
CityFHEPS: State of the program at the end of 2024

OKSANA MIRONOVA, SAMUEL STEIN, DEBIPRIYA CHATTERJEE, JENNIFER HINOJOSA AND YVONNE PEÑA

Tonight in New York City, [nearly 120,000 people](#) will sleep in homeless shelters and thousands more will be on the streets, on the subways and in other public spaces. This is an ongoing humanitarian emergency which, sadly, too many people in power treat as a fact of life.

One of the primary ways New York City helps people transition from homelessness to stable housing is through rental assistance programs. Since 2020, the [most common means](#) for exiting the shelter system has become CityFHEPS, a New York City-funded program. With payment standards that match HUD's Section 8 program, CityFHEPS (City Fighting Homelessness and Eviction Prevention Supplement) helps New Yorkers secure housing by capping the maximum rent a landlord

can charge and limiting the family's contribution to either 30 percent of household income or their cash assistance shelter allowance.

While the program is an important lifeline for many, it has failed to stop the city's expanding homelessness crisis and is famously byzantine for both applicants and recipients. There are significant gaps between who qualifies for CityFHEPS and who receives assistance. Further, for those lucky enough to receive a voucher, there are barriers to finding housing, [including discrimination against voucher holders](#) by landlords and brokers. A [recent audit](#) by the New York State Comptroller found that it took households 10 months, on average, to exit the shelter after receiving a CityFHEPS shopping letter.

City Council's 2023 CityFHEPS Reforms

Since the inception of the program, homeless New Yorkers and advocates have called for reforms to the CityFHEPS program, including changes to who can get a voucher, when they can access it, and what it should cover. In spring 2023, the City Council passed a historic package of bills meant to address many of these concerns. The bills were as follows:

- » [Intro 878](#) (CM Diana Ayala) ended the "90-day rule" that forces people to go into the shelter system and stay there for three months before becoming eligible for CityFHEPS.
- » [Intro 893](#) (CM Pierina Sanchez) made households at risk of eviction, without shelter history, eligible for CityFHEPS for the first time.
- » [Intro 894](#) (CM Pierina Sanchez) got rid of the work requirement eligibility for CityFHEPS while also making the voucher available to low-wage workers who currently make slightly too much to receive aid, but not enough to afford rent.
- » [Intro 229](#) (CM Tiffany Cabán) revised the "utility allowance" rule, which reduces the subsidy to voucher holders whose landlords do not include utilities in their rent. The bill would have provided CityFHEPS voucher-holders with an additional subsidy to pay for electricity, gas, heat, and hot water.

The mayor vigorously opposed these bills and ultimately vetoed them—though he did institute some parallel changes to the CityFHEPS program via administrative reforms. The Council quickly turned around and overruled that veto. When the mayor failed to implement the law, homeless individuals, advocates and the City Council sued the mayor.

What follows is a breakdown of what was proposed and what is happening now, as the lawsuit continues. Many lives will be impacted by the ultimate resolution of this dispute.

Table A: Status of CityFHEPS reforms included in the City Council package

Objective	Current status	Next Steps
Expand CityFHEPS in community Intro 893 (CM Pierina Sanchez)	Intro 893 would have made income-eligible households without a shelter history and at risk of eviction (as demonstrated by a demand letter for past due rent or an eviction filing) eligible for CityFHEPS vouchers. The implementation of this reform is paused, pending lawsuit appeal.	Advocate for in-community expansion via lawsuit appeal.
Increase income thresholds for CityFHEPS eligibility Intro 894 (CM Pierina Sanchez)	Intro 894 would have raised the CityFHEPS income threshold to 50 percent AMI, streamlining an application process that currently depends on a complex calculus of overlapping qualifications with other programs, like Cash Assistance. The implementation of this reform is paused, pending lawsuit appeal.	Advocate for income threshold expansion via lawsuit appeal.
Eliminate work requirements Intro 894 (CM Pierina Sanchez)	Intro 894 would have eliminated CityFHEPS work requirements. In June 2023, the Adams administration instituted a new, 10 hour-per-week work requirement for single-adult households. Concurrently, the admin reduced work requirements for families: first, from 30 to 14 hours; and then to 10 hours per week.	Advocate for elimination of work requirements, via lawsuit appeal or administrative action.
Eliminate the “90-day rule” Intro 878(CM Diana Ayala)	Intro 878 ended the “90-day rule,” which forced people to stay in shelter for three months before being eligible for rental assistance. This would streamline the process for everyone and make CityFHEPS accessible to homeless youth. The Adams administration stopped enforcing the rule in June 2023, while pushing back on the other reforms.	No further action is needed on some aspects of the bill. See Table B for extension of CityFHEPS eligibility for homeless youth.
Revise the utility allowance rule Intro 229 (CM Tiffany Cabán)	Intro 229 proposed revising the utility allowance rule, which reduces subsidy amounts for voucher holders whose landlords do not include utilities in the rent. While the implementation of this bill is blocked by the administration, DSS has instituted an alternative fix in November 2023: providing CityFHEPS recipients with a separate subsidy (the amount of the deduction) for their utility payments.	No further action needed.



Table B: Status of CityFHEPS reforms not included in the City Council package

In addition to reforms included in the City Council’s CityFHEPS package, we have advocated for additional changes that require budget action, state legislation, or other forms of reforms. The breakdown is below:

Objective	Current status	Next Steps
Combat Source of Income (SOI) Discrimination	Source of income discrimination remains rampant in New York City, despite a strong city and state legal framework. While the New York City Commission on Human Rights (NYCCHR) has expanded its staffing in 2024, enforcement remains a problem.	Advocate to strengthen and expand NYCCHR’s SOI Unit by increasing staffing and resources, to better support and represent voucher holders facing discrimination.
Expand CityFHEPS eligibility to young adults	Currently, entry into a DSS/DHS shelter is a pre-qualification for CityFHEPS eligibility. Youth (16-24) who typically access shelter through NYC’s Department of Youth and Community Development must enter the adult shelter system just to meet CityFHEPS eligibility criteria.	Advocate to give homeless youth access to CityFHEPS vouchers via lawsuit appeal or administrative action.
Expand CityFHEPS eligibility to undocumented people	CityFHEPS continues to exclude undocumented immigrants. While LAS’s legal analysis shows that state approval is not necessary for this expansion, the administration has not been willing to make this change, nor was it included in the City Council’s reform package.	Advocate to pass Senator Kavanagh’s bill (S.1631/A.5513) which would amend the State social services law, authorizing New York City to expand CityFHEPS eligibility to individuals and families regardless of immigration status.
Improve code enforcement	Housing code violations in New York City increased by 24 percent in FY 2024. Apartments occupied by low-income people are more likely to have serious violations than those occupied by those with higher incomes. While units occupied by tenants receiving CityFHEPS are inspected prior to move-in, aftercare support is virtually non-existent. If DSS continues to pay rent despite serious violations, landlords have no incentive to make repairs.	Advocate for enhanced regulatory oversight by ensuring that monitoring agencies (HPD) conduct regular inspections. Additionally, work to strengthen these agencies’ capabilities and expertise to effectively mandate and oversee necessary repairs and improvements.

Lawsuit update

After the CityFHEPS reform bills became law but the mayor still refused to implement them, Legal Aid filed a lawsuit in New York State Supreme Court on behalf of New Yorkers who should be eligible for vouchers and are at risk of eviction and homelessness. In the first ruling on the lawsuit, the court sided with the administration and—ignoring much precedent—ruled that State law forbade the City Council from any policy making authority in the area of social services. In addition to its incorrect interpretation of the case law, this ruling sets a dangerous precedent for permanently depriving voters the democratic right, through their elected legislature, to establish

Looking Ahead

Whether compelled by the courts or by his own initiative, the mayor must reverse course and implement the laws improving and expanding the CityFHEPS voucher program. Every day this crucial action is delayed more people become homeless, shelter stays get longer, and public funds that should be spent on stabilizing peoples' lives in permanent housing are spent on temporary shelter.

Additionally, the mayor and City Council need to prioritize the following issues that critically weaken the potential impact of CityFHEPS:

- » Strengthening City's Council of Human Resources and equipping them with resources to combat Source of Income Discrimination.
- » Expanding CityFHEPS voucher eligibility to other vulnerable New Yorkers, including undocumented people and youth.
- » Streamlining inspections and improving code enforcement.
- » Beyond local action, the State of New York and the Federal government must also take bold

policy in the vast and crucially important area of social services.

Legal Aid, its clients and the City Council are now appealing this decision. They argue that the court's decision bucks binding precedent and is a radical departure from decades of social services policy enacted by the City Council and implemented by mayoral agencies. As the appellants point out, the City Council *must* be allowed to make policy—in fact that is their primary purpose—and New York State's Social Service Law clearly preserves the role of local legislatures in shaping social service programs and policies.

action on rental assistance, homelessness and tenant stability:

- » New York State must meet the moment by creating a new rental assistance program that helps localities around the state—including New York City—to both rehouse homeless people and prevent homelessness among low-income tenants. The best vehicle to do this is the Housing Access Voucher Program (HAVP, S568B-Kavanagh, A4021-Rosenthal), a broadly accessible state voucher that would be administered by local Public Housing Authorities across the state.
- » The federal government must expand its Section 8 program, which currently provides housing to just 25 percent of those who qualify for it nationally and 20 percent of those who qualify locally. Waiting lists for newly released vouchers are extremely long, indicating a severe need for greater assistance. The federal government can afford to provide rental assistance for all who need it.