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

Legal Aid Announces Intention to File Litigation to Compel Adams Administration to Fully Implement CityFHEPS Reform and Expansion Legislation

Announcement Comes on First Day Legislation Supposed to Take Effect

(NEW YORK, NY) - The Legal Aid Society [announced its intention to file a lawsuit](#) in the coming weeks to compel the Adams Administration to fully implement the package of legislation passed last year by the City Council reforming and expanding the City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS) program, a local housing voucher for New Yorkers on the brink of or experiencing homelessness. This announcement comes on the [first day](#) that the legislative package is supposed to take effect.

Earlier this year, the City Council overrode Mayor Eric Adams' veto of these reforms.

“The City Council was right to pass these urgently needed reforms to CityFHEPS to ensure that more New Yorkers experiencing or on the brink of homelessness can secure safe, long-term and affordable housing,” said **Robert Desir, Staff Attorney with the Civil Law Reform Unit at The Legal Aid Society**. “The Adams Administration’s refusal to implement this common sense legislation has left us with no choice but to file litigation on behalf of the New Yorkers we represent who stand to benefit from these bills. With a burgeoning shelter population and evictions surging citywide, public health demands that the reforms be allowed to live up to their full intended promise.”

Background on Legislation

[Local Law 101 of 2023](#)

Households that are neither living in shelter nor experiencing street homelessness are no longer required to reside in a rent-controlled apartment, have a household member that receives adult protective services or that participates in a community guardianship program to be eligible. Under the new law, any household at risk of eviction or experiencing homelessness is eligible for a rental assistance voucher. The Adams Administration has refused to implement this law even though it would prevent thousands of evictions, particularly of tenants who live in apartments with below market rents that are still unaffordable based on the tenant's very limited income.

Local Law 102 of 2023

This bill removes the requirement that an individual or family in shelter or experiencing street homelessness demonstrate they are employed in order to become eligible for a CityFHEPS rental assistance voucher.

Under the new law, DSS shall determine eligibility for CityFHEPS rental assistance without regard to employment status, source of income or whether the applicant resides or resided in a shelter of a particular type.

Local Law 100 of 2023

This bill codifies the end of the 90-day rule that required clients to remain in New York City Department of Homeless Services (DHS) shelters for three consecutive months before becoming eligible for CityFHEPS. While the City announced an emergency executive action to end the 90-day rule after passage of this bill, it included counterproductive work requirements that conflict with the legislation...

Under this bill, a household or individual would remain eligible to receive CityFHEPS beyond the fifth year provided they continue to meet eligibility criteria, CityFHEPS applicants would not be required to have lived in a shelter of any type.

Local Law 99 of 2023

The Adams Administration has agreed to implement this law, which will help ensure that CityFHEPS households have the means to pay their utilities as well as their rent. Previously, CityFHEPS recipients paid utilities in addition to paying 30 percent of their income towards the rent. This lowered the value of the voucher causing applicants to just narrowly miss opportunities to secure apartments. Many voucher holders secured apartments at the CityFHEPS rent levels only to find out that the rent is \$30 or \$50 too high after the utility allowance is deducted.

Under the new law, the New York City Department of Social Services (DSS) is required to pay the landlord the monthly rent (up to the statutory maximum) minus the household rent contribution and cannot deduct a utility allowance from such an amount.

If the actual rent is less than the maximum monthly rent, the household rent contribution shall be reduced by the difference, up to the amount of the utility allowance:

- if the reduction described above is greater than the household rent contribution, the household shall receive payment in the amount of that excess;
- if the household receives a shelter allowance that is reduced as described above, the household shall receive payment in the amount of the reduction.

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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