

7851

I N S E N A T E

September 28, 2012

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public housing law, in relation to directing the New York City Housing Authority establish alternative requirements for the qualification of domestic violence victims for N-1 priority access to housing accommodations

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "survivor's accessing fair and equitable (SAFE) housing act".

3 S 2. Section 402 of the public housing law is amended by adding a new
4 subdivision 6-a to read as follows:

5 6-A. THE AUTHORITY SHALL ESTABLISH, WITHIN SIXTY DAYS OF THE EFFECTIVE
6 DATE OF THIS SUBDIVISION, AN ADDITIONAL ALTERNATIVE APPLICATION AND
7 REQUIREMENTS THEREFOR FOR GRANTING N-1 PRIORITY FOR ACCESS TO AUTHORITY
8 HOUSING ACCOMMODATIONS TO PERSONS WHO ARE VICTIMS OF DOMESTIC VIOLENCE.
9 SUCH REQUIREMENTS SHALL:

10 A. BE BASED UPON THE NO VIOLENCE AGAIN SCREENING FORM ESTABLISHED BY
11 THE HUMAN RESOURCES ADMINISTRATION OF THE DEPARTMENT OF SOCIAL SERVICES
12 OF THE CITY OF NEW YORK, PROVIDED THAT SUCH FORM MAY BE SUPERFICIALLY
13 ALTERED BY THE AUTHORITY FOR USE IN THE N-1 PRIORITY HOUSING PROGRAM;

14 B. NOT REQUIRE SUBMISSION OF ANY ADDITIONAL, OUTSIDE DOCUMENTATION NOT
15 INCLUDED IN THE NO VIOLENCE AGAIN SCREENING FORM, EXCEPT THE SWORN
16 ATTESTATIONS OF THE APPLICANT AND SERVICE PROVIDER REQUIRED BY THE
17 PROVISIONS OF PARAGRAPHS E, F AND G OF THIS SUBDIVISION;

18 C. NOT BE CONTINGENT UPON ANY ADDITIONAL QUANTITATIVE OR QUALITATIVE
19 ANALYSIS OR RATING OF THE CONTENTS OF THE MODIFIED NO VIOLENCE AGAIN
20 SCREENING FORM BY THE AUTHORITY;

21 D. PROVIDE THAT THE APPLICATION AND REQUIREMENTS ESTABLISHED PURSUANT
22 TO THIS SUBDIVISION SHALL BE AN ALTERNATIVE, EQUAL MEANS, IN ADDITION
23 TO, NOT AS A REPLACEMENT OF ANY OTHER MEANS ESTABLISHED BY THE AUTHORI-
24 TY, FOR GRANTING N-1 PRIORITY FOR ACCESS TO AUTHORITY HOUSING ACCOMMO-
25 DATIONS TO PERSONS WHO ARE VICTIMS OF DOMESTIC VIOLENCE;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 E. REQUIRE THE APPLICANT TO SWEAR, UNDER THE PENALTY OF PERJURY, THAT
2 HE OR SHE HAS SUFFERED SERIOUS OR REPEATED ABUSE FROM A FAMILY MEMBER,
3 OR A PERSON HE OR SHE HAD OR CONTINUES TO HAVE AN INTIMATE RELATIONSHIP,
4 AND AS THE RESULT OF SUCH ABUSE, THE APPLICANT HAS SUFFERED ACTUAL PHYS-
5 ICAL INJURY OR THE THREAT OF PHYSICAL INJURY, AND HE OR SHE (I) WILL
6 CONTINUE TO SUFFER ABUSE IF THE APPLICANT CONTINUES TO LIVE IN HIS OR
7 HER CURRENT RESIDENCE, OR (II) HAS LEFT HIS OR HER RESIDENCE DUE TO
8 ABUSE AND IS NOT LIVING IN STANDARD PERMANENT REPLACEMENT HOUSING;

9 F. REQUIRE ATTESTING DOMESTIC VIOLENCE SERVICE PROVIDERS TO SWEAR,
10 UNDER THE PENALTY OF PERJURY, THAT IN HIS OR HER PROFESSIONAL JUDGMENT,
11 BASED ON DUE DILIGENCE, THAT AN APPLICANT HAS SUFFERED SERIOUS OR
12 REPEATED ABUSE FROM A FAMILY MEMBER, OR A PERSON WITH WHOM THE APPLICANT
13 HAD OR CONTINUES TO HAVE AN INTIMATE RELATIONSHIP, AND AS A RESULT OF
14 SUCH ABUSE, THE APPLICANT HAS SUFFERED ACTUAL PHYSICAL INJURY OR THE
15 THREAT OF PHYSICAL INJURY, AND SUCH APPLICANT IS AT A SUBSTANTIAL RISK
16 OF FURTHER ABUSE WITHOUT ACCESS TO SAFE, PERMANENT HOUSING; AND

17 G. REQUIRE EACH ATTESTING DOMESTIC VIOLENCE SERVICE PROVIDER TO SWEAR,
18 UNDER THE PENALTY OF PERJURY, THAT HE OR SHE IS A MEMBER OR EMPLOYEE OF
19 AN ORGANIZATION THAT RECEIVES CITY OF NEW YORK, STATE OR FEDERAL FUNDING
20 FOR THE PROVISION OF DOMESTIC VIOLENCE SERVICES. PROVIDED, THAT, ANY
21 DOMESTIC VIOLENCE SERVICE PROVIDER OR OTHER SOCIAL SERVICES PROVIDER,
22 WHICH IS NOT SO FUNDED, MAY APPLY TO THE APPLICATIONS DIVISION OF THE
23 AUTHORITY FOR AUTHORIZATION TO ACT AS AN ATTESTING DOMESTIC VIOLENCE
24 SERVICE PROVIDER ON N-1 PRIORITY APPLICATIONS.

25 S 3. This act shall take effect immediately.