



April 5, 2023

Contact:

Alejandra Lopez
ALopez@legal-aid.org
917-294-9348

*****FOR IMMEDIATE RELEASE*****

Legal Aid Files Lawsuit Against City for Illegally Terminating Low-Income New Yorkers' Rental Vouchers

Despite Legal Mandate, City is Failing to Sustain Critical FHEPS and CityFHEPS Rent Subsidies for Current Recipients, Putting Thousands of Families at Needless Risk of Eviction and Homelessness

(NEW YORK, NY) – The Legal Aid Society and Hughes Hubbard & Reed LLP filed a [class action lawsuit](#) today in New York State Supreme Court on behalf of eight individual plaintiffs representing all low-income households in New York City who receive rental subsidies under the Family Homelessness and Eviction Prevention Supplement (FHEPS) or the City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS) programs. The lawsuit, filed against the New York City Department of Social Services (DSS), seeks to stop the agency from unlawfully terminating current recipients' FHEPS and CityFHEPS vouchers.

FHEPS and CityFHEPS are critical rent supplements for families with children who are experiencing homelessness or are facing eviction, including those who have lost their housing or ability to pay for housing due to domestic violence, or because of health or safety issues. The subsidies were developed to prevent at-risk families, and particularly minor children, from entering the shelter system and to enable them to more rapidly exit shelter. CityFHEPS is targeted at other households in or at risk of entering City shelters.

“DSS is required by law to provide uninterrupted FHEPS and CityFHEPS assistance to families who qualify, yet they are failing to do so,” said **Lilia I. Toson, supervising attorney in the Civil Law Reform Unit at The Legal Aid Society**. “These programs are critical for thousands of

low-income families in New York City, but instead DSS is exposing these very families to the risk of eviction and homelessness.”

“New York City families that need rental subsidies must be able to rely on those subsidies continuing for as long as they qualify for them,” said **Fara Tabatabai, a partner at Hughes Hubbard & Reed**. “Instead, DSS is pulling the rug out from under these families and breaking its own rules in doing so. DSS needs to rectify these issues as soon as possible.”

DSS, which administers the City-funded CityFHEPS rent supplement program, routinely fails to renew households’ subsidies in a timely manner, causing the rental payments to be terminated without notice, and placing thousands of families in danger of eviction.

In addition, DSS, which also administers the State-funded FHEPS vouchers, routinely terminates households’ FHEPS rent supplements when they recertify their public assistance cases. Families receive no notice that their rent is no longer being paid, and learn of the problem only when they receive eviction papers from their landlords.

###

The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 145 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org