FAQ – SHELTERING OF MIGRANTS

Question: Does the City need permission from the State to secure temporary housing (“shelter”) outside of NYC?

Answer: No, but this is a last resort.

- Many steps are required before temporary housing may be secured outside of NYC. Per 06-ADM07, each local social services district (“district”) must make every possible effort to place a homeless individual or family within that district. Only as a last resort should a district place a homeless individual or family in a shelter located in another district.

- If a district must place a homeless individual or family in another district, the placing district continues to be fiscally responsible for the needs of such household, even if there is no cost for the shelter.

- When it becomes apparent that out-of-district placement is the only available option, the placing district must take the following steps:
  1. **Contact** the out-of-district placement site and verify that the site has availability and that they will accommodate the homeless individual or family. Availability means that there is an actual bed available for each individual or household being placed. The same day the placement is made, or the next business day if the placement is made after hours, the placing district must contact the district of fiscal responsibility (DFR) liaison.
  2. **Arrange** for transportation to the placement site and for transportation to and from the placing district for eligibility appointments, if necessary. The placing district must not rely on the placement site district to complete a courtesy interview unless the placing district has arranged for the same.
  3. **Return** the household to shelter within the placing/original district as soon as such shelter is available.
  4. **Process** the Temporary Assistance (TA) application for ongoing cash assistance, including a PNA and restaurant allowance, if applicable, and for SNAP and Medicaid, if eligible.

Additionally, if a hotel/motel is used for shelter, the local social services district using the facility is expected to notify the county/local district where the hotel/motel is located. If the district where the hotel/motel is located has not inspected and determined the facility is adequate, the placing district opting to use the hotel/motel must confirm the facility is adequate and arrange for services.

Question: Are these hotels “shelters”, as defined by the NYS Office of Temporary and Disability Assistance (OTDA)?

Answer: NYC is contracting with commercial hotels in districts outside of NYC on a temporary basis to shelter migrants.

- OTDA is imposing the same program, security, inspection, and other requirements on these facilities that it currently imposes on hotels used by the NYC Department of Homeless Services within NYC.
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Question: Will there be rules in place for the residents sheltered in these hotels and operating standards for the facility?
Answer: Yes, OTDA and NYC require hotels to have social services onsite for the residents.

- There will be staff and security onsite 24/7. Residents will have a curfew and need to follow the same as rules as in other shelter facilities. In addition, NYC will adhere to the same operational template as hotels used as shelter by the NYC Department of Homeless Services and the facility will be inspected prior to being used and as necessary and determined by OTDA once in use.

Question: How long is the City's obligation for covering the cost of shelter in a local district outside of NYC? After the initial four months, will the receiving social services district be required to support the migrants?
Answer: The City is obligated to provide shelter and public assistance (for those eligible for PA) for as long as the individuals or families continue to reside at the out-of-district shelter location, or otherwise remain continuously eligible for PA.

Question: What is the State doing to support counties that are sheltering migrants outside the NYC?
Answer: Most migrants seeking shelter are first arriving in NYC, where there is a right to shelter law.
- The State is working closely with NYC to support its ability to maintain as many migrants as possible within the five boroughs. NYC retains financial responsibility for anyone it temporarily houses or shelters in counties/local districts outside of the City.
- Outside of NYC, the State reimburses districts for the cost of providing shelter for those who are determined eligible for Public Assistance. Reimbursement for PA is at a rate of 100% for Family Assistance Households and 29% for Safety Net Households. Many migrant households may be ineligible for PA due to immigration status; those determined eligible are likely eligible for Safety Net Assistance, which is reimbursed at the 29% State share if shelter is made available by that district.
- The SFY23-24 budget also includes $5 million to provide case management and other services for these households statewide (with about $2 million expected to be distributed in ROS).

Question: What support can the State provide to existing shelters around New York?
Answer: The Office of Temporary and Disability encourages social services districts to work with shelter providers and consider using its established processes for regulatory waivers, should the increase in migrant arrivals require changes to operational plans.
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Question: What is the plan for relocation as opposed to shelter for migrants?
Answer: OTDA is in the process of operationalizing $25 million for the voluntary relocation of 1,250 families presently in shelter in NYC, including recent migrant arrivals seeking asylum, to welcoming communities across NYS.

- OTDA will contract with experienced immigration services nonprofit providers. Services may include, but are not limited to, rental assistance, basic needs, case management, legal services, and job placement assistance for eligible families for up to one year.

Question: What actions has the Governor taken to address the needs of migrants that began arriving in New York City in significant numbers?
Answer: Governor Hochul has had multiple conversations with President Biden and his Administration officials urging them for additional federal support for the City's efforts.

- Since asylum seekers first began arriving in New York City last April, Governor Hochul has worked closely with Mayor Adams to push for federal assistance and secure additional resources, including $1 billion in the State budget and more than 1,000 members of the National Guard providing logistical support. We are aware the City has limited space available to shelter additional asylum seekers and are working with Mayor Adams on solutions to that problem as we continue to push for a federal response.
- State funding is included for relocation through the Office of Temporary and Disability Assistance (OTDA) -- this is for voluntary permanent relocation, unrelated to the short-term shelters included in the Mayor’s recent plan.