A public hearing regarding the proposed rule was held on August 14, 2014. At the hearing, interested parties had an opportunity to provide input on the proposed rule. Approximately 75 members of the public attended the hearing, 15 of whom spoke. Also present at the hearing were Commissioner Steven Banks, HRA Chief Special Services Officer Daniel Tietz and Deputy Commissioner Jacqueline Dudley. A transcript of the public hearing is attached as Exhibit 1.

In addition to the oral comments received at the public hearing, HRA received one comment via the NYC Rules website, one comment that was sent by email via nyc.gov (via the Mayor’s Office) and one submission of written testimony at the hearing itself. These written comments are collectively attached as Exhibit 2.

No comments were received via the phone number, fax number, email address or mailing address provided on the notice of public hearing.

Summary of Issues Raised in Written and/or Oral Comments

Comments Regarding the HASA 30% Rent Cap Proposed Rule

Two comments were received regarding eligibility for the 30% rent cap.

A number of commenters thanked Commissioner Banks, Chief Special Services Officer Tietz, Deputy Commissioner Dudley and others for efforts taken to pass and implement the 30% rent cap. One of the commenters stated she is finally happy in her new apartment as well as the neighborhood she resides in.

Comments Regarding HASA’s Delivery of Services in General, Not Directly Related to the Proposed Rule

A number of comments were received concerning HASA’s delivery of services in general, including:

- the use of email to communicate with HASA staff
- the information and knowledge among HASA staff concerning the 30% rent cap and budgeting
- reviewing one’s own HASA case file
- the posting of HASA clients’ rights and responsibilities
- congregate settings and obligations of the providers of congregate housing, including the provision of utilities

Comments About Individual Cases

A number of commenters commented about their individual cases.

- Three commenters raised concerns about living in supportive housing due to the low cost of rent, while not actually being in need of supportive services. They were thankful for the 30% rent cap and indicated that they were ready to transition into independent living.
- Two commenters stated that they were grateful for the 30% rent cap as they reside in commercial SROs and can now afford to relocate.
Three persons commented about living conditions at their current residence. Three commenters explained the difficulty of affording housing in New York City given their modest Social Security Disability or employment income.

Responses to Issues Raised During the Public Comment Process

In response to the two written comments concerning eligibility for the 30% rent cap (see Exhibit 2):

The 30% rent cap was included in the state budget that was signed into law in March 2014. The statute states that a HASA client must first be receiving public assistance (defined as Family Assistance, Safety Net Assistance or Veterans Assistance) prior to making any calculation of 30% of the client’s monthly unearned or earned gross income. Nothing in the statute or HRA’s implementation plan approved by OTDA changed the eligibility for public assistance. As a result, HASA clients with low Supplemental Security Income (SSI) or low Social Security Disability (SSD) benefits, for example, will often be eligible for the 30% rent cap, but those with higher SSD benefits are often not eligible. In short, in order to be eligible for the 30% rent cap, based on the provision in the adopted state budget a HASA client will still need to have less than $376 per month available after paying rent.

In response to the comment on page 12 of the hearing transcript, where a HASA client commented on the use of email to communicate with HASA staff:

HASA staff members have access to email and are free to share their HRA email addresses with clients and advocates. At times, HASA staff are in the field and may not be able to promptly reply. In other instances, a client or advocate inquiry is complex and may require input from a supervisor or another HRA employee. Always being mindful of client confidentiality, however, we will reinforce the need to reply as soon as possible to any emailed inquiry, at least to note receipt of the inquiry and then following up as soon as possible by phone, if not via email.

In response to the comments on pages 12-13 and 30-31 of the hearing transcript concerning the information and knowledge among HASA staff on the 30% rent cap and budgeting:

HASA staff has been provided complete information on the 30% rent cap, including information regarding eligibility and budgeting, as well as the issuance of retroactive payments for the period April 1-June 30, 2014. In addition, HASA is distributing fact sheets about the 30% rent cap among HASA clients and potential clients urging them to speak with their HASA case workers if they believe they are eligible. As necessary, we will regularly update and reinforce the 30% rent cap information with HASA staff. Additionally, while HASA staff regularly receive training, we are examining additional training and resource needs so that we are better able to assist clients.

In response to the comment page 15 regarding reviewing one’s own HASA case file:

HASA clients are entitled to obtain a copy of their HASA case record upon request. HASA records are electronic and often case workers at our centers can quickly print specific items, such as records of shelter payments in a particular period, while the client waits. If a client wishes a copy of the entire case record, which may require more time to print, the client can either pick up the record at a later date or it can be mailed.
In response to the comments on pages 30-31 regarding the posting of HASA clients’ rights and responsibilities:

HASA takes the matter of clients’ rights and responsibilities very seriously. Recognizing the importance of client confidentiality, notably in the waiting areas of our centers, HRA is presently reviewing proper signage on this matter.

In response to the comments on pages 40 and 43 regarding congregate settings and obligations of the providers of congregate housing, including the provision of utilities:

Residents in HASA congregate housing are not obligated to contribute additional monies for utilities. HASA has reinforced this position with all congregate providers and confirmed that none are requiring residents to make such payments. We regularly conduct oversight with HASA congregate housing providers and welcome hearing complaints and concerns. We will promptly investigate any complaints and concerns and reinforce with our providers their contract obligations.

Additionally, HASA has investigated and addressed all of the issues raised by clients as part of the public comment process concerning their individual cases. Specifically:

- HASA staff will assist clients who are currently residing in supportive housing, but who are ready to live independently to locate appropriate private market apartments.
- Information concerning the 30% rent cap will be conveyed to all clients currently residing in emergency housing. Staff will continue to assist all clients residing in emergency housing to locate appropriate permanent housing.
- Apartments for all clients who complained of their living conditions have been inspected. Those who wish to relocate will be provided with assistance.
- Budgets were reviewed for all clients who expressed difficulty affording housing to ensure accuracy. HASA will discuss relocation options with any client still experiencing challenges.
EXHIBIT 1
PUBLIC HEARING: PURSUANT TO THE
CITY ADMINISTRATIVE PROCEDURE ACT

30% RENT LIMITATION FOR CLIENTS OF
THE HIV/AIDS SERVICES ADMINISTRATION

Date: August 14, 2014
2:00 p.m.

HELD AT: NYC HUMAN RESOURCES ADMINISTRATION
OFFICE OF LEGAL AFFAIRS
180 Water Street
New York, NY 10038

Agency Representatives:

JACQUELINE DUDLEY,
Deputy Commissioner
HIV/AIDS Services Administration

STEVEN BANKS
HRA Commissioner

DAN TIETZ
HRA Chief Special Services Officer
### PUBLIC HEARING TRANSCRIPT PROCEEDINGS

**30% Rent Limitation for Clients of the HIV/AIDS Services Administration**

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*In accordance with Article 27-F of the New York Public Health Law, names of HASA clients have been redacted from this transcript.*
Public Hearing Transcript 30% Rent Limitation for Clients of the HIV/AIDS Services Administration

JACQUELINE DUDLEY: Good afternoon everyone and welcome to the New York City Human Resources Administration, for those who have not been here before. The purpose of this hearing today is to provide notice of--first of all, my name is Jacqueline Dudley. Good afternoon. My name is Jacqueline Dudley. I'm Deputy Commissioner of the HIV/AIDS Services Administration. I'd also like to introduce some other HASA staff members who are here with me today. Samuel Salnave is here, who is the Assistant Deputy Commissioner at HASA. I also have David Piersante who is our Director of Eligibility and Fair Hearing, and also my Executive Assistant, Ms. Angela Ferrell. The purpose of this hearing today is to provide notice of positive changes we are making here at HRA under the leadership of Mayor de Blasio, Commissioner Banks and Governor Cuomo. We believe these changes will greatly improve the quality of life for some of our most vulnerable clients in the system in staying in their apartments and avoiding homelessness. Members of the audience will also be given the opportunity to comment on these changes after they are explained more fully. The change we are making is a proposed rule change.

In order to implement the Mayor's priority of
Public Hearing Transcript 30% Rent Limitation for
Clients of the
HIV/AIDS Services Administration
preventing evictions and homelessness, the
Commissioner of the New York City Human Resources
Administration (HRA) is adding a new section to
Chapter 5 Title 68 of the rules of the City of New
York. This provision ensures that persons living
with clinical or symptomatic HIV illness or AIDS, who
receive public assistance and benefits through HRA's
HASA, do not pay more than 30% of their monthly
earned or unearned income towards the cost of rent
that they have a direct obligation to pay. To the
extent that any such person paid in excess of 30% of
his or her monthly earned or unearned income towards
their rent at any time since April 1, 2014, the
effective date of the change in the social services
law, this rule provides that HRA will reimburse the
amount paid in excess of 30%. Homelessness poses a
serious and life threatening risk to those living
with HIV and AIDS. This rule became effective June
18, 2014, as an emergency rule. Based on a finding
by the Mayor and the Commissioner of HRA the
immediate implementation of this rule was necessary
to address an imminent threat to the health and
safety of HASA clients. Implementing this rule on an
emergency basis allowed HRA to immediately reduce the
number of eligible HASA clients facing homelessness
Public Hearing Transcript 30% Rent Limitation for Clients of the HIV/AIDS Services Administration

as a result of an inability to pay their rent, and to decrease expenditures to relocate clients post eviction. That emergency rule has been extended for an additional 60 days to afford an opportunity for notice and comments in order for this agency to adopt a final goal. At this point I'm just going to recite the rule that's being changed.

Chapter 5 Title 68 of the rules of the City of New York as amended by adding Section 5-022 reads as follows: In accordance with Section 131A14 of the New York City Social Services Law, the New York City Human Resources Administration in calculating public assistance benefits shall ensure that each person living with clinical or symptomatic HIV or AIDS, who is receiving public assistance through its HIV/AIDS Services Administration, will not pay more than 30% of his or her monthly earned or unearned income towards the cost of rent that such person has direct obligation to pay. If a person living with clinical or symptomatic HIV illness or AIDS receiving public assistance through HASA has at any time since April 1, 2014, had direct obligation to pay rent and paid in excess of 30% of his or her monthly earned or unearned income, such person shall be reimbursed in the amount of such excess. This section does not
apply to persons receiving a room and board allowance pursuant to 18NYCRR Section 352.8bl. This section shall not adversely impact a client's eligibility for other HRA benefits and services. At this time I'm going to introduce to you the Commissioner of HRA Steven Banks.

COMMISSIONER STEVEN BANKS: Thank you very much Jackie.

MS. DUDLEY: Excuse me.

COMMISSIONER BANKS: You can tell this is the first one we've ever had. We're a little proceeding. It's great to see you all here today. I want to acknowledge the great work of Jackie Dudley and her team on the implementation of this 30% rent cap. Also for those of you who haven't met him, Dan Tietz is the Chief Special Services Officer of HRA and HASA is under his authority. Everybody knows you Dan or do you want to acknowledge yourself. Well, you're going to speak. I wanted you to acknowledge yourself. Also Kathleen Carlson, who is Chief External Affairs Officer, is here as well and Grace Bonilla, who is a Deputy Commissioner in the Community Affairs, and Annette Holm who is also a Deputy Commissioner in the Special Services area. This is a very important initiative for us, but I
Public Hearing Transcript 30% Rent Limitation for Clients of the HIV/AIDS Services Administration

want to acknowledge the contributions of many of you in this room, in the community, particularly VOCAL and many of the other organizations that have played such a critical role in the enactment of this State law. The rule that Deputy Commissioner Dudley read is word for word what the State statute provides, and this is many years of struggle for many of you in the audience led by VOCAL and other groups, Housing Works and many of the other groups that have been so focused on this issue. So it's been a community partnership between this agency since January 1 and many of you in the audience that have made this a reality. Also proposed this rule on an emergency basis so that we could implement as soon as possible given the fact that it was part of the April 1 budget agreement, and once we got the authority to go ahead and implement it, the Mayor and HRA wanted to provide the benefits as soon as possible, which we have done. Also want to advise you that as part of the implementation of the 30% rent cap that we are also going to be providing the full broker's fee in order to move clients out of the emergency housing facilities.

[applause]

COMMISSIONER BANKS: Thank you. In order to
move clients out of the emergency housing facilities, obviously, with the ability to cap rent to 30%; the ability to move people out of emergency housing into permanent housing. It's a critical goal of ours and under Dan Tietz's and Jackie Dudley's leadership we will be making a concerted effort to help people relocate from the emergency housing facilities using the full broker's fee. On a case by case basis we will be paying a full broker's fee to avoid new individuals having to go into the shelter system. So we're going to be very targeted in the use of the broker's fee. It was eliminated previously. We have made the determination that we want to have it as another available tool to our front line workers to help people move out, and on a case by case basis avoid people moving in. I became Commissioner on April 1. The Mayor became the Mayor on January 1. Dan Tietz became the Chief Special Services Officer mid-June. We know that there are still a lot of things that we need to be focusing on. We are using this hearing to hear your comments, and we will listen to everything that is said. I may not be able to be here for the entire hearing but it will be transcribed. I will certainly be reviewing all of the comments and reviewing them with Dan Tietz and
Jackie Dudley. I appreciate that people took the
time to come today to express your views. Your views
are important to us, as you can see from the kinds of
changes that we've been making at HRA over these past
few months. So thank you very much and
congratulations on this community achievement today.

[applause]

MS. DUDLEY: Good afternoon. That was my
top boss, but my immediate boss is Dan Tietz, Special
Services Officer Daniel Tietz.

[applause]

MR. DANIEL TIETZ: The idea of being
Jackie's boss is kind of weird. I'm glad that you
came today. You know two days ago we were saying
nobody signed up. We didn't know if anybody was
coming, so we're really pleased that there is
somebody here. If I may just add to what the
Commissioner said, we're going to hear your comments
and concerns. As a matter of course we won't respond
today, so we're going to collect all that and I want
to assure that we will hear you. So we will actually
do something and reply to those. We just won't say
anything back to you about that today. Also just
following on what Steve said, there's a lot in play.
As some here know, we have a giant list of policy
actions across HRA that we're looking at in terms of making important changes going forward. Some number of those are in HASA. The Commissioner mentioned a couple that we're very pleased about; the 30% rent cap, of course, and its implementation. The fact that City tax levy covered the first three months of that I think is an important acknowledgment of this Commissioner and this Mayor in getting that benefit to people promptly. I'll note that there are some folks whose math on that was a bit harder than some others, shall we say, and those checks are coming soon, so the check is in the mail, but we're about done with that. So I'm pleased that the folks in HASA and MIS worked very hard to get those out, recognizing that people needed the money, so we're pleased about that. I think that's all I'll say. I think we'll get started. We don't want to keep people here all afternoon. I'll hand it back to Jackie. Thanks.

[applause]

MS. DUDLEY: Thank you. I believe that Mr. Felix Rodriguez has a list of people who have asked to speak.

MR. FELIX RODRIGUEZ: For those of you who signed up to speak I'm going to ask for you to line
up on this side. I'll call out your name and then you come to the mic. [Speaker 1].

[applause]

[SPEAKER 1]: Thank you. First I'd like to congratulate everyone that was responsible for this legendary landmark legislation that's come down. There's a list of people; obviously, you know who they are, the Mayor and the City Council and all the members of HRA and HASA too; but again, we want to thank them and congratulate them. We saw immediate response and changes in our budget. I'm a client at 043 Center Kings Bridge in the Bronx. I always was a working person for many years. Unfortunately, I had to resort to this for complicated reasons, but the issue that I have today is that, certainly, the Commissioner, I think you stepped up earlier and you said that there's going to be changes at HASA. I'm certainly one who thinks that's in order. We need a makeover. Some of the personnel and staff there are very condescending and suffer from stigma. They need to be psychologically reevaluated and some of them need to be removed, unfortunately. I think you might even find some people who are positive, (it would be better), and more sensitive, you know, go with some great ideas. I emailed the Mayor, rather the
Commissioner here, Steve Banks: Thank you. Congratulations on your new Commissioner, Steve. I think you are very wonderful for this position coming from the background that you had in litigation. Again, you're helping poor people. So, I think that was great that I was able to email you but, again, we don't have email functions among our caseworkers. We can't email them. They have email between HASA and members of HASA Administration. They can email each other but we can't send them emails. This is information technology. I think we should be able to not be discriminated we can't send an email. That's not a major issue. I would gladly think that's lesser, down the priority, but right now I think I'd like to be able to talk to my people at the center fairly; and so far, there's an issue that's really outstanding; it's urgent. Along with the rent cap, 30% rent cap that came down, I said that's been handled very well for, I can say, my own rent, had a little excess. But the other element in there and the component was the retroactive rent. I know that you said some checks were in the mail. I don't know if that includes what I was talking about, but the retroactive rent has been handled very poorly. It's really, unfortunately, disgraceful because no one has
any information. It's been an information blackout.

As soon as I said I like communications and interpersonal communications, the competence on this is really a failure because you can't get any information from let's say your case manager; supervisor doesn't know about this. [Name redacted], one of my reps in Desalso [phonetic] came today from VOCAL New York. He says he had the same experience. No one knows anything in the local centers. In other words, the financial worker who, (their job is to regulate and maintain your financial affairs), doesn't know anything about the retroactive monies. They act like; it's like mum's the word. It's like communication blackout. This is a supervisor at 043, Ms. Dougherty [phonetic]. Called her and she didn't know anything. She didn't even know the number for HASA. When I said, well--directed me to go to HASA to find out information. I said well, could you give me a number. She said no, I don't know the number. So it's kind of interesting that nobody knows anything about this. It's a big organization but nobody has any answers. So I just would think that would be it. I'm calling for an investigation on that, please. Let's investigate what's going on. Let the people get some kind of notice as well. It's
bad enough you don't have any--phones haven't been
distributed but nobody is even communicating and
that's worse. Also get this attitude that we don't
really want to talk to you about it at the centers,
and that shouldn't happen either. So there's a few
things at the centers that need to be addressed;
can't list them all today. Unfortunately, I didn't
bring all my notes because I had a long list of
things that were wrong with this recoupment policy as
well. I have an issue with that as well because a
lot of the recoupment money that they're taking from
you now are deducting from your income, usually from
your rental assistance too, (if you're not getting
any cash assistance), is generated by having all
these years where we were exploited by having our
money taken. The only State agency to do that was
HASA in the whole State. I hate to beat the drum but
that was wrong. That's just like an issue with
insurance called contributory negligence. When they
contributed to this issue, but yet they're not taking
any responsibility for repaying it, we are taking the
full brunt. I'm paying over, what is it $72 in this
recoupment issue. I don't want to take up too much
time because I know everybody else wants to speak,
but I guess I have a long list of issues. Now, that
$72 has arrived at a so-called household needs. But when you go in to find out about that in the center nobody knows what the household need is. You're not allowed to see your case record either, which is really against the rules. You're supposed to be able to see the case record when you go and ask for it. But it wasn't given to me. I don't know if that's some unwritten rule or policy at the center, but I don't really see any records on my household needs. But I happened to see the figure of $724 and they took 5% of that and in some kind of way they got $72. That's what I'm being taken for every month as a recoupment cost and utility bills that were paid, because I didn't have enough money left over in my rent to pay them, so I had to make concessions like [name redacted] did, [name redacted], one of the Board chairs of VOCAL New York did as well. She had some other issues. We all had the same issues because we didn't have enough income. So we had to juggle whether we saw the doctor or whether we paid the utility bill. Certainly, the rent was paid. That was priority with me. But anyway, I want to thank, again, all the staff of VOCAL New York who helped get this landmark legendary legislation in, and also the City officials who might be here, City
Council. Again, I pay my respects to the Commissioner, Steve Banks, and Deputy Commissioner and the Commissioner there as well. Again, thank you so much for your time and I just hope that we can make some changes and we start right at the local centers as well, because they really need a big makeover. Thank you very much everybody.

[applause]

MR. RODRIGUEZ: [Speaker 2].

[SPEAKER 2]: Good afternoon. So my name is [redacted]. I'd like to thank you for the opportunity to testify at this hearing. I'm here representing the City Council HIV Service Administration Advisory Board. As many of you know, the House Advisory Board members are on point under Local Law 49 to make policy and procedural recommendations to the Commissioner of NRA for overseeing and monitoring service delivery to people living with HIV and AIDS. We have been asked to share these recommendations with both the Mayor and City Council. This is a task my fellow Board members and I take very seriously. More than half the Board is comprised of people living with HIV and AIDS who have received services from HASA. The other half are people with a long history of involvement in HIV/AIDS.
issues at New York City's leading community based organizations. We are committed to working with our government partners to ensure that all people living with HIV and AIDS have access to quality treatment services and support, including housing, public benefits and case management. The Advisory Board congratulates Commissioner Banks and HRA for implementing a 30% rent cap for HASA clients at the end of June. This is a policy we have long advocated for and couldn't be happier it is now in place. Why? Because an estimated 12,000 New Yorkers living with HIV and AIDS who are at risk of homelessness will benefit. Still others living unstably at shelters will now be able to move into safe and healthy housing. The implementation plan for the City to pay approximately two-thirds of the cost and the State to cover the remaining one-third makes sense, because the cap is likely to eventually pay for itself via reduced emergency housing placements and improved health outcomes. Since my diagnosis of HIV and AIDS in 1997 I have faced the risk of losing my apartment as well. I hope others never have to experience what it is like being forced to choose between paying rent, eating, or having to pay utilities, or getting your utilities turned off. Ten years ago I worked
with City Council to document the poor housing stock in which people living with HIV and AIDS across the City. I will never forget visiting the SRO's that were missing bathrooms, sinks infested with rodents and raining down plaster from the ceiling. No one should have to live like this. Hopefully, thanks to the 30% rent cap, such conditions will no longer be a reality for our brothers and sisters who are living with HIV and AIDS. The Advisory Board is excited to collaborate with the new administration to continue supporting and improving HASA's efforts. Effective communities, advocates and governments must work together to develop, implement and monitor these kinds of solutions. Thank you.

[applause]

MR. RODRIGUEZ: [Speaker 3].

SPEAKER 3: Housing, stable housing is an important factor for anyone's health. For a person living with HIV/AIDS, it is critical. Studies on the efficacy of stable housing have proven enormous improvement in health and life expectancy for people living with AIDS, consequently, reducing the dependence on expensive emergency room visits and medical care. Through the demoralizing process to qualify for disability, I was qualified 1-1/2 years
retroactively. The process clearly indicated I did not apply too soon and abuse the safety net. When I had the meeting at HASA to be told what my benefits would be I was told all my Social Security disability income, except $330, was budgeted for rent. I was also told everyone—you guys can’t hear me in the back? I was also told everyone lives with that budget. The process clearly indicated I would have to make $330 a month, $10.85 a day of work. While I was grateful for rent assistance, I had no idea I was being discriminated against for not living in congregate, supported, SRO, emergency, temporary and all other types of housing except that where I held my lease privately. I learned the cost associated with all those types of housing and learned the rent assistance was a punitive reward for living in the least expensive housing of all. Consequently, from January 1, 2003, to April 1, 2014, I paid 72% to 76% of my earned disability entitlement for rent barely surviving on 24% to 28% of my earned disability entitlement.

I had worked for 35 years. I had my own business for 25 years. For those 25 years I paid taxes twice including the compulsory federal taxes. I didn’t think I was asking for what I was not
entitled to. I did, however, think there would be
more than what was budgeted for welfare recipients.
After witnessing the devastating effect on my aunt
and uncle of losing their son at the age of 21, my
cousin, who was six months older than myself, I
decided and dedicated myself to not to die before my
parents when I tested positive in 1989, and
rededicated when I was diagnosed with full blown AIDS
in 1996. I was not going to make them bury their
first born. I put my heart, body and soul into
making work what I had been told everyone lives with,
$10.85 per day. I had to make sure I had a stable
home to manage my 33 medications and money to pay the
deductibles and co-payments for those 33 medications
and one weekly injection, my 7 physicians and the
numerous required blood tests, and to have money for
the roundtrip transportation to those 7 physicians to
increase the chances of my not dying before my mother
and father. In order to do that I had to abstain
from any social experience, which is counter
intuitive for people living with AIDS, because it has
also been proven to improve physical and mental
health; movies, lunch, drinks. Not so much as a cup
of coffee was allowed into my life if I wanted to
keep my home I moved into July 1, 1979, 35 years ago.
Many days and nights I did not leave my home. I had to abstain from replacing things like bedding, towels, underwear, socks and other necessities of life worn through with use. Some replacements were found on the street. All clothing I wear today is from dead people. I stopped shaving and getting haircuts. Toothbrushes were replaced when bristles came out in my mouth. By 2009, I realized there was no wiggle room for any financial mistakes and emergencies. In April, I had to abstain from going to California and being there for and with my 3 younger siblings as their older brother when my mother died. In January 2011, again, I could not be there for my 3 younger siblings upon the death of our father. There was no calculation of paying off the plane ticket to California on my credit card with $10.85 a day that would end up with me paying my rent and keeping my home.

I was collecting bottles and cans to make ends meet that were not too far apart in the first place. There were not enough bottles and cans in the West Village that would pay for the plane ticket to be there with my siblings to bury our parents. After 8 years of lobbying, writing op-eds, participating in countless demonstrations, many radio interviews, many
state senate and assembly district office visits, over 200 trips to Albany, bird-dogging electeds and getting arrested for a planned civil disobedience with my state Senator and many executive directors of CBOs, community based organizations, and AIDS service organizations, all in the effort to lobby for the 30% rent cap bill, I can now start the process of repairing my life and living conditions that have deteriorated to resemble the Bouvier's Grey Gardens, to that point of a medically disabled person who compulsorily contributed for 35 years into a system for this exact type of emergency, and is now no longer discriminated against simply for where he lives. This accomplishment affords me the luxury of wiggle room, contributing to a less cruel lifestyle and greater chances of living healthy for a statistically average life time. Do not mistake me; my life will not be one sitting even near the lap of luxury.

I have scores of people to thank for making the 30% rent cap bill a reality. The short list is the sponsors of the bill, originally Senator Duane and Assembly member Glick and their Albany and district staff, the pick-up sponsors Senator Hoylman and Assembly member Rodriguez and their Albany and
district staff. For the final tilting of the windmills in our direction, a big handshake goes to mayor de Blasio, who was always supportive, Deputy Mayor Barrios-Paoli and Commissioner Steve Banks. During the campaign I found myself explaining to various and sundry how the system really worked at home and suggesting many improvements to the HASA system for equality, efficiency and cost effectiveness. I tip my hat to Dan Tietz and Molly Murphy for their participation and in expectation of great things on behalf of all HASA clients in the future. There is still much to be done.

[applause]

MR. RODRIGUEZ: [Speaker 4]. SPEAKER 4: Hello everyone. I'm here. I retired from PD after 20 years with the narcotic unit. HASA was at the Hells [phonetic] Place at Bay Street, 156 Bay Street on the third floor. They put me in an apartment and all I see is doing drugs and people doing all kinds of crazy things that I would rather not get into. The landlady knows about it but she don't want to do nothing about it. I don't feel it's right. I can come in with a raid but I don't want to get too technical with it. I retired. I did my time, and I'm done with it. I feel that they
should pull people out and clean up all the garbage. The landlady should be pulled off her license. Also, I had a security camera I was paying for that someone stole, so when I had deliveries they took my delivery. That wasn't cheap either. I was aggravated with that; had to go to the police department to file a complaint, get all these numbers and give it to UPS so they issued to me again. I have my deliveries go to my fiancée's house. I feel that it's not good for anyone to live in this state where you have people that are good and then people that are doing crack and whatever. That the landladies don't care. All they care about is getting paid and don't want to do nothing. I complained about my bathroom ceiling. It took me, I think, almost a year before I got it fixed. And Albert knows about it from NASHA. His last name is Hacito [phonetic] I think it is. I'm not sure. His name is Albert. I came here to say what I had to say. I don't feel that people that are doing situations like that, they should clean up all their garbage and live happy. I mean coming home and seeing people doing drugs and this guy says oh, he's a cop. I said, you know, I'm retired but I don't need to have this. If it's possible, they should
have homes where people come home, be happy and not worry about getting your home robbed and getting stabbed and shot and all that. I came here to say that, again, separate all the three dimensions and they clean up all this. Again, I say thank you. 

[applause]

MR. RODRIGUEZ: Lyndel Urbano. MR. LYNDEL URBANO: Hello. My name is Lyndel Urbano. I’m the Manager of Government Affairs at Gay Men’s Health Crisis. Gay Men’s Health Crisis urges swift enactment of the proposed rule. This rule will allow the City to comply with New York State Social Services Law and prevent evictions and homelessness, by ensuring that people living with HIV and AIDS will receive public assistance benefits through HASA, do not pay more than 30% of their monthly income towards rent. The rule would also ensure that people living with HIV and AIDS are able to contribute more of their income to medical treatment and basic living necessities while maintaining stable housing. Stable housing increases the health outcomes of people living with HIV and AIDS, decreases the risk for HIV transmission. It also reduces higher risk behaviors and helps individuals adhere to treatment. We thank you for
your urgent action on this important matter and GMAC is here to support you in this effort and every effort to maintain the dignity and respect of people living with HIV and AIDS.

[applause]

MR. RODRIGUEZ: [Speaker 6].

SPEAKER 6: Thank you. Good afternoon. My name is [redacted]. I'm a proud member of Unity Fellowship Church and VOCAL New York. Three years ago I was evicted from my rent stabilized apartment with all utilities paid that I lived in for 12 years. I became homeless and had to abandon my two cats that I love very much because I could no longer afford to pay the 70% of my income toward rent. In 2002, I had to quit my job and stop working due to health reasons and sought support from HASA. From 2003 to 2010 HASA assisted me by paying my rent in full. However, when I began to receive SSD in 2010 I was re-budgeted and forced to pay $700-$750 a month from my disability check for approximately $1,100. Now, I always thought that SSD, Social Security Disability, was something that you worked for when you had an emergency, something to fall upon. Well, it seems like the emergency money that I had got to fall back on was taken from
me. I was robbed. I was robbed of the money that I worked for. I worked to get that money, but then when I needed that money it was taken from me. Needless to say, I immediately started to fall behind in my rent. The burdens of having to lose nearly 70% of my income eventually proved too much and I lost the place I once called my home; my eviction from the place only a year and four months after I started receiving SSD. HASA immediately placed me into emergency housing program in Brooklyn. While there I started to look for a new home and one that I could afford. A caseworker told me about supportive housing programs and informed me that in these programs I would receive services to assist me and, most importantly, only pay 30% of their income toward rent. I applied that day. Currently I am residing in a scatter site program, but I don't need those services. What I need is a 30% rent cap, not the services. So when I get out of supportive housing, which I intend to do, that will free up that space for somebody who is living in a shelter. Also, by having to go to a shelter, I found out that HASA paid more for me to stay in a shelter than they paid when they paid my entire rent. Multiply that by 100 people in my shelter times all the people in...
shelters, we could house people with that money.

It's awful. I was pissed off. When I found out they
were paying twice as much I said what's up with that.
I'm in a room—I was in a shelter. So, at any rate,
it's wrong people; it's wrong. It's a waste of
money. Thankfully, because of the leadership of
Mayor de Blasio and Governor Cuomo this affordable
housing program of 30% for low income people living
with HIV and AIDS has been expanded into the private
market. I can finally move onto my own again and get
back into independent housing, which I never should
have had to leave in the first place. I want to
thank—the 30% rent cap will now allow me and
hundreds of others to go, HASA clients living in
supportive housing to finally move on to independent,
allowing those in emergency shelter to get the
support they need to save, to improve their lives. I
now look back on this situation. But when it
happened I thought why Lord am I going through this.
I realized I had to go through this so that I could
explain and find out what's going on. Because of
what I went through I was the face that VOCAL was
looking for. I was the face that VOCAL was looking
for, because this actually happened to me. I wasn't
theoretical. This actually happened to me, so they
needed someone who had gone through that. So my having gone through that I'm pleased to say that I understand now. I went through that so that all the 10,000 other people who are living in my situation won't have to go through what I had to go through. For that I'm grateful. I want to thank Commissioner Banks, oh yes, Chief Special Officer Dan Tietz, Deputy Commissioner Dudley for working with supportive housing programs to help identify those of us who are ready to move on, (are ready to move on like yesterday; I'm ready to move on), and assisting us and successfully transitioning us out. Thank you very much.

[applause]

MR. RODRIGUEZ: [Speaker 7].

SPEAKER 7: Good afternoon. My name is [redacted] and I'm from VOCAL New York. Thank you for implementing the 30% rent cap. I'm affected by it because my mate was paying 70% of his income toward our rent. Now he pays 30%. Commissioners, Special Deputy, you all got a lot of work to do, okay? I've been a HASA client since 1999. It's deplorable. As a HASA client I do not know my rights and responsibilities. My center, which is Center 19, Crotona Center,
was supposed to be a model center because you
move them from one place to Grand Concourse.
When we was in the old place we had posted our
rights and responsibilities of clients. When we
moved to the new building, and we've been there
at least five years, that rights and
responsibilities has never gone up on the wall.
All of that kind of foolishness in different
languages is up on the wall but client
responsibilities and rights are not there. And
if you go into HASA centers, they're sitting
around for hours; that's not right either.
Because when you go to a doctor's office, if
you're not seen within an hour, hour and a half,
then you're supposed to complain. They sit
around like cows, two, three, four hours waiting
to see a caseworker that for the most part know
less than I do. I am an HIV activist and when I-
-I can say I have a great caseworker, supervisor
and director. They know me by name because I'm
not sitting around in nobody's office for two or
three hours to get information that I can get
myself. It shouldn't be like that. There is a
book. You can't tell me that they're not telling clients what they are entitled to when they can get it. But there is not a worker in the system that can tell you where it is or how we can see it. You all need to fix that. You got us living in deplorable places thinking because in the beginning people with HIV and AIDS, oh, they didn't think we would live long anyway. Hello. I've been here 15 years after being diagnosed. I intend on being here another 50 years and I'm 59 now. I live in a great apartment. I have a first floor apartment, two bedroom in a four family house. So I can't complain. But I didn't get in this fight because of what I don't have. I got in the fight for those coming behind me, those in front of me that don't know, that don't have a voice. I'm their voice. And I'm telling you now; I'm challenging you; I'm putting out the gauntlet; fix HASA because we are decent people. We deserve to live decent like every one of you because every one of you that are working, if you're in City Council or if you work for the State, technically you work for me. And your
work, get it together because I'm not proud. I'm not pleased. If I'm your ultimate boss, I'm not pleased and you need to be fired. And if you don't want to get fired, get your program together and fix HASA because we deserve it.

Thank you.

[applause]

MR. RODRIGUEZ: [Speaker 8].

SPEAKER 8: I want to say good afternoon to each and every one of you. I also want to share with you right now I'm goddamn mad simply because after spending 20+ years of smoking crack, 20+ years of running around being homeless, today I work for Housing Works. I only make $24,000. That's not a lot of money but let me share with you. Come next month, the 7th of September I will be homeless. You know why? Because they're taxing—what they're doing is taking the gross income of my money and telling me, okay, from that gross income that you make, you make too much. No. Because if you're making $24,000 a year, that doesn't come out to much at all, less than $2,000 a month. Now, try living off of less than $2,000 a month traveling back and forth to work, buying your groceries; no food. I don't get food stamps. If I were to spend the
following to pay my $1,100 a month in rent I am left with $342, $342. Show me who can live off of $342. I can't. My phone bill alone is $87. My cable is $116 and change. Bless the landlord. She's taking care of utilities. I cannot afford to become homeless. Believe me, I can't. It doesn't work that way. The landlord, bless her heart, when I moved into the apartment building--and Ladies and Gentlemen, this is what my place looks like. It isn't great. It's a little studio. But I moved into the place and I took care of it to the point where the landlord said you're taking care of my property, here are the keys. Keep on doing what you're doing. You've taken someone who was a crack head, a crack head and now giving him the keys to your place, collecting your rent from your tenants, dealing with the headaches that you don't want to deal with. That's me. Because wherever I move to I took care of their property better than they took care of it themselves. Why? Because God said to me if I bless you with the small things, later on I'll bless you with the big things. So, from New York to Miami, wherever I moved, they turned around and gave me the keys to the place. Now next month I will be homeless. You don't want me on the streets as a
crack head. No, you really don't. Because I would
be kind and polite to you when you meet me on the
subway, and I would take you for your money by being
very articulate, being very well dressed and saying,
hi, good afternoon, my name is [redacted]. I work
for Housing Works and for 20 something plus years
we've been helping people with HIV/AIDS. And I'm
here to ask would you like to give something, a
nickel, a penny, a quarter, a dime, any contribution
would aid us. And when you give me your dollars I'm
running out the other way and I'm spending it on
crack. You don't want to see me on crack. I don't
want to see me on crack because I'm not a beautiful
person. But HASA, you're telling me that I can make
it off less than $2,000. You're telling me that at
the end of the month if I were to take this income of
mine and pay $1,100 that I can survive off of $300.
I can survive off of $342 when, in fact, the
government gives us $189 for food stamps. But guess
what; if that's what they're giving us for food
stamps, when I'm working I eat a whole lot more, a
whole lot more. And guess what; today I don't mind
contributing back to society. I don't mind getting
up early in the morning and going to work during the
9-5 because I'm contributing. Transit, the guy at
the grocery store, all of these things that you and I use our income for, but guess what; that's not the case. I can't go nowhere today. I'm on vacation right now. But with the small income that I make and you're telling me with $342 next year if I'm still with Housing Works, I can't even go to the toilet as a vacation. Ladies and Gentlemen, thank you, but HASA, yes, get it together. Thank you.

MR. RODRIGUEZ: [Speaker 9].

SPEAKER 9: Good afternoon everyone. Listening to everyone's story today, it mirrors mine almost verbatim. I'm also in Center 19, need I say more. Once again, my name is [redacted]. I'm here in support of the 30% rent cap because I was ecstatic to see it happen. I was on the earlier teams of VOCAL when Bloomberg was in office. I was hoping it would happen because I've had the same experience, because I receive SSD; that all of a sudden most of my income is going towards my housing and it leaves me very little. I mean I'm like right on the precipice of both sides. HASA says I make too much, and if I apply for regular housing they tell me my income is not enough. So I'm in the Catch-22. But anyway, I wanted to say I was rejoiced earlier this year. The City and the State, they worked together
to get the funding for the 30% rent cap for HASA
clients who have been living on fixed incomes. So I
was really excited about that, but when I didn't hear
anything from them when it was initiated I was how
come I'm not hearing anything about it. So I go and
they had to re-budget me. Then they told me, oh,
your income is too much. The amount they're talking
about is roughly about $100. I'm like so many other
people here. I'm paying over 70% of my income on my
rent. Today utilities, a mobile phone, cable TV,
these are not luxuries. These are necessities today.
It's a necessity because you can't have TV if you
don't have cable. Everybody has to have a cell phone
for communication. So I mean it's a Catch-22. Then
someone says, you say you get $189 in food stamps.
They just cut my food stamps because they said my
income is too much. So it just keeps to be getting
worse and worse for me. What's most important is
that I'm in housing court right now. I'm behind in
my rent, about $4,000, because I was anticipating the
reimbursement to pay back the monies that I owed for
that; and then, fortunately, I would be able to live
on my own with my income, if I'm approved for this.
So I mean I'm just putting my life in God's hands and
I'm just going on and doing what I have to do.
That's why I'm here today to talk about it. The landlord did finally paint the place after 11 years that I've lived in there. But there are so many other things they need to do. So I'm going to, hopefully by the end of the month, I guess I have to go back and get an extension and hopefully something will happen, hopefully by sometime next month. Because for one thing, I can't imagine being homeless. I've never been homeless. I contributed successfully to society for 35 years plus, like the other gentleman who spoke before. I feel like I deserve to have the dignity of being able to live, like anyone else. I have been HIV for over 20 years. Most recently I've become diabetic and I have acute arthritis. The party is not getting prettier. So I mean my scene for moving and figuring out places and all this other stuff is not, it's not as robust as it used to be. So I really urge you, to the Council, to do something about the situation with HASA and the 30% rent cap to make it in effect for people like myself so we won't be locked out of the eligibility and also we won't be locked out of our homes. Thank you.

[applause]

MR. RODRIGUEZ: [Speaker 10].
SPEAKER 10: Thank you. Good afternoon everyone. I wasn't really going to speak this afternoon but the previous, my predecessors kind of inspired me to tee in on some of the key issues that we've been dealing with. I too have been suffering with AIDS for almost 20 years. I worked most of my life down here on Wall Street and New York University. In fact, I was in the trenches when AIDS didn't even have a name working at NYU. My story is I've always lived in my own home in the Bronx for over 40 years. Because of certain situations with Social Security Disability and Social Security income and an aging mother, an aging house, for a while became unmanageable. At that time HASA and HRA doesn't help anybody that own or inherit property. Four years ago it became unmanageable. My mother, I couldn't take care of her. She had to move out to California with my aunt. It was established that the only way you're going to be able to maintain was either repair this house or get rid of it. I tried to hold on as long as I could to refinance it, to get it rehabbed, maybe rented out to people living with HIV, but unfortunately, things turned the other way. The streets called you and I simply turned my home into a crack house. In 2009, 2010, I gave in. I
abandoned the home. We put the home up and right away HASA housed me in one of the SROs in the Bronx. The situation there was HASA was paying almost $2,300 a month for me to be in a roach infested, bug bed infested hotel that was just as bad if not worse than my own home that I abandoned. Now, my thing is you can pay $2,300 a month for a hotel room but you can't give half of that to an individual to have a one bedroom apartment. But I'm grateful. I have a lot of gratitude. Within 10-12 weeks of seeing that condition I got my act together. I was shown a few apartments, also situation, dilapidated building, bug infested environments. It was a recipe for disaster. So I had an option of going into a congregate. The thing about it is, and this is the main point of my story is, I'm occupying a unit in a congregate that I'm overqualified to be in. I don't need support of housing like that. I don't have any serious substance abuse issues. I've been pretty much independent most of my life. I've maintained sobriety, and I'm right now, even though I pay a portion of my Social Security, which is 30%, towards the rent, which the congregate calls the service fee, I'm still regulated by their rules. I can't have company stay with me. They have to sign in and out.
I have to have conferences with the caseworker, the house manager, every now and then. Everything has to be approved. Just recently, my congregate when I initially signed up said well, utilities are included. Well, this past couple of months they're saying, well, now, we're only going to pay $40 of your utilities and anything in excess of that you have to pay. I'm like wait a minute. Where is this coming from, because from what I understood, whatever contract congregates have with HRA and HASA, the utility is supposed to be included. So how can you come in in the 12th hour and start charging people for utilities that are not even in their name, much less assist people to move out of these into independent housing. So I'm occupying a unit that's suited for somebody that has issues struggling with substances, might be struggling with their health, because I cannot afford to move into independent housing up until now because 30% wasn't a guarantee. It's taken this long for it to get there. But I'm still not sure because there's nothing set in stone through HRA and HASA to actually motivate and get people from these scatter sites and these congregates into affordable housing, because there are no affordable housing units around. They are trying to build them
but they're not there. Most of the time it's less than the 30% that they're supposed to be built for people with low income. It's less than that. Most of the unit are going for middle class. So we're still kind of out of the loop, even though we have the guarantee of 30%, which is not really set in stone yet. But there are no units to move into. So right now I'm occupying a space that I don't need to be occupying, that somebody is in more need of. That's why I wanted to add onto. So I hope HASA can get motivated, build it into the structure where those of us that are ready for stable housing can get stable housing, so we can get on with our lives, because we have a lot to offer. I'm getting back to work. I actually work for Partnership for the Homeless along with GMHC and VOCAL. So thank you very much for hearing me.

[applause]

MR. RODRIGUEZ: [Speaker 11].

SPEAKER 11: Good afternoon. My name is [redacted]. I'm with the Action Center at GMHC as well as a HASA client. I, myself, also live in a congregate care facility, which I found myself there coming up on--Friday will be two years. Before that, I came from Upstate New York. Before I go any
further, I have to say what we are experiencing here
in New York is a huge victory because people in
Upstate New York do not have any of this whatsoever.
They are paying, I want to say about 70%, 80% of
their grant is going towards their housing. The rest
is left for the transportation and needs. I hope
what we see and what happens down here is guidelines
for what's going on in the old Rust Belt cities like
Buffalo, Syracuse, Rochester, Albany, Binghamton.
However, but what I will say in having been the
Assistant Coordinator for the Care Network in Upstate
New York, I won't turn around and say I haven't made
some poor decisions when I came down here. I wound
up in a congregate care facility because those were
my options. After living in a bug, flea-infested
HASA hotel on 109th Street, (and I'll leave it at
that), the money that goes into it is now going into
a congregate care facility and a program that I
really do not need. I have to report into a case
manager who does nothing. You guys are paying an
obscene amount of money and they are not doing a damn
thing. I will tell you an experience which happened
this weekend is--I want to get out of there. I
walked into my HASA office today because I had to
file a complaint on Monday that I watched a client,
who needs to be there, bleed out on my floor. The
paramedics come in and goes what the fuck happened
here, blood everywhere. It looked like a crime
scene. Now it's being inverted that I'm the person
in the wrong because they did not respond and clean
up the blood. The residents were left to do it. I
talked to my caseworker. He's says do a housing
application and he's a good guy. So what about the
30% rent cap that I can get into and get help and get
out. He goes that's not fully implemented yet and
we're still waiting. At least he knew a little bit
about it because he keeps himself informed, and I
keep him informed. But the point is why are we
paying all this money for people that are living in
congregate care facilities that are not getting the
services and programs, and some of them don't even
need it. HASA, you guys have, and HRA, you have a
lot of work to do. It's not just the implementation
of this. It stems all the way down to the bottom of
the people that we have to walk into. We have to go
in and meet and put up with. Some of the tactics at
HASA is bullying. It needs to stop. I challenge you
guys to put an end to it today. Thank you.

[applause]

MR. RODRIGUEZ: [Speaker 12].
SPEAKER 12: Good afternoon everyone. My name is [redacted]. I'm nervous with this here. So I live in a congregate. I live in a condo. I don't understand it, because for me I'm living with HIV since 1999, like 14 years. It's like spooky, very spooky to me but I'm still handling and doing what I have to do for myself. I'm talking about—you're looking at really a miracle right here; a man who has been shot three times; died on the table; temperature was 115. Two weeks later I wind up getting stabbed 22 times; hit by a car 23 times; fell off a three story building head first; poisoned twice; my heart attack, seizure and stroke. I don't have 9 lives. It just, thank God, is just not ready for me now. Also, I'm living in a condo. I paid 30% of my rent. Before it was like gas and lights was included; now, they ask for $102. So I didn't know. I just gave it to them. I got receipts and everything for that. What I don't understand is I'm positive. I have HIV. They told me. They said I don't have the virus that causes AIDS. I was in the hospital for pneumonia. I never had AIDS, and I just pray that I can make it and help everybody else and pray for everybody else. But you know where I'm at when I take a shower I'm getting fat and everything. I'm taking a shower. The people are pissing down on me. How? I don't know how this is happening but it's happening to me.
I went to my landlord. I went to the rental office. I went to the people that got me in the place there. I explained to them. I said please, if you come here, I don't care. If you want to spend the night, take the house. I'll go out and sleep on the bench or go to some friend's house and stay the night. Just go take a shower in my place and see how the shower is. See how this piss is coming down and the kids is laughing and giggling upstairs at you. They're looking at your face and see that they so guilty and everything. It is disgusting.

This is something that I got to take a shower or sometime I got to do bird bath. I just smelled under my arms and my arms don't smell bright. I'm 59 years old. I shouldn't have to never go through this. I wear a suit just about practically every day, but sometimes my feet get tired. My legs get very tired. I have rheumatoid arthritis and all the stab wounds and shot wounds and stuff. Sometimes I can't get up out of my bed because I fell off a three story head first and stayed in a coma for three months. I barely know you all. I barely know myself sometimes. Sometimes I have to call somebody and tell them I'm lost again because I can't find my way. I shouldn't never have to live like this. Every time I tell people; I said, look, smell this urine. You can smell it. It's hard.

Then I got to come out and say I don't want to take a
shower because I got to sit here. I've got to birdbath
when I got a shower and a tub. I don't think I have to
live that way. And I should never have to live that way.
I don't bother nobody. I did crack and dope and all of
that there, but now, today, I've been clean for three
years, eight months and 14 days. I smoked cigarettes for
42 years. I haven't had a cigarette for two years, eight
months and 14 days. And I don't wish to smoke or drink no
matter what. I can't stop the drug heads from doing what
they're doing. I know I can stop myself because I know I
was told if I smoke a cigarette or if I pick up a drink or
anything, I'd be kissing goodbye to my family and put
their suits on. Some of my family and my kids don't want
to bother with me because I'm living with the virus, also
my wife too. They want no part of me. So just me and God
just live together and my pictures, that's all I have. I
thank God for being here even at PSI. They told me; said
because I was clean for three years and stuff like that
they don't need me in the program. They're not going to
pay for it for me. Why should I sit around people or be
around people who ain't got the virus and get a
relationship with one of them and pass it on. I don't
want to do that because somebody pass it to me when I
thought I knew them. For six months they tell me they had
this here. I took a chance to trust them. I strapped
[phonetic] up but I went down before. Thank you.

[applause]

MR. RODRIGUEZ: [Speaker 13].

SPEAKER 13: Good afternoon everybody. I came here after a long day trying to take care of my stepmother and do things that I need to do for myself to come here and let HASA know exactly how I feel. I thank you all for the 30% cap. Lord knows we all need it. It's impossible to pay rent for one bedroom for $1,400 a month out of SSI and SSD combined $758 and still have to pay Con Edison and still have to pay your phone, still have to buy toiletries, still have to wash clothes. Nobody that's not on HASA can live off of $250 a month. My husband recently passed away in February 2010. He gave up the fight because every day that we were together we would have to go to the Grand Concourse and fight and argue about him getting some money. All they would say is oh, you're married now; your wife is supposed to take care of you. That's not how it works. When I met my husband I had my own SSI. My SSI is my SSI. It's not my SSI to take care of my husband and take care of the rent and take care of the phone. It's SSI that is done for me to take care of my needs for my household. We fought
and we fought and we fought and we fought and finally
they gave him $10 food stamp. But they added on to
my card. They had him do a finger image printing for
Medicaid card to receive money, which is $15 every
two weeks and $10 food stamp. He got to the point
that he didn't want to take his medicine no more. He
didn't want to be in a society where he feel that
people that had HIV wasn't worth two cents. At times
I used to think maybe he was right. Maybe I should
go back out there. I've been clean for 27 years.
I'm 52. I'll be 52 in October. I have nine kids and
six grandkids. I've been very independent even when
I was using. I know how to pay rent. I may not have
paid my light bill but I had a roof over my head
every night. So when I got this letter in the mail
from New York City Housing, or excuse me, Human
Resources stating that starting July 1st 30% rent
income cap would be a part of my payment, I was so
happy. I don't have to pay no more $575 out of $800
to be left with $100 a month. But I have a question.
If I'm supposed to pay my share, why not you all are
paying yours? I have not got a full payment of my
rent since the 30% change started on July 1 of 2015,
or 2014, excuse me. I have a letter telling me my
responsibilities. What happened to yours? You all
are still paying $250, but you make sure you call me every month; [redacted], did you pay your fair--did you pay your percentage. You got to pay your rent.

Okay. I pay my $242.50. Why are you only paying $200 and my rent is $1,000 and some change? I just got in here. I finally got in a brand new building that I love in a perfect area where I'm surrounded by transportation and clinics and everything at my fingertips. I don't have to go far. I'm looking forward to this thing. I signed a two year contract and I ain't going nowhere. So I suggest that you all get on your job and you all do what you all got to do, because like that gentleman said before, if you can pay $1,500 to $1,600 today to stay in a hotel that's roach infested, rat infested, drug dealers, drug users, that we shouldn't live under. Nobody should live under them conditions just because we have the virus. The virus lives with me. I don't live with it. So I come here today and I ask you please, stick to your bargain. If we stick with ours, stick with yours. We don't need no more people out in the street. There's too much going on. I thank you.

[applause]

MS. DUDLEY: Good afternoon. If anybody
else would like to speak this afternoon? Come forward please ma'am. Unless there's anybody else, this will be our last speaker. Unless anybody else identifies themselves, this will be our last speaker. Please make sure that Mr. Rodriguez has your name.

What's your name?

MR. RODRIGUEZ: [Speaker 14] 

SPEAKER 14: Good evening everyone. My name is [redacted]. I'm a transgender. My name is really [redacted] but I go by [redacted]. Well, I heard about the new rent cap thing or whatever and I felt very happy because, like I said, when I first got HIV positive in 2008, HASA wasn't available for me, because I had to be sick or I needed an opportunistic infection or something. I literally had to die in order to get housing or some kind of Medicaid and food stamps to the point where HRA had cut my Medicaid off and I couldn't even afford my HIV medication. I had to go to--what's that other--ADAP. I had to get ADAP, stuff like that. So finally when I was dying I had thrush, oral thrush in my throat and whatever, and I got an opportunistic infection. Now you are HASA eligible. You can stay in an SRO, which I was homeless and stuff like that. I was living on the street and whatever, in the park eating
out of soup kitchens every day, stuff like that. So it was just horrible because I was like—I got the virus and I can't even get no help. Other people are getting help. So kind of like made me not love myself and care about myself and didn't want to do nothing with my life, because I thought I'm going to die with this disease. Now that there's a lot of things out there, like housing, like a lot more things to help us with and stuff like that, it motivates me now to have a different life, and a better perspective on life and try to do something with myself, because now I feel I love myself today. Because before I didn't love myself. I was just a bad person. I was just like too much, but now I care about myself and I want to achieve. I want to live now because I've been taking my HIV medications and stuff like that. So now I want to live. I don't understand why people that have HIV, they have to have like an opportunistic infection in order to get any kind of assistance and stuff like that. They have to literally be dying in order to be placed or get food stamps. I don't think that's right. You understand what I'm saying? I think you should try to help people, especially people that want to help themselves. Because me and myself, I'm the type of
person I want to help myself. All I need is like a little boost or some kind of help in order to get myself together. Everybody needs help. I thought I didn't need it at one time. I thought I can do it all on my own, but now I know that I need help. So all I'm saying is that if you help me, I'll help myself, but everyone needs help and that's all I want to say. Thanks for letting me share.

[aapplause]

MR. RODRIGUEZ: Christopher Johnson.

MR. CHRISTOPHER JOHNSON: Good evening everyone. My name is Christopher Johnson. I'm with Gay Men of African Descent. One of the reasons—I didn't come here today with the intentions of speaking, but working at Gay Men of African Descent as a therapist I have a lot of gay men, African American males, where the percentage in New York City is astronomical. It's very sad that we have a lot of young people, specifically ages 14-29 are the highest rates, that's over 60% to 70% and are seniors. The sad part of it is that we're talking about people who are engaging in relationships with each other, specifically for their God given right to be able to have intimacy with a partner. A lot of our males are out there alone. They're isolated. They're
depressed and they are encountering this disease. I do hear that there are some are intentions, but I think there are very few who are intentionally encountering the disease. One of the things I want to say is that I've heard so many of the stories. I'm very saddened by thinking about the young men that I'm relating to each and every day and hearing their stories each and every day about their instability; about they don't have enough money to eat; about how they're going and they're engaging HASA workers and they're being treated very badly.

We have to really take a look at how we contribute to the continuation of the disease growing in our communities, the specific population that it's targeting. One of the other things I'd like to speak to is that I think it's just very sad that we have housing going up in New York City. There are empty buildings. There are brand new buildings. We have young people dying living on the street and don't have an opportunity to have a place to stay, or they're in SROs, or they're in environments where it's dilapidated. It's just not good to their health. And we wonder why we are still fighting the battle of this disease. It's very sad. I think we ought to take a look at how we engage these
individuals. Maybe the centers ought to have some education around what to do instead of having workers there that are saying what they can't get. But what about educating, imparting some responsibilities in terms of how they can contribute to society. If they're paying 30% how can they be engaged in terms of understanding their medications. They just don't have the knowledge, so where do you expect people who are desolate to go. Get a sense of why they're continuing to contract STIs or why they're continuing to be in this situation with the knowledge of what's available. I'm just very confused by the thought of our process. The other contribution to this is that I have to say living in New York City for the time I've lived here is one of the greatest states and cities that is doing something about it. But then we have another issue. We have people immigrating here. They're immigrating here and they're coming with similar issues. Once they immigrate here they contract the virus when they come here. People from other states who are not getting the same contributions are coming here and there's less for us to get here. It's just a huge cycle of problems that we're not looking at the whole global picture. I think we need to do a better job of making sure that
it's about the disease. Is it our intention to fight the disease? That's the part that I'd like to contribute. Thank you very much.

[applause]

COMMISSIONER BANKS: Thank you very much for those that shared your very moving stories. Dan Tietz and Jackie Dudley and I listened to all of them. In some of the situations that you described they are very particular individual situations and we're going to take a look at your circumstances. Some of the things that were described are processes and procedures that we're very committed to reforming and changing. Some of the things that were said relate to laws and regulations that require the same kind of struggles that the 30% cap did. But because we can't solve all of the things that people talked about doesn't mean that we won't try to reform and address the things that we can try to solve. On the other hand, and some of you I know from many struggles over the years, this didn't happen overnight. We inherited 20 years' worth of policies and procedures. I think I probably--when I meet with staff at HRA people ask me frequently, you know, you sued the agency for 33 years, how can you lead it.

MALE VOICE: You know what you're doing.
that but I want to just say, (and this is something
that I know is difficult on a day to day basis when
people interact with the agency), that all the
lawsuits I brought over the years were always about
policies and procedures. They were never about the
people at HRA. One of the things that I know Dan
Tietz and Jackie Dudley and I and their staffs are
committed to do is to try to give the kinds of tools
to our front line staff that they haven't had,
frankly, in years. So things like the 30% cap, and
things like the broker's fee, and things like the
kinds of suggestions that many of you made, these are
the things that I know that Dan and Jackie and I are
very much focused on trying to make an impact. Some
of the things that confront our HASA workers are
things that relate to policies and procedures that
we're changing. We think that will make a difference
in the kinds of interactions that many of you
described very movingly. I know that this law
change, the 30% cap, happened because we worked
together. I know that when we keep working together
with the management that's here that's new, and some
of the management that's here that's not, are very
interested in being able to do the kinds of things
HIV/AIDS Services Administration
that they have wanted to do for years and are part of
the reform effort; the staff unions and the front
line workers who want to have the tools to make
changes. Some of the things, frankly, that you've
said saddened me to hear, but I sat to listen to it
so I would hear it. I know that Dan and Jackie feel
the same way and I know that, because I've met with
many of our HASA workers now, that if they were to
hear too, they would be saddened as well that people
have experienced the kinds of things that people
described. So we can do better. We will do better,
but Rome wasn't built in a day as the saying goes.
We will keep building what can be built to make a
better delivery of services to all of you in this
room, and all of you that are not in the room but who
many of you represent. But thank you all for sharing
very, very moving stories.

[applause]

MS. DUDLEY: Thank you all for coming.

This concludes our hearing for today. I want to
share Commissioner Banks's thoughts with Dan Tietz
and the rest of the HASA staff. I want to thank all
of you who spoke today for your very powerful and
thought provoking comments. We will definitely for
those who gave us their names, their particular
Public Hearing Transcript 30% Rent Limitation

for Clients of the

HIV/AIDS Services Administration

cases, and gave things that we need to look into and
check for their particular cases, we certainly will
do so. We certainly will look at policy and
procedural changes within the program that we can
change and make differences where we can. Thank you
again, and have a great afternoon.

[applause]

[crowd noise]

[END OF HEARING]
Comment received via NYC Rules website:

As a new york city resident who knows first hand the struggles PLWHA face in obtaining and maintaining affordable housing in NYC I thank the staff at NYC HRA HASA, Mayor DeBalsio and Gov Cuomo for working to help the PLWHA community; implementation of this rule as proposed would be of immense benefit to PLWHA and is strongly encouraged by myself and my family; I thank the rule committee for allowing comment

Comment received via nyc.gov – Mayor’s Office

Dear Mr. Mayor, My name is [redacted]¹ and I have been a client of HASA since June 2008. Recently, a new program 30% Rent Cap for People with HIV/AIDS passed. http://www.nyc.gov/html/hra/downloads/pdf/news/press_releases/2014/pr_april_2014/HASA_rental_assistance.pdf Unfortunately, a lot of HASA clients are being left out of the program due to HRA using the old budgeting methods. I was disqualified because my Social Security Disability monthly income is 65.00 over the budget limit. HIV/AIDS activists and organizations like Vocal-NY are trying to fix this problem. Can you help them? Most of us being denied the 30% Rent Cap HIV/AIDS are low-income people of color. Cathy Bowman from South Brooklyn Legal Services is also looking into it.

¹ The name of this HASA client has been redacted in accordance with Article 27-F of the New York Public Health Law.
Testimony of State Senator Brad Hoylman on the New York City Human Resource Administration’s Proposed Rule to Implement a 30% of Income Rent Cap for Participants in the HIV/AIDS Services Administration Rental Assistance Program

August 14, 2014

Thank you for the opportunity to comment on the New York City Human Resource Administration’s (HRA) proposed rule to implement a 30% of income rent cap for people living with HIV/AIDS who receive rental assistance through HRA’s HIV/AIDS Services Administration (HASA).

I applaud Mayor Bill de Blasio and HRA Commissioner Steve Banks for their commitment to preventing evictions and homelessness and improving the health and well-being of the approximately 10,000 permanently disabled people with HIV/AIDS in HASA’s Rental Assistance Program. I am particularly grateful for Mayor de Blasio’s leadership, in collaboration with Governor Andrew Cuomo, in reversing the longstanding policy that required HASA rental assistance recipients to scrape by on just over $12 a day, forcing them to choose between paying their rent or purchasing other essentials, placing them at high risk of eviction and the need for costlier emergency housing.

The proposed rule being discussed today took effect June 18, 2014 on an emergency basis, and both constituents and advocates have indicated it is working well. I fully support it being made permanent.

It has come to my attention, however, that even with the implementation of the 30% of income rent cap for HASA rental assistance recipients, there is a small population of very low income New Yorkers living with HIV/AIDS who are still paying a disproportionate share of their income toward rent, putting them at imminent risk of
homelessness. It's my understanding that rental assistance program eligibility criteria exclude HASA clients whose monthly income exceeds their monthly rent amount plus a standard transportation and nutrition allowance. I would welcome the opportunity to work with HRA and my fellow elected officials at the state and local level to facilitate a change in the rental assistance program eligibility criteria so that this small group of poor, permanently disabled individuals receives protection.

Thank you for HRA's continued commitment to New York City's most vulnerable residents and your consideration of my comments.