

September 8, 2023

Dear Mayor Adams:

We, the undersigned organizations, are writing to call on the City to uphold the right to shelter in New York City, to swiftly house all homeless New Yorkers, and to provide safe shelter and housing to all, regardless of background.

We write in solidarity and unity as organizations and individuals that work with homeless NYers in shelters, those on the streets, domestic violence survivors, immigrants, the LGBTQIA+ community, the formerly incarcerated, people experiencing poverty, youth, seniors, families, children, and more. Over the decades and to the present day, countless New Yorkers have used the critical protections of the right to shelter to survive difficult circumstances, from evictions to gentrification to domestic violence.

For more than four decades, the right to shelter has ensured immediate shelter for people in New York City who need safety from the elements and a place to rest their heads. The *right to shelter* is a basic human right for *all* people in our City and efforts to curtail that right will disproportionately affect Black and brown New Yorkers, who are far more likely to experience eviction, homelessness, and housing insecurity. It will cause harm and death for many people, and will result in more street homelessness as people who are not able to get into shelter, ultimately end up in the streets. Consequently, people who end up street homeless are far more vulnerable to criminalization for attempting to meet basic survival needs and their belongings are at risk of being taken during sweeps.

A long-term and humane solution to our City's pre-existing housing crisis requires that the City act quickly to house homeless New Yorkers, prevent and stop evictions, and use all available vacant housing to move people from shelters to apartments. Our City has had a housing crisis for years, long before recent immigrants came to this City, and we are in the midst of an escalating eviction crisis. Recent data shows some [10,000 warrants](#) of eviction have been executed since the expiration of the eviction moratorium in January 2022. Preventing evictions and housing people living in shelters is the answer to our housing crisis, and it will open up shelter capacity for those who need it.

The City's framing of the arrival of immigrants as a crisis deflects from the real issue - the City has not gotten a handle on its long-term housing and homelessness crises. This is not because of recent arrivals to New York; our City has always been a city of immigrants. It is because of a lack of progress on issues critical to all New Yorkers - *homelessness, housing affordability, and housing preservation*. Framing this as a "migrant problem" invites racism and xenophobia against immigrants, many of whom are fleeing state violence, repression, heterosexism, war, and economic and ecological catastrophes and have risked their lives to come seek refuge, safety and a better future.

Instead of seeking to undermine the *right to shelter*, the City must act to immediately house people and prevent evictions in the midst of our current housing crisis. Housing homeless New Yorkers quickly will open up existing shelter capacity and ensure that the City can provide safe shelter to all people who need it. We call on the City to immediately take the following steps:

1. **Implement the City Council's critical package of CityFHEPS bills** to help homeless NYers get out of shelter and off the street, and help people facing eviction. Now that these bills have passed into law, the City should take action to immediately implement them, before their deadline, in order to provide immediate relief. They will help homeless New Yorkers quickly exit shelters and prevent New Yorkers in the community from being evicted and becoming homeless.
2. **Use all City-subsidized vacant apartments to house tens of thousands of homeless New Yorkers in shelter and on the streets.** This includes [2,646](#) vacant supportive housing apartments, [6,583](#) vacant NYCHA apartments, and [many thousands](#) of vacant HPD apartments. HPD must also take [emergency action to make tens of thousands](#) of additional units in affordable buildings immediately available to homeless New Yorkers, including Housing Connect units.
3. **Use vacant hotel rooms in New York City to provide safe, private shelter to all and stop harmful transfers of elderly and disabled homeless New Yorkers to congregate shelters.** Reporting from May 2023 indicated that NYC still had as many as [20,000](#) vacant hotel rooms - these could be used to provide safe, private shelter. This includes using hotel rooms for people currently in shelters that don't meet right to shelter standards and those on the streets. It also includes stopping the harmful transfers of elderly and disabled homeless New Yorkers from single and double room placements back into crowded congregate shelters, which the Administration restarted this summer.
4. **Use all available means to house people in other vacant apartments.** Recent reporting indicates that there are as many as [42,000](#) vacant rent stabilized units as of April 2023 that are vacant in the midst of our current housing crisis. HPD's most recent [Housing and Vacancy Survey](#) (HVS), which is conducted every 3 years and was last released in 2022, also found a staggering 457,600 total vacant units in New York City - including 103,200 vacant units that were available for rent, and another 353,400 apartments that were vacant but were not being listed for rent for one or more reasons.
5. **Use available City funding to expand CityFHEPS vouchers and other housing help to undocumented New Yorkers** who are currently stuck in shelters and on the streets for years without help.
6. **Immediately end the cruel 60 day rule** which targets and unlawfully discriminates against immigrant New Yorkers, denies them meaningful access to the *right to shelter*, and could force them into a cycle of constant displacement. Every forced exit from shelter is another chance for someone to spiral down and end up on the streets, hospitalized, or possibly worse.
7. **End discrimination against recent immigrants by ensuring that all people can access DHS shelters.** In the recent months, DHS has started denying entry to recent immigrants at DHS intake centers. This is discriminatory and must end.

8. **Ensure that all shelters meet the standards required by the *right to shelter* consent decrees.** The City has also continued to open sites that do not meet the basic standards of the *right to shelter*, as exposed by repeated reporting and City Council hearings. The City is also currently opening tent sites in locations such as Randall's Island. While the influx of new arrivals means we must provide increased shelter capacity, we can and must do better. The City must ensure all existing and new shelters, whether HERRC's, 'respite centers,' or otherwise, meet the basic standards of the *right to shelter* consent decrees in *Callahan*, *Eldredge*, *McCain*, and *Boston* by using vacant hotels and by rapidly housing those in shelters.
9. **Stop the sweeps and the over-policing and criminalization of homeless New Yorkers on the streets and subways and in the shelter system.** These policies cause serious harm and trauma to homeless people across the City. Instead of using the violence of forced removals and involuntarily hospitalizing already-traumatized people who are unsheltered, the City should offer people permanent housing and single rooms as the solution to homelessness. Where shelter is needed, providers and staff should exercise patience and compassion to build trust amongst those adjusting to shelter conditions.
10. **Take all available measures to prevent and stop evictions and thereby prevent New Yorkers from entering shelter.** We know that 84% of tenants who get their lawyer don't get evicted and thousands of tenants aren't getting the lawyer they are entitled to under the law under right to counsel. The City must ensure that the right to counsel for tenants is upheld by properly funding the right to counsel initiative with at least \$300M more funding and coordinating with the courts to ensure they slow down the volume of cases going through the system. Additionally the City must also fix the widespread issues at HRA with [one-shot deals](#) and rental subsidies such as [FHEPS](#) and [CityFHEPS](#) which make people much more likely to get evicted because they can't get the assistance that they need.

The *right to shelter* is a basic human need. We all need shelter, and this City can ensure it for all of us. We call on the City to immediately start showing bold leadership to house people instead of blaming and dividing people, and make our City a place where all are welcome and have the resources they need to live.

Sincerely,

Afghans For A Better Tomorrow
Alliance for Quality Education
Artists Athletes Activists
Association for Neighborhood and Housing Development (ANHD)
Brooklyn Eviction Defense Tenant Union
Carroll Gardens Association
Catholic Migration Services
Close Rosie's
Coalition for Homeless Youth

Crown Heights Tenant Union (CHTU)
Dandelions NYC
East Harlem El-Barrio Community Land Trust Board
EVLovesNYC
FHC
Flatbush Tenant Coalition
For the Many
Heat Seek
Housing Rights Initiative
Jews for Racial & Economic Justice
Mobilization for Justice
Neighbors Together
New York City Community Land Initiative
New York Communities For Change
New York Lawyers for the Public Interest
New York Legal Assistance Group
NMIC
Northwest Bronx Community and Clergy Coalition
NY Working Families Party
Open Hearts Initiative
People Organized for Our Rights, Inc. (P.O.O.R.)
Pratt Center for Community Development
Project Hajra
Queer Detainee Empowerment Project
Right to Counsel NYC Coalition
Riverside Edgecombe Neighborhood Association
Safety Net Activists at the Urban Justice Center
Safety Net Project at the Urban Justice Center
Supportive Housing Organized and United Tenants (SHOUT)
Sixth Street Community Center
South Bronx Mutual Aid
Sylvia Rivera Law Project
Tenants Political Action Committee
The Bronx Defenders
Tulinde
Urban Justice Center
VOCAL-NY
We Are Not Afraid Community Resource Center
Ween & Kozek PLLC