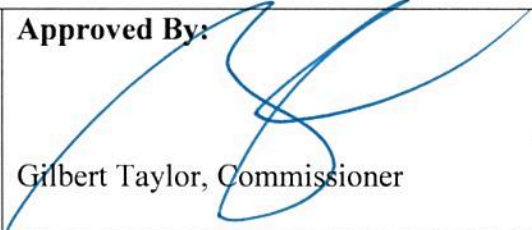




PROCEDURE NUMBER 16-402

Subject:	Applicable To:	Effective Date:
Single Adult Permanent Housing Referral Procedure	All DHS Directly Operated or Contracted Facilities/Programs Serving Homeless Single Adults	September 1, 2015

Administered By:	Approved By:
Adult Services Division	 Gilbert Taylor, Commissioner

I. PURPOSE

The Department of Homeless Services (DHS) provides temporary emergency shelter to homeless New York City residents and does so in accordance with State and local law and implementing regulations with the goal of moving shelter residents back into permanent housing in the community as soon as possible. The Single Adult Permanent Housing Referral Procedure (16-402) instructs DHS Single Adult shelter staff at directly-operated or contracted shelters and Outreach Teams at all homeless programs for single adults to refrain from referring clients to permanent housing in buildings that meet one or more of the criteria set forth in Title 31, Chapter 2 or the Rules of the City of New York ("Single Adult Referral Rule"), and to penalize programs that make such referrals.

II. INTRODUCTION

The Single Adult Housing Referral Procedure grew out of a joint initiative between the New York City Council and the NYC Department of Homeless Services to prevent the referral of single adult homeless individuals to permanent housing in unsafe or substandard buildings and provides criteria for evaluating whether a housing referral is inappropriate.

III. SINGLE ADULT REFERRAL RULE CRITERIA

Single Adult Staff must check ALL referrals to permanent housing options and placements to ensure they do not meet one or more of the following criteria, as set forth in the Single Adult Referral Rule (the “Criteria,” also attached as Attachment A). If a potential permanent housing option or placement meets one of the Criteria, Single Adult Staff may not make the referral.

- A. Buildings that appear on the New York State Department of Health (DOH) website “Do not refer list”, when a client’s exit from shelter is being planned, or when the shelter otherwise considers referring a client to the address.
- B. Buildings that have active vacate orders listed by the NYC Department of Buildings, the NYC Department of Housing, Preservation and Development and/or the NYC Fire Department on their respective websites when a client’s exit from shelter is being planned, or when the shelter otherwise considers referring a client to the address.
- C. Buildings against which HPD has pending litigation, or with one or more Hazard Class “I” violations as reflected in the HPD “Complaint, Violations and Registration Information” database, when a client’s exit from shelter is being planned, or when the shelter otherwise considers referring a client to the address, or buildings that at such time are identified on the HPD website as enrolled in the HPD Alternative Enforcement Program (AEP).
- D. Buildings with one or more complaints posted on the DOB website (Buildings Information System (BIS) within the four (4) years preceding the time when a client’s exit from shelter is being planned, or when the Provider otherwise considers referring a client to the address, that meet both criteria below:

- 1. Coded as one or more of the following Complaint Categories:

<u>Code</u>	<u>Complaint Category Description</u>
31	Certificate of occupancy (CO) – None/Illegal/Contrary to CO
45	Illegal conversion
71	Single Room Occupancy (SRO) – Illegal work/No permit/Change in Occupancy

- 2. Complaint Disposition Codes that are:

- a. Blank in BIS; or,
- b. A1 through A9 (violations or summons served); or,
- c. C1 through C4 (failure to gain access/access denied).

IV. PROCESS

A. To ensure compliance with the Single Adult Referral Rule:

1. Single Adult Staff shall not make a referral to a substandard or unsafe permanent housing option, as identified in the Criteria.
2. Single Adult Staff must distribute to all clients in their program the NYC Department of Homeless Single Adult Safe Permanent Housing Referral Notice which describes the conditions that preclude a referral to a housing option. (Attachment B)
3. Single Adult Staff must evaluate permanent housing options provided by a potential landlord or agent before that landlord or agent presents that housing option to clients. If the housing option is found to meet one or more of the Criteria, Single Adult Staff shall not permit the landlord or agent to present this housing option to clients. However, if the housing option will be supported by a government subsidy that requires a concurrent inspection of the housing option by the NYC Department of Buildings (DOB) and/or NYC Department of Housing, Preservation and Development (HPD), such agency may determine the housing option does not meet any of the Criteria, and Single Adult Staff may make the referral.
4. Should a client view a permanent housing option provided by a potential landlord or agent, and for which there is no concurrent inspection by DOB or HPD in connection with a government subsidy, and the client believes that it meets one or more of the substandard or unsafe criteria listed below, Single Adult Staff must offer to assist the client in making a complaint to the 311 citizen service center.
 - a. Single Adult Staff must provide the client with access to a telephone if the client does not have one available.
 - b. If the client refuses to accept the housing option based on his/her report of a condition that would make the housing option inappropriate under the Criteria, Single Adult Staff shall not make the referral.
 - c. If an inspection conducted by the NYC Department of Buildings and/or NYC Department of Housing, Preservation and Development subsequent to a 311 complaint determines that the housing option does not meet any of the Criteria, Single Adult Staff may make the referral.
 - d. In the event a client refuses the referred housing option, the reason(s) for the refusal must be documented in the client's case record.
5. Single Adult Staff may not prevent a client from choosing to exit shelter to housing that meets one or more of the Criteria. Should a client make such a choice, Single Adult Staff must inform the client that the housing option he or she has chosen fails to meet the

Criteria outlined by DHS Single Adult Staff must document this conversation in the client's case record. Clients are requested to sign a Letter to Acknowledge Apartment Selected Does Not Meet DHS Housing Referral Criteria and receive a copy of the document. (Attachment C)

- B. Referrals by contracted single Adult Shelter Providers to housing that falls within the Criteria that is not otherwise approved by DOB and HPD pursuant to Sections IV(3) or (4) will be penalized through the Performance Incentive Program (PIP), as set forth in the provider's contract with DHS.

V. CONTINUOUS QUALITY IMPROVEMENT (CQI) QUALITY ASSURANCE

- A. The Quality Assurance function of the Single Adult Permanent Housing Referrals is completed by the DHS Continuous Quality Improvement (CQI) unit.

The CQI unit samples thirty (30%) percent of adult shelter exits provided in CARES by all DHS Directly Operated or Contracted Facilities/Programs Serving Homeless Individuals in the New York City's five (5) Boroughs to ensure they are accurate and meet the Single Adult Referral Rule Criteria in each category, as identified in Section III above, unless they have been inspected by another government agency.

1. If the housing placement meets the Single Adult Referral Rule Criteria, CQI makes no changes to the CARES screen. After 30 days, if the adult does not return to shelter, the referral is counted as an approved placement in CARES.
 2. If the placement does not meet the Single Adult Referral Rule Criteria, CQI disapproves and adds the address to the CARES "Buildings Do Not Refer List." As part of the PIP, shelter providers receive a list of their permanent placements and the status (allowed/disallowed) about six (6) weeks after the end of the month. They have 10 days to review and submit reconciliations.
 3. In the event a placement is erroneously disallowed the CQI unit is able to process corrections to the adult shelter exits provided in CARES. Upon discovery of such errors, CQI should be contacted at: Placements@dhs.nyc.gov.
- B. In addition, CQI and the DHS training unit are responsible for training all DHS Directly Operated or Contracted Facilities/Programs serving homeless individuals in the Single Adult Permanent Housing Referral Process.

ATTACHMENTS

1. Attachment A - NYC Department of Homeless Services Safe Permanent Housing Referral Notice
2. Attachment B - Letter to Acknowledge Apartment Selected Does Not Meet DHS Housing Referral Criteria
3. Attachment C - Instructions to Check Single Adult Permanent Housing Placement Referrals meet ALL requirements against prohibited substandard and unsafe violations for viewing, renting or placements.



Attachment A

Single Adult Safe Permanent Housing Referral Notice

DHS wants you to have a safe living environment when you exit shelter for permanent housing in New York City.

While you can choose to live where you want when you leave your program, we have created guidelines about the housing options you can be referred to by your Single Adult Provider. If you choose a housing option on your own that fails to meet these guidelines, it is possible that provider staff will not recommend it.

Provider staff cannot refer you to housing that:

- Has an active vacate order from NYC Department of Buildings (DOB), Department of Housing Preservation and Development (HPD), and/or the Fire Department;
- Is owned by a landlord being sued by HPD concerning the property;
- Has one or more Hazard Class I violations (the most serious violation type) on HPD's "Complaint, Violations, and Registration Information" database;
- Is enrolled in HPD's Alternative Enforcement Program;
- Has one or more complaint about overcrowding or illegal use posted on the DOB website within four years before the time your exit is planned, indicating either:
 - a violation or summons were served; or
 - the complaints could not be resolved because the owner did not let inspectors in; or
 - the complaint was never addressed;
- Appears on the New York State Department of Health's Referral Suspension List or Uncertified Facilities List.

If you believe a housing option is unsafe, you should report it to the 311 citizen service center by dialing 311 or visiting them at www.nyc.gov/311. Let provider staff know if you need help reporting unsafe housing.

CLIENT:

I have read and have had this form explained to me. I understand that I may choose where I want to live when I leave the program, but this choice may not be recommended by the provider staff if it fails to meet guidelines.

Print Name

Signature

Date

STAFF:

I have explained this form to the client.

{ } Client refused to sign.

Print Name

Signature

Date

Aviso de Remisión de Vivienda Permanente Segura para Adultos Solteros

El Departamento de Servicios para Personas Sin Hogar (DHS) quiere que usted tenga un ambiente de vida seguro después de su traslado del refugio a una vivienda permanente en la Ciudad de New York.

Aunque usted puede elegir dónde habitar al salir de nuestro programa, hemos establecido pautas acerca de las opciones de vivienda a las que puede ser remitido por su Proveedor para Adultos Solteros. Si elige una vivienda por sí mismo que no cumple con estas pautas, es posible que el personal del proveedor no lo recomiende.

El personal del proveedor no lo puede remitir a una vivienda que:

- Tiene una orden activa de desalojo del Departamento de Edificios (DOB), del Departamento de Preservación y Desarrollo de la Vivienda (HPD) y/o del Departamento de Bomberos de la Ciudad de New York;
- Pertenece a un propietario demandado por el HPD con respecto a la propiedad;
- Tiene una o más infracciones de Riesgo Clase I (el tipo más serio de infracción) en la base de datos de "Quejas, Infracciones e Información de Registro" del HPD;
- Está inscrita en el Programa Alternativo de Aplicación del HPD;
- Tiene uno o más reclamos por sobreocupación o uso ilegal, remitidas al sitio web del DOB dentro de los cuatro años anteriores a la fecha en que usted planifica mudarse, con alguna de estas indicaciones:
 - se le ha entregado una infracción o una citación; o
 - los reclamos no se resolvieron, debido a que el propietario no dejó entrar a los inspectores; o
 - el reclamo nunca fue atendido;
- Aparece en la Lista de Suspensión de Derivación o en la Lista de Instalaciones No Certificadas del Departamento de Salud del Estado de New York.

Si cree que una opción de vivienda es insegura, debe informarlo al centro de servicios al ciudadano 311, al llamar al 311 o al visitar www.nyc.gov/311. Si necesita ayuda para informar una vivienda insegura, consulte al personal del proveedor.

CLIENTE:

He leído este formulario y me ha sido explicado. Entiendo que puedo elegir dónde vivir cuando abandone este programa, pero esta elección puede no ser recomendada por el personal del proveedor, si no cumple las pautas.

Nombre

Firma

Fecha

EQUIPO:

He explicado este formulario al cliente.

{ } El cliente se negó a firmar

Nombre escrito

Firma

Fecha

Attachment B

(REFERRING SHELTER) _____

I have been advised by my caseworker that the apartment I selected at:

(Address) _____, does not meet the Department of Homeless Services' Single Adult Permanent Housing Referral Criteria because of: (Violation) _____. Having been advised, I understand that I may still choose to exit shelter to this address, and I may contact the Department of Buildings for more information about this property through 311.

Client's Signature

Date

Case Worker/Housing Specialist

Date

Anexo B

(REFUGIO QUE REMITE) _____

He sido notificado por mi asistente social de que el apartamento que elegí en:
(Dirección) _____, no cumple con los
Criterios de Derivación a Alojamiento Permanente para Adultos Solteros del Departamento de
Servicios para Personas Sin Hogar (Department of Homeless Services), debido a: (Infracción)
_____. Habiendo sido advertido, entiendo que aún
puedo decidir mudarme del refugio a esta dirección, y que puedo contactar al Departamento de
Edificios para obtener más información acerca de esta propiedad, al llamar al 311.

Firma del cliente

Fecha

Asistente social/Especialista en alojamiento

Fecha



Single Adult Permanent Housing Placement Referral Instructions

Providers must check that **ALL** available housing options and placements meet DHS guidelines against substandard and unsafe violations as set forth below on ALL four (4) NYC Agency websites:

1. Department of Buildings (DOB) Guidelines, (www.nyc.gov/buildings)

Placements meet DHS guidelines if:

- a. There is no active vacate order from DOB – the building is damaged, illegal or unsafe - whether the vacate order is partial or full, and even if only one (1) unit is vacated and this is not where your client is being placed; and
- b. No active complaint in the four (4) years prior to the move-out date in:
 - 1) Complaints or Problems reported to the DOB – in the following three (3) areas:
 - a) **31** – Certificate of Occupancy – None/Illegal/Contrary to C of O
 - b) **45** – Illegal Conversion
 - c) **71** – SRO – Illegal work/No Permit/Change in Occupancy – Use
 - 2) Disposition codes – that were dismissed, referred elsewhere, if inspectors were unable to gain access, etc.
 - a) **A** means a violation was served
 - b) **C** means that the inspectors were unable to gain access to inspect

2. Department of Housing Preservation and Development (HPD) Guidelines, (www.nyc.gov/hpd)

Placements meet DHS guidelines if:

- a. There is no active vacate order for any unit in the building, either partial or full
- b. HPD is not currently in litigation against the owner of the building
- c. The building is not part of HPD's Alternative Enforcement Program

3. Fire Department (FDNY) Guidelines, (www.nyc.gov/fdny)

Placements meet DHS guidelines if:

The FDNY has not issued a vacate order for this building, full or partial.

4. New York State Department of Health (NYS DOH) Guidelines, (www.health.state.ny.us)

Placements meet DHS guidelines if:

They are not found on the Referral Suspension or Uncertified Facilities lists.



Instrucciones para la Remisión de Adultos Solteros a Viviendas Permanentes

Los proveedores deben verificar que **TODAS** las opciones e instalaciones disponibles de vivienda cumplan con las pautas del Departamento de Servicios para Personas Sin Hogar (DHS), contra infracciones por deficiencia o inseguridad, como se establece a continuación, en TODOS los sitios de Internet de las cuatro (4) Agencias de la Ciudad de New York:

1. Pautas del Departamento de Edificios (DOB), (www.nyc.gov/buildings)

Las instalaciones cumplen con las pautas del DHS si:

- a. No hay órdenes vigentes de desalojo por parte de DOB: el edificio está dañado, es ilegal o inseguro; tanto si la orden de desalojo es total como parcial, e incluso si solamente una (1) unidad debe desalojarse, aunque no sea aquella en que va a instalarse su cliente; y
- b. No hay reclamos activos en los cuatro (4) años anteriores a la fecha de mudanza en:

1) Reclamos o problemas informados al DOB: en las siguientes tres (3) áreas:

- a) **31** – Certificado de Ocupación: Inexistente/Ilegal/Contrario al C de O
- b) **45** – Conversión ilegal
- c) **71** – SRO – Trabajo ilegal/No permitido/Cambio en ocupación-uso

2) Códigos de Disposición: que hayan sido descartados, derivados a otro lugar, los inspectores no pudieron tener acceso, etc.

- a) “A” significa que se le ha extendido una infracción
- b) “C” significa que los inspectores no pudieron tener acceso para supervisar

2. Pautas del Departamento de Preservación y Desarrollo de la Vivienda (HPD), (www.nyc.gov/hpd)

Las instalaciones cumplen con las pautas del DHS si:

- a. No hay órdenes vigentes de desalojo en ninguna unidad del edificio, sea parcial o total;
- b. El HPD no está en litigio contra el dueño del edificio;
- c. El edificio no es parte del Programa Alternativo de Aplicación de HPD.

3. Pautas del Departamento de Bomberos (FDNY), (www.nyc.gov/fdny)

Las instalaciones cumplen con las pautas del DHS si:

El Departamento de Bomberos de New York (FDNY) no ha emitido una orden de desalojo total o parcial para este edificio

4. Pautas del Departamento de Salud del Estado de New York (NYS DOH), (www.health.state.ny.us)

Los emplazamientos cumplen con las pautas del DHS si:

No se encuentran en las listas de Suspensión de Derivación o de Instalaciones No Certificadas.