



Office of Children and Family Services

Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

Sheila J. Poole
Commissioner

Administrative Directive

Transmittal:	20-OCFS-ADM-16
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services
Date:	September 9, 2020
Subject:	Child Welfare Preventive Housing Subsidy
Suggested Distribution:	Directors of Social Services Child Protective Services Supervisors Child Welfare Supervisors Foster Care Supervisors Runaway and Homeless Youth Programs Municipalities
Contact Person(s):	Section VI
Attachments:	None

Filing References (check on these – be sure that are correct and there are no typos)

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18 NYCRR 423.2(b)(16), (c) & (e); 423.4; and 430.9(e) & (f)	SSL 409-a(5)(c) & (7) Chapter 624 of the Laws of 2019	<i>New York State Preventive Services Practice Guidance Manual</i> , Chapter 1 and 2	

I. Purpose

The purpose of this Administrative Directive (ADM) is to inform local departments of social services (LDSSs) of the authority to provide housing services in the form of rent subsidies as a preventive service to otherwise eligible recipients regardless of whether they are residing with unrelated roommates. Chapter 624 of the Laws of 2019 amended section 409-a of the Social Services Law (SSL) to provide that section 409-a, which addresses eligibility for preventive

services, does not limit the ability of those using such rent subsidy to live with roommates. Chapter 624 took effect on December 12, 2019.

II. Background

In 1988, section 409-a(5) of the SSL was amended to authorize housing services in the form of rent subsidies as a preventive service where an LDSS determines that a lack of adequate housing is the primary factor preventing the discharge of a child from foster care. The statute was thereafter amended to clarify that rent subsidies were available to enable the discharge of a child from foster care to independent living. Finally, section 409-a(7) of the SSL was added in the 1990s to authorize the use of rent subsidies as a preventive service to avert the placement of a child into foster care. LDSSs are authorized to provide eligible families and youth with a housing subsidy of up to \$300 per month for up to three years or until reaching the limit of \$10,800. The housing subsidy program is a mandated prevention service intended to keep children out of foster care or to expedite discharge from foster care.

The child welfare housing subsidy must be for one of the following reasons:

1. Prevent placement in foster care¹
 - a. A lack of adequate housing is a factor that may cause the entry of a child into foster care and the family has at least one other service need other than a lack of adequate housing. There must be a parent service need in which the financial condition of the parent or caretaker impairs their ability to care for the child.
2. Expedite a child's discharge from foster care²
 - a. At the time housing services are authorized, the case manager must determine that the primary factor preventing the discharge of the child from foster care is the family's lack of adequate housing. See Chapter 2 of the [OCFS Preventive Services Practice Guidance Manual](#) for additional information of required documentation and discharge planning.
3. To allow discharge to a planned living arrangement with a permanency resource³
 - a. The case manager must determine that housing services are necessary and have been authorized. The child must have been in foster care for at least 90 days, be prepared for discharge to another planned living arrangement with a permanency resource and be eligible for discharge only if housing services are provided. See Chapter 2 of the [OCFS Preventive Services Practice Guidance Manual](#) for additional information on required discharge planning.

The goal of the child welfare housing subsidy program is to stabilize housing situations and prevent homelessness to help prevent foster care placements, expedite reunification, and help youth aging out of foster care. Thus, families eligible for mandated preventive services, child protective services families receiving preventive services, families where children are reunifying from foster care, and youth aged 18-21 are eligible for the housing subsidy. For families, and even more so for youth, the high cost of housing and the benefit of living with others often leads most New Yorkers to have roommates.

¹ SSL §409-a(7); 18 NYCRR 430.9(c)(4).

² SSL §409-a(5)(c); 18 NYCRR 430.9(e)(2).

³ SSL §409-a(5)(c); 18 NYCRR 430.9(f).

III. Program Implications

The preventive services housing subsidy program is better able to prevent homelessness and address housing instability for families and youth aging out of foster care by allowing unrelated roommates in the home. This flexibility enacted by Chapter 624 will help the family or youth to leverage the additional support of unrelated roommates and will allow more housing options to be available to them.

IV. Required Action

LDSSs are authorized to provide the housing services in the form of a rent subsidy to eligible recipients, including those who reside with unrelated roommates.

V. Contacts

Buffalo Regional Office - Amanda Darling (716) 847-3145

Amanda.Darling@ocfs.ny.gov

Rochester Regional Office - Christopher Bruno (585) 238-8192

Christopher.Bruno@ocfs.ny.gov

Syracuse Regional Office - Sara Simon (315) 423-1200

Sara.Simon@ocfs.ny.gov

Albany Regional Office - John Lockwood (518) 486-7078

John.Lockwood@ocfs.ny.gov

Westchester Regional Office - Sheletha Chang (914) 801-3231

Sheletha.Chang@ocfs.ny.gov

New York City Regional Office - Ronni Fuchs (212) 383-1676

Ronni.Fuchs@ocfs.ny.gov

Native American Services - Heather LaForme (716) 847-3123

Heather.LaForme@ocfs.ny.gov

VI. Effective Date

This policy is effective immediately.

/s/ Lisa Ghartey Ogundimu

Issued by:

Name: Lisa Ghartey Ogundimu

Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services