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:

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

ARTICLE 12-A

HOUSING STABILITY PROTECTIONS FOR AT-RISK TENANTS

Section 320. Definitions.

321. Emergency housing transfer prioritization and program portability.

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

323. Support for survivors of domestic violence.

324. Implementation and reporting.

325. Centralized emergency housing transfer platform.

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

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

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

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

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

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

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

(b) having a disability;

(c) being a victim, or fear of being a victim, of a crime of intimidating victim or witness under section 215.15, 215.16 or 215.17 of the penal law; or

(d) being a victim of a traumatic incident.

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

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

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

§ 321. Emergency housing transfer prioritization and program portability. 1. Each authority shall ensure that emergency housing transfer requests submitted by tenants are processed with the highest urgency, prioritizing tenants in dwelling units deemed uninhabitable or structurally compromised.

2. Verified emergency housing transfer requests shall be given priority over any new applications for housing or other tenant transfer requests.

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

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

(a) federally subsidized public housing;

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

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

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

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

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

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

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

(i) making referrals to qualified partner agencies;

(ii) assisting with applications or eligibility documentation; and

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

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

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

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

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

(ii) becomes temporarily unhoused or is placed in a shelter or transitional housing while awaiting relocation through the emergency housing transfer process.

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

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

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

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

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

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

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

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

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

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

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

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

(a) protections under the federal Violence Against Women Act;

(b) trauma-informed communication;

(c) confidentiality obligations under 24 CFR § 5.2007; and

(d) reasonable accommodations for tenants with a disability.

§ 324. Implementation and reporting. 1. Each authority shall adopt conforming policy changes within one hundred eighty days of the effective date of this article.

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

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

(a) the number of emergency housing transfer requests received, approved, and denied;

(b) the average length of time from emergency housing transfer request to written response and, where applicable, to placement;

(c) types of dwelling units utilized for emergency housing transfer placements;

(d) instances where external providers were engaged due to lack of available internal dwelling units, including waitlist placements of qualifying emergency housing transfer recipients into Section 8 programs under section three hundred twenty-two of this article;

(e) aggregate, anonymized demographic data for emergency housing transfer applicants and recipients, including but not limited to: race, ethnicity, gender identity, age, disability status, and household composition; and

(f) VAWA coordinator staffing and training completion rates.

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

2. Each platform shall, at a minimum:

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

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

(c) allow designated VAWA coordinators to monitor the status of emergency housing transfer requests, referrals, communications, and housing placements.

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

(a) interoperability across authority systems to allow emergency housing transfers across jurisdictions for survivors of domestic violence fleeing abuse;

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

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

(i) federally subsidized public housing;

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

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

4. Each authority shall comply with all division of housing and community renewal rules and regulations regarding:

(a) platform user access and authorization protocols;

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

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

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

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