

## **Homelessness and Sheltering Policy in New York City**

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### **Introduction**

Homelessness is a complex and wicked problem that public administrators and policymakers seek to address. Housing and homelessness policy is particularly salient in New York City, since the city is the only year-round “right to shelter” city in the United States. This means that New York City government has a legal obligation to provide shelter to every person. To meet this court-ordered requirement, New York City contracts with 62 private and nonprofit corporations to provide both facilities and services to approximately 50,000 homeless residents, with an annual budget of \$2.6 billion. New York City’s unique “right to shelter” mandate and reliance on private contractors make it an interesting case study to examine the effectiveness of contracting out human services. In the following report, we outline the history of New York City’s approach to homelessness policy, the challenges of privatizing government-provided human services, and key issues within New York City’s current temporary shelter system. We then recommend five policy changes that could improve resident outcomes, oversight, and contractor accountability: shifting toward a “Housing First” model, incentivizing an increase in housing stock, creating performance incentives that focus on permanent housing placement outcomes, widening the field of contract bid competition, and streamlining service coordination and data management.

### **Background on the Issue of Homelessness**

Definitions of homelessness have changed over time. They also vary across jurisdictions and service providers, which creates a moving target for policymakers. At the federal level, the U.S. Department of Housing and Urban Development (HUD) has an expansive definition of homelessness that includes individuals who are court-ordered for eviction; staying in temporary housing; living on the street or in a public location; unaccompanied minors; temporarily sharing housing with others; and/or living in a state-supported shelter (U.S. Department of HUD, n.d.) Due to the range of experiences that could classify someone as “homeless,” it is also challenging to obtain comprehensive data on the scope and nature of the issue. Although the National Alliance to End Homelessness conducts a point-in-time (PIT) count each year, it is incredibly difficult to accurately quantify homelessness in rural areas or in situations where someone is “doubling up” at a friend or relative’s house. Further, PIT counts occur in January, when temperatures are low in many parts of the United States and homeless individuals may be staying indoors with a friend, even if they typically spend the night on the streets. Despite its limitations, the 2020 PIT count (prior to the onset of the COVID-19 pandemic) found that there were approximately 580,000 people experiencing homelessness on any given night in America, with only 60% of those individuals staying in shelters (National Alliance to End Homelessness, 2021). In reality, many more people experience homelessness each year than the PIT count suggests. The issue of homelessness interacts with many societal institutions, is difficult to accurately describe or analyze, and is influenced by trends and levers outside of the scope of any one particular jurisdiction.

The complex nature of homelessness makes it difficult to tackle through policy interventions. Although temporary shelters have been used to address homelessness for many years, we know that they are only part of the solution and do not address the root causes of the issue. Multiple factors affect homelessness, including the availability (or lack thereof) of suitable housing (including affordability,

location, accessibility, and size); the minimum wage and viability of employment opportunities which permit citizens to pay for housing; the availability of supportive services, such as physical and mental health care; the strength of family, community, and kinship structures; and the cultural and governmental attitudes towards the causes and solutions to homelessness. These broader socioeconomic trends are often outside of the control of policymakers and require much longer time horizons to holistically improve. While recognizing this is an intersectional issue, our analysis focuses specifically on how New York City government has responded to the issue of homelessness via its temporary housing and shelter policies.

### **Housing and Homelessness in New York City**

Identifying the total number of homeless individuals and families in New York City is very challenging. A comprehensive estimate would include unsheltered individuals, those staying in the temporary shelter system, and people “doubled up” (i.e. staying) with others (Simone, 2022). Each night, there are nearly 50,000 people within the New York City shelter system (Coalition for the Homeless, 2022). A January 2021 point-in-time count found that there were 66,000 people sleeping in shelters in New York City (Coalition for the Homeless, n.d.). Over the course of Fiscal Year 2021, approximately 107,000 unduplicated individuals utilized the DHS shelters (Coalition for the Homeless, n.d.). Each of these estimates underrepresents the number of people experiencing homelessness due to the difficult nature of producing an accurate numerical count and the exclusion of unhoused people staying with friends and family.

The city’s extremely competitive and expensive housing market contributes to the severity of New York City homelessness problem. New York City regularly ranks among the top five most expensive housing markets in the United States, which makes it even more difficult for low-income residents to attain and keep housing. According to the NYC Mayor’s Office to Protect Tenants, “Over half of all renters in New York City spend 30% or more of their income on rent and one third of renters spend 50% of their income on rent” (NYC Mayor’s Office to Protect Tenants, 2022). This is particularly significant because nearly 68% of housing units in New York City are rentals (NYU Furman Center, 2020). The median rent in 2020 was \$2,600 (NYU Furman Center, 2020). Comparatively, the median rent in the United States was \$1,097 in 2019 (NYU Furman Center, 2020). Although the cost of rent in New York City decreased significantly during the early days of the COVID-19 pandemic, rents rose 33% from January 2021 to January 2022, which is more than twice the increase seen nationally (Zaveri, 2022). The median household income in New York City in 2020 was \$67,046 (U.S. Census Bureau, 2021). As of 2021, the minimum wage is \$15/hour, or \$12.50/hour for tipped service workers (New York State Department of Labor, n.d.). New York City’s poverty rate was 17.3% in 2020, which is substantially higher than the U.S.’s poverty rate of 11.4% (U.S. Census Bureau, 2021). An undersupply of housing units, coupled with high poverty rates and high asking rents, makes it challenging to find units that are affordable to the city’s most vulnerable residents.

New York City’s homelessness policy is also impacted by a unique “right to shelter” court mandate. In 1981, a class action lawsuit was brought against the State of New York after a young lawyer discovered that several homeless men had been denied shelter by the city. The ensuing *Callahan v. Carey* court decision required New York City to guarantee shelter to homeless individuals (Henwood and Padgett, 2019). “Right to shelter” mandates exist in other cities; however, they are in place only when certain temperature or weather-related conditions occur. Meanwhile, New York City must provide shelter to any individual in need every night of the year. For this reason, there are no direct counterfactuals to New York City’s approach to sheltering. The “right to shelter” mandate has been often cited as a driver

of New York City's focus on providing temporary shelter rather than permanent housing solutions to homelessness (Henwood and Padgett, 2019).

Sheltering policy is the subject of active current political debate among New York City elected officials. While New York City's politics are heavily Democratic, tensions still exist between Mayor Adams and more progressive City Council members. In response to the Fiscal 2023 Preliminary Budget and Fiscal 2022 Preliminary Mayor's Management Report, the New York City Council released a lengthy report detailing proposed programming and budgetary changes to the Mayor Adams' proposal. This report was released April 1, 2022. It includes recommendations for homelessness policy, generally seeking to restore and expand funding for homelessness services. Currently, the Mayor's budget proposal includes several funding reductions in homelessness services, including the elimination of 28 staffing positions from the Housing Preservation and Development Department (HPD). HPD is responsible for "executing financing and acquisition of properties, tenant protection enforcement, and supportive housing programming" (New York City Council, 2022). The City Council's response includes proposals restoring these HPD positions, as well as expanding funding for several supportive housing initiatives, increasing rental assistance funding, increasing domestic violence shelter capacity, and converting certain hotels into permanent affordable housing (New York City Council, 2022). The report, however, does not make recommendations to move away from the current privatized sheltering system. Given the City Council's desire to expand homelessness services and expand the affordable housing stock, we believe that now is an appropriate time to reassess and improve New York City's current privatized sheltering model so that it better serves the city's most vulnerable residents.

### **Challenges of Privatization in the Human Service Sector**

Privatization is one route that governments have explored to provide services to residents, including housing and homelessness services. In the context of neoliberalism and fiscal austerity of the 1970s and 1980s, the U.S. government increasingly started using privatization to deliver public services and goods that were previously handled exclusively by the public government (Abramovitz, 2015). Although contracting out "hard services" such as road repairs, highway construction, and trash collection might present a strategic or competitive advantage in terms of efficiency, cost-effectiveness, or flexibility, human services are much more complex and nuanced (Campbell and McCarthy, 2000, p. 340). Abramovitz identified three phases of U.S. welfare state privatization: marketization, i.e., the reliance on the market to deliver publicly financed social welfare benefits and services; managerialism, i.e., the infusion of business principles into the operation of human service agencies; and financialization, i.e., the import of financial investment concepts into the growth of human service provision (Abramovitz, 2015). With increasing public antipathy towards "big government," external service contracts effectively off-board government services to external entities, therefore obscuring the true reach of direct government services despite a similarly large footprint of publicly funded programs (Smith and Lipsky, 1992, p. 249).

### **New York City's Decision to Privatize**

We examine the outcomes of New York City's decision to privatize a portion of its human services sector against this backdrop. Homeless services have historically been the domain of charitable, faith-based institutions. Callahan vs Carey, the 1981 court-ordered consent decree that made NYC the US's first all-season "right to shelter" city, led to a rapid increase in large, congregant-style government-run shelters. (Henwood and Padgett, 2019). Service provision was further complicated by the precipitous increase in homelessness in the 80's and 90's, a crisis for which NYC was the epicenter. In response to criticism over

his handling of shelter operations, Mayor Dinkins commissioned the 1992 Way Home Report, which concluded that the current government-run shelter system was “wasteful, ineffective and inefficient.” The report instead recommended that shelters be “turned over to private, not-for-profit operators” which could expand service capacity and improve quality of services while reducing cost. The report cited the “absurd waste” of the present system, in which a cot bed in a shelter cost the city \$18,000 per year (or \$36,00 in present dollars). “Privatization does not diminish the government’s role,” the report argued, “but instead enhances it by allowing government to focus its efforts on setting policy” (New York Commission on Homelessness, 1992). Part of this policy setting would include creating a performance-based incentive system to “encourage innovation and initiative” and lead to better pricing (New York Commission on Homelessness, 1992). The recommendations of this report eventually won out over the incumbent 5-Year Plan which had proposed a capital construction budget of \$200 million to expand government-operated shelters. The new plan created the Department of Homeless Services (DHS) to operate the service-contract model using revenue bonds issued to non-profits to develop facilities and staff contracts (New York Commission on Homelessness, 1992). By the early 2000s, the vast majority of the NYC shelter system were under private control for both service provision and facility ownership (Savas, 2002). As of 2021, DHS has service contracts with 62 private and non-profit providers who receive a combined total of \$2.6 billion per year (Harris, 2021)

### **Does Privatization Translate to Human Services?**

The contracting out of any government service comes with many difficulties, including wage differentials in the public, private, and non-profit sectors; a lack of coordination; a need for contract specificity; and loss of governmental power when identifying the real costs, benefits, and issues of the service (Campbell and McCarthy, 2000). However, due to the complexities of human-centered service delivery, privatization in the welfare sector presents additional challenges to governments, citizens, firms, and service recipients. Privatization can cause fractured programming, especially when service recipients need to navigate multiple, diffuse, and distinct entities in order to receive care, as well as a shift of recipients’ highly sensitive, personal information from public to private entities (Smith and Lipsky, 1992). Privatization also creates significant start-up costs for large-scale services (such as shelters or treatment facilities) which create barriers to entry (Smith and Lipsky, 1992). In some cases, we see the private sector forcing a shift in the initial government-outlined mission, program scope, or delivery mechanism (Margier, 2022). Additionally, in some settings, the purported benefits of privatization in the welfare sector are not actually observed after implementation (Butz, 2015).

### **Challenges to Contract Structure and Performance Measurement**

Creating accurate and reliable assessment systems is a common challenge in the health and human service sector due to the nuanced nature of person-centered service delivery. Assessment difficulties create an affront to the market-based competition that privatization attempts to uphold, which is further confused by the complexities of homelessness and varied external causes of the issue (Smith and Lipsky, 1992). Should a shelter be assessed on numerical outputs, such as the number of service recipients in a given time period or the number of days someone stays in the facility? Or perhaps outcomes, such as the number of individuals moved into transitional or permanent housing or case management programs? What about service quality, such as the degree of satisfaction of guests or residents as determined by surveys? In a competitive contracting environment, we can immediately identify the ways in which any of these frameworks could lead to perverse incentives. For example, a shelter could blur eligibility standards in order to fill beds and meet their target numbers or turn down a

notably high-need individual in order to avoid a potential hit to their record of timely client discharge. Program administrators also need to balance the quality of captured data with the time burden placed on the individuals conducting the assessment.

According to Campbell and McCarthy's article, the New York City shelter assessment framework historically rests on client placement into long-term housing and fostering low rates of client re-entry (2000). They write that "performance in these areas will reduce the length of shelter stays, stabilize the size of the population in the shelter system, and enable more new clients to be served with a broad array of services. Exiting the shelter system to live in a long-term, more stable setting is better for clients and more economical for the City" (p. 345). However, the ability for clients to successfully and permanently transition out of the shelter system is undoubtedly affected by external forces such as the health of the individual and the availability of suitable housing options. Although other assessment frameworks might be more accurate and lead to better oversight, the program administrator also needs to grapple with the balance between documentation accuracy and the time burden placed on the individuals implementing the assessments. A recent study in NYC social service agencies found that the market-based, managerial approach to assessing productivity and efficiency has made it difficult for social workers to succeed in their job (Abramovitz and Zelnick, 2015). In this case, the assessment mechanism is detracting from the core intentions of the program.

### **Issues in NYC's Privatized Shelter System**

The challenges we have identified in the current homeless shelter system in New York City are multifold. First, privatization has not resulted in significant cost decreases. In fact, the city pays 30% *more* per sheltered family now than pre-1992, even controlling for inflation (New York Commission on Homelessness, 1992; Harris, 2021). The city's hope that privatization would result in net savings that could be re-invested in permanent affordable housing resources has not materialized (New York Commission on Homelessness, 1992). DHS does not have standard rate ranges set in its current service contracts, resulting in some contractors negotiating per-night rates that are double others, without standard evaluation criterion to justify rate disparities (Office of New York State Comptroller, 2020). Moreover, the financial burden of the \$1.2 billion dollar increase in sheltering costs has not been distributed evenly across federal, state, and city funders. Instead, tax levies on NYC residents have covered the majority of the budgetary increases (Coalition for the Homeless, n.d.).

The Way Home Report envisioned a city government that, unburdened by operations, could 'focus on policy setting' and provide coordination and oversight to the networked sites, but this too has proven a challenge. Poor shelter conditions are a well-publicized issue, with broken heating and cooling systems, inoperable bathrooms and vermin frequently reported. As of May 2022, there are 564 open violations. The city has been unable to hold private landlords responsible for repairs under the contract structure and has consequently diverted other spending to fund improvements (NYC Department of Homeless Services, n.d.).

DHS has also struggled to manage contract abuse and corruption among its largest contractors. In the last five years alone, independent media investigations (notably *not* DHS's oversight mechanisms) found Acacia, CORE Services, Aguila and several other contractors guilty of million-dollar CEO salaries, nepotism, and sub-contracting schemes (Harris, 2022). As another example, a recent New York Times investigation found that a prominent shelter landlord subcontracted to a maintenance company for which he was also CEO. He required nonprofits operating in his building to utilize that company, violating city bidding laws (Harris, 2021). Despite ordering an independent audit, none of the nine contractors currently on the city's watchdog list for fraud have seen contracts reduced, largely because

the city cannot easily replace these larger operators (Harris, 2022). These challenges are illustrative of common ways in which privatization does not translate well to the human services sector.

A key component of a successful privatized system is robust competition between different private and nonprofit entities seeking to provide services. This competition occurs through the Request for Proposals (RFP) bid process and should result in potential contractors seeking to provide quality services as efficiently as possible. In reality, the complex onboarding process for new providers and significant capital requirements to obtain the physical site create a high barrier to entry that results in contract provision which is not truly competitive. Adequate, leasable buildings for large scale shelter sites are difficult to find in NYC. New nonprofit contractors operating on three-year contract cycles are unlikely to have the capital to purchase and retrofit these sites, creating a large barrier to entry. Some nonprofits lease the space in subcontract agreements, but, because so few appropriate spaces exist, there is little competition and site owners exercise disproportionate leverage. Unsurprisingly, a 2017 study showed the majority of new shelter contracts go to existing contractors (Harris, 2022). Further, almost one third of new shelters that have opened since 2017 are located in buildings owned by a single landlord (Harris, 2021).

Perhaps most importantly, the *Despite the Way Home* Report's belief (well echoed in the literature of the time) that privatized contracts would lead to more innovative, tailored sheltering services, we believe that the service-contract model has hindered NYC's ability to adopt shifting best practices, namely Housing First. In the 1980's and 90's, a focus on substance abuse treatment centered on a "staircase" model in which homeless individuals had to prove they were fit for permanent housing by completing an escalating series of treatment programs. Since then, the alternative "Housing First" model has been very successful in cities such as Houston and Seattle. The Housing First approach eliminates all preconditions to placement in permanent housing. Once a client is housed, supportive services are also provided (Tsemberis, 2010). The now widely accepted Housing First approach has disproved the staircase model's efficacy. However, in New York City, a legacy of service contracts centering on a short-term, treatment-centered approach remains. Because of this, NYC is rarely able to lead or even implement innovative programs piloted in cities with far smaller budgets to tackle the problem (Henwood and Padgett, 2019). Instead of supporting flexibility and innovation, the city's reliance on private contractors reduces its ability to pivot and improve services.

An illustration of this challenge is that current service contracts are not structured to incentivize placement of individuals into permanent housing. One such benchmarking program was scrapped without remark in 2012 (Eide, 2018). The local, state, and federal governments have made efforts in recent years to expand subsidized housing programs through long-term rental voucher programs like CityFEHPS and Section 8, which pay landlords on the private market. However, existing service contracts do not emphasize the importance of helping clients navigate the complex bureaucracy necessary to obtain the voucher nor to navigate the fast-paced NYC real estate market. Housing Placement and Housing Coordinator roles are minimum-wage, high turnover jobs that struggle to attract the expertise needed. As a result, many sheltered individuals and families obtain a permanent housing voucher early on their stay yet fail to obtain an actual apartment before the expiration period (Office of New York State Comptroller, 2020).

The aforementioned oversight, enforcement and adaptation issues are exacerbated by DHS' poor data collection and management practices. A lack of strong, centralized reporting in this fragmented field of services has made identifying long-term solutions difficult when access barriers, vulnerabilities and unmet needs are unquantifiable. For example, the city does not report on key subpopulations like older adults, the medically homeless, or chronically homeless individuals. It also does not collect data on length of stay, repeat entries, or shelter transfers. Additionally, data collection is not integrated across

NYC's homeless systems. Non-profit sites, DHS-operated sites, cluster sites, respite beds and safe haven stays are all reported differently (NYC City Council Report, 2020). Although the city has implemented HUD's Homeless Management Information System (HMIS) as required by their federal grant contracts, this system does not apply to safe haven, cluster sites, respite bed or fully private sites, resulting in unintegrated reports. While New York City Council considered legislation requiring the city to fill these informational gaps and conduct "rigorous evaluations of data and program outcomes" with the Homelessness Services Accountability Act, it has not gained significant traction outside the initial report (NYC City Council, 2020, p.133).

### **Policy Recommendations**

In 2020, the New York City Council issued a landmark series of 'recalibrations' to its strategies to end homelessness, with the underlying mission to "shift resources towards prioritizing permanent, affordable housing, and away from shelter" (NYC City Council, 2020, p. 130). In many ways, this was a re-echoing of the Way Home Report's original goal, which aimed to spend less on sheltering operations and more on permanent housing through the cost savings of privatization. Our recommendations are based upon the same fundamental shift in priorities, but also go on to address specific obstacles this privatized system presents in meeting this goal. Given the multiple causes of homelessness, lack of counterfactual, and potentially limited applicability of other successful models in the New York City context, we recognize that designing an ideal shelter system is a tremendous task. We base our recommendations on current information available about the NY shelter system; analysis of gaps and disadvantages of the privatization approach; and research into promising best practices from similar urban contexts in the United States.

#### **Recommendation 1: Shift Focus Toward Permanent Housing Instead of Temporary Shelter**

We recommend that New York City starts to shift its focus towards the provision of permanent, durable housing solutions for people experiencing homelessness in lieu of focusing on temporary shelters. According to the City Council Report, the average length of stay in city shelters for single adults is 476 days; for families with children, the average is 520 days. These figures are not merely reflective of the COVID-19 environment, since 2019 figures were still 414 days and 446 days, respectively (NYC City Council, 2020). Although shelters are designed as temporary facilities, the average shelter stay in NYC is far from temporary. By the report's own admission, homelessness is driven by a lack of affordable housing and stagnant wages however, it does not appear that the city is prioritizing durable, long-term housing solutions at the scale that is needed to address the problem. In 2016, Mayor DiBlasio implemented Housing New York 2.0, which used Department of Housing Preservation and Development (HPD) funds to construct affordable housing units. In eight years, the city has constructed 3,000 units designated for homeless households specifically. While we applaud this effort to address the root issue, it is clear that this pace is too slow (Coalition for the Homeless, 2022).

Although temporary shelters should continue to be a part of city services, we recommend that the city begin moving funds and resources towards the development of permanent housing options and a rapid rehousing model (Brown, 2017). This process should occur in phases in order to mitigate disruption. It would need to involve a high level of coordination between different governmental and private-sector organizations. We have seen a decline in the availability of public housing units across the United States due to years of disinvestment, and this deterioration has undoubtedly intersected with the strains on our shelter systems (Center on Budget and Policy Priorities, 2021). Further, cities across the U.S. have identified that a lack of affordable housing and housing assistance is the largest gap in addressing

homelessness (The United States Conference of Mayors, 2016, p 27-29). In recognition of this issue, Houston, Texas recently embarked on a journey to implement a Housing First approach. The Houston Housing Authority was empowered to take a leadership role in the fight against homelessness. The city was able to reduce their homeless population by nearly 50% over the last decade and has found this model to be incredibly effective (Garnham, 2019). Since then, cities such as Seattle have modeled their homelessness responses after Houston's programs (Beekman, 2016).

We argue that New York City should take a housing first approach, similar to Houston's model. Preconditions to be approved for permanent housing should be eliminated, and support services should be provided to clients once they have been placed in housing. Although the private sector will be an integral part of this solution, NYC's Housing Authority should have a more proactive role in brokering arrangements for the construction and preservation of affordable housing units, either through government-led development or via external contracts. Over the past decade, Houston utilized over \$100 million in funds to create over 2,500 additional permanent housing units that include supportive services (Brown, 2017). We argue that New York City can do the same.

### Recommendation 2: Create Incentives to Increase Housing Stock

In order for a Housing First approach to work, the city needs to have a viable stock of available and affordable housing. As such, initiatives to increase the availability of housing must occur in tandem with the shift to a focus on permanent housing solutions. As previously mentioned, many homeless individuals who manage to obtain housing vouchers still struggle to find permanent housing in New York City's competitive housing market. To address this issue and aid in the shift to a Housing First model, the city should take steps to increase housing supply and build connections with landlords. We recommend the city utilize both negative and positive incentives to achieve this: first, encouraging office-to-residential conversion through financial incentives and, second, discouraging luxury vacant apartments from remaining empty by implementing a tax on empty apartments.

The conversion of empty office space in New York City, especially in Manhattan, has the potential to substantially increase housing stock. Office-to-residential conversion is the process of rehabilitating existing office and commercial space into residential units. In Manhattan, the office vacancy rate is over 12%, up from around 7% prior to the COVID-19 pandemic (Wong and Constantz, 2022). The pandemic's shift to a hybrid work environment reduced demand for office space, and demand is unlikely to return to pre-COVID levels. Vacancies are largely concentrated in older office buildings, which can no longer compete with newer builds that have modern workspace amenities (Wong and Constantz, 2022). Converting and updating vacant, older office buildings that might be suitable for affordable apartments could both solve Manhattan's office vacancy problem and improve housing availability. The Real Estate Board of New York estimates that converting just 10% of Midtown's vacant older offices would result in an additional 14,000 apartments (Real Estate Board of New York, 2020). Such conversions have occurred successfully in New York City before: over 25,000 additional housing units have been created from Class B and C office space over the last few decades (Real Estate Board of New York, 2020). However, office-to-residential conversions are often too expensive for landlords to finance, and zoning can be an obstacle. Government incentives are necessary to make this financially and administratively feasible on a scale broad enough to substantially increase housing availability. To this end, New York City should provide financial support through tax incentives and/or loans to property owners wishing to convert vacant office space into housing units. The city should also create an expedited review process to quickly rezone these parcels when necessary. This program would also help the city build connections with landlords and publicize when new housing units will be brought online, which will aid in the process of connecting houseless individuals with units that they may use vouchers on.



To encourage landlords to fill existing residential units more quickly, we recommend that the city implement a vacancy tax on empty housing units. As Derek Thompson summarizes, “In Manhattan, the homeless shelters are full, and the luxury skyscrapers are vacant” (Thompson, 2020). Currently, many luxury apartments sit empty due to large property management companies’ avoidance of lowering rents. Even if a unit has been vacant for a long time, it is often cheaper for a landlord to let it sit empty than to significantly lower the rent and fill the apartment. This is because a rent decrease in one property would negatively impact the price they can charge at their other properties. As a result, many larger property managers allow vacant units with high asking rents to remain empty and use them as tax write-offs. To counteract this phenomenon and bring more apartments into use, New York City should implement a vacancy tax, which would increase the longer the unit was left vacant. Modeled after Vancouver’s vacancy tax, NYC’s tax would not begin until a unit has been empty for six months, and it should be set at an amount that penalizes the landlord enough to justify lowering the asking rent to an amount that would attract a prospective tenant. This tax would increase the number of units available at more affordable prices and activate housing units that already exist.

There is evidence from other cities that the implementation of a vacancy tax does have a positive impact on the availability of affordable housing. A study of vacancy taxes in France by Segu found that municipalities with vacancy taxes decreased vacancy rates by 13% compared to the control group, and that most of these units became primary residences (Segu, 2020). The implementation of a vacancy tax in Vancouver resulted in increased construction of new residential units (Hu, 2018) as well as increased availability of long-term rental properties (Swallow, 2017). Finally, in Taiwan, a vacancy tax with a 1% tax rate led to a decrease in the market price of housing of 2.6-8.8% (Chen, 2000). Given the available evidence from multiple cities, we believe that a vacancy tax in New York City will increase the availability and affordability of housing.

### Recommendation 3: Performance Incentives based on Permanent Housing Outcomes

As previously noted, performance measurement with sheltering operations presents a tricky challenge and risks introducing perverse incentives. Previous Performance Incentive Programs (PIPS), introduced in 2003 and abandoned by DHS in 2012, provided a financial reward to the shelter with the shortest term stays and fewest re-entries (Eide, 2018). This system created incentives for shelters to turn away individuals in need of services. Instead, we propose introducing financial incentives for shelters placing high numbers of residents into permanent housing through a CityFEHPS or Section 8 voucher. NYC’s Human Resource Administration (HRA) office inspects these units before approval, ensuring shelters are not pushing individuals into illegal dwellings. Further, because vouchers are administered by the government, this is an easily measurable, independently verifiable outcome. To meet this goal, shelters will need to increase salary lines of housing placement personnel, hire additional caseworkers, work with local real estate operations, and be more aggressive in reporting landlords illegally discriminating against voucher holders.

In addition to these outcomes-based performance metrics, DHS should re-implement its Shelter Performance Reporting, which ranked shelter providers into six performance categories based on their reported public assistance enrollment facilitation, length of stays, housing placement, and capacity management. Although these rankings did not accompany financial reward, they were publicly posted on the DHS website and allowed for greater transparency for both shelter residents and program stakeholders (DHS Family Services, 2014).

#### Recommendation 4: Encourage Wider Field of Contractors

Another major challenge in New York City's privatized shelter system is the lack of competition. Transitioning to a system of smaller shelter sites owned by the city but operated by nonprofit entities would encourage a wider field of competition between private contractors. The city, which already plans move away from large congregate style shelters, should transition to owning smaller sites and soliciting bids for operation. Public ownership of shelter facilities would lower the barrier to entry for smaller and newer organizations wishing to provide homelessness services. By making the RFP process more competitive, the city can regain its leverage over larger contractors that underperform, fail to resolve open violations, or mismanage funds. Diversifying service providers would also reduce the potential for largescale financial fraud and corruption in the future, allowing DHS to sanction abusive providers. With increased competition and public control of facilities, the city can also prioritize bids that take a Housing First approach or pilot programs reflecting innovative approaches found to work in other cities. Finally, by owning the physical shelter facilities, the city will reduce its reliance on large property managers and have direct knowledge of and responsibility for shelter conditions. Although beyond the scope of this recommendation, to meaningfully widen the field to newer nonprofits with smaller operating budgets, the city must improve its efforts to make timely contract payments.

#### Recommendation 5: Ensure Centralized Coordination and Data Collection

We recommend that the city implement improved data reporting measures to enhance DHS' oversight, coordination, and transparency. These measures should illustrate the complex and varied access barriers shelter residents face in attaining permanent housing. The current lack of reporting on re-entry rates, length of stay, shelter transfer rates, and subpopulation characteristics makes it more challenging to identify and address the root causes of homelessness in New York City. Further, the current tracking system does not report on specific barriers faced by vulnerable populations that are least likely to access housing (New York City Continuum of Care, n.d.). We recommend that data reporting measures be expanded to include information about the specific issues listed above. To do so, the city must provide additional funding to contractors so that shelters may hire the staff needed to produce more detailed and outcome-focused metrics, beyond what the current HMIS system tracks. Further, City Council should legislate, as it has proposed, that all shelter sites report uniform metrics regardless of federal funding status (NYC City Council Report, 2020).

Additionally, the city should increase contractor oversight and streamline current reporting practices. Although we recognize the importance of locally driven solutions and provider specialization, particularly given the vast array of clients' needs, capacities, languages and locations across the city, we learn from the Houston case that strategic streamlining can greatly improve efficiency, communication, and service delivery (Beekman, 2016). We recommend that New York works to align disparate funding streams, encourage communication among providers and with the city through formalized oversight and reporting mechanisms, phase-out contracts for duplicative or underutilized services, and the creation of more rigorous program evaluative criteria. The city should also implement legislation that requires *all* shelter sites, not just federally funded ones, to report on uniform metrics.

#### Conclusion

Despite the complexity of the issue, we think that the City of New York can make improvements to the form and focus of its shelter system. After many decades of privatization and external contracting, the shelter system not only suffers from a lack of transparency, coordination, and government oversight,

but also fails to direct government resources toward durable, long-term solutions to homelessness such as affordable housing and wrap-around services. Our five recommendations aim to realign priorities to ensure that NYC is utilizing public funds in the most efficient and effective ways possible in support of its most vulnerable and high-needs residents.

### Works Cited

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- This is a web page published by the Coalition for the Homeless, a reputable advocacy and service organization serving the homeless in New York City. This page discusses the most common data collection methods and sources that are relied upon for estimating the number of homeless individuals in New York City.

Cunningham, M.K, & Batko, S. (2018, October 9). Rapid Re-housing's Role in Responding to Homelessness: What the Evidence Says. Retrieved from <https://www.urban.org/research/publication/rapid-re-housings-role-responding-homelessness>

*Urban Institute: Rapid Rehousing.*

- This report provides an overview of current research and trends in rapid rehousing. It describes the growing body of evidence that rapid rehousing mitigates returns to shelter. This report is a reliable source because it was published on the Urban Institute's website. The Urban Institute is a reputable nonprofit research organization.

Department of Homeless Services, NYC. (2021). Mayor's Management Report.

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- This is a commentary piece published by the conservative Manhattan Institute that cites helpful government sources announcing evolving shelter policy and highlights tension between focusing on improving shelter conditions at the expense of improving shelter outcomes. The primary argument of the piece is that re-introducing a benchmarking program for shelters.

Garnham, J. P. (2019, July 2). Why Homelessness is going down in Houston but up in Dallas. *The Texas Tribune*. Retrieved from

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Harris, A. J. (2021, December 20). He Made the "Worst Landlords" List, but New York Relies on Him. *The New York Times*. Retrieved from

<https://www.nytimes.com/2021/12/20/nyregion/nyc-homeless-levitan-de-blasio.html>.

- This is a recent New York Times newspaper article about New York City's homeless shelter system and its reliance on private property owners to provide space for shelters. It includes interviews with shelter residents, which are valuable in providing context for what poor shelter conditions can be like. It also provides information that was acquired via FOIA from New York City government.

Harris, A. J. (2022, February 7). Victor Rivera, N.Y. Shelter Operator, Pleads Guilt in Bribery Scheme *The New York Times*. Retrieved from <https://www.nytimes.com/2022/02/07/nyregion/nyc-homeless-victor-rivera-pleads-guilty.html>.

- This is a recent New York Times newspaper article about New York City's homeless shelter system and recent contract fraud and sexual abuse allegations against the Bronx Parent Housing Network. It also provides a helpful summary of previous contract fraud.

Henwood, B. & Padgett, D. (2019). Homelessness in Los Angeles and New York City: A Tale of Two Cities. 10.1007/978-3-030-03727-7\_8.

- This is a scholarly publication that compares NYC's homelessness services approach to that of Los Angeles. It's reliable because it was published in a Springer published textbook called Homelessness Prevention in Social Work. It provides an overview of NYC's approach and shifting best practices.

Hu, J. (2018, August). The Effects of British Columbia's Vacancy Tax and Foreign-buyer Tax Act on the Supply of New Residential Housing in Vancouver. Retrieved from [https://ruor.uottawa.ca/bitstream/10393/38136/1/Hu\\_Jingting\\_2018\\_researchpaper%2cpdf.pdf](https://ruor.uottawa.ca/bitstream/10393/38136/1/Hu_Jingting_2018_researchpaper%2cpdf.pdf).

- This research paper looked into the impact of Vancouver's vacancy tax on the supply side of the housing market, specifically on new residential construction. While it is not peer reviewed, it was supervised by Professor Gamal Atallah of the University of Ottawa.

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New York City Continuum of Care. (n.d.). Homeless Management Information System: What is HMIS?. Retrieved from <https://www1.nyc.gov/site/nyccoc/hmis/hmis.page>).

- This website describes the HMIS system as it is utilized in New York City. It is a reliable source because it is published on a New York City government website.

New York City Council. (2022, April 1). The New York City Council's Response to the Fiscal 2023 Preliminary Budget and Fiscal 2022 Preliminary Mayor's Management Report. Retrieved from <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2022/04/Fiscal-2023-Preliminary-Budget-Response-1-2.pdf>.

- This is a very recent report published by the New York City Council which outlines policy recommendations and responses to current conditions and proposals by the Mayor's Office.

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- This is an original report issued by NY State Comptroller's Office on the state of overall oversight for shelters in New York state. The report interviewed shelter staff and visited shelter sites. It focuses on DHS's role in overseeing NYC shelter contracts and provides a list of recommendations for reform.

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- This is a summary of testimony by the Real Estate Board of New York (REBNY) provided to a New York State government committee. REBNY is New York City's real estate trade organization. This source is reliable because it is published by a reputable organization and references data gathered from its market analysis and historic trends from government data sources and planning reports.

Savas, E. S. (2002). Competition and choice in New York City Social Services. *Public Administration Review*, 62(1), 82-91. <https://doi.org/10.1111/1540-6210.00157>

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- This is the Coalition for the Homeless' annual report. The Coalition for the Homeless is a reputable advocacy and service organization serving the homeless in New York City. This report describes current conditions and trends over time related to homelessness in New York City. It also provides policy recommendations.

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- The article describes the costs, benefits, and nuances of government privatization that results in contracts with health and human service non-profit agencies. Although it is dated, the concepts described remain relevant. It is a reliable source because the article was published in a peer-reviewed journal.

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- This research paper provides an overview of Vancouver's housing market and the impacts of British Columbia's vacancy tax. While it is not peer reviewed, it was supervised by Professor David Wachsmuth of McGill University's School of Urban Planning.

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- This brief piece summarizes research by Abramovitz and Zelnick that analyzed the negative impact of managerialism and paperwork burdens of social workers in New York City. It is reliable because it is posted by the Touro College Graduate School of Social Work.

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- A book on Housing First written by Samuel Tsemberis, the doctor that first established the model as a best practice to addressing behavioral health issues through an evidence-based approach.

The United States Conference of Mayors. (2016, December). Hunger and Homelessness Survey: A Status Report on Hunger and Homelessness in America's Cities.

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- This report covers best practices, trends, and status updates on hunger and homelessness across major U.S. cities. This is a formal publication published by the US Conference of Mayors.

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- This is an online newspaper article detailing market conditions for commercial and office spaces in New York City, with a focus on Manhattan. This is a reliable source because the data used is from Costar, which is a commonly used and reputable real estate and site selection data source.

Zaveri, M. (2022, March 7). Rents Are Roaring Back in New York City. *The New York Times*. Retrieved from

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- This is a recent newspaper article detailing the changing rent market in New York City since the COVID-19 pandemic. The article quotes economists and uses an agglomeration of data from real estate websites. American Community Survey housing data from this year is not available yet, so this is the most reliable data available.