially depression
- Living arrangements (including elder abuse):
- Accessing affordable housing: eligibility rules, inventory of affordable buildings, length of waiting lists, building managers.
- Assisted living programs: assessing pros and cons, different models, quality of nearby residences and how Medicaid fits in.

Each one of these service areas can be subject to regulatory and guidance changes, large and small, in various eligibility benefits. An effective case manager must stay current with this changing and highly detailed body of information. This is why an elderly specific case management model is important. Also, the model works best if all services can be offered under by the same organization preferably in the same location or in walking distance nearby.

4-B. Bronx Works Senior Homelessness Prevention Program (SHPP): A proven elderly specific housing court based triage model

SHPP model is based on a client triage system: All SHPP referrals come from a Bronx Housing Court judge. The judge makes the referral because they recognize that the elderly tenant will need

significant help to prevent eviction and stabilize their housing. Housing Court cases can vary greatly depending on the complexity of the issues involved. Many cases are routine. These cases depend on the tenant having enough time to put together funds to cover the amount of arrears. Most times these cases do not require an attorney. A social services case manager can help the tenant with applying for and receiving government income support. Other cases are much more involved with various legal issues (lease, tenancy, repairs, harassment). These cases do require legal counsel. After receiving the referral from the Housing Court judge, SHPP case management staff screen each case and determine which tenants they can help directly and which ones are best served by an attorney (mostly through the Legal Aid Society). This triage model and division of labor allows for the most effective use of funding and other resources.

How the SHPP program works: There are two full time SHPP caseworkers and one program specialist. The program specialist pre-screens the client; they are then given an intake date to return with the proper documents needed for assistance. The caseworker conducts an intake evaluation to assess the senior's housing situation and determine if the client is eligible and appropriate for the SHPP program. In 2014-15, using a triage model, less than 40% of clients were referred to an attorney at the Legal Aid Society (which also has an office in Bronx Housing Court) and the remainder become full clients of SHPP. Upon accepting a senior into the SHPP program, the caseworker will:

- (1) assist the senior in navigating the Bronx Housing Court System (clarify the terms of the case, connect them with court benefits such as Legal Aid or ACP, and educate them about the intentions of the landlord's attorney);
- (2) secure funds to pay back arrears through public or private sources;
- (3) facilitate negotiations with the landlord;
- (4) ensure that the senior receives all of the housing subsidies and income reports for which she is eligible;
- (5) provide the senior with budget counseling to improve their money management skills; and
- (6) help find alternative housing arrangements.

Key program components:

- **Close collaboration with Bronx Housing Court judges.** Judges regularly make client referrals to SHPP. Seniors no longer fall through the cracks at housing court. SHPP shares space with three other programs at Housing Court building. This set up offers One stop shopping/Co-location of services in comfortable space in Housing Court. If HRA also set up an office, that would be a big help.
- **SHPP elderly specific case management model:** SHPP offers a comprehensive elderly specific case management model to prevent evictions and improve overall stability. Elderly specific case management involved knowledge a the various physical and mental issues that are

common among the elderly as well as the resources available. Examples of senior specific expertise include degrees of cognitive impairment, life threatening diseases, ADL skills, financial management, mental health, elder abuse, assisted living arrangements (if client decides to move) and medical providers. Government benefit programs such as Medicaid have different eligibility and program uses for elderly vs non-elderly populations.

- **Access to government benefits:** BW SHPP case managers help clients with putting together enough money to cover the rent arrears. Most seniors are helped with accessing income support government benefits programs including:
 - HRA-One Shot Payments,
 - SEPS,
 - SCRIE,
 - SNAP and FEMA.
- **Referrals to BronxWorks services network:** SHPP can make referrals to other BW programs that can address other elderly issues such as moving into assisted living housing, minor repairs, mental health screenings, isolation and elder abuse.

4-D. Four client stories from the SHPP project

What do elderly specific case management services mean on a practical level. How can this approach make the critical difference with other eviction prevention programs? To get a better understanding of specific services, four client stories have been collected. What these client stories all share is the singular importance of the elderly specific case management model. A careful set of steps are undertaken to ensure that tenants are not only able to afford their ongoing rent but also sustain a manageable life style.

Ms. R

Ms. R is a 65 year old senior citizen that spoke no English was referred to the SHPP program as a result of being a victim of Elder Abuse. Ms. R. could not afford her rent of \$1,400 on her fixed income from PA of \$107 biweekly towards rent and cash in the amount of \$183, so she used the roommate match program to help her find roommates to share in the cost of her apartment. However, when things went wrong she felt she had nowhere to turn. The roommates that were supposed to assist her with her rent ended up taking over her apartment and not paying anything towards the rent, leaving her responsible for all the arrears. When Ms. R was served with an eviction notice and referred to SHPP, she explained to the SHPP case manager that the couple refused to pay rent and they became physically and verbally abusive towards her. SHPP program assisted her in filing an order of protection against the abusers and had them removed from the house that she rents. The case manager also assisted this client with Energy Share, obtaining \$200 towards her Con Edison bill which now allowed her to set up a payment plan with Con Edison in order for her to reach a zero balance. In addition to these services, the Ms. R also

Ms. M

Ms. M is a 65 year old senior citizen who fell into rental arrears in the amount of \$3,213.44 due to being a victim of fraud; her money orders were stolen and cashed. The case manager assisted Ms. M with a One Shot Deal application, in which she was approved for \$3673.63. In addition to assisting the client with her arrears and preventing her eviction, the case manager assisted Ms. M with obtaining the FEPS supplement since she has an active PA case and a daughter who is 16 years old. The FEPS supplement direct

Mr. P.

Mr. P. is a 64 year old senior citizen who fell into arrears in the amount of \$1,890 due to losing his job. Although Mr. P had future ability to pay his rent, some of his income had to be spent on food due to not having food stamps. The case manager assisted Mr. P with a One Shot Deal application, in which he was approved for \$2414.00, and left with a \$92 credit for the following month. In addition to assisting this client with his arrears and preventing his eviction, the Case Manager assisted Mr. P with applying for food stamps. Mr. P was approved for food stamps and can now use his money towards other expenses or save.

Mr. S.

Mr. S. is a 66 year old senior who fell into rental arrears in the amount of \$1500 due to his roommate moving out. The case manager assisted Mr. S with a One Shot Deal application, in which he was approved for \$2,062.71. In addition to receiving assistance with his arrears and preventing his eviction, the case manager assisted Mr. S with his DRIE Renewal, keeping his rent at a manageable amount. The case manager also assisted Mr. S with a food stamps application, in which he was approved, providing him with more money to either put towards his rent or to use for other expenses.

4-E. Special Exit and Prevention Supplement (SEPS), a new NYC-HRA income support program that is already making a big difference for stopping evictions and preventing homelessness

HRA-Special Exit and Prevention Supplement (SEPS) Program: In summer of 2016 HRA began a new income subsidy program for helping adults (defined as families without children) with preventing evictions and homelessness. The new program is called Special Exit and Prevention Supplement or SEPS. It is similar to the HRA program called FEPS.

“The City’s Special Exit and Prevention Supplement (SEPS) Program can help eligible individual adults and adult families (families without children) at risk of entry to shelter and those already in shelter to secure permanent housing. The number of households that can be approved to receive the SEPS Rent Supplement will be limited due to available funding. Potentially eligible individual adults and adult families will be connected with SEPS providers (community-based organizations), which will assist the household in completing an application and locating housing. For households in shelter, New York City Department of Homeless Services (DHS) housing specialists and case managers will also be available to provide assistance.”

Up to now, the SHPP program was helping prevent elderly with what is known as HRA “one shot deals”. A one shot deal covers the arrears as long as a tenant can show a means for paying it back. However, one shot deals do not address long term stability.

Since the eligible population for SEPS has a very large overlap with SHPP, the significance of the new SEPS program cannot be overstated. With SEPS, a case manager now has a new and very useful resource to offer an elderly tenant faced dealing with an eviction. For the poorest of the elderly, SEPS offers housing stability. The SEPS program strongly justifies the importance of a triage model with both counsel and non-legal counsel solutions to eviction prevention.

4. How the Bronx Works SHPP model complements other existing NYC Human Resources Administration (HRA) funded eviction/homelessness prevention programs and saves City tax levy dollars

5-A. Comparison of the SHPP program with other eviction prevention models currently funded by NYC-Human Resources Administration (HRA) and private sources:

The New York City-Human Resources Administration-Office of Civil Justice is now spending \$70 million annually on anti-eviction, anti-harassment and homelessness prevention programs, it is important to show clearly how these programs, while helping thousands of families, do not address the needs of the at risk of eviction elderly. In the Chart below, there is a discussion of how each of the currently operating eviction/homelessness prevention programs differ from the SHPP program.

Chart 7. Comparison of the SHPP program with other eviction prevention models currently funded by NYC-Human Resources Administration (HRA)

In Chart 7 below is a comparison of the SHPP program with existing eviction and homelessness prevention programs. While SHPP is a senior specific program, only one other program below is senior specific.

Model	Program Description	FY 2017 Funding (in millions)	How SHPP Differs
NYC-HRA Anti-Eviction Legal Services-Homelessness Prevention Law Project	<p>HRA Anti-Eviction Legal Services programs are funded to provide both full and brief legal services. Full legal representation: is for tenants who are facing eviction in housing court. The provision of services for households at risk of homelessness requires a seasoned, well-trained civil legal services lawyer who is able to address the often complex, interrelated legal matters faced by HRA's target population.</p> <p>Brief legal services: In addition to providing the full legal representation services outlined in previous section, when appropriate, an Anti-Eviction Legal Services provider may allocate up to 20% of the cost proposal for "brief" legal services, meaning services provided by lawyers or paralegals that can include housing counseling, benefits advocacy, advocacy for repairs or accommodations or issues that secure tenancy without the need for full representation. Target Population: 85% of funds must go to serving families with children; 15% can go to single adults or households without children.</p>	\$25.8	SHPP helps anyone age 60 years or older. The HRA-Anti-Eviction Legal Services allows only 15% of the total funds for households without children or single adults. Also, Anti Eviction Legal Services offers a legal solution only. It does not fund senior specific case management services. SHPP exclusively deals with senior citizens. The staff have expertise in a wide range of senior specific housing stability problems and solutions. The SHPP goal is both eviction prevention and housing stability (to prevent a return to housing court). The HRA does not fund case management or a senior specific case management component.

Anti-Harassment Tenant Protection (AHTP)	<p>The Anti-Harassment and Tenant Protection (AHTP) legal services program was launched in January of 2016. Whereas the anti-eviction legal services programs target tenants who are already involved in housing court proceedings, AHTP provides resources for tenant outreach and pre-litigation services with the goal of <i>preventing</i> eviction and displacement. In addition to full representation and brief legal assistance for Housing Court and administrative proceedings, AHTP legal services providers offer community education, landlord tenant mediation, and counsel on cooperative tenant actions and building-wide lawsuits. Currently, AHTP services are targeted to seven high risk neighborhoods. Providers generally serve households at or below 200 percent of FPL, in cases on behalf of individual tenants, groups of tenants or entire buildings.</p>	\$32.9	<p>SHPP helps anyone age 60 years or older from all zip codes in the Bronx. The HRA-Anti-Harassment and Tenant Protection (AHTP) covers only two zip codes in the Bronx (10452 and 10453). An analysis of the SHPP clients shows that most of them resided in the other Bronx zip codes. Only 23% of SHPP clients resided in the two AHTP zip codes. Also, the SHPP goal is both eviction prevention and housing stability (to prevent a return to housing court). The HRA-AHTP does not fund case management or a senior specific case management component.</p>
NYC-HRA Court Based Housing Help Program	<p>The HRA Housing Help Program. Target Population: Families. HHP originally began in 2005 as a pilot program funded by the United Way in partnership with NYC-DHS and the Civil Court of the City of New York. It was designed to address both the legal and human service needs of families facing homelessness. In this program, the Legal Aid Society, the sole provider that was selected through a competitive bidding process, employs a court based “open door” model and offers full representation and brief legal services coupled with social work services that include assessment, counseling, referrals, and benefits advocacy. The Legal Aid Society’s HHP work is funded by HRA at \$3 million for FY2017 and is also supported by grant funding from the Robin Hood Foundation. Eligibility for HPP services is limited to low-income clients who reside in a “high risk” ZIP code (as determined by rates of shelter entry in these areas) in the Bronx, Brooklyn, or Queens. HHP is expected to serve approximately 2,400 households in FY2017. A similar program called the “Court Navigators” is run by University Settlement and is paid for through a mix of private and government funds.¹⁷</p>	\$3.0	<p>SHPP and the Housing Help Program (HPP) share very similar models. The goal shared by the two programs is housing stability and homelessness prevention. Both are Housing Court based, offer case management services to go beyond eviction prevention and address underlying issues that may have caused the eviction in the first place. Both programs are based on a triage model. HHP offers full legal representation, brief legal services and/or social services. SHPP takes referrals from Housing Court judges and then refers those clients with serious legal issues to Bronx Legal Aid. The bulk of referrals are served by the SHPP case managers. The main difference between the two programs is that SHPP offers elderly specific case management services. SHPP staff have extensive social services case management expertise for the elderly.</p>
NYC-HRA Home Base (formerly with NYC-DHS)	<p>The City partners with 8 non-profit organizations. The program is a shelter prevention program by stabilizing at risk families through:</p> <ul style="list-style-type: none"> ▪family and landlord mediation ▪rental assistance ▪Budgeting and financial counseling ▪entitlements advocacy ▪employment and training ▪legal advice and referral ▪short-term financial assistance 	\$58.7	<p>While both SHPP and Homebase offer case management services, there are significant difference between them. Homebase target population is families. Homebase is a preventive program targeting at risk families before they enter the shelter system. The network of support systems for families and senior citizens have very significant differences. SHPP staff have case management expertise for senior citizens. Also, it is based in Housing Court and receives it client referrals from a Housing Court Judge.</p>

¹⁷ ROLES BEYOND LAWYERS Summary, Recommendations and Research Report of an Evaluation of the New York City Court Navigators Program and its Three Pilot Projects December 2016. Prepared by Rebecca L. Sandefur, American Bar Foundation, and Thomas M. Clarke, National Center for State Courts,

NYC-DFTA Assigned Counsel Program and Title III-B funded Legal Services	Assigned Counsel Project (ACP): Established in 2005, ACP provides eligible seniors with an attorney and social worker, or social work intern, who work as a team to help seniors resolve their Housing Court cases. Seniors must be sixty years of age or older, have an identifiable social service need, and a pending Housing Court case in order to be assisted by the Project. In 2015, the ACP served approximately 511 seniors facing Housing Court proceedings in Bronx, Kings, New York and Queens Counties.	\$1.0	With only 500 or so seniors served citywide, the ACP can only help a handful of seniors at risk of eviction. The citywide figure for severely rent burdened very low income elderly is 132,610 households.
	Title III funded legal services:	\$1,250,000.	Legal services cover a wide range of needs including housing.
New York State Court and Private Foundation Based Models			
New York State Court System-Housing Court Assigned Counsel Program	Volunteer program for law school students. The Internship Program recruits, trains, and supervises law students to conduct intake and assess the legal and social services needs of vulnerable seniors at risk of eviction. The Assigned Counsel Project (ACP) provides eligible seniors with an attorney and a social worker or a social work intern who work as a team to help seniors solve their Housing Court cases. Seniors must be sixty years of age or older, have an identifiable social service need, and a pending Housing Court case in order to be eligible for the program. Such seniors could be facing eviction due to either nonpayment of rent or holdover allegations.		Program is only available in Brooklyn, Queens and Manhattan. These programs have been proven to offer valuable services. No data yet available on how many cases are taken on yearly or results.
NYS State Access to Justice Program-Court Navigators	The Court Navigator Program operates in New York City. The Program supports and assist unrepresented litigants during their court appearances in landlord-tenant cases. Specially trained and supervised non-lawyers, called Court Navigators, provide general information, written materials, and one-on-one assistance to eligible unrepresented litigants. In addition, Court Navigators provide moral support to litigants, help them access and complete court forms, assist them with keeping paperwork in order, in accessing interpreters and other services, explain what to expect and what the roles of each person is in the courtroom. Court Navigators are also permitted to accompany unrepresented litigants into the courtroom in Kings County Housing Court. While these Court Navigators cannot address the court on their own, they are able to respond to factual questions asked by the judge.		<p>The Court Navigator program strongly complements SHPP. Court navigators offer limited representation to tenants in the courtroom. SHPP staff do not work inside the courtroom.</p> <p>Since SHPP offer senior specific case management, including helping tenants with accessing funds to cover rent arrears. Court Navigators do not offer any case management and help with paying rent arrears. There isn't any duplication of services.</p>
Poverty Justice Solutions Legal Fellows	Poverty Justice Solutions places 20 new attorneys in two-year fellowships as entry-level attorneys with civil legal service providers in New York City. Poverty Justice Solutions legal fellows are full-time employees of participating legal service providers and subject to all of the rules (and benefits) of their host agency. Legal Fellows will work exclusively on Housing Court cases representing clients facing potential eviction or seeking repairs.		The Poverty Justice Fellows programs strongly complements SHPP. Since SHPP offers senior specific case management, and PJF is a purely legal based program and does not offer any case management, there isn't any duplication of services.

5-B. Cost benefit analysis: why Bronx Works SHPP model should be replicated in all five boroughs

As the City continues to expand its anti-eviction and homelessness prevention programs, a serious consideration must be given to cost effectiveness. The Independent Budget Office (IBO) conducted a cost benefit analysis in December, 2014 for the New York City Council. The IBO report calculated only the cost of providing representation (and did not include the average cost of preventing an actual eviction). The IBO Report estimated that the cost of preventing one household from homelessness is around \$34,600.¹⁸

Chart 8. Comparison of SHPP Model with Full Counsel Costs¹⁹

	NYC-IBO Report Full Counsel Representation	Bronx Works SHPP Program
Per Client Served Cost	\$2,000 to \$3,200	\$1,097
Cost Per Eviction Prevented	-	\$950

The IBO Report did not include information on the cost per eviction prevented. The annual cost of the SHPP program is \$260,000. In 2015, SHPP served a total of 237 seniors. Based on the number of clients turned down due to lack of capacity, the cost of serving this group would be around \$450,000.

City fiscal stability must also be given serious consideration: The HRA increase from \$6 to \$72 million has occurred during the years of 2014-17; a period of peak revenue collection years for the City budget. No one will dispute that good years are usually followed by bad years due to a recession or other causes of budget shortfall. Since the SHPP model is significantly less expensive than counsel representation model, a Housing Court judge should have the option of making a referral to SHPP or a legal services provider depending on the which model is needed to prevent eviction and achieve housing stability for the elderly tenant.

In addition to the Bronxworks SHPP program, two other Housing Court programs that rely on non-lawyers have both shown successful results. These two programs are the Housing Help Program and University Settlement Navigators program. Both programs offer a client triage model. The Housing Help Program employed lawyers, paralegals and social workers as one team. “HHP prevented a loss of housing for 91% of clients and prevented an eviction judgment for 86%”. Further on in the report, “While this comprehensive service would be expensive if provided completely by attorneys, the HHP social workers and paralegals make this level of engagement possible at a lower cost.”²⁰ The University Settlement “Navigators Program” is staffed by trained caseworkers. “In cases assisted by these University Settlement Navigators, zero percent of tenants experienced eviction from their homes by a marshal.”²¹

¹⁸ New York City Independent Budget Office *Estimate of the Cost of Legal Counsel in Housing Court and Potential Homeless Shelter Savings Due to Averted Evictions* Memorandum 12-10-2014 .

¹⁹ IBID. the SHPP total cost and clients served data was taken from BronxWorks program tracking report for 2016.

²⁰ Housing Help Program Final Report. 2010.United Way, Seedco and NYC Department of Homeless Services.

²¹ ROLES BEYOND LAWYERS Summary, Recommendations and Research Report of an Evaluation of the New York City Court Navigators Program and its Three Pilot Projects December 2016. *Prepared by Rebecca L. Sandefur, American Bar Foundation, and Thomas M. Clarke, National Center for State Courts,*

5. The Housing Needs of the Low Income Elderly Should Receive Much Stronger Consideration in Citywide Housing Production Policy and Programs

“As the de Blasio administration implements its plan to preserve and enhance the supply of affordable housing in New York City, it is useful to have an understanding of which households tend to struggle the most to meet housing costs. This analysis identified and analyzed renter households that pay more than 30 percent (burdened) and 50 percent (severely burdened) of income for housing costs. In 2014, there were 891,037 households that were burdened and 456,488 households that were severely burdened. The vast majority of these households were low-income, suggesting that the problem stems as much from income shortfalls as from the housing market. Attention should be paid in particular to single seniors and single parents in targeting programs to address affordability.” *Whose Rent Burden is It Anyway? Housing Affordability In New York City By Household Characteristics*, **Citizens Budget Commission** November 2015.

Summary: For the past 35 years, New York City government has overseen the largest affordable housing production program in the country. In 2014, Mayor de Blasio launched a new and very ambitious chapter for affordable housing production called the [Ten Year Plan 2014-24](#). While New York’s affordable housing program is widely regarded as a success, the term “affordable housing” encompasses a range of incomes. Affordable housing programs include households with incomes from 80% of area median income to below the Federal Poverty Level. For example, the Low Income Housing Tax Credit Program typically requires a household to have an income in the range of 50% to 60% of Area Median Income. For severely rent burdened very low income elderly households, only one type of affordable housing production program can help them: a program where the tenant pays no more than 30% of income. As demonstrated throughout this Report, severely rent burdened low income elderly need help today. Many are at risk of eviction now and cannot wait years and years for new housing to be produced. The crisis in affordable housing for the elderly has been the subject of several recent policy reports.²² Despite these well documented efforts, and the near universal concern of the public and elected officials for the elderly, the very low income/at risk of eviction elderly will see little relief from the City’s Ten Year Plan for affordable housing production programs. The Ten Year Housing Plan will be spending around \$820 million a year on producing and renovating housing for the poorest New Yorkers- defined as households with incomes below \$50,000 annually. If just .5% (\$4 million) of the annual cost of the City Ten Year Plan for this income group, the poorest of the poor renters, was redirected, it could easily cover the cost of an anti-eviction/homelessness prevention program for senior citizen renters in all five boroughs.

²² The Council of Senior Centers and Services (now known as Live On-NY) has issued two excellent reports. The first one released in 2014, **Call to Action: Building a Housing Agenda for Older New Yorkers An Intervention to Increase Public Savings and Improve Seniors’ Stability** and in 2016 **Reducing Rent Burden for Elderly New Yorkers Improving the Senior Citizen Rent Increase Exemption Program** by Live On New York and the Enterprise Foundation. Another report **Senior Housing in New York City The Coming Crisis** by the NYC Comptroller’s Office released in 2013. NYC Department of Finance **REPORT ON THE NEW YORK CITY RENT FREEZE PROGRAM: Identifying and Enrolling Eligible Households 2015**. There have also been investigative reports in City Limits Magazine and Politico.

6-A. Current affordable housing production programs will provide little to no relief for the very low income/at risk of eviction elderly:

While new affordable housing production is a very worthwhile policy, the needs of the low income severely burdened renter elderly households won't get much help from the government affordable housing units in the production pipeline.

- **City Ten Year Plan housing production programs will only create a few hundred units affordable to the poorest of the elderly.** According the New York Citizens Budget Commission (CBC) November 2015 rent affordability study, seniors comprise 31% of all severely burdened low income rental households (defined as paying 50% or more on their rent). The severely burdened low income renter indicator is very accurate for determining the number of at risk of eviction tenants. HUD guidelines (used by both the New York City Ten Year Housing Plan) define low income as below \$41,950 (for a family of four) and extremely low income as below \$25,150 (for a family of four).

Chart 9. Ten Year Plan: How Much New and Preserved Housing will be for the Very Low Income Elderly²³

Income Band	Ten Year Plan % of New and Preserved Housing	Annual Income (for a four person household) Range		Elderly and Non-Elderly Low Income Severely Burdened Renter Households
Extremely Low Income	8%	< \$25,150		378,968
Very Low Income	12%	\$25,151 - \$41,950		
Low Income	58%	\$41,951 - \$67,120		
Moderate Income	11%	\$67,121 - \$100,680		
Middle Income	11%	\$100,681 - \$138,435		
Total	100.00%			

Analysis: The Ten Year Housing Plan will be spending \$41 billion on constructing new affordable housing (40%) and preserving existing affordable housing (60%). The chart shows how the City Ten Year Housing Plan will be producing housing for a range of eligibility definitions that all fall under the heading of affordable housing. For example, a four-person household with an income between \$25,151 to \$41,950 is considered very low income for City Housing Programs. The problem is that the severely rent burdened low income households are concentrated at the very bottom of the low income range. There are a total of 378,968 households comprise this group. Within this group, elderly households are about 117,000 households or 31%. All very low income households require the deepest subsidies so building

²³ New York Ten Year Housing Plan 2014 and "Whose Burden is it Anyway" Housing Affordability in New York City by Household Characteristics Report Citizens Budget Commission (CBC) 2015. The income figures are based on a household of four.

housing for them is the most expensive and may require a Section 8 certificate and/or the most City tax levy dollars to develop. 80% of the new affordable units in the Ten Year Housing Plan will be out of the income range of the **extremely Low income** and **very low income** groups. What this means is that of the 200,000 new and preserved affordable units the City will be creating over a 10 year period, only 40,000 units will be affordable to the poorest of New Yorkers. 378,968 elderly and non-elderly households will be competing for the 20% of affordable units available to the extremely low income.

SARA new housing Program for senior citizens: The Ten Year Housing Plan launched a new program for senior citizens in 2015 called the Senior Affordable Rental Apartments (SARA); it is administered by the NYC-Department of Housing Preservation and Development. The income eligibility range for the SARA program goes up to 60% of AMI; projects can also include a tier of units between 61% and 90% of AMI. Developers will want seniors with higher incomes so that there is more rental revenue in a project.

HPD SARA Eligibility Requirements: Projects serve seniors, 62 years of age and over, with incomes up to 60% of the Area Median Income (AMI). Rental assistance programs and other funding sources may have additional income requirements. Projects may include a tier of units affordable to seniors earning between 61% - 90% AMI, as dictated by other funding sources.

30% of units should be reserved for homeless seniors referred by a City or State agency, typically the NYC Department of Homeless Services (DHS). Referrals may also be available with associated service funding through the Department of Health & Mental Hygiene (DOHMH), the HIV/AIDS Services Administration (HASA) and the New York State Office of Mental Health (OMH).

Since all of the units have to be affordable at 30% of income, the SARA program could be a potential source of new affordable housing for the very low income elderly if Section 8 vouchers are made available to the projects.

While housing production will help some seniors, it would take 95 years for all of these low income elderly households to move into government assisted housing. Thousands of seniors are threatened with evictions each year, they need housing protection and stability now.

The Ten Year Housing Plan will be spending around \$820 million a year on producing and renovating housing for the poorest New Yorkers- defined as households with incomes below \$50,000 annually. If just .5% (\$4 million) of the annual cost of the City Ten Year Plan for this income group was redirected, it could easily cover the cost of an anti-eviction/homelessness prevention program for senior citizen renters in all five boroughs.

6. Action Strategy Recommendations

- **Baseline in the City budget cost effective eviction/homelessness prevention programs targeted to senior citizens:** Keeping low income at risk of eviction elderly in their homes with stability can best be met with a client triage program approach: legal representation or elderly specific case management (or both) depending on the circumstances of each case. City and State agencies should make funding available for a client triage elderly specific case management model that will operate in all five boroughs. If the City covered the cost of the SHPP model in the Bronx and expanded it to all five boroughs, the total cost would be a little over \$2 million.
- **Establish a Citywide Task Force on Senior Evictions/Homelessness Prevention:** A citywide task force made up of government agencies, elected officials, service providers and advocacy groups could ensure that a steady focus is maintained on the needs of the at risk of eviction elderly.