

What is NYC 15/15 Project-Based Rental Assistance with Supportive Services?

The NYC 15/15 program is a New York City-funded rental assistance program that assists eligible families or individuals that are homeless or at risk of homelessness by providing an affordable apartment and supportive services to help them move toward the goal of long-term stability.

NYC 15/15 assistance is provided through long-term contracts with owners of private apartments, under which HPD issues monthly rental assistance payments for apartments occupied by eligible households. Assisted households are responsible for paying approximately 30% of their adjusted incomes towards their rent. HRA and DOHMH provide the social service provider a contract to offer onsite social services to NYC 15/15 participant households.

There are six parties involved in the NYC 15/15 program: the tenant(s), the owner, the social service provider, the New York City Human Resource Administration (HRA), the New York City Department of Health and Mental Hygiene (DOHMH), and HPD.

What are the eligibility requirements for NYC 15/15 subsidy?

- Head of Household (HoH) must be a member of an NYC 15/15-eligible population.
 - Supportive services are offered at the development for the served population but participation is not mandatory for tenancy.
- Must be eligible to receive Rental Assistance Payments (RAP) based on household income and the gross rent of the apartment.
- Must provide all requested information to HPD.

How does HPD determine the eligible unit (apartment) size?

The size of a unit that a household is eligible to occupy is determined by HPD's subsidy standard. The eligible unit size refers to the number of bedrooms HPD has determined is an appropriate to house your family.

Based on HPD's subsidy standard, one bedroom is approved for every two people in the household. Single-member households may reside in a one-bedroom, studio or Single Room Occupancy (SRO) unit.

The following table outlines HPD's subsidy standard by apartment size.

HPD Subsidy Standard by Apartment Size						
	SRO	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
# of people in household	1	1 or 2	1 or 2	3-4	5-6	7-8

- Determining the number of people in your family
 - If you are pregnant at the time of your application please make sure to indicate your pregnancy as this will be considered an additional household member

- Foster children and live-in aides must be added to the household composition by requesting and receiving approval from HPD and to do so proper documentation must be supplied.

What is an Overhoused Family?

Overhoused family = a family residing in a unit that has more bedrooms in the apartment than allowed for the number of household members according to HPD’s subsidy standards.

For example, a one or two person household would be considered overhoused in a two bedroom apartment. A one or two person household is appropriately housed in a studio or one bedroom apartment.

HPD Subsidy Standard vs. Overhoused by Apartment Size						
# people in Household	SRO	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Subsidy Standard	1	1 or 2	1 or 2	3-4	5-6	7-8
Overhoused	N/A	N/A	N/A	2 or fewer	4 or fewer	6 or fewer

If your family is overhoused with NYC 15/15 subsidy, one of two things will happen:

- If an appropriately-sized NYC 15/15 unit is available and offered to you, you must move to that unit.
- If an appropriately-sized NYC 15/15 unit is not available, you may remain in your current apartment until one is offered to you.
- Exceptions may be considered by HPD only for households where a family member has a documented disability and the HoH requests a reasonable accommodation from HPD.

What is an Overcrowded Family?

Overcrowded family = a family that has more household members than the maximum number of people that the NYC 15/15 program allows to live in the unit.

NYC 15/15 program rules allow a maximum of two people per bedroom or living space, including both bedrooms and living room. If your household is overcrowded, HPD cannot provide you with rental subsidy.

For example, five people living in a one-bedroom apartment would be considered overcrowded. The following table outlines the number of people that will make a household overcrowded by apartment size.

HPD Subsidy Standard vs. Overcrowded by Apartment Size						
# people in	SRO	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom

Household						
Subsidy Standard	1	1 or 2	1 or 2	3-4	5-6	7-8
Overcrowded	2+	3+	5+	7+	9+	11+

How does HPD determine your income?

HPD calculates income based on a review of all sources of income and any allowable deductions according to HPD’s Rental Subsidy Program Administrative Plan.

HPD first calculates your gross income, which includes:

- Income from all sources, for all family members, such as:
 - Wages (before taxes)
 - Social Security (SS) or Social Security Insurance (SSI)
 - Public Assistance
 - Pensions
 - Unemployment benefits
 - Self-employment
 - Child support

- Income from assets. This includes (but is not limited to):
 - Bank accounts
 - Investment accounts
 - Equity in real estate property
 - Retirement savings accounts
 - Company retirement or pension accounts
 - Lump sum payments
 - Personal property held as investment

Some income sources do not count towards your gross income (they are considered “excluded” from your income). Examples of excluded income include earned income of minors and payments for care of foster children. You must report all income for your household, and HPD will determine if any of this income is excluded.

Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered **fraud**.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with the NYC 15/15 rental assistance program. You may also face arrest and criminal prosecution.

After HPD calculates your gross income, HPD makes deductions for the following:

- Seniors and Persons with Disabilities: disabled or elderly (62+) head of household, or spouse.
- Disability Assistance Expense: unreimbursed expenses for a disabled family member(s) that allow any adult in the household to be employed.
- Medical Expense: Unreimbursed medical expenses that exceed 3% of the household income for any member of an elderly or disabled family.
- Minor Children: any minor 17 or younger.
- Childcare Expense: expenses for minors 12 or younger that allow the head of household to be employed and/or further education.

Finally, HPD subtracts the amount of your allowable deductions from the amount of your gross income to determine your adjusted income. Your adjusted income is used to calculate your total tenant payment (rent share plus any tenant-paid utilities).

$$\begin{aligned} & \text{Your gross income (before taxes)} \\ & - \underline{\text{Your allowable deductions}} \\ & = \text{Your adjusted income} \end{aligned}$$

How does HPD determine your share of the rent?

Your tenant share is the largest of the below numbers minus an allowance for any utility costs if you pay for any utilities such as electricity, heat, or hot water:

- 30% of your monthly adjusted income
- 10% of your monthly gross income
- Welfare rent (if applicable)

What is the family's role in the program?

The assisted household signs a lease with the owner, must comply with the program's family obligations¹, and must comply with the lease requirements.

What do you need to do after you start receiving NYC 15/15 assistance?

- You must **report** any changes in your household composition to HPD within 30 days of the change.

¹ Your family obligations under the NYC 15/15 program are detailed in this briefing packet and in HPD's Rental Subsidy Program Administrative Plan

- You must **recertify** your household and income at least once annually with HPD by submitting a recertification package to HPD and any other documents requested by HPD.
 - You may also **report** any decrease in your household income to HPD at any time so that HPD can adjust your tenant share of the rent.
- You must **respond** to HPD's annual recertification mailing within 30 days.
- You must **allow HPD access to inspect** your apartment when scheduled.

What are the family obligations?

- Supply all information requested by HPD.
 - All information must be true and complete, including when responding to Requests for Additional Information (called A.I. Notices).
- Sign required consent forms.
- Allow HPD to inspect the apartment.
- Allow management access to make required repairs in your apartment.
- Correct any Housing Quality Standards (HQS) failures that are determined to be the tenant's responsibility by an HPD inspector.
- Notify HPD if your family will be absent from the apartment for 90 days or more.
- Reside in the apartment; the subsidized apartment must be your only residence, which also means that you must not sublet or rent out the subsidized apartment.
- Notify HPD if you have been given court papers by management or an eviction notice.
- Comply with all of the terms and conditions of the lease between you and the landlord, including paying your tenant share of rent timely, as required by your lease.
- Report any changes in your household composition to HPD immediately:
 - Do not allow any person to move into your household without prior approval from HPD unless that person is the spouse, domestic partner, or child (including through adoption or court-awarded custody) of a current household member.
 - Spouses, partners, and children of current household members must be reported to HPD within 30 days of their move-in.
- Do not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. This also applies to all other members of the family.
- Do not engage in drug-related criminal activity or violent criminal activity. This also applies to all other members of the family.

Your obligations to the owner are described in detail in your lease and any riders.

What happens if you don't meet the family obligations?

If you do not meet your family obligations, HPD may terminate your participation in the program. HPD will notify you in writing if you are terminated from participation. This notification will include instructions on how to appeal HPD's decision.

If you have committed fraud or committed a crime, you may be referred to state and local law enforcement agencies for prosecution.

When will your rental assistance end?

HPD must terminate assistance if:

- Any family member fails to sign and submit required consent forms for obtaining information.
- Your family vacates, abandons, or is evicted from the assisted unit.
 - If the eligible head of household dies or vacates the unit, NYC 15/15 subsidy for any remaining household members will end with 120 days' notice from HPD.
- Your family is absent from the assisted unit for more than 180 days for any reason under any circumstances.

HPD may terminate assistance if:

- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with the NYC 15/15 program.
- Any family member commits drug-related criminal activity or violent criminal activity. HPD will take into consideration if the perpetrator household member is currently engaged in a drug treatment or harm-reduction program.
- There is reasonable cause to believe that a family member's criminal activity threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Anyone in your family has engaged in or threatened abusive or violent behavior toward HPD personnel.
- Anyone in your family has misrepresented income, household members, or other reported information.
- Your family has violated one of the family obligations.
- Your family is absent from the assisted unit for more than 90 days without prior written approval from HPD.
- Your family has failed to provide requested information or failed to attend a mandatory conference.
- Your family has failed to reimburse HPD for amounts paid to an owner under an NYC 15/15 contract due to the family's failure to report information.

Fraud and Program Integrity

Fraud and program abuse are single acts or a pattern of actions that are intended to deceive or mislead. Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered fraud and program abuse.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

If you know of anyone who provided false information on a housing assistance application or recertification, or if anyone tells you to provide false information, report that person to:

- HPD's Program Integrity and Compliance Unit at **917-286-4300** and follow the prompts in the menu.
- The New York City Department of Investigation at: **212-825-5900**.
- Call **311**.

What are the owner's obligations?

- Screen, select, and enter into leases with NYC 15/15-eligible tenants.
- Comply with local nondiscrimination, fair housing, and equal opportunity requirements.
- Comply with the NYC 15/15 Rental Assistance Contract (RAC) and lease.
- Carry out normal owner functions, including enforcing the lease, collecting tenant share of the rent, and charging tenants for damage.
- Provide all services as listed in the NYC 15/15 supportive service grant.
- Maintain the apartment.
- Must NOT charge any extra amounts to the family except for what is listed in the Rent Breakdown letter and reasonable charges to tenants for damages.
- Landlords may request a rent increase annually at lease expiration. Assisted tenants are not responsible for any increases in the rent until the rent increase is approved by HPD. Both the landlord and tenant will then receive a rent breakdown letter listing the new contract rent, family share, and HPD share.

What if you have a problem and need repairs in your apartment?

Contact management directly to notify them first of the problem. If you are unable to resolve the problem, contact 311 to request a Housing Quality Standards (HQS) inspection of your apartment.

What happens to the NYC 15/15 rental assistance if you move out of your NYC 15/15 unit?

Your NYC 15/15 assistance is tied to your unit. This subsidy cannot be used to move out of the apartment. In certain documented circumstances HPD may approve a transfer from one assisted unit to another. These transfers must be approved by HPD in advance.

If you are transferring to another NYC 15/15 unit, the unit must pass a HQS inspection and the transfer must be approved before you move.

If you want to move, but require an affordable apartment, you may apply for other affordable housing developments, including other project-based developments in HPD's Moderate Rehabilitation (Mod Rehab) program. More information about available affordable housing in New York City can be found at NYC Housing Connect: www.nyc.gov/housingconnect.

You must notify HPD immediately if you will be temporarily relocated from your unit for any reason (including rehabilitation of the unit).

Remaining Household Members:

NYC 15/15 program rules require that at least one household member qualify (called the qualifying member) for the supportive services offered at the development.

If the qualifying member leaves the household, due to death; abandoning or relinquishing the unit; being evicted from the unit; or absence from the unit, HPD will provide the household members remaining in the assisted unit with 120 days' notice before terminating the NYC 15/15 rental assistance, during which time they are strongly encouraged to search for other housing.

What if I don't agree with HPD's decisions about my eligibility or amount of my assistance?

You may **appeal** a decision made by HPD affecting your eligibility or the amount of your assistance, including if your assistance is denied or your subsidy is terminated. The instructions for filing an appeal will be sent with your denial or termination notice.

Housing Discrimination

HPD will not deny any family or individual the equal opportunity to apply for or receive assistance under the program on the basis of age, alienage or citizenship status, race, color, sex, religion, creed, national or ethnic origin, lawful occupation or source of income, family or marital status, handicap or disability, sexual orientation, gender identity, prior arrest or conviction record, status as a veteran, or status as a victim of domestic violence.

If you have been a victim of housing discrimination, you may make a complaint to the NYC Human Rights Commission by calling 311. More information about filing a complaint is available at: <http://www1.nyc.gov/site/cchr/enforcement/complaint-process.page>.

Important things to Remember:

- Keep this package as a reference so that you know your rights and responsibilities as a program participant.
- Be sure to read all letters, notices, or forms that you receive from HPD. Pay special attention if there is an appointment date or a deadline to return materials to HPD. If you do not completely understand something, contact us for assistance.
- Supply all information requested by HPD and respond to all HPD requests for information on a timely basis. All of the information you provide to HPD must be true and complete.
- Keep copies of all documents that you submit to HPD.