



## Seniors Need More Help to Fight Evictions and More Resources to Enable them to Age in Place in their Own Apartments

Testimony to the New York City Department for the Aging  
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My name is Jadhira Rivera and I am a Staff Attorney at MFY Legal Services. Since July 2005, MFY has provided free legal services to Manhattan seniors with partial funding from the NYC Department for the Aging. Our goal is to help seniors age in place in their own apartments, maintaining the highest level of independence possible. Since beginning this project, we have helped hundreds of seniors to fight evictions, secure public benefits, and address health care issues, and have conducted workshops for seniors and staff at senior centers and NORCs.

In New York City today, seniors face a harsh reality. Most of the seniors we serve have worked hard all their lives, raised families, and faithfully paid their taxes. But now they are living on the edge. Their retirement income is simply not enough to pay the escalating costs of housing. Rent can eat up 75% of a senior's income, forcing seniors to choose between having a roof over their heads or food on the table. Clearly, our elected officials need to re-examine Social Security payments and other entitlements in light of the urban housing market and find ways to either put more cash in seniors' pockets or subsidize their rents. We know that ensuring a livable income for retirees through Social Security is a major national battle that may take a long time to resolve. Today, we'd like to bring up two issues where we think DFTA could make a real difference.

The first issue is SCRIE. The Senior Citizens Rent Increase Exemption program is helping many seniors make ends meet and preserve their affordable housing. Unfortunately, some seniors are now being shut out of the program. As a result of changes in state law and DFTA policy, SCRIE no longer applies to seniors who have had preferential rents. In our practice, we often take great pains to negotiate preferential rent agreements for seniors and write stipulations that make the preferential rent permanent for the life of the tenancy, not simply the duration of the lease. SCRIE does not recognize these legal agreements, which are often the only legal means we have available to secure an affordable rent for seniors. We urge DFTA to re-examine its policy of not recognizing preferential rent tenancies for the SCRIE program, especially in cases where the preferential rent is guaranteed for the life of the tenancy.

For example: Ms. H is a senior living in a Manhattan fourth floor apartment in a walk up building and a SCRIE recipient. She has enjoyed the benefits of SCRIE for several years. Ms. H is in her 80s and suffers from limited mobility due to various debilitating ailments. As a result of her limited mobility, Ms. H is unable to climb up and down the stairs of the walk up building she resides in. MFY was able to successfully negotiate a reasonable accommodation move to a ground floor apartment for Ms. H so that she may be able to reintegrate herself into society as opposed to being a prisoner of her home. The legal regulated rent for Ms. H's new apartment was much higher than the rent she previously paid on her fourth floor apartment. A preferential rent which matched her monthly rental payments in the fourth floor apartment was negotiated for Ms. H, but SCRIE refuses

to recognize the preferential rent. Ms. H now faces the daunting choice between moving back to her previous fourth floor apartment and facing isolation again or paying an extra \$200 a month for rent and going without necessary medication. SCRIE should recognize preferential rents.

DFTA could also play an important role in addressing the complex needs of seniors with Collyer's Syndrome. A large and growing number of seniors face eviction because they have filled their apartments with collected materials, or with numerous pets that cause unpleasant odors. Many seniors hoard objects or take in pets to cope with severe isolation, and this behavior is now recognized as a form of Obsessive Compulsive Disorder that requires professional intervention. These cases are complex because in order to save the senior's apartment we must convince the senior to part with his possessions which takes a tremendous amount of time. To prevent eviction, seniors must often agree to accept a probationary period ranging from six months to two years, during which the apartment is inspected to ensure that hoarding does not reoccur. Without support from a social worker or health professional to address the client's isolation, it is likely the behavior will recur and the senior will have little defense against eviction. We urge DFTA to bring together social service providers, mental health professionals, and legal services providers for training on this topic and to take the lead in developing coordinated strategies for addressing the mental health and legal needs of growing population of seniors.

Thank you very much.