

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207



Meeting Agenda

Monday, March 11, 2024

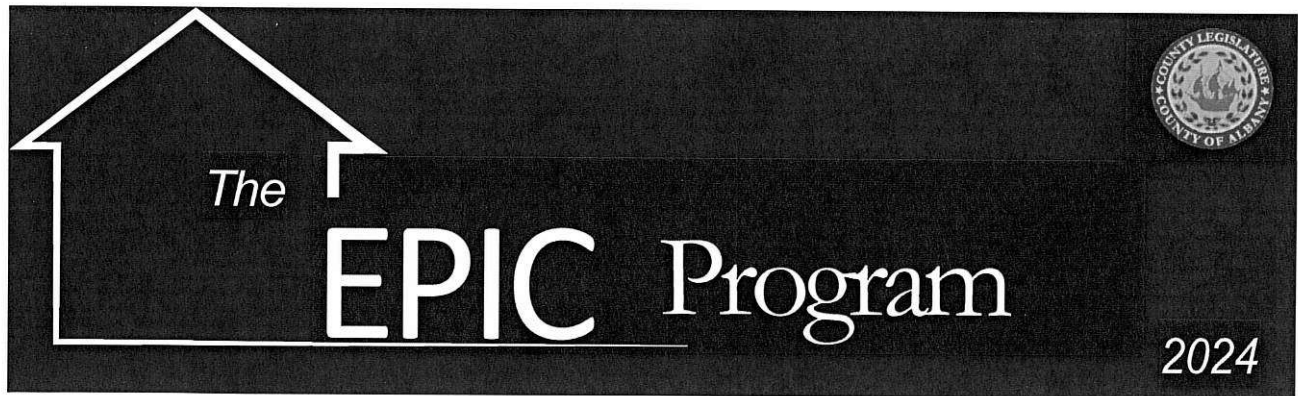
6:00 PM

**William J. Conboy II Legislative Chambers
Albany County Courthouse**

Law Committee

CURRENT BUSINESS:

1. AUTHORIZING AN AGREEMENT WITH THE LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. AND UNITED TENANTS OF ALBANY REGARDING THE EVICTION PREVENTION INTERVENTION COLLABORATIVE



Eviction Prevention Intervention Collaborative

How it Started

The housing crisis has become a growing concern for residents and legislators Countywide. Over the years, members have witnessed the increasing number of evictions and homelessness rates, fueling a commitment to find effective solutions. As more information is shared regarding the housing situation in our County, identifying initiatives that will help mitigate evictions and increase positive outcomes for both tenants and landlords is a priority.

Initial efforts to intervene led to the Legislature setting aside money contained in the 2022 budget. Specifically, \$160,000 was moved into the 2023's Legislative Task Force budget line with the intent to build out the Eviction Prevention Intervention Collaborative (EPIC) program from the ground up. The aim is to provide eviction relief countywide, ensuring that this program can serve the needs of both landlords and tenants, with the goal being to reduce and prevent evictions.

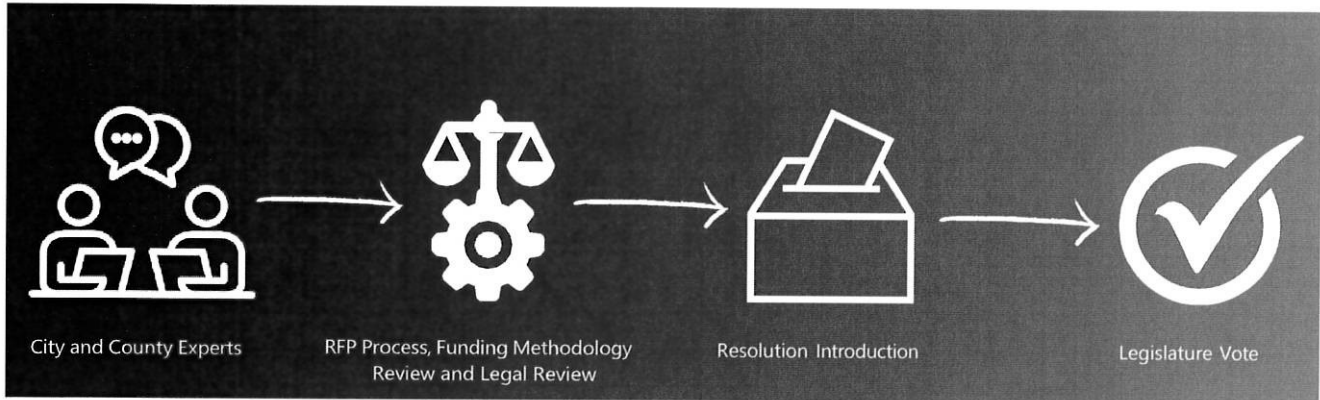
Once the money was earmarked, discussion focused on identifying what a countywide EPIC program should look like and what processes were necessary to begin implementation. A comprehensive RFP was issued in the Fall of 2023, after which the responses were graded by a team of content experts, according to specific needs and requirements. In order to fund the program, the Legislature now needs to approve a resolution that grants the selected RFP awardee with the designated funding.

Please read on for further details and a more comprehensive look at the impact EPIC can have.

Purpose

EPIC is a program that consists of a multi-faceted approach to addressing eviction through three component programs that work in tandem. They include eviction legal defense; eviction interference services including advocacy and referrals programming; and rental arrears payments.

The City of Albany originally brought this idea to us on a smaller scale, and the Legislature worked to broaden its reach and impact. Our goal is to offer this program for all of Albany County, including landlords with goals of keeping their tenants in their homes.



Process (Ongoing)

To ensure that this program is successful, it's crucial to adhere to a thoughtful legal process and follow the appropriate course of action to advance this program as quickly and efficiently as possible. That's why the Legislature prioritized the establishment of a knowledgeable team of Albany County and City of Albany representatives with the requisite subject matter expertise to provide content and program oversight to facilitate the design and implementation of this important program.

The imperative for the Legislature was to ensure that this program was made to be more comprehensive and inclusive (protecting both tenants and landlords). In partnership with the team of City of Albany and County professionals, the Legislature developed EPIC programming to be locally administered by a contracted community provider in accordance with the RFP (#2023-124). From there, the grading committee diligently graded the organizations who submitted proposals to participate in EPIC, based on their knowledge, expertise and experience. All proposals were subject to funding thresholds based on an appropriate funding methodology. Accordingly, the Legal Aid Society of Northeastern New York, Inc. in partnership with the United Tenants of Albany were recommended.

Awards Funding Methodology

Total Program Funding amount: \$260,000

Funding Formula Breakdown:

\$100,000 (Eviction Legal Defense & Intervention Services- Albany City residents only)

\$60,000 (Eviction Legal Defense & Intervention Services - Countywide)

\$100,000 (Rent Arrears Payments to qualifying residents- Countywide)

Note: \$100,000 in City of Albany funding is being provided by the municipality under this RFP.

What's Next?

The Legislature is eager to move ahead with this program as we know it will be beneficial to tenants and landlords throughout the County. We look forward to continued discussions and legislative action to implement this important program.

Section IV:

Plan Implementation

EPIC, a collaboration of LASNNY and UTA will prevent homelessness by providing a full range of legal assistance, referrals, information, court help and advocacy and rental arrears assistance to eligible households at imminent risk of losing their housing, in eviction cases. Tenants will be linked to alternate and complementary financial and other supportive services. EPIC will collaboratively provide legal services, court help, tenant advocacy and informational self-help materials, working with and in Albany, Cohoes, and Watervliet City Courts and Colonie Town Court to ensure that tenants have time, information, legal assistance, and support to achieve housing stability, supportive services, and financial assistance. Outreach will be conducted to other courts in Albany County to ensure that court personnel and judges are aware of EPIC, as well as to relevant government and human services partners.

This EPIC will complement the City ARPA funded EPIC which will focus first on the distressed census tracts 2, 11, 21, 25, and 26, in the City of Albany and as resources permit other households at greatest risk in the City of Albany.

The income of any household accepted into this program will be at or below 50 percent of the area median income *see Attachment 2*. The priority and level of legal assistance and intervention services provided will depend on staff resources, with priority given to households at greatest risk of eviction. The highest priority will be given to households below 125 percent of the federal poverty guidelines (FPL) for extended legal services and representation. For rental arrears assistance criteria is the household income is at or below 50 % of AMI, and the household must be at risk of eviction, has exhausted other resources or has documented supplementation of other funds, rent is within the Albany FMR (*see Attachment 3*) and the tenant has a plan in place to pay future rent.

Current forms utilized by LASNNY for in court intake are attached *see Attachment 4*. Intakes conducted over the phone/in office are entered directly into our case management system, Legal Server, at the time of intake. Current forms utilized by UTA for in court and office intake are attached *see Attachment 5*. If awarded, LASNNY and UTA will modify these forms to document all aspects of this program participation, reporting and vouchering data. Forms ultimately utilized will document:

- our determination of eligibility
- our approval or denial of assistance
- information sharing and release forms
- landlord and tenant agreement as to amounts and months owed, amounts paid using EPIC and other resources, and positive impact on housing stability
- no conflicts of interest
- information needed for reporting and vouchering
- referrals between LAS and UTA
- 90 day follow up results.

LASNNY will provide a sub-grant to UTA to conduct outreach, referrals, information court or hotline help, provide tenant accompaniment, advocacy and information and rental arrears assistance. LASNNY will oversee the collaboration, reporting and vouchering, and provide legal assistance, court help, legal advice and education, financial assistance, referrals, and outreach. UTA will report details involving eviction cases, time and effort, and outcomes on a monthly or quarterly basis to LASNNY, as well as 90 day follow up information. (See Section 3.6 re Reporting/Vouchering).

EPIC will collaborate with Albany Law School as an unfunded partner for law students and faculty to represent clients in eviction cases, assist in court help activities and the development of self-help materials.

Intake will occur at court on eviction days in the City of Albany, Watervliet, Cohoes and Town of Colonie on days when the court docket warrants in person court help and as resources permit. Also, all callers to LASNNY and UTA will be screened for EPIC eligibility and assistance. Legal and intervention services intake will occur in court and also through requests for assistance received and reviewed for possible assistance prior to the court date.

For each household served, an attorney or supervised and trained court help staff, including UTA staff, will conduct an assessment of legal defenses to a threatened eviction, and a review of housing, benefits, and financial assistance options (including emergency assistance from DSS or other financial assistance). EPIC clients will receive advice, brief service and/or legal representation and/or client rental assistance in their eviction case. An At-Risk of Homelessness Certification Form will be completed, and all supporting documentation will be maintained in the client file.

UTA will prescreen requests for rental arrears assistance to determine if a tenant may be eligible as long as they live in the County of Albany, have an income that can sustain the rent moving forward (determined by a rent-to-income ratio of below 80%), and an income that qualifies their household, at or below 50% of the AMI. The household must submit two forms of identification for every adult in the home, proof of income, proof of emergency, a Department of Social Services approval or denial letter, and proof of residency. After all documentation is collected, their case is referred to a housing counselor. Housing Counselors are trained in crisis management, resource referral, budget counseling, and landlord-tenant mediation. As is standard for UTA, landlords would be contacted upon approval for payment to confirm the arrears balance presented and complete a W-9.

We expect to provide rental arrears assistance to 20 households countywide at 6 months of arrears of \$4,000 on average.

UTA's Court Advocate's role is to follow the tenant's lead and grant them legal information through the process to ensure positive outcomes aligned with the tenants' desires. By preventing evictions, the Court Advocate will also enhance job stability and access to education, decrease tenant stress and other mental health difficulties, and strengthen the financial security of the entire household.

Legal and court assistance and rental arrears assistance will result in evictions prevented, negotiated settlements and court decisions which will prevent or forestall evictions. We expect to be able to enforce laws to the benefit of tenants such as ERAP stays, retaliatory eviction, the soon to be effective Tenant Dignity and Safe Housing Act, the warranty of habitability, hardship stays under RPAPL 753 and other lease protections and procedural rights which tenants are generally unaware. Our assistance will ensure better outcomes and settlements, individual household stability and support code enforcement, better housing conditions and neighborhood stability. Tenants will also be able to access Coordinated Entry, financial assistance and referrals to other resources that will contribute to financial and housing stability.

We expect to be conduct in court intake in Albany City Court as much as attorney resources permit resources permit and at least weekly in one or two other courts in the county. We will be assisting 25 households per full time staff member at any point in time. We expect to together be assisting 40 households with matters pending in Albany City Court at any point in time. We will also provide legal information and pro se materials to 25 eligible households per quarter as part of the screening process. We expect to coordinate closely between LASNNY, UTA, DSS and other providers of financial assistance to maximize utilization of these funds.

We will discharge households from the program when stably housed. The case will remain "open" for service purposes for 90 days after discharge, during which the LASNNY attorney or UTA staff will contact the client and provide services as needed to ensure continued housing stability.

Staffing:

Proposed funding is for salary and fringe of \$50,000 for UTA Court Advocate who will work in the City of Albany. UTA will administer an \$85,000 county wide rental arrears program and is seeking \$15,000 in funding for personnel to process requests and administer the countywide rental assistance program.

LASNNY is seeking \$50,000 (City of Albany) and \$60,000 (County of Albany) to provide 62 experienced attorneys to provide legal assistance in both the city and the balance of the county. One of these two attorney will also be working on the City of Albany ARPA funded project.

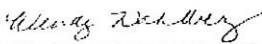
Section V:
Cost Proposal Forms
LASNNY

COUNTY OF ALBANY
COST PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Eviction Prevention Intervention Collaborative (EPIC)
RFP Number: 2023-124

Submit a cost proposal as described in Section 4 Scope of Services

COMPANY: Legal Aid Society of Northeastern New York
ADDRESS: 95 Central Avenue
CITY, STATE, ZIP: Albany, NY 12206
TEL. NO.: 833-628-0087
FAX NO.: 518-427-8352
FEDERAL TAX ID NO.: 14-1338448
REPRESENTATIVE: Wendy Wahlberg
E-MAIL: wwahlberg@lasnny.org
SIGNATURE AND TITLE 
DATE 10/10/2023

CP3

United Tenants of Albany


COUNTY OF ALBANY

COST PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Eviction Prevention Intervention Collaborative (EPIC)
RFP Number: 2023-124

Submit a cost proposal as described in Section 4 Scope of Services

COMPANY:	United Tenants of Albany, Inc
ADDRESS:	255 Orange Street #104,
CITY, STATE, ZIP:	Albany, NY 12210
TEL. NO.:	518-436-8997
FAX NO.:	518-436-0320
FEDERAL TAX ID NO.:	14-1557371
REPRESENTATIVE:	Canyon Ryan, Executive Director
E-MAIL:	Canyon@unitedtenantsalbany.org
SIGNATURE AND TITLE	 Executive Director
DATE	10/10/2023

CP3

Cost Proposal

TOTAL COST PROPOSAL LASNNY & UTA COMBINED

	EXPENDITURES	AMOUNT
1	Personnel	\$122,864
2	Fringe Benefits	\$33,573
3	Travel	\$2,321
4	Supplies	\$609
5	Contractual Services	\$1,479
6	Consultant (Professional Service)	\$1,141
7	Occupancy (Rent)	\$2,136
8	Training and Education	\$409
9	Direct Administrative Costs	\$0
10	Miscellaneous Costs	\$10,468
11	Other Costs (Not Listed)	\$0
TOTAL ANTICIPATED EXPENDITURES:		\$175,000
	Rental arrears assistance for Albany County tenants at 50% AMI or below	\$85,000
TOTAL REQUESTED GRANT AMOUNT		\$260,000

SUBTOTAL: LASNNY

	EXPENDITURES	AMOUNT
1	Personnel	\$70,336
2	Fringe Benefits	\$21,101
3	Travel	\$2,321
4	Supplies	\$609
5	Contractual Services	\$1,479
6	Consultant (Professional Service)	\$1,141
7	Occupancy (Rent)	\$2,136
8	Training and Education	\$409
9	Direct Administrative Costs	\$0
10	Miscellaneous Costs	\$10,468
11	Other Costs (Not Listed)	\$0
SUBTOTAL ANTICIPATED EXPENDITURES:		\$110,000

SUBTOTAL: UTA

	EXPENDITURES	AMOUNT
1	Personnel	\$52,528
2	Fringe Benefits	\$12,472
3	Travel	\$0
4	Supplies	\$0
5	Contractual Services	\$0
6	Consultant (Professional Service)	\$0
7	Occupancy (Rent)	\$0
8	Training and Education	\$0
9	Direct Administrative Costs	\$0
10	Miscellaneous Costs	\$0
11	Other Costs (Not Listed)	\$0

SUBTOTAL ANTICIPATED EXPENDITURES: \$65,000

Section VI: Mandatory Documentation

Non-Collusive Bidding Certificates (Attachment A)

LASNNY

**ATTACHMENT "A"
NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO
SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW**

A. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof. Where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph "A" above.

B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph "A" of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation


Signature

Executive Director
Title

Legal Aid Society of Northeastern
Company Name New York

10/10/23
Date

RESOLUTION NO. 88

AUTHORIZING AN AGREEMENT WITH THE LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. AND UNITED TENANTS OF ALBANY REGARDING THE EVICTION PREVENTION INTERVENTION COLLABORATIVE

Introduced: 2/12/24

By Fein, Efekoro:

WHEREAS, By Resolution No. 579 for 2022, this Honorable Body authorized \$160,000 to be set aside to create a pilot program to assist tenants facing eviction in the County and to make sure the eviction crisis does not become a homelessness crisis, and

WHEREAS, The County issued a Request for Proposals in October, 2023 (RFP #2023-124) which received three separate proposals with the joint proposal of the Legal Aid Society of Northeastern New York, Inc. and United Tenants of Albany being the highest graded responsive proposer, and

WHEREAS, The County and the City of Albany are going to jointly fund this program consistent with the proposal and RFP #2023-124, which provides \$160,000 of County funds to be used throughout the County and \$100,000 of City of Albany funds to be used in the City of Albany, and

WHEREAS, The County's funding shall be used consistent with the proposal with \$60,000 being used for Eviction Legal Defense & Intervention Services and \$100,000 being used for Rent Arrears Payments to Qualifying Residents, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the Legal Aid Society of Northeastern New York, Inc. and United Tenants of Albany for the provision of services related to the Eviction Prevention Intervention Collaborative in the amount of \$160,000 for a term commencing April 1, 2024 and ending September 30, 2025, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Social Services and Law Committees – 2/12/24

Favorable Recommendation Social Services Committee – 2/27/24