



# Monroe County Legislature

**RACHEL BARNHART**  
**Legislator – District 21**

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October 6, 2023

To the Honorable  
Monroe County Legislature  
39 West Main Street  
Rochester, NY 14614

## **RE: Creating the “Housing Stability Pilot” Program**

Honorable Legislators:

Housing instability is a serious problem in our community impacting public safety, healthcare, education, and workforce development. The recent displacement of families sheltered at Motel 6 highlighted the fact families make up a significant portion of those experiencing homelessness. Monroe County placed 629 families in emergency shelters last year.

The purpose of this legislation is to create a Housing Stability Pilot for families who are unhoused or at risk of eviction. The pilot would supplement current rental assistance rates to enable families to obtain permanent housing, and measure the impact of the increased housing subsidies on homelessness.

It is important to note that New York’s public assistance shelter rent allowance has not changed since 2003 and stands at \$343 for a family of three occupying a two-bedroom apartment for Monroe County. There are zero habitable apartments priced at or below the shelter rent allowance in Monroe County.

The Housing Stability Pilot would have the following framework:

- The pilot would aim to target approximately 125 public assistance households, or the maximum number that available funding permits, that are unhoused or at risk of homelessness.
- Participating families must include one or more children under the age of 18.
- Eligible households must earn no more than 30% of the Area Median Income.

- Rental subsidies would be provided that cover the gap between the state’s public assistance shelter allowance and the Fair Market Rent (FMR) standard set by the U.S. Department of Housing and Urban Development. (In Monroe County, the FMR is \$1,186 for a two-bedroom apartment.)
- Recipients would be enrolled in the pilot for approximately 12 months.
- Participants would be chosen in accordance with the plan developed by the Monroe County Executive or his designee.

The Empire Justice Center found that the shelter rent allowance provided by New York State for unhoused individuals and families is “arbitrary and irrational” in its report, “No Keys to Safe and Decent Housing in New York’s ‘Safety Net.’” The report recommended the state mandate counties do what this pilot recommends: supplement shelter rent allowances for people experiencing homelessness or at risk of homelessness. ACT Rochester also recommended Monroe County undertake such a pilot in its report “The Mechanics of Monroe County’s Rental Housing Market.”

There is voluminous and sobering data to support this intervention:

- Monroe County has the fourth highest rate of evictions in the state, with 7.6% of renters facing evictions in 2022, leading to more than 8,500 eviction proceedings.
- The Children’s Agenda reported that 8% of Rochester students were homeless at some point during the 2021-2022 and 2022-2023 school years, which can lead to poor academic performance and behavioral issues.
- ACT Rochester reported that half of Monroe County households are “rent-burdened,” meaning they spend 30% or more of their income on rent.

The Housing Stability Pilot would not run afoul of the New York State Constitution’s gift ban provision because it would be an authorized modification of the existing state Safety Net Assistance program. Localities can legally supplement New York’s rental assistance allowances per 18-CRR-NY 352.3, as long as the plan is approved by the Office of Temporary and Disability Assistance. This would require Monroe County to develop and submit a plan that meets the requirements set out in the regulations.

Furthermore, New York State County Law §224 permits counties to spend local funds on “prevention of cruelty to children.” Monroe County has previously used this justification in contracts awarding grants to social service providers. This provision of §224 applies to the negative and cruel impacts of poverty and homelessness on children’s mental and physical health, which have been documented in numerous scientific studies.

An evaluation of the Housing Stability Pilot is necessary to inform local, state and federal policies regarding unhoused individuals and families. Monroe County’s newly-formed Research Strategy and Development Team or another entity designated by the County Executive would design and implement a study of outcomes on participants, including on housing and employment.

On August 21, 2023, the Deputy County Executive said “roughly \$4 million in Safety Net Assistance appropriations will remain unused by year end.” Resolution No. 286 of 2023 reduced the remaining balance to approximately \$2 million, funds which would be used for the Housing Stability Pilot.

The cost of the Housing Stability Pilot is not to exceed \$2.0 million or the amount of appropriations that are unused in the Safety Net Assistance fund. Funding for this program is available in the Department of Human Services, general fund 9001, funds center 5110010000 Safety Net Assistance. No additional net County support is required in the current Monroe County budget.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rachel Barnhart". The signature is written in a cursive style with a large initial "R".

Rachel Barnhart  
Legislator – District 21

By Legislator Barnhart

RESOLUTION NO. \_\_\_\_ OF 2023

**CREATING THE “HOUSING STABILITY PILOT” PROGRAM**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is directed to create a “Housing Stability Pilot,” a rental supplement plan that will aim to serve the maximum number of households as funding allows as described in Section 2. Households will include children, and are unhoused or at risk of homelessness and earning no more than 30% of the Area Median Income. Participants will be eligible for rental subsidies that cover the gap between their public assistance shelter allowance and the federally set fair market rent standard. The length of the pilot is for approximately 12 months.

Section 2. Funding for the “Housing Stability Pilot,” will come from general fund 9001, funds center 5110010000 and not exceed \$2.0 million or the amount of appropriations that are unused in the funds center by year end.

Section 3. The County Executive, or his designee, will draft a plan for the “Housing Stability Pilot” in a manner that adheres to New York Office of Temporary and Disability Assistance (OTDA) regulations. Modifications required by OTDA shall not prevent the pilot plan from being enacted, notwithstanding any county law.

Section 4. Monroe County’s Research Strategy and Development Team or another entity designated by the County Executive will design and implement a study of outcomes on “Housing Stability Pilot” participants, including on housing and employment. Participants are not required to provide information beyond standard Department of Human Services requirements to determine eligibility.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

File No. \_\_\_\_\_

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_