

<p>SUBJECT:</p> <p>Closedown and Facility Population Change Checklists</p>	<p>APPLICABLE TO:</p> <p>All directly operated and provider-operated facilities serving individuals and families experiencing homelessness</p>	<p>ISSUED:</p> <p>December 20, 2022</p>
<p>ADMINISTERED BY:</p> <p>Division of Adult Services, Division of Family Services, Street Homeless Solutions, Housing Emergency Referral Operations (HERO)</p>		<p>APPROVED BY:</p> <p>Joslyn Carter, Administrator Department of Social Services/ Department of Homeless Services</p>

I. INTRODUCTION

When DHS determines that any Single Adult, Adult Family, Families with Children, or Street Homeless Solutions (“SHS”) facility will be closing such that all clients in the facility (“closing facility”) will be moving to another shelter facility or to permanent housing, DHS and facility staff will follow the checklist set forth in Section II.

When DHS determines that any Single Adult, Adult Family, Families with Children, or Street Homeless Solutions (“SHS”) facility needs to undergo a population change (“population flip”) to increase capacity for other groups of people, such that a cohort of clients will be moving to another shelter facility, DHS and facility staff will follow the checklist set forth in Section III.

II. DHS AND FACILITY STAFF CHECKLIST FOR FACILITY CLOSINGS

1. At least 30 days before the closing date, facility staff must serve all clients present with the Closedown Memo (**DHS-113b**) for commercial hotel closedowns in the single adult system or **DHS-113c** for all other closedowns). This date is the “distribution date.”
2. DHS will stop new referrals to the closing facility at least 30 days before DHS must exit the closing facility.
3. After the distribution date, DHS clients who lose their beds due to failing to return to the closing facility without a late pass will be processed consistent with the guidance below.

- a. Single Adult Facilities: DHS must assign clients absent from the closing facility for two or more consecutive nights to an appropriate bed in accordance with Single Adult Bed Management ([DHS-PB-2020-020](#)).
 - b. SHS Facilities: DHS must work with its outreach teams and/or facility staff to identify an appropriate bed for clients absent from the closing facility for three or more consecutive nights.
 - c. Family Facilities: DHS must direct clients who fail to report to the subject facility for 48 hours to the appropriate family intake facility to reapply for temporary housing assistance.
 - i. NOTE: DHS temporarily extended the period that clients may be away from the family facilities to 96 hours during the COVID-19 public health emergency.
 - d. Facility staff must provide the Closedown Memo (**DHS-113b** or **DHS-113c** as appropriate) to any clients that were not present on distribution date if they return before losing their placement.
4. Facility staff must meet with clients as part of regular case management and discuss the following placement-related needs during regular case management meetings. DHS will consider these factors when making placements.
- a. Client demographics, including age, case composition and preferred language;
 - b. Obvious/apparent or already known medical or disability-related needs:
 - i. including approved or provisionally granted RAs;
 - c. Medical/disability-related issues, including:
 - i. whether a client has durable medical equipment, such as a shower chair or a hospital bed, that DHS or the provider will move during the transfer process;
 - ii. mental health, program type (single adults only), or related service needs, where appropriate;
 - iii. borough of medical, mental health or other clinical providers and whether clients have access to free, accessible transportation to attend these appointments;
 - d. DV preclusions, and any other safety-related concerns;
 - e. Borough where the household's youngest child attends school (FWC only);

- f. Any borough preference, including employment or school-related considerations;
 - g. Whether the client needs storage; and
 - h. Voucher status/whether the client is linked to permanent housing.
5. After meeting with clients, facility staff must update electronic systems of record to account for any new information elicited during the meeting. Facility staff must convey any other relevant, new information elicited during the case management in a method and manner to be determined by the Program area.
6. Facility staff must submit any new RA requests made pursuant to [DHS-PB-2022-002](#) Interim Reasonable Accommodation Procedure (“IRAP”) – including disability-related needs that are obvious, apparent, or known to the facility staff. Facility staff will serve RA determination notices consistent with the IRAP. Facility staff must retain copies of the signed RA determination notices.
 - a. A client may request a new RA request at any time.
 - b. If a client does not have a final decision on all RA requests and appeals by the closing date, DHS will transfer the client to a comparable placement, but provide pending RARs provisionally only if DHS determines that failure to provide the RA provisionally will cause a serious risk of harm to the client.
 - c. *For commercial hotel closedowns in the single adult system:*
 - i. Notification of Approved RAs:
 1. DHS or facility staff will generate copies of all approved RA and alternative RA determination notices and provide copies to clients simultaneously, or as soon thereafter as practicable, with the distribution of the Hotel Closedown Memo.
 2. Facility staff must retain signed copies of the RA notices described above.
 3. These duplicate notices do not renew rights in place at the time the original notice was served. For instance, a client who receives a copy of a notice informing them that DHS approved an alternative RA more than 15 days ago would not be entitled to appeal the alternative grant, but could request a new RA.

ii. Reassessment of COVID RAs:

1. DHS or facility staff will generate the Notice of Intent to Reassess RA – COVID (**DHS-113**). Facility staff will provide this document to clients with approved COVID RAs on the distribution date, alongside the Hotel Closedown Memo.
 - a. Facility staff must retain signed copies of the Notice of Intent described above.
 2. Clients may submit relevant and reliable disability-related documentation within 15 calendar days of receipt of the closedown memo. Clients may request additional time to submit documentation and/or request assistance with obtaining documentation, if needed. After 15 days, CAS ORA will reassess the continued need for a reduced density placement or private bathroom pursuant to the Guidelines for Placing Clients in Single Rooms and Reduced Density Placements ([DHS-PB-2022-018](#)) based on the information in DHS's possession, including any new documentation submitted by the client.
 3. Facility staff will serve RA determination notices consistent with the IRAP. Facility staff must retain copies of the signed RA determination notices.
 4. Clients that appeal a reassessment determination on the day they receive a reassessment determination will be provided a comparable placement pending the appeal outcome. Clients will be provided 15 calendar days to submit additional disability-related documentation for the DHS Appeals Committee to consider during the appeal.
 5. Clients whose COVID RA reassessment or related appeal is not complete by time of the closing date will be transferred to an appropriate placement, and DHS will make best efforts to provide a comparable placement pending a final determination.
7. The assigned Program Administrator will review all placement-related information with the facility director or other appropriate facility staff, taking particular care to ensure that any items needing confirmation with DHS' systems (e.g., confirming all RAs in RAMS) are accurate and complete.

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8. After consulting with the provider, DHS makes determinations on all client placements. DHS generates transfer notices, consistent with State regulation and Local Law.
 9. DHS relies on facility staff to serve transfer notices, as given to the facility, at least 48 hours in advance of the move.
 - a. *For commercial hotel closedowns in the single adult system:*
 - i. The transfer notice will provide information about whether the new placement is a single room, reduced density placement, or congregate dormitory.
 - b. Facility staff must retain signed copies of the notices described above.
 10. DHS will pace the moves as appropriate for the facility that is closing and the facilities accepting transfers.
 11. Clients with permanent housing plans in progress will be held until the end of the move so that, to the extent possible, they can transition directly to permanent housing instead of being transferred to a new shelter. If a direct move to permanent housing is not possible, DHS will confirm that the permanent housing plan is clearly communicated to the new shelter provider.
 12. This review should begin at least thirty days before the facility is scheduled to close.

III. DHS AND FACILITY STAFF CHECKLIST FOR FACILITY POPULATION CHANGES AND CLIENT COHORT MOVES

1. Being mindful of the need to conduct a population flip and move cohorts of clients, without closing a facility, to increase capacity in emergency and other unprecedented situations, facility staff must serve clients of the cohort to be moved with the **DHS-113e** for Facility Population Change as soon as is practicable. This date is the “distribution date”.
2. After the distribution date, DHS clients who lose their beds due to failing to return to the facility without a late pass will be processed consistent with the guidance below.
 - a. Single Adult Facilities: DHS must assign clients absent from the closing facility for two or more consecutive nights to an appropriate bed in accordance with Single Adult Bed Management ([DHS-PB-2020-020](#)).
 - b. SHS Facilities: DHS must work with its outreach teams and/or facility staff to identify an appropriate bed for clients absent from the closing facility for three or more consecutive nights.

- c. Family Facilities: DHS must direct clients who fail to report to the subject facility for 48 hours to the appropriate family intake facility to reapply for temporary housing assistance.
 - i NOTE: DHS temporarily extended the period that clients may be away from the family facilities to 96 hours during the COVID-19 public health emergency.
 - d. Facility staff must provide the **DHS-113e** for Facility Population Change to any clients of the cohort to be moved that were not present on distribution date if they return before losing their placement.
3. DHS must check electronic systems of record to ensure that they have accurately accounted for clients with:
 - a. Approved RAs; or
 - b. Pending RAs.
 4. The assigned Program Administrator will review all placement-related information with the facility director or other appropriate facility staff, taking particular care to ensure that any items needing confirmation with DHS' systems (e.g., confirming all RAs in RAMS) are accurate and complete.
 5. After consulting with the provider, DHS makes determinations on all client placements. DHS generates transfer notices, consistent with State regulation and Local Law.
 6. DHS relies on facility staff to serve transfer notices, as given to the facility, at least 48 hours in advance of the move.

IV. RELATED ITEMS

<u>DHS-PB-2020-020</u>	Single Adult Bed Management
<u>DHS-PB-2022-002</u>	Interim Reasonable Accommodation Procedure ("IRAP")
<u>DHS-PB-2022-018</u>	Guidelines for Placing Clients in Single Rooms and Reduced Density Placements

V. ATTACHMENTS

DHS-113	Notice of Intent to Reassess RA – COVID
DHS-113b	Closedown Memo (for commercial hotel closedowns in the single adult system)

DHS-113c

Closedown Memo (for all other closedowns)

DHS-113e

Facility Population Change Memo

Date: _____

Client ID: _____

Name: _____

Facility: _____

Notice of Intent to Reassess Reasonable Accommodation(s)

This notice is to inform you that DHS will reassess your Reasonable Accommodation(s) for a single room, double room, or private bathroom that was approved for the duration of the COVID-19 pandemic. If you have another RA that was granted for a reason other than COVID, that RA will remain active and not be reassessed. If you believe you still need a single room, double room, or private bathroom because of a disability and/or medical condition, you may want to submit more documentation within the next fifteen (15) days from someone like a doctor, medical professional, social worker, rehabilitation counselor, or service provider who knows why you need the help. If you think the information we already have shows why you need help, you can tell us that too.

DHS will continue your RA(s) for now unless DHS must transfer you because there are no available placement options. In this case, staff will work with you on alternative options to meet your needs.

If you receive a decision on your reassessment that you do not agree with, you have the right to an appeal. If you need help with requesting an appeal, you can discuss with your case manager or any social services staff.

You can request DHS reassess the RA(s) by selecting from the below:

- I still need my reasonable accommodation and will provide additional documentation if needed. (You must provide any additional documentation you would like DHS to consider within 15 days or DHS will reassess your RA based on the documents in our possession.)
- I no longer need my reasonable accommodation, and I understand that DHS may not provide it at my next placement. (You do not have to do anything further.)

FOR DHS OR PROVIDER STAFF

If the client selected "yes" above, provide the *Reasonable Accommodation Request* form to the client to complete. Offer to assist the client with completing the form. Refer to section III "RA Request Process" in the DHS RA procedure for further instructions.

(TURN PAGE)

A medical or mental health condition or disability may make it hard for you to understand this notice or to do what this notice is asking you to do. This kind of condition may make it hard for you to get other services at DHS. **If this is true for you, we can help you.** Please ask shelter staff for help. You have a right to ask for this kind of help under the law.

Acknowledgement of Receipt

Client Signature or Initials

Date

DHS/Provider Signature

Date

SAMPLE

DATE: _____
TO: ALL CLIENTS AT THE
FROM: _____, _____
CC: _____, Program Administrator

This memo is to let you know that as of _____, _____, located at _____ will no longer operate as a homeless shelter.

Over the next 30 days, we will take steps to transfer you to a new facility unless you are already linked to permanent housing. We understand that you may have some questions and concerns and we will do our best to address them.

DHS will take the following steps to make the move easier:

- You will receive a notice of transfer at least 48 hours before DHS transfers you. This notice will include the name, address, and borough of your new assigned facility. DHS may take longer than 48 hours to transfer you after you receive the notice of transfer, depending on your needs.
- Social services staff will continue to work with you to identify any needs you may have in your next placement.
- Social services staff will take your schedule into consideration when planning your transfer and assist you with transportation options.
- Once you arrive at your new facility, the new social services staff will work with you to address your needs and goals for independent living.

If you need help because of a disability, you have a right to ask for reasonable accommodations (RAs) and can do so at any time.

If DHS has approved RAs or alternative RAs on file for you then social services staff will give you copies of notices called "Decision on Your Reasonable Accommodation Request." If you receive a notice for an approved RA or an alternative RA, you do not need to do anything. DHS will provide you with your approved accommodations, unless there are no placement options available that meet your needs. In this case, staff will work with you on alternative options to meet your needs.

If you believe you need an RA and you did not get a notice that says the RA is approved, DHS does not have that RA on file for you. Please speak with your assigned case manager or the Program Director right away and they will assist you in requesting any RAs you may need.

We appreciate your understanding during this process. If you have any questions, or require any additional information, please contact your case manager or facility director.

DATE: _____
TO: ALL CLIENTS AT THE _____
FROM: _____, _____
CC: _____, Program Administrator

This memo is to let you know that as of _____, _____, located at _____ will no longer operate as _____.

Over the next 30 days, we will take steps to transfer you to a new facility unless you are already linked to permanent housing. We understand that you may have some questions and concerns and we will do our best to address them.

DHS will take the following steps to make the move easier:

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We appreciate your understanding during this process. If you have any questions, or require any additional information, please contact your case manager or facility director.

DATE: _____
TO: CLIENTS AT THE _____
FROM: _____, _____
CC: _____, Program Administrator

This memo is to let you know that as of _____, _____, located at _____ will experience a population change and function as [a/an] _____.

We will take steps to transfer you to a new facility. We understand that you may have some questions and concerns and we will do our best to address them.

DHS will take the following steps to make the move easier:

- You will receive a notice of transfer at least 48 hours before DHS transfers you. This notice will include the name, address, and borough of your new assigned facility. DHS may take longer than 48 hours to transfer you after you receive the notice of transfer, depending on your needs.
- Social services staff will continue to work with you to identify any needs you may have in your next placement.
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