

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

John F. O'Neill
Commissioner

November 28, 2016

Jeff Gaskell
Director of Temporary Assistance
Office of Temporary & Disability Assistance
40 North Pearl Street
Albany, New York 12243-0001
RE: Final Approved Plan Effective December 1, 2016

Dear Mr. Gaskell:

As per your request, Suffolk County has revised our plan to modify our previously approved shelter supplementation plan for families in accordance with 03-ADM-07. Please find the attached “**Final Approved Plan Effective December 1, 2016**”. We look forward to the continued success of this program and future support from OTDA.

Sincerely,

John F. O'Neill, Commissioner
Suffolk County Department of Social Services

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Suffolk County Department of Social Services

Final Approved Shelter Supplement Plan Effective
December 1, 2016

Shelter Allowance Supplementation

1. The on-going demand in the housing market in Suffolk County continues to negatively impact affordable rental units for low-income persons. Rental units are being eliminated through home sales or, priced upward and out of reach of most families due to the growing demand for such affordable rental units. In a report by The Regional Plan Association, titled Long Island's Rental Housing Crisis, it was found that 56% of Suffolk County renters spend 30% **or more** of their household income for a place to live. Rents have increased by 17% since 2000 even as incomes declined by 2% (adjusted for inflation).¹ Also based on 2010 census information, is the fact that the vacancy rate of renter occupied units in Suffolk County fell from 7.0% in 1990 to 5.2 percent in 2010. Suffolk County does not have a sufficient amount of public housing to meet the needs of the county. Suffolk County DSS has not been approved for HHAP funds. For the above reasons, an increase to the Shelter Allowance Supplementation program is necessary in Suffolk County. The rental standards, established in regulation effective November 1, 2003, do not provide sufficient funds for rental units for some of our low-income Temporary Assistance (TA) clients in Suffolk County. This is especially true of those who do not have an additional source of income such as employment, SSI, etc. The courts have already recognized the inadequacy of the shelter standards. In Holmes v. Perales the court granted temporary relief, by granting intervenor status, to eligible families who are in receipt of public assistance and whose shelter costs exceeded the schedule of maximum shelter payments under 18 NYCRR 352.3, and who were in imminent danger of losing their permanent housing solely by reason of the fact that their monthly rental costs exceeded their maximum monthly shelter allowance. The shelter standards imposed by regulation need to be further supplemented so that clients are able to compete in the current housing market and are able to secure or retain permanent housing. Failure to secure or retain permanent housing results in placement of additional families in temporary housing as well as extending the length of temporary housing placements.

SECTION 8 PAYMENT STANDARDS:

A "Payment Standard" is used to calculate the monthly housing assistance payment for a family.

The "Payment Standard" is a maximum set by the housing agency and the Department of Housing and Urban Development (HUD). It is determined from cost data for the Nassau/Suffolk Region for modest, safe housing of a particular size structure. Currently, the Payment Standards in Suffolk County are as follows:

FY2016 Fair Market Rent Summary

Suffolk County, New York				
	Efficiency	1 Bedroom	2 Bedrooms	3 Bedrooms
				4 Bedrooms
Final FY2016 FMRS	\$1,003	\$1,324	\$1,608	\$2,089
				\$2,350

¹ Long Island's Rental Housing Crisis, Regional Plan Association

3. The affect of such supplementation on the ability of non- T.A. recipient families (i.e. working class) to find and retain affordable housing will be minimal. Suffolk County's proposed supplementation is comparable to that provided under the terms of the Sharp/Holmes litigation. This litigation has been in place for more than fifteen years with no appreciable impact on the availability of low income housing for non-T.A. families. Our proposed supplements will still provide significantly lower rents than Section 8, and be available to a smaller number of clients.
4. The effective date of this plan will be determined by OTDA.
5. Suffolk County's proposed Shelter Supplementation would be available to any T.A. recipients (FA or SN) with eligible children (i.e. children under 18 or 18 and in school), who require the supplement in order to retain permanent housing or to relocate to permanent housing from emergency housing (recipients of THA). Applicants for T.A. will not be eligible for the supplement until their cases are open. Eligibility for T.A. will be determined based upon the shelter standards, without regard to the supplement.

For budgetary purposes, the number of persons in the public assistance household, are those persons who the applicant, recipient or a representative indicates wish to receive public assistance and who reside together in the same dwelling unit. The applicant or recipient must include his or her minor dependent children in the application. When a minor dependent child is named as an applicant for public assistance, his of her natural or adoptive parents and blood-named or adoptive brothers and sisters (who are also minor dependent children) must also apply for public assistance and have their incomes and resources applied toward the public assistance household if they reside in the same dwelling unit as the applying minor dependent child. A person required to be added to the public assistance household is deemed to be included in the application already on file as of the date the person joins the household, either by birth, adoption, or by moving into the dwelling unit of the existing public assistance household. Parents and siblings who are SSI recipients, ineligible sponsored aliens, aliens who fail to meet the citizenship and alienage requirements in 18NYCRR 349.3(a), individuals ineligible due to the lump sum provision of 18NYCRR 352.22 (p) are not required to apply. The public assistance household may also include persons who are temporarily absent from such household, such as children or minors attending school away from home whose full needs are not otherwise met.

In order to be eligible for the supplement, the household shall not include any sanctioned individuals. Individuals residing in the household, but not on T.A. or SSI, will be required to pay their prorated share of the rent, with the exceptions noted above. SSI recipients will be required to pay 30% of their income towards the rent, or their prorated share, whichever is lower. Any change in household composition or income must be reported immediately to the LDSS. The amount of the supplement will then be recalculated.

Should any member of the household be sanctioned by T.A., or the T.A. case closed for any reason, the supplement will be immediately terminated. If the client complies and the sanction is lifted within 30 days of the effective date, the supplement will be restored, as of the date the sanction is lifted. If a closed case is reopened within 30 days, the supplement can also be reinstated, providing that there are no other changes in eligibility. A client who loses the supplement due to a sanction may reapply for the supplement when the sanction is satisfied and the sanctioned individual is restored to the case. This request will be subject to a LDSS administrative review. If approved, the supplement will be restored prospectively. No arrears for the sanctioned period will be authorized.

5. Payment from the client will be required only when the rent exceeds twice the shelter standard. The maximum total amount of rent paid under this program will be equivalent to 2 times the current standard plus a client contribution of \$150 for a family of 1 and between \$200 - \$350 for families of 2 or larger, depending upon family size. The client contribution will be derived either from the client's non-shelter grant funds, exempt income or payment by a non-T.A. member of the household. The amount of the additional contribution will be subject to agency approval based upon the agency's standard for affordability, but will not exceed these guidelines. The supplement will apply only toward rent. No funds will be authorized under this program for court costs, legal fees or late charges.

Family Size	1	2	3	4	5	6	7
Standard	310	358	447	503	560	586	611
Multiple	2.5	2.5	2.5	2.5	2.5	2.5	2.5
Net	775	895	1,118	1,258	1,400	1,465	1,528
Max. Client Contribution*	150	200	250	250	250	350	350
Total Rent	925	1,095	1,368	1,508	1,650	1,815	1,878

* Effective March 8, 2013, the maximum client contribution has been increased by \$50 across all family sizes to the amounts shown.

7. Clients will be required to request the supplement in writing, utilizing LDSS designated forms. We will require documentation of property ownership from the landlord, if not already in the record. Non-T.A. members of the household will be required to provide documentation of their income and agree in writing to pay the prorated amount or rent determined by the agency directly to the landlord. Whenever possible, we will restrict the entire rent. The agency's approval of non-T.A. contributors will be based on an assessment of factors that impact on whether the contribution is credible and sustainable.
8. Payment of rent arrears will be limited to six (6) months rent, with recovery from the client's grant when appropriate. Arrears will also be subject to LDSS review regarding the client's ability to meet future rent payments. An administrative review by LDSS will be required if a client applies for a second payment of rent arrears within five (5) years. If special circumstances arise, the LDSS may determine to pay the arrears, with recoupment, when appropriate. LDSS will not require that there be a court proceeding when a client is requesting arrears. We will accept a notarized statement from the landlord accompanied by a written request from the client.
9. Leases will be requested in all rent supplementation cases, but will not be required. If the landlord is willing to provide a lease, it must include all members of the resident household.
10. We currently inspect all housing when clients request agency participation in a move or intervenor status in rent supplementation litigation. Our inspection is to determine that the housing meets health and safety standards according to the relevant state regulations. This policy will continue to apply to all properties where supplementation is requested.
11. The supplemental allowance will not have an automatic time limit. A family will continue to be eligible for the supplement as long as they meet the basic eligibility requirements of the program and remain at the same address. When planning to relocate, a client must submit a new request for rent supplementation, if the supplement is needed to meet the new rent. Changes in household composition, which do not affect eligibility, may require an adjustment in the amount of the supplement. Requested rent increases will be evaluated after a written request is submitted. The rent supplement will not exceed the guidelines established by the LDSS.

12. The supplement will be made available only while state and/or federal reimbursement continues to be available at the current levels, and the LDSS has sufficient funds. The LDSS reserves the right to cancel the program with thirty (30) day's notice to NYSOTDA, for any reason.
13. Assuming all 447 families receiving the current SSP will receive the new SSP, the annual increase will be \$1,370,055; (\$1,096,044 TANF; \$274,011 Safety Net).
14. Assuming all 561 families in emergency housing receive the new SSP, the annual increased cost will be \$1,719,465; (\$1,375,572 TANF; \$343,893 Safety Net). Assuming that 50% of the 561 families in emergency housing receive the new SSP, the annual increased cost will be \$859,733 (\$687,786 TANF; \$171,947 Safety Net)
15. The total potential annual increase would be \$3,089,520. The additional cost of supplementation must be weighed against the expense of providing Temporary Housing Assistance for homeless families at an average cost of \$5,362.00 per month with an average length of stay of approximately four months for a cost of \$12,032,328.

Family Size	2	3	4	5	6	7
OTDA Monthly TA Shelter Standard	\$358	\$447	\$503	\$560	\$586	\$611
Max. Client Contribution	\$200	\$250	\$250	\$250	\$350	\$350
SSP amount @ 100% of Monthly TA Shelter Standard	\$358	\$447	\$503	\$560	\$586	\$611
Maximum monthly rental amount	\$916	\$1,144	\$1,256	\$1,370	\$1,522	\$1,572
Family Size	2	3	4	5	6	7
OTDA Monthly TA Shelter Standard	\$358	\$447	\$503	\$560	\$586	\$611
Max. Client Contribution	\$200	\$250	\$250	\$250	\$350	\$350
SSP amount @ 150% of Monthly TA Shelter Standard	\$537	\$671	\$755	\$840	\$879	\$917
Maximum monthly rental amount	\$1,095	\$1,368	\$1,508	\$1,650	\$1,815	\$1,878
Annual cost per case (150%*12)	\$2,148	\$2,682	\$3,018	\$3,360	\$3,516	\$3,666
447 SSP cases at the new SSP rate=	\$1,370,055					
561 families in shelters (2016 Average)	\$1,719,465					
Annual Increase	\$3,089,520					
Caseload average-2016	#	%				
TANF	3,199	80%				
Safety Net Family	800	20%				
Totals	3,999	100%				
						AVG.
						\$3,065