

STATE OF NEW YORK

10111

IN ASSEMBLY

February 2, 2026

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Housing

AN ACT to amend the public housing law, in relation to housing stability protections for at-risk tenants

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public housing law is amended by adding a new article
2 12-A to read as follows:

ARTICLE 12-A

HOUSING STABILITY PROTECTIONS FOR AT-RISK TENANTS

Section 320. Definitions.

6 321. Emergency housing transfer prioritization and program
7 portability.

8 322. Optional fast-track to housing choice voucher program.

9 323. Support for survivors of domestic violence.

10 324. Implementation and reporting.

11 325. Centralized emergency housing transfer platform.

12 § 320. Definitions. For the purposes of this article, the following
13 terms shall have the following meanings:

14 1. "Survivor of domestic violence" means any individual who is a
15 victim of domestic violence, as defined by section four hundred fifty-
16 nine-a of the social services law, or who is a survivor of domestic
17 violence, dating violence, sexual assault, or stalking, as such terms
18 are defined by 34 U.S.C. 12291(a).

19 2. "Disability" shall have the same meaning as defined by section two
20 hundred ninety-two of the executive law.

21 3. "Reasonable accommodation" means a change in rules, policies, prac-
22 tices, or services as may be necessary to afford a person living with a
23 disability an equal opportunity to use and enjoy a dwelling.

24 4. "Emergency housing transfer request" means a relocation request
25 from a tenant, where such tenant reasonably believes such tenant is at
26 risk of harm if such tenant remains in such tenant's dwelling unit due
27 to:

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

LBD14656-01-6

1 (a) domestic violence, dating violence, stalking, or sexual assault,
2 as such terms are defined by 34 U.S.C 12291(a);

3 (b) having a disability;

4 (c) being a victim, or fear of being a victim, of a crime of intim-
5 idating victim or witness under section 215.15, 215.16 or 215.17 of the
6 penal law; or

7 (d) being a victim of a traumatic incident.

8 5. "Emergency housing transfer" means a tenant transfer made pursuant
9 to an approved emergency housing transfer request, and shall include,
10 but not be limited to, requests for emergency transfers under the feder-
11 al Violence Against Women Act and reasonable accommodation transfers
12 under the federal Fair Housing Act.

13 6. "Centralized emergency housing transfer platform" or "platform"
14 means the emergency housing transfer platform created pursuant to
15 section three hundred twenty-five of this article.

16 7. "VAWA coordinator" means a federal Violence Against Women Act coor-
17 ordinator designated by an authority pursuant to section three hundred
18 twenty-three of this article.

19 § 321. Emergency housing transfer prioritization and program portabil-
20 ity. 1. Each authority shall ensure that emergency housing transfer
21 requests submitted by tenants are processed with the highest urgency,
22 prioritizing tenants in dwelling units deemed uninhabitable or struc-
23 turally compromised.

24 2. Verified emergency housing transfer requests shall be given priori-
25 ty over any new applications for housing or other tenant transfer
26 requests.

27 3. An authority shall respond in writing to any new emergency housing
28 transfer request within five calendar days of receipt.

29 4. Where an authority approves an emergency housing transfer request
30 and places the applicant for such emergency housing transfer request on
31 a waitlist, such authority shall notify such applicant in writing that
32 there are no safe, habitable, and appropriately sized dwelling units
33 available within such authority's entire housing portfolio at such time,
34 including, but not limited to, where applicable:

35 (a) federally subsidized public housing;

36 (b) units converted under the New York city housing authority's
37 RAD/PACT program; or

38 (c) units held within the New York city public housing preservation
39 trust established under section six hundred twenty-eight of this chapter
40 or equivalent entities.

41 5. (a) A denial of an emergency housing transfer request, or a notifi-
42 cation that a tenant was added to a waitlist pursuant to subdivision
43 four of this section, shall be issued through the centralized emergency
44 housing transfer platform.

45 (b) Denial notices generated through the centralized emergency housing
46 transfer platform shall satisfy all legal requirements for written
47 notice and shall remain accessible to the tenant for printing, download,
48 or secure review, in accordance with federal and state confidentiality
49 standards.

50 6. (a) Where an authority does not have sufficient available housing
51 across its entire portfolio to provide immediate housing to all emergen-
52 cy housing transfer applicants, such authority shall initiate collab-
53 oration with licensed or state-funded housing providers, including but
54 not limited to supportive housing programs, nonprofit organizations, or
55 specialized victim service providers, to assist in securing alternative

1 housing placement for emergency housing transfer applicants on a wait-
2 list.

3 (b) In the case of emergency housing transfer requests by survivors of
4 gender-based violence, the responsibility for initiating and coordinat-
5 ing the placement process under paragraph (a) of this subdivision shall
6 fall to VAWA coordinators. Such responsibilities shall include:

7 (i) making referrals to qualified partner agencies;

8 (ii) assisting with applications or eligibility documentation; and

9 (iii) following up until placement is secured or other appropriate
10 action is taken.

11 7. Applicants making an emergency housing transfer shall be afforded
12 full program-wide transfer eligibility, including access to available
13 dwelling units across all housing types administered or overseen by the
14 authority.

15 8. No emergency housing transfer request shall be denied or delayed
16 solely on the basis that the available dwelling unit belongs to a
17 different housing program or funding stream.

18 9. (a) Each authority shall establish a mechanism to review and
19 re-prioritize pending emergency housing transfer requests in cases where
20 the tenant making such emergency housing transfer request:

21 (i) reports a new incident of domestic violence, dating violence,
22 stalking, or sexual assault, as such terms are defined by 34 U.S.C
23 12291(a), occurring after the initial emergency housing transfer request
24 was submitted; or

25 (ii) becomes temporarily unhoused or is placed in a shelter or transi-
26 tional housing while awaiting relocation through the emergency housing
27 transfer process.

28 (b) In such cases under paragraph (a) of this subdivision, the
29 tenant's emergency housing transfer request shall be elevated to immedi-
30 ate action status, and the authority shall make every reasonable effort
31 to expedite such tenant's placement into an available dwelling unit or,
32 where applicable, initiate collaboration with external providers under
33 subdivision six of this section.

34 10. Each authority's written emergency housing transfer policies shall
35 include, but not be limited to:

36 (a) procedures for tenants or advocates to report new incidents or
37 changes in housing status;

38 (b) a clearly defined internal process for reassessing priority and
39 urgency; and

40 (c) a timeframe for acting on updated emergency housing transfer
41 requests, which shall not exceed five calendar days from the date new
42 information is received.

43 11. VAWA coordinators shall ensure documentation, safety planning, and
44 appropriate survivor-centered supports are provided in high-risk cases.

45 § 322. Optional fast-track to housing choice voucher program. 1. Any
46 tenant whose emergency housing transfer request has been approved by an
47 authority under this article shall be immediately informed of the option
48 to be placed on such authority's waiting list for the Section 8 Housing
49 Choice Voucher program under section 8 of the United States housing act
50 of 1937, as amended.

51 2. Each authority shall waive any internal policies that would other-
52 wise require tenants who meet the criteria to be approved for an emer-
53 gency housing transfer to spend two or more years on a waitlist in order
54 to become eligible for a voucher under the Section 8 Housing Choice
55 Voucher program under section 8 of the United States housing act of

1 1937, as amended. Electing to join such voucher waitlist shall not delay
2 or negate a tenant's pending emergency housing transfer request.

3 § 323. Support for survivors of domestic violence. 1. Each authority
4 shall designate at least one VAWA coordinator, who shall coordinate
5 emergency housing transfers under this article for survivors of domestic
6 violence, ensure policy compliance with the federal Violence Against
7 Women Act, and facilitate external referrals pursuant to subdivision six
8 of section three hundred twenty-one of this article.

9 2. Each authority shall enter into at least one agreement or memoran-
10 dum of understanding with a local or regional service provider for
11 survivors of domestic violence. Such agreement or memorandum of under-
12 standing shall not require the creation of a new staff position and may
13 be assigned to current personnel as part of their existing duties.

14 3. Each authority shall develop and deliver annual training to all
15 staff whose duties involve direct interaction with tenants or partic-
16 ipation in eligibility, placement, transfer, or accommodation decisions,
17 including but not limited to training on:

- 18 (a) protections under the federal Violence Against Women Act;
- 19 (b) trauma-informed communication;
- 20 (c) confidentiality obligations under 24 CFR § 5.2007; and
- 21 (d) reasonable accommodations for tenants with a disability.

22 § 324. Implementation and reporting. 1. Each authority shall adopt
23 conforming policy changes within one hundred eighty days of the effec-
24 tive date of this article.

25 2. Each authority shall publicly post revised emergency housing trans-
26 fer and emergency housing transfer waitlist policies, and distribute
27 such policies to tenant associations, legal service providers, and
28 organizations that provide services to survivors of domestic violence.

29 3. Each authority shall submit an annual report to the division of
30 housing and community renewal on information under such authority's
31 centralized emergency housing transfer platform, which shall include
32 anonymized data on:

- 33 (a) the number of emergency housing transfer requests received,
34 approved, and denied;
- 35 (b) the average length of time from emergency housing transfer request
36 to written response and, where applicable, to placement;
- 37 (c) types of dwelling units utilized for emergency housing transfer
38 placements;
- 39 (d) instances where external providers were engaged due to lack of
40 available internal dwelling units, including waitlist placements of
41 qualifying emergency housing transfer recipients into Section 8 programs
42 under section three hundred twenty-two of this article;
- 43 (e) aggregate, anonymized demographic data for emergency housing
44 transfer applicants and recipients, including but not limited to: race,
45 ethnicity, gender identity, age, disability status, and household compo-
46 sition; and
- 47 (f) VAWA coordinator staffing and training completion rates.

48 § 325. Centralized emergency housing transfer platform. 1. Each
49 authority shall develop, implement, and maintain a secure, digital,
50 centralized emergency housing transfer platform to coordinate and manage
51 emergency housing transfers in accordance with this article.

52 2. Each platform shall, at a minimum:

53 (a) allow tenants to initiate and submit emergency housing transfer
54 requests, including required documentation;

1 (b) enable the authority's staff to log, process, and track emergency
2 housing transfer requests and real-time unit availability across such
3 authority's housing portfolio; and

4 (c) allow designated VAWA coordinators to monitor the status of emer-
5 gency housing transfer requests, referrals, communications, and housing
6 placements.

7 3. The division of housing and community renewal shall promulgate
8 rules and regulations necessary to establish standards and technical
9 guidelines to ensure consistency and equity in local platform design,
10 including but not limited to:

11 (a) interoperability across authority systems to allow emergency hous-
12 ing transfers across jurisdictions for survivors of domestic violence
13 fleeing abuse;

14 (b) confidentiality and data security consistent with federal law,
15 including 34 U.S.C. § 12491(c)(4) and 24 CFR § 5.2007(c), and including
16 encryption, role-based access, and data logging to protect personally
17 identifiable information; and

18 (c) required data fields and system functions to support real-time
19 tracking of available units across all program types, including but not
20 limited to:

21 (i) federally subsidized public housing;

22 (ii) the New York city housing authority's RAD/PACT program and
23 project-based voucher units; and

24 (iii) the New York city public housing preservation trust's properties
25 under article fifteen of this chapter.

26 4. Each authority shall comply with all division of housing and commu-
27 nity renewal rules and regulations regarding:

28 (a) platform user access and authorization protocols;

29 (b) survivor of domestic violence consent procedures for sharing
30 limited data across jurisdictions or with referral partners; and

31 (c) retention, auditing, and reporting of emergency housing transfer
32 case data.

33 5. The division of housing and community renewal shall compile the
34 submitted data pursuant to subdivision three of section three hundred
35 twenty-four of this article into a statewide anonymized annual report on
36 emergency housing transfers, identifying trends, barriers, and geograph-
37 ic disparities. Such report shall be submitted to the governor, the
38 temporary president of the senate, the speaker of the assembly, and be
39 made publicly available on the division of housing and community
40 renewal's website.

41 § 2. This act shall take effect one year after it shall have become a
42 law. Effective immediately, the addition, amendment and/or repeal of any
43 rule or regulation necessary for the implementation of this act on its
44 effective date are authorized to be made and completed on or before such
45 effective date.