

Expert Roundtable on Tenant Rights

-Summary of Findings-

BACKGROUND

Launched in 2007, the *Age-friendly New York City* initiative is assessing local structures and services in order to develop strategies that will make New York City more accessible to, and inclusive of, older people with varying needs and capacities. This work, which is being carried out by the New York Academy of Medicine in collaboration with both the Mayor and the City Council of New York, is particularly focused on eight domains of city life, including:

- outdoor spaces and buildings;
- transportation;
- housing;
- respect and social inclusion;
- social participation;
- communication and information;
- civic participation and employment; and,
- community support and health services.

Now in the assessment phase, the initiative is collecting information about the advantages and barriers older New Yorkers experience in the eight areas of city living outlined above – and what changes may be needed. To inform this process, the New York City Council and the New York Academy of Medicine are co-convening a series of seven roundtable discussions to talk directly with experts from various sectors. The purpose of the roundtables is to identify the ideas, concerns, and ideas relating to the anticipated growth of the City's older population *and* to identify contributions that these respective sectors can make (and in some instances, have already made) toward bettering the lives of New York's older residents -- and what may be needed to develop/expand these efforts. The seven roundtables, which were carried out in January and February of 2008, focused on the following topic areas:

- 1) *Business*, chaired by Partnership for New York City President Kathryn Wylde;
- 2) *Housing Development*, chaired by Citizens Housing and Planning Council Executive Director Jerilyn Perine;
- 3) *Civic Engagement*, chaired by Wagner School of Public Service Professor Walter Stafford;
- 4) *Transportation and Outdoor Spaces*, chaired by Straphangers Campaign Senior Attorney Gene Russianoff;
- 5) *Tenant Rights*, chaired by Citywide Taskforce on Housing Court Executive Director Louise Seeley;
- 6) *Social Services*, chaired by United Way of New York City CEO Gordon Campbell; and,
- 7) *Health*, chaired by New York Academy of Medicine President Jo Ivey Boufford.

The following provides a summary of the major themes to emerge from the Tenant Rights Roundtable discussion, which was held in the Red Room of City Hall on Friday, February 22, 2008.

DISCUSSION QUESTIONS

- How are housing and tenant issues different for older people than from the general population?
- How do you foresee the City's housing situation being affected by population aging in the next 10 to 15 years?
- How are the needs of older people being addressed in ongoing initiatives? Where are there gaps?
- What could be ways to include or expand the voices of older people in decision-making?
- What supports/changes are required to better accommodate the needs of older people?

PARTICIPANTS

- City Council Member Rosie Mendez, Chair of the Subcommittee on Public Housing
- City Council Member Gale Brewer
- *Chair:* Louise Seeley, Executive Director, City-wide Task Force on Housing Court
- Anderson Fils-Aime, Rent Regulation Campaign Manager, Tenants and Neighbors
- Anne Emerman, Activist for the Disability Community
- Audrey Berman Tannen, Executive Director, Eviction Intervention Services
- Carolyn Silver, Director, Legal Advocacy & Organizing, Lenox Hill Neighborhood
- Caryn Resnick, Deputy Commissioner, NYC Department for the Aging
- David Pedulla, NYU Brennan Center for Justice
- Erika Stallings, Housing Advocacy Associate, New York Immigration Coalition
- Jessica Walker, Policy Associate, The New York Academy of Medicine
- Larry Wood, Community Organizer and Director of the Family Council at Goddard Riverside Community Center
- Marc Greenberg, Executive Director, Interfaith Assembly on Homelessness and Housing
- Marlon Williams, Policy Advisor to the Deputy Mayor for Health and Human Services
- Mary Mayer, Board Member, New York Citizens' Committee on Aging
- Paul Feuerstein, President and CEO, Barrier Free Living
- Roseanne Zitzouris, The Legal Aid Society, Brooklyn Office of the Aging
- Sandra Duque, Community Coordinator, New York City Comptroller

MAJOR THEMES TO EMERGE

The discussion focused on ways of keeping older adults in their long-time homes and communities. Participants identified three prime categories of older adults who need additional attention or support, including people in affordable housing who are being pushed out, people in housing that is inappropriate for them (or has become so as they have aged and their needs have changed), and people who need assisted living/additional social services to remain in the community.

I. Supporting Older People in Jeopardy of Losing Affordable Housing

- a. Participants expressed concern that older people are increasingly targeted for harassment and unlawful eviction because their apartments often have the greatest potential for increased rents (e.g., when long-time residents leave their rent-controlled apartment, landlords can often increase rents substantially). Some of this was attributed to urban renewal which has made some communities more desirable locations in which to live. A lack of knowledge of tenant rights and the available supports to keep people in their homes has resulted in the relocation of many older people.***

Recommendations:

- More public education so seniors know their rights
- Pass City Council legislation: 627 (anti-harrassment) and 648 (additional legal services)
- City Human Rights department is excellent (esp. Tim Finkelstein)
- 311 is offering some help in this
- Orientation Programs for Seniors: Abyssinian “Chat and Chew”
- Senior Centers and Community Boards should do more to inform their communities
- Update building codes
- Educational sessions for seniors at NORCS are packed with caregivers looking for advice. This helps them care for elders but also to prepare for selves.
- NYCHA rules are in tiny print and there is little or no orientation. Older people are subject to eviction because of actions of relatives and NYCHA social workers are not helping sort these situations out
- Credit history issues should be addresses. Tenants can end up on a black list that affects them in any state if they end up in court with their landlords. There is no law requiring this information be on credit reports. Medical expenses can also lead to credit history issues that affect housing.

- b. Participants identified a lack of legal representation in housing court and issues related to guardianship (and the City’s Adult Protective Services unit within the Human Resources Administration, which intervenes when an older person is deemed to lack capacity) as key areas that need to be addressed if we are to help older people contest unlawful eviction and harassment.***

Recommendations:

- Right to counsel in housing court. Mendez is supporting a bill
- DFTA counsel program is very successful in keeping people at home or into supportive housing. Has legal and social work components. Just needs more money.
- Develop cost-effectiveness calculation to be made regarding offering right to counsel vs. mental health and physical impact of forced relocation
- Expand Guardian Ad Litem programs (seniors who cannot get to court physically should be assigned on)
- Improvements to the City’s Adult Protective Services unit:
 - Ought to be working to get people services to allow people to stay at home, but often seem to conclude people are better off in a nursing home
 - Public Advocate’s recent report showed they are underfunded
 - APS workers concerned about entering homes with hoarders & bedbugs
 - Need to work closer with APS to understand what their role is and the challenges
 - APS workers do not understand the issues of older people (eg why a senior might not answer the door)
 - APS won’t help if a person has a claim in court because they think the person has sufficient capacity; fail to understand that a legal aid agency may have done the filing

- c. ***Participants expressed a need to increase awareness, understanding and availability of existing affordable housing programs and subsidies, particularly among immigrant populations in the city who often face an added layer of fear and lack of information. Their social networks are often frayed and people do not know how to interpret documents; many informational websites are hard to navigate.***

Recommendations:

- NY Foundation for Senior Citizens has a good shared housing program but not well known
 - NYCHA has prioritized young families. Need to put seniors on the priority list
 - DHCR is great
 - Expand Section 8
 - 202 Housing doesn't receive enough HUD funds. There is a shortage now and will be a future loss of housing
 - Unreimbursed medical expenses should be taken into account in SCRIE and DRIE. Also needs more publicity.
 - Immigrants could be ambassadors that help explain their needs to larger community

II. Supporting Older People as their Housing Needs Change

- a. ***Participants explained that as people age their housing needs often change. Limitations in mobility and functioning often mean that the physical space older people need increased accessibility in getting to and around in their homes and apartments. Participants told of how some older people are choosing nursing homes when they leave rehab because their apartment is inaccessible.***

Recommendations:

- Mayor's Office of People with disabilities offers community block grants to make renovations but also small equipment purchases like wheelchairs and microwaves. Need to raise awareness of this.
- Seniors are not part of the defined populations for "accessible households." New developments need to have units set aside for older people and the disabled
- Older people are trapped in oversized apartments. Need to help people move to smaller apartments. This is a "reasonable" accommodation but if there are no apartments are available at the moment landlords don't have many options
- Walk-ups are a looming crisis; hand railings needed on stoops, walkers can't make it through doorways

- b. ***Access to in-home social supports often become increasingly important as people age. However, participants expressed concern that some landlords do not fulfill their ethical obligation to let service providers know when there is a senior resident in distress. In addition, the availability of in-home social supports is limited.***

Recommendations:

- Long term care insurance programs like the Partnership Plan which doesn't require people to liquidate assets before becoming Medicaid eligible
- Meals on Wheels, NORCS, hoarding and clutter programs were all cited as supportive services that are effective in helping people to age in place
- Supportive housing for grandparents raising children is needed
- EISEP program is a great idea but needs to be expanded

III. Miscellaneous

a. While the majority of older New Yorkers are renters, many older people are homeowners and less is known about this population. Participants acknowledged that their concerns are not being fully addressed, particularly in the midst of this mortgage crisis.

b. Participants identified data sources and voids that might be useful for future planning and research, including the "Priced Out" report and the recent New York Times report that landlords are not accepting Section 8 vouchers./ A salient void expressed by the group was around older homeless individuals. Participants indicated that older people are not adequately reflected in homelessness statistics because they do not access the shelter system (instead they often double-up or go into nursing homes).