Rental Arrears Assistance Programs

Presented by John Batanchiev and Jacob Mortenson





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House Keeping

Please keep your microphone muted.

Please put questions in chat or raise your hand.

There will be polls throughout and survey at end.

Presentation sent this morning.

Thank you!



Who We Are And What We Do

- · Over 6,000 legal cases each year
- Direct representation, phone consultations
- Brief service or referrals
- · Offices in Hempstead, Islandia, Riverhead
- Case handling staff includes attorneys, paralegals, and social workers
- Partnerships with Community Agencies





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Office Locations

Hempstead:

1 Helen Keller Way 5th Fl Hempstead NY 11550 (516) 292-8100

Islandia (Western Suffolk): 1757 Veterans Hwy Ste 50 Islandia NY 11749 (631) 232-2400

Riverhead (Eastern Suffolk): 400 W. Main St Suite 200 Riverhead, NY 11901 (631) 369-1112



Our Programs

Family

Domestic Violence Family Court Project (Suffolk)Child Support Defense Project

Disability & Health-Related Projects

·HIV Unit

·Mental Health

·ICAN - Advocates in Managed Long-Term Care ·Education and Disability Rights (Special Education and Rights of Developmentally Disabled)

Disability Advocacy Project (SSD/SSI Appeals)



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Our Programs

Housing

•Civil Unit (Eviction Prevention)

Foreclosure Project

Other

•Consumer Debt

Education Debt Consumer Advocacy Project

·Veterans Rights

·Human Rights Project

Public Benefits

·Adult Care Facility Unit

Senior Citizen Project (Nassau)

•Pro Bono Project (Suffolk)

·Volunteer Lawyers Project (Nassau)

Community Legal Help Project

Naturalization and Citizenship



Legal Support Center for Advocates:

Advocates call (631) 232-2400 for assistance: Sharon Campo - x3368 Cathy Lucidi - x3324 Hannah Fitzpatrick- x3343

- Provide Technical Support to Advocates
- •"Advocates" include legislative staff, social workers, outreach workers, medical personnel, and guidance counselors
- Host Community Trainings
- Publish Newsletters



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POLL What type of advocate are you? Have you ever called LSCA?

Visit our Website

- All About Our Programs
- •Sign up for our "Legal Lessons"
- Trainings
- · "Self-Help" Resources
- Other Events





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Next LSCA Training is Next Week! Latest Student Loan Updates Wednesday January 22nd, 2025 12:00pm to 1:00pm

Join the Legal Support Center for Advocates on January 22nd at 12pm for a presentation by the Education Debt Consumer Assistance Program. The presentation will provide an overview of student loan repayment options, forgiveness and discharge programs and update you on the latest developments affecting the federal student loan system. Don't miss this opportunity to meet the experts and make sure you're on track to eliminate your debt as quickly as possible! Please register for this Legal Support Center for Advocates training taking place on January 22nd, 2025 from 12:00pm to 1:00pm.

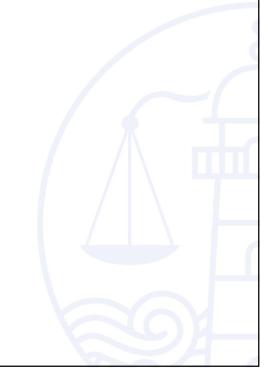




Just a Note

Legal Services of Long Island makes every effort to keep legal educational materials up to date. The information contained in this material is not legal advice. Legal Advice depends upon the specific facts of each situation. These materials cannot replace the advice of competent legal counsel.





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DSS' Charge to Prevent Homelessness

 If an applicant or recipient of PA is facing eviction or foreclosure DSS must intercede as early as is possible and appropriate.

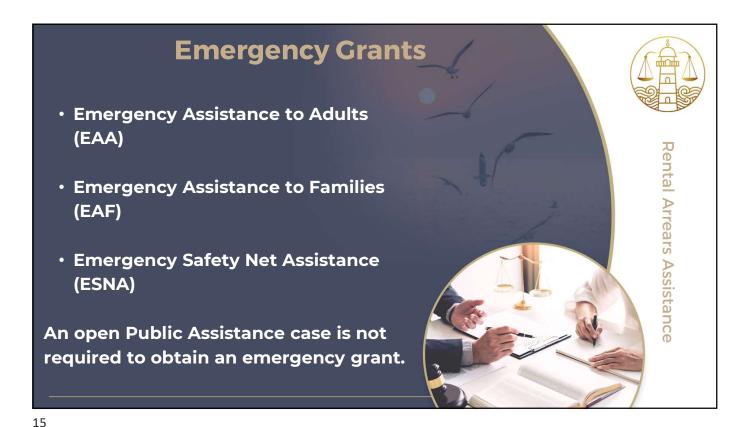
- A district must not wait until a notice of eviction or foreclosure is issued
- If the landlord or mortgage holder expresses, either orally or in writing, the intent to start a legal eviction or foreclosure proceeding if rent arrears, mortgage or taxes are not paid, DSS must initiate action to prevent an eviction if the applicant is eligible.

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Rental Arrears Assistance or or

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Must demonstrate a threatened eviction • Letter from landlord or court papers Must detail amount owed to the landlord with document (stipulation, letter or rent ledger) Must demonstrate ongoing ability to pay the rent Current month's rent is not included in the calculation, unless it's past due and there is a threat of eviction if it is not paid.



Emergency SNA (ESNA) · Single adults and childless couples, households with Rental Arrears Assistance dependent children or a household with an SSD member when household is ineligible for EAF or EAA grant • Emergency is defined as a "serious occurrence" or "situation needing prompt action." · Income limit is 125% FPL limit Waived if emergency is the result of a fire, flood or other like catastrophe, or for heat or utility related emergencies · Rent arrears payments limited to a total of six months of rent in a five-year period · Repayment within 12-month period. Can get future assistance only if repayment agreement current. Immigrants who meet the Cash Assistance Safety Net Assistance (SNA) requirements. N.Y. Social Services Law Section 131-w.

Rental Arrears Assistance

Emergency Assistance to Families (EAF)

- Households with children under the age of 18 or under 19 if full-time student
- Facing an emergency from a sudden occurrence or unforeseeable crisis and beyond the applicant's control that demands immediate attention.
- · Income limit is 200% of FPL
- · Assistance limited to a six months of rent in a five-year period
- Households are responsible for repaying the amount above the Cash Assistance shelter maximum (the excess amount)
- Immigrants who meet Cash Assistance Temporary Assistance for Needy Families (TANF) requirements

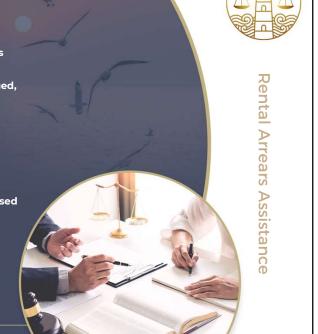
N.Y. Social Services Law Section 350-j.

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- 65 and older, blind or disabled individuals and couples who are eligible for or receive Supplemental Security Income (SSI) benefits
- Emergency would endanger the health, safety or welfare of an aged, blind or disabled individual/couple.
- ullet Must meet financial eligibility criteria of the SSI program
- Up to 4 months of rent arrears can be paid.
- Assistance limited once in a 12-month period unless necessary based on an individual circumstance.
- · No need to exhaust allowable resources
- No repayment required.

N.Y. Social Services Law Section 303.



PA Recipients vs. PA Applicants

PA Applicants

- Assistance can exceed maximum shelter allowance, but excess is recoverable as an overpayment.
- Repayment agreements are 2-year plans

PA Recipients

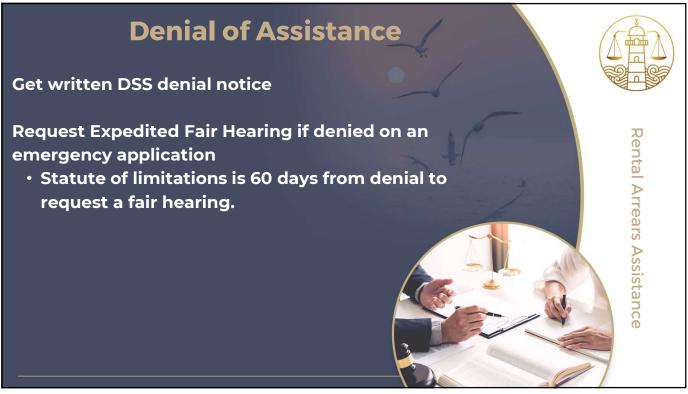
- must agree to restrict future shelter allowance.
- Assistance limited to 6 months once every five years unless DSS determines individual circumstances warrant an additional payment.
- duplicate payments are recouped from future grants therefore no repayment agreement.



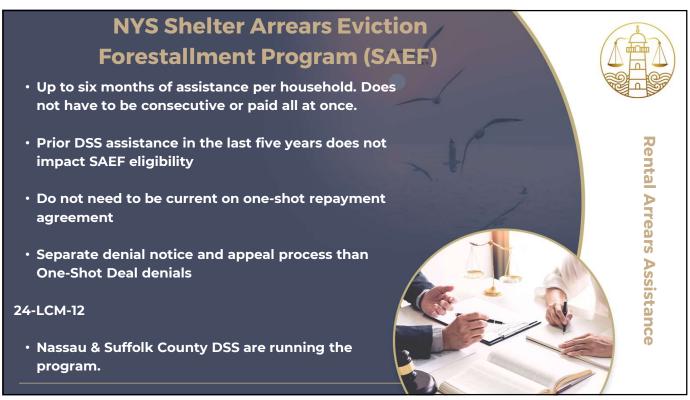
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Exception to Policy DSS may issue a grant for an ineligible household when the case is "compelling" No definition of "exception to policy" criteria. Requires strong advocacy. • Extraordinary circumstances that led to the emergency • The monthly rent is low, for example a Section 8 tenant. • The convenience of the apartment location for work/medical/school activities, childcare, • The needs of a special needs child 03 ADM-07; 18 NYCRR 352.7(g)(3-4)



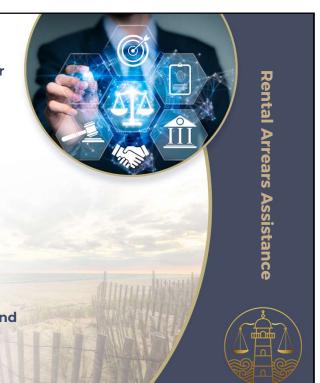






SAEF Eligibility

- Must apply for rental assistance through EAF or ESNA and be ineligible
- Meet the PA citizenship/non-citizenship status eligibility requirements
- Must meet EAF (200% FPL) or ESNA (125% FPL) income requirements
- Assistance will prevent/delay eviction
- Emergency can be one that was foreseen
- No repayment requirement unless fraud or found to be ineligible
- No requirement for ability to pay ongoing rent



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Emergency Solutions Grant (ESG)

- Nassau County Office of Community Development
 Intake done over the phone only 516-571-4281
- Suffolk County Family Service League
- o Islip 631-650-0062
 - o Brookhaven 631-591-7580
- May provide up to 6 months of rental arrears as well as other financial assistance, for tenants that meet the "at-risk of homelessness" criteria
- Assistance can be combined with DSS one-shot grant but must bring the tenant current.
- To qualify for the grant all individuals must be a citizen by birth, a naturalized citizen or a national of the United States



ESG Eligibility Criteria

Income limit up to 30% of AMI

Does not have sufficient resources or support networks to prevent being homeless.

Meet the "at-risk of homelessness" criteria

 Must have a 14-day sheriff notice or other at-risk documentation

The McKinney-Vento Homeless Assistance Act Section 401(1)







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Thank you for attending!

If you have any questions, please contact 631-232-2400

Check out our website at www.legalservicesli.org

Please complete the survey.

