

FROM SHELTER

What your rights are in NYC Department of Homeless Services (DHS) shelters



What to do if your rights are violated



How to start looking for a permanent home



How to get help along the way



TO APARTMENT

It can be hard to live in a shelter, let alone find permanent housing. But you're not alone and this guide can help you.

**MAKING
POLICY
PUBLIC**

YOUR RIGHTS IN DHS SHELTERS

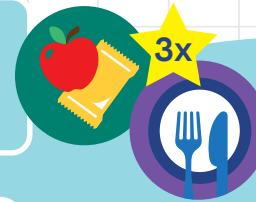
DHS shelters can be city-run or operated by organizations under contract with DHS. These include shelters for families with children, adult families, and single adults.

There are federal, state, and city laws that give you rights! Everyone has the right to:

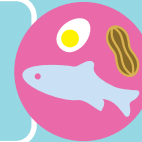
- Practice your civil and religious freedoms
- Manage your own finances
- Have your medical, personal, and financial information kept confidential by DHS and shelter staff
- Send and receive mail
- Meet privately with your legal representatives or advocates
- Be treated fairly and respectfully by staff
- Receive free interpretation services when communicating with DHS and shelter staff and get documents translated into your preferred language
- Leave and return to the shelter within curfew hours; late and early passes can be requested from your case manager
- Not be physically restrained or confined
- Be notified in writing of transfers and sanctions, and have the opportunity to fight them
- Be placed in a room with the gender you identify with

...& there are more rights!

You should have three well-balanced, nutritious meals that meet the NYC Food Standards, plus snacks, every day.



If you have dietary or nutritional needs verified by a medical professional, the shelter must accommodate your needs.

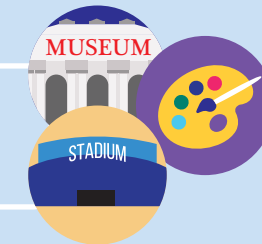


If your food doesn't meet these standards (is moldy, expired, not nutritious, or not enough), file a complaint with DHS (see back cover).

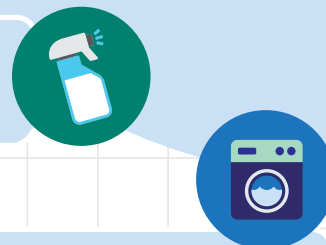
IN SHELTERS THAT PROVIDE MEALS

You have the right to receive visitors.

For single adult shelters, the shelter must offer at least 10 hours of recreational activities each week.



Living areas should be regularly cleaned, safe, and well-lighted.



In single adult shelters, washers and dryers with laundry soap should be available twice a week and as needed. If the shelter doesn't have a laundry, they should provide money for laundry.

IN COMMON AREAS

Bathrooms in single adult shelters should be cleaned at least twice a day.



Showers and tubs should be private or have privacy curtains or dividers.



There must be 24-hour access to bathrooms that are working, with hot and cold water.



There must be at least 1 shower for every 15 residents, and at least 1 sink and toilet for every 10 residents.



IN BATHROOMS

IN SLEEPING ROOMS

In shelters for single adults

You have a right to a secure locker but not a private room.

Sleeping rooms should have:

- At least 60 square feet per resident if for 2 or more, with a minimum of 3 feet between beds
- At least 80 square feet per resident if single occupancy

In shelters for families

You have the right to:

- A private room with a lock
- Space and equipment for bathing/changing infants and young children
- Access to refrigeration for your child's food
- If you're in a shelter for families with children under 18, you should have at least 50 square feet per family member (50 square feet = 5 feet x 10 feet)

IF YOU HAVE A DISABILITY OR HEALTH ISSUES

Your rights are protected by federal, state, and city laws including the Americans with Disabilities Act (ADA).

DHS must work with you to make sure shelter services and facilities are accessible to you. You may need to provide DHS a letter about your health issues or disabilities from your doctor or a social worker.

FOR EXAMPLE:



If you can't climb up stairs, but your room is on the second floor, **you can ask to be moved to the ground floor.**



If you use a wheelchair and can't access facilities, **you can ask to be put in a facility that's wheelchair-accessible.**



If living with lots of people in one room makes your anxiety worse, **you can ask to be moved to a room with fewer people.**



If your medication needs to be refrigerated, **you can ask to get access to refrigeration and storage.**

A "Reasonable Accommodation" (or RA) is a request for DHS to adjust their policies, practices, or facilities to make them accessible to you. This could involve DHS transferring you to a different shelter that's more appropriate for your needs.



REQUEST A REASONABLE ACCOMMODATION

Ask for a Reasonable Accommodation by talking to your case manager at the shelter or by filling out the RA Request Form, which you submit to the Shelter Director. They must give you a copy or you can get the form at:

www1.nyc.gov/assets/dhs/downloads/pdf/client-accom-request-form.pdf

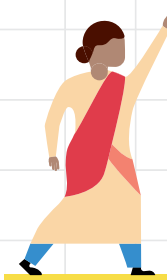


SUBMIT YOUR REQUEST

DHS must give you a written notice about its decision on your Reasonable Accommodation request. You can appeal if it is denied.

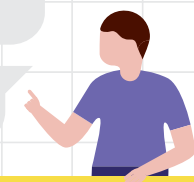
If you have problems with any part of the process, contact **Legal Aid Society Homeless Rights Project** (see back cover).

YOU MAY BE ABLE TO GET PUBLIC BENEFITS



If you're already receiving benefits, your benefit amounts may change when you move into a shelter.

If you aren't receiving benefits, you may be eligible now.



A If you apply and have no income, you may be eligible for expedited SNAP within 5 days or immediate needs grants (emergency cash) while you wait for your application to be processed.

B You may qualify for these additional grants while in shelter:



STORAGE GRANTS

To pay for storage while you're in a shelter.



TRANSPORTATION BENEFITS

If you have an active Cash Assistance case, you can apply for an apartment search grant to help cover transportation costs while you look for an apartment. Depending on your income, you may qualify for Fair Fares (a half-priced MetroCard).



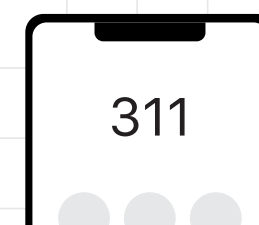
RESTAURANT ALLOWANCE

If you don't have access to a working kitchen (and your shelter doesn't serve meals), or if you can't eat the meals at your shelter for medical or other reasons. You need an active Cash Assistance case to qualify.



To learn more and apply, visit **AccessHRA** (access.nyc.gov) or call **311** to find the closest HRA office.

If you are denied benefits and need help, contact the **Safety Net Project** (see back cover).



DO YOU HAVE CHILDREN IN SCHOOL?

Children staying in a shelter or with family or friends while a parent or guardian is in a shelter have the right, under the McKinney-Vento Homeless Assistance Act, to:

A ASK FOR A SHELTER TRANSFER

You have the right to request a transfer from your case manager based on your child's needs (if current shelter is too far from the school, or if you want your children to be in school together).

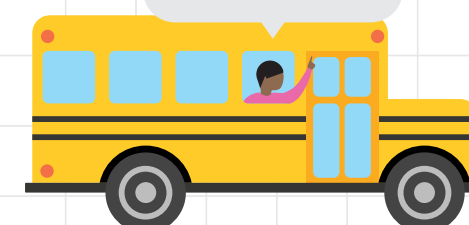


Every school has a liaison to support students. For help, contact **NYS-TEACHS** at **(800) 388-2014**.

B CHOOSE WHERE THEY GO TO SCHOOL

Your child can choose the school they were in before they entered shelter, or the school the shelter is zoned for. Busing or MetroCards may be available. Contact the **Office of Pupil Transportation** at **(718) 392-8855**.

I can choose my school!

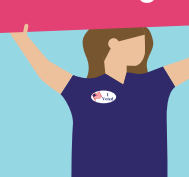


YOU CAN VOTE!

You can keep voting in the district where you were registered before you moved—or you can register at the address where you're living now.

If you're not registered yet, register at the address where you're living now.

You can vote!
It's your civil right.



A If you have a New York State ID, register online at:

voterreg.dmv.ny.gov/MotorVoter

B If you don't have a NYS ID call **311** or **(866) VOTE-NYC**.

Make sure you read every document you're asked to sign before you sign it.

REQUEST YOUR DHS RECORDS

You have a right to a complete copy of your DHS and shelter records. You can get them by submitting a Record Release Authorization Form, which can be found at:

safetynetactivists.org/nyc-dhs-shelter-form

I'm requesting:

- Shelter History Letter
- Copy of my Case Records

Email the form to:

records.access@dhs.nyc.gov

INCOME SAVINGS REQUIREMENT

Some shelters ask residents who have income from employment to save money each month they're in shelter.

If you save your money in a HRA or DHS account, all of this money must be returned to you within 30 days of leaving the shelter. If you want to contest the amount of your contribution or the amount that you receive when you leave shelter, you have the right to request a fair hearing (see back cover).

RECEIPT

DHS has emergency temperature policies, called "Code Blue" and "Code Red," with special rules to protect shelter residents from the cold and heat.

During Code Red and Code Blue, residents cannot be sanctioned or kicked out of shelter. Anyone that had been sanctioned can return.

95°F CODE RED

When temperatures reach 100°F for one day or 95°F for 2 or more days, shelters should have a "cooling area".

Homeless individuals should be allowed to access cooling areas at shelters, even if it is not their assigned shelter.

32°F CODE BLUE

When the temperature falls below 32°F with wind chill, all homeless individuals can go to any shelter to seek space (although DHS may move you to a different site if needed).

You have rights if your shelter says they're transferring you or kicking you out

TRANSFERS

Your shelter must always provide a written notice with a specific reason for transfer and the name and location of the shelter that you are being transferred to.

If you don't agree with your transfer, you do not need to sign the notice or can mark "do not accept." Contact the groups on the back cover and request a **NY State Fair Hearing** immediately.

A Administrative Transfer

When the shelter requests an emergency transfer. Should only be used if a delay in transfer would pose a health or safety risk to yourself or others.

B Voluntary Transfer

If you ask to be transferred.

C Involuntary Transfer

If your shelter moves you to another shelter.



At least 48 hours before the transfer, your shelter should provide you the written notice.

You can challenge a transfer!



In a family shelter, immediately request a pre-transfer hearing. If you are told you must still transfer after this process, request a NY State Fair Hearing immediately.



In a single adults shelter, immediately request an on-site supervisory review. Before the transfer, you will meet with the Shelter Director to present your objections to the transfer and any relevant documents. If the Director does not withdraw the transfer, request a NY State Fair Hearing immediately.

The shelter must provide transportation; if it's after 9:30 PM, it must be a van or bus. The shelter must return your belongings to you within 72 hours. You can NOT be turned away from the shelter you are transferred to.

SANCTIONS

Your shelter can attempt to kick you out of the system for up to 30 days. This is called a sanction and they must give you written notice. One reason you might be sanctioned is if you endanger the health or safety of yourself or others. You should NOT be sanctioned if you cannot meet a shelter requirement due to physical or mental impairment.

If DHS tries to sanction you, request a NY State Fair Hearing right away.

NY STATE FAIR HEARINGS



You have the right to challenge DHS's decision to transfer you or discontinue shelter by requesting a NY State Fair Hearing.

Information on how to request a hearing and groups that can help are on the back cover.

MOVING TO HOUSING

It's important to start looking for housing right away because the process can take a long time. Here's how to get started:



Find housing that's right for you

Housing is considered "affordable" by the government if it costs no more than 30% of your income.

You have the right to stay in a DHS shelter until you can find, or the City offers you, a permanent housing placement that meets your needs.

If a shelter is pressuring you to take housing that's not accessible, not appropriate, not affordable, or is illegal, and threatening to kick you out:

- 1** Write a statement about the problems with the housing. Include details like: unsafe or unhealthy physical conditions in the apartment, how your health or disabilities would be affected, etc.
- 2** Record the address and contact information of the person you met with.
- 3** Take pictures of the problems with the unit.
- 4** Report to the groups on the back cover immediately.

Always ask for a lease when considering a room for rent, since the arrangements may not be legal.

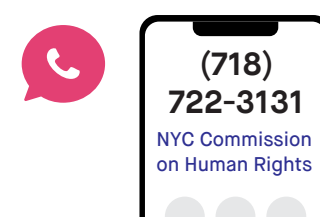
Even if the apartment is legal, it may not be permissible for you to rent the room. Contact groups on the back cover for more help.

When you apply for housing, know your rights

It's illegal for landlords to discriminate against you based on your "source of income," including housing vouchers, rent subsidies, disability benefits, and public assistance.

For example, if a landlord or broker tells you, "This building does not take vouchers," this is illegal.

If you've been discriminated against, make a complaint with the NYC Commission on Human Rights.



DSS You can also contact the **Department of Social Services (DSS)** Source of Income Discrimination Unit at **(929) 221-6576**. They will investigate and may be able to help.

Get financial help

You can apply for these extra grants.

Apply at your local HRA office or talk to your shelter caseworker. HRA and DHS can pay for:

- Enhanced One-Shot Deal** 4 months of rent, a furniture allowance, a security voucher, storage fees, and moving expenses. After that you pay the full amount of the rent (unless you have a housing voucher or Public Assistance shelter allowance).
- Furniture** For living rooms, bedrooms, kitchens, and bathrooms, and appliances like cooking and heating stoves and refrigerators. Amount depends on what you're furnishing and how many people are in your family.
- Moving Services** From a shelter or storage unit into your new home.
- Broker's Fees** Part or all of the broker's fee and a voucher for the security deposit.

LEARN ABOUT YOUR HOUSING OPTIONS

Housing in NYC has become more expensive due to gentrification, but there are several programs to help make housing affordable to individuals and families.

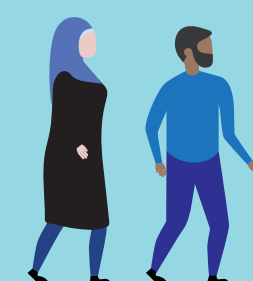
Who is it for?

How much do you pay in rent?

How do you apply?

Things to know

NYC Housing Connect



People at many different income levels. Each building will have their own set of income guidelines.

If you have a housing voucher, like CityFHEPS or Section 8, you can apply to any building for which your voucher would cover the rent. You do NOT need to meet the financial guidelines for that unit.

The full amount of the rent (unless you have a housing voucher).

To apply, create a profile at nyc.gov/housingconnect. Look for buildings that have available units and click "Apply" to apply to specific buildings. Residents are entered into a lottery for those units.

This website will also have updates on your applications and new listings.

If you have a housing voucher, say that on your application! It will help prove that you have income to pay the rent. You should also note if you have any disabilities.

If you receive a rejection, you have the right to appeal! Follow the instructions on your rejection letter.

CityFHEPS Vouchers



People below a certain income level. You will need to open a HRA Single Issuance or Cash Assistance case. You can use this voucher to search for housing on the private market.

For more info, go to: www1.nyc.gov/site/hra/help/cityfheps.page

Usually 30% of your income (the government pays the rest).

Your DHS Case Manager or Housing Specialist will give you a "Shopping Letter" that you can use to start looking for an apartment. Once you find an apartment, submit the paperwork to your shelter for processing and approval. If you have any problems, contact groups on back.

Once you find an apartment, work with your case manager or housing specialist to fill out the application and submit it for approval. Your shelter should arrange for an inspection and send a Unit Hold Incentive Voucher to hold the apartment while the paperwork is being processed.

Supportive Housing (HRA 2010e)



Vulnerable individuals and families coping with mental illness, trauma, abuse, addiction, and chronic illness—in addition to youth aging out of foster care and grandparents raising grandchildren.

It depends! Some tenants pay 30% of their income in rent. Some tenants have a grant to pay for rent and receive a personal needs allowance.

Ask your DHS case manager about applying for supportive housing. The application is called the HRA 2010e. You can also call the Center for Urban and Community Services at **(212) 801-3300**.

Supportive Housing has various levels of independence and supportive services. If you don't think you need supportive housing, you can tell them you are looking for independent housing.

If you disagree with HRA's decision, you can ask your caseworker to appeal the decision with a reviewer at HRA's PACT unit.

Special One-Time Assistance (SOTA)



People who are in shelter. Someone in the family must be working and/or have enough income to make future rent payments. Income includes employment or Supplemental Security Income (SSI), Social Security Disability (SSD), etc.

The SOTA program provides one year's full rent upfront for people to move anywhere in the US (including New York City and New York State) or Puerto Rico.

Your rent must not exceed 50% of the household income.

Talk to your DHS caseworker or housing specialist.

Shelter residents can only receive SOTA once.

If the household is moving within New York City only, the apartment must not be eligible for any federal, state, or city rental subsidy.

NYCHA Public Housing



People below a certain income level. Some families in shelter, domestic violence victims, youth aging out of foster care, and working families get priority. Make sure to note it on your application!

30% of your income or the rent, whichever is less.

Apply online at apply.nycha.info. Once you apply, you'll get a letter from NYCHA confirming its receipt.

If you're in a family shelter with children, you can ask your shelter to refer you directly to NYCHA.

You need to update and reapply every 2 years. Be sure to update your address whenever it changes—NYCHA will contact you through the mail.

The waitlist is several years long if you are not one of the priority groups, but you should still apply.

FHEPS Vouchers



People who are pregnant or have a child under 18 (or under 19 and in high school), AND are eligible for Public Assistance AND:




- Were evicted in the last 12 months or in the 12 months prior to entering shelter, OR
- Are eligible for an HRA domestic violence shelter, OR
- Are currently in eviction proceedings.

Usually 30% of your income (the government pays the rest).

Your case manager or housing specialist should be able to submit your FHEPS application.





You can use this voucher to search for housing on the private market.

TO REQUEST A NY STATE FAIR HEARING

-  (800) 342-3334
To request to reschedule: (877) 209-1134
-  14 Boerum Place, Ground Floor, Brooklyn, NY
-  otda.state.ny.us/oah/forms.asp (can be submitted 24/7)

TO FILE A COMPLAINT

If you have a complaint about shelter conditions and your experience there:

-  DSS Ombudsman's Office (800) 994-6494
 DSS Shelter Hotline (718) 291-4141
-  33 Beaver St, New York, NY
Walk In Hours: Monday-Friday 9AM-4PM
-  ombudsman@dss.nyc.gov

Ask for and write down the confirmation number and name of the person you speak to, so you can track your complaint.

FOR MORE HELP

Share your complaint with one of the organizations below or a local elected official, so you can ask for support if your shelter retaliates against you.

LEGAL AID SOCIETY HOMELESS RIGHTS PROJECT HOTLINE
(800) 649-9125
Monday-Friday 9AM-5PM

SAFETY NET PROJECT (SNP) LEGAL CLINICS
Free legal assistance with HRA, Public Assistance, SNAP, and voucher issues at SNP's walk-in legal clinics across NYC.
To find the schedule:
safetynetproject.org
(646) 602-5600

SAFETY NET ACTIVISTS organize for change to improve New York's safety net programs, including Public Assistance, SNAP, and the shelter system. They hold meetings twice a month at:
40 Rector St, 9th Fl, Manhattan, NY
safetynetactivists.org
(646) 481-4410

COALITION FOR THE HOMELESS-CRISIS INTERVENTION PROGRAM
Open Monday-Friday on a first-come, first-serve basis
(Please arrive no later than 8AM).
129 Fulton Street, Manhattan, NY
coalitionforthehomeless.org

MAKING POLICY PUBLIC is a program of the Center for Urban Pedagogy (CUP). CUP partners with policy advocates and graphic designers to produce foldout posters that explain complicated policy issues, like this one. makingpolicypublic.net

COLLABORATORS

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THE CENTER FOR URBAN PEDAGOGY (CUP) is a nonprofit organization that uses the power of design and art to increase meaningful civic engagement.
welcometocup.org



Safety Net Project

SAFETY NET PROJECT (SNP) advocates for safe and secure housing and fundamental resources like food and cash assistance for underserved and marginalized communities in New York City.
safetynetproject.org



Safety Net Activists

SAFETY NET ACTIVISTS build power for low-income people, particularly those dealing with the public assistance, homelessness, and food stamps system in New York City.



13MILLISECONDS is an independent creative studio working in advocacy, film and education. 13millisecons.com

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National Endowment for the Arts
arts.gov



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Council on the Arts

