



**TESTIMONY OF THE NEIGHBORHOOD DEFENDER SERVICE**

**before the**

**Committee on General Welfare**

**IN RELATION TO**

**Timeliness of Public Benefits Processing at the Human Resources Administration**

**by**

**Marco Balestri**

**Legal Advocate, Civil Defense Practice**

**Jack Boyle**

**Staff Attorney, Civil Defense Practice**

**December 15, 2022**

## **Introduction:**

I am Marco Balestri, Legal Advocate at the Civil Defense Practice at Neighborhood Defender Service of Harlem (NDS). NDS is a community-based public defender office that provides high-quality legal services to residents of Northern Manhattan, including representation in Housing Court through the Right to Counsel Program. In Housing Court cases, our advocacy includes assistance with public benefits and voucher applications including CityFHEPS and FHEPS which can be a lifeline for clients at risk of eviction and homelessness.

However, since the pandemic, our office has experienced significant delays and unresponsiveness in the processing of applications through HRA and its agencies including the HomeBase providers where clients must go to apply for housing vouchers and receive other housing related services. In our experience, Housing Court judges are not willing to wait for resolutions of these applications for rental assistance and housing subsidies and have allowed evictions to go forward, rendering people homeless amid an ongoing shelter crisis.

### *Issues with Timeliness of Applications at HRA Benefits Access Centers*

As reported by several news outlets, retention has been a major issue at HRA, resulting in staffing shortages in departments throughout the agency.<sup>1</sup> This week, City Limits reported that the rate of timely processing of food stamps applications has decreased from 92 percent to just over 60 percent in the past year.<sup>2</sup> In order to begin applications for food stamps, Cash Assistance, and emergency assistance, also known as One Shot Deals, applicants rely on HRA Benefits Access Centers that are severely understaffed and underfunded. This underfunding has made it nearly impossible for advocates or our clients to access HRA staff for information on the status of cases and has resulted in lengthy wait times at HRA Centers, creating significant barriers for our clients to apply for and receive assistance.

One area where we see this impact most acutely is with the initial interview process – a requirement to be approved for public assistance. HRA does not schedule the interviews for Cash Assistance and One Shot Deals, but rather requires an applicant to answer a phone call that comes from an unknown number at any given hour; in-person interviews are not available.<sup>3</sup> Although HRA is required to call within seven days of submitting an application<sup>4</sup>, we have rarely observed HRA comply with this timeline and in fact have experienced cases where clients receive calls up to four weeks from the date of their applications. In some instances, clients have received calls late on the weekends. In our experience, cases are closed after two missed calls, requiring the process to start all over again.

Our team has received several One Shot Deal rejections because of a failure to complete the interview, with clients reporting that they never received the phone calls in the first place. In one case, an elderly Spanish-speaking client was rejected twice for a One Shot Deal because of a failure to complete the interview, even though she never received any phone calls from HRA. Discouraged, our client was ready to give up after more than four months of waiting. It was only after a third application with extensive advocacy that our client was finally approved for emergency rental assistance and able to remain in her rent stabilized apartment of 38 years. Reapplying for a One Shot Deal can delay receiving assistance by more than a month.

---

<sup>1</sup> [Major Staffing Shortage Affecting City Housing \(thenyh.org\)](https://thenyh.org/2020/07/20/major-staffing-shortage-affecting-city-housing/). [City Staffing Shortages Lead to Months-Long Waits for Housing Help \(ny1.com\)](https://ny1.com/story/news/local/2020/07/20/city-staffing-shortages-lead-to-months-long-waits-for-housing-help/561111000270001).

<sup>2</sup> [40% of NYC Food Stamp Applicants Left Waiting for Benefits, Data Shows \(citylimits.org\)](https://citylimits.org/2020/07/20/40-of-nyc-food-stamp-applicants-left-waiting-for-benefits-data-shows/).

<sup>3</sup> [ACCESS HRA Frequently Asked Questions \(nyc.gov\)](https://nyc.gov/html/hra/html/faq/faq.html).

<sup>4</sup> [Cash Assistance Interview Instructions \(nyc.gov\)](https://nyc.gov/html/hra/html/faq/faq.html)

These delays have also held up applications for rent vouchers such as State FHEPS and CityFHEPS. For instance, HRA requires applicants to be approved for Cash Assistance before a FHEPS application can be processed and there is no system to request expedition of these applications. These delays have been tremendously detrimental to our clients who are facing eviction in Housing Court.

#### *Disability Accommodations are Not Accessible to Applicants*

HRA's significant delays create an even more challenging hurdle for our clients with disabilities. HRA's solution for cases where clients require disability accommodations, such as requesting a home visit to complete an interview, is to submit a Reasonable Accommodation Request (RAR) over email, phone, or at the client's HRA center. However, we have found that these requests often take several weeks to months to be granted. In one case, a disabled client with severe respiratory issues and who lives in a fifth-floor walkup missed her SNAP recertification. The client did not have a working cell phone and could not physically travel to the HRA center. Our team submitted countless accommodation requests to schedule a home visit to complete recertification, but our emails and phone calls were never answered. The client then lost her SNAP benefits and faced significant food insecurity for an entire month. We were only able to reinstate our client's benefits after extensive, months-long advocacy.

Even with tremendous advocacy from an entire team of attorneys, social workers and advocates, clients often deal with lengthy delays and unresponsiveness. For New Yorkers without legal representation, the hurdles to receiving lifesaving benefits can seem insurmountable. There must be more accountability for the countless delays that cause harm and undue stress to vulnerable New Yorkers. We ask that the Committee propose changes to the public benefits application processes to allow for more accountability and responsiveness, including allowing clients and advocates to schedule interviews for Cash Assistance and One Shot Deal applications and to expedite disability accommodation requests.

#### *The HomeBase Program Administered by HRA to Prevent Homelessness is Not Functioning*

These inefficiencies are not limited to HRA centers; the challenges in accessing benefits delegated by HRA to providers in its HomeBase system are even greater. HomeBase is the exclusive processor for the CityFHEPS voucher, as well as other crucial forms of rental assistance designed to prevent homelessness. Unlike HRA centers, the HomeBase program is run by non-governmental entities who are not subject to the same type of oversight and required response times as HRA. Like HRA, we also understand from conversations with other providers and Homebase workers that many locations are severely understaffed and lack resources. In Manhattan, the problem is particularly acute because just one provider services the entire Borough. This understaffing, combined with numerous systemic inefficiencies and little oversight has created an insurmountable barrier for our clients seeking CityFHEPS and, in one instance, directly caused our client to become homeless.

The challenges begin with even accessing HomeBase services in the first instance. When clients have attempted to visit HomeBase's center in Manhattan in person, they are not admitted. Staff slide a sheet of paper under the door with instructions to email them. We have been told that when clients attempt to call or email to make appointments, no one responds. In our experience there is no plan in place to serve clients who do not have access to a phone or email. When our office makes a referral, it typically takes somewhere between six weeks to four months for HomeBase to even respond to an initial referral and conduct a 'pre-screen' to determine eligibility for HomeBase services, i.e., to speak to a caseworker. At this stage HomeBase will not determine whether a client is actually eligible for a service that HomeBase can provide, such as a housing voucher or rental assistance. We are then told that clients must wait another 8-10 weeks to be seen by a caseworker to conduct intake. Clients then wait again for weeks to months to be processed for a voucher or other assistance.

All told, the process to receive any kind of assistance from HomeBase can take between six months to a year – time our clients do not have in a pending eviction case. Landlords and judges are simply not willing to wait six months or more for HomeBase to conduct a pre-screening interview, complete an additional intake and issue a voucher. HomeBase will at times not even advise as to where a client is in the multi-step intake process, leaving us with nothing to bring to the attention of landlords or the court.

We have clients who have already been evicted because of these delays and mistakes or who are at serious risk of eviction right now while they wait to be seen by HomeBase. Just the delays themselves cause harm as clients can accrue substantial arrears while waiting for assistance. One of our clients chose to be evicted because they believed that they would receive a voucher more quickly at a shelter than through HomeBase. The issues in getting a voucher also extend to the process of leasing an apartment once a voucher has been secured. Sometimes, HomeBase will close a case immediately after issuing a voucher, forcing the client to start back at square one when they are ready to lease an apartment or need to make a change to their voucher. Errors with the calculation of utility payments, the timing of rent checks, and other mistakes can lead to voucher holders being denied eligible housing.

As documented by the Daily News in April 2022, 76% of people who received a CityFHEPS voucher, and who were approved for an apartment by a landlord, were nonetheless blocked from renting the apartment by HRA/DSS often for reasons like spelling out on an application “street” as opposed to “st.” for the address to the apartment.<sup>5</sup>

While we applaud the recent announcement from the City expanding the eligibility criteria for CityFHEPS, without a concerted effort to improve the procedures for issuing and processing these vouchers through HomeBase, the system is likely to come under further strain.

In all, the HomeBase system is at a breaking point. Tenants are not able to obtain emergency assistance which they may be eligible for. Legal services providers are not able to obtain the answers we need to prevent evictions. Every day these issues are causing serious harm to the most vulnerable members of our community. We urge the Committee to conduct a thorough review of the policies and procedures that govern Homebase to ensure the effective administration of these crucial benefits.

*Int 0641-2022, Int 0703-2022, and Int 0704-2022 Would Provide Much Needed Accountability and Efficiency in HRA Processes*

NDS strongly supports all three bills on the agenda for today’s session. In particular, the disclosure requirements regarding the timeliness of city-funded rental payments proposed by Int 0703-2022 and the introduction of an electronic transfer option for rental payments would provide much needed modernization to the city’s rental assistance payment system. Our office routinely handles cases where tenants are being sued for eviction as a result of errors in processing or mailing rent checks to landlords. Through no fault of their own, our clients are being put at risk of losing their homes due to these kinds of preventable errors and we support these efforts to avoid them.

---

<sup>5</sup> [NYC bureaucracy kept homeless out of thousands of vacant apartments \(nydailynews.com\)](https://www.nydailynews.com/homeless-out-of-thousands-of-vacant-apartments-nydailynews.com); [Administrative Obstacles Jam Up Moving Process for NYC Shelter Residents \(citylimits.org\)](https://citylimits.org)