

N.Y.C.'s Plan to Move Homeless People From Hotels Is Blocked by a Judge

By Andy Newman

New York City's plan to move 8,000 homeless people out of hotels and into barracks-style shelters was disrupted on Tuesday when a federal judge ruled that officials were not adequately considering the health of those being moved.

The ruling blocks the city from transferring anyone with a disability to another site until evaluating whether it meets their needs. Because the city does not know who might qualify for such so-called reasonable accommodations, the entire program must pause for at least a week, said Joshua Goldfein, a staff lawyer for the Legal Aid Society, which [filed a legal challenge](#) to the moves.

About 5,000 homeless people are still living in hotels. "They have to meet with everybody," Mr. Goldfein said.

A spokesman for the city's Department of Homeless Services said officials would make "minor adjustments to our process" and resume the moves next week.

Mayor Bill de Blasio has said that moving homeless people out of the private hotel rooms where they have lived during the pandemic, and back to group shelters where 20 people often sleep in a single room, is a key to New York's reopening efforts. The initiative is part of an all-out push to shift homeless people away from the core of Manhattan.

Other measures include the frequent removal of encampments where homeless people stay, and an [expansion of the 311 system](#) to let subway riders call in complaints about panhandlers and report the presence of homeless people so that outreach workers can come to them.

For weeks, converted school buses have been pulling up at hotels in Times Square and Chelsea, on the Upper West Side and elsewhere in New York City, and shuttling the homeless residents to group shelters far from the center of the city.

But the transfers have drawn angry protests from homeless people and their advocates: Hours before the judge's ruling, six people were arrested in the lobby of a Lower Manhattan building where the Department of Homeless Services has offices after they demanded that homeless people be moved directly from hotels to permanent housing. Advocates for homeless people see the city's push as a public-relations campaign that seeks simply to make thousands of people disappear. They say it is reckless to move people back to group, or congregate, shelters even as contagious coronavirus variants are circulating and an unknown number of homeless people remain unvaccinated.

The Legal Aid Society, in its court filing, accused the city of violating the rights, and endangering the lives, of homeless New Yorkers with serious health problems and disabilities — the most vulnerable of the vulnerable — by refusing to grant reasonable accommodations, or refusing to let them apply, under a process required by [a 2017 class-action settlement](#). The city says it has done so in hundreds of instances.

The judge who issued the ruling on Tuesday, Gregory Howard Woods of Federal District Court in Brooklyn, said the city could not transfer people who might qualify for

reasonable accommodations without giving them at least seven days' notice and meeting with them to determine whether they do qualify, Mr. Goldfein said.

The ruling was a reprieve for people like Michelle Ward, who has been living in a boutique hotel near the Empire State Building that has served as a shelter for disabled women during the pandemic.

Ms. Ward, 49, uses a walker and said she has severe sciatica, asthma, bipolar disorder, post-traumatic stress disorder, anxiety and depression. She applied for a reasonable accommodation that would allow her to stay in the hotel but was told she would be moved anyway. She was bracing last Friday for the order to send her to a dormitory-style shelter in the Bronx where 10 people share one room.

"I can't take this no more," she said just before the city voluntarily halted the program abruptly in the face of the legal challenge.

City officials say that moving homeless people out of hotels is necessary to lure workers and visitors back to Manhattan and in the best interests of those being moved. Some City Council members and other local leaders have asked Mr. de Blasio to help address what they say are threats to public safety posed by homeless people, several of whom have been charged this year in high-profile, vicious, random attacks in the streets and on the subway.

New York's effort comes as other cities around the country grapple with worsening homelessness crises. [In Los Angeles](#), the City Council voted last month to prohibit homeless people from camping near in or near parks, schools and libraries. [In Sacramento](#), officials are considering a measure that would guarantee housing for every homeless person but would also require homeless people to accept housing when it is offered.

In New York, which is unique in offering shelter to anyone who is eligible, the pandemic has been a remarkably contradictory chapter in a decadeslong, and [mostly losing, battle](#) against homelessness.

The coronavirus both laid bare and worsened inequalities of health and income, as the poorest New Yorkers experienced the highest death tolls, the steepest job losses and the most ravaged support networks. More than 120 homeless people have died of Covid-19 and more than 4,100 have been infected.

But the decision to shift thousands of homeless people from group shelters to furnished hotel rooms in the early days of lockdown to stem the spread of the virus gave many people a measure of privacy, comfort, stability and dignity. The hotel accommodations contrasted sharply with life in a congregate shelter, which many homeless people say is a lot like spending every night in jail.

There is now an opportunity for the city to move large numbers of people from the hotels directly into permanent housing, advocates for homeless people say. The [City Council voted in May](#) to sharply increase a housing subsidy available to homeless people, thousands of federal Section 8 vouchers are newly available and federal emergency officials are willing to continue paying the \$120 nightly hotel bills through September.

But Mr. de Blasio says that moving people to congregate shelters is essential to getting them the help they need, a position that is contested by some shelter operators who said they were able to deliver needed services at the hotels.

Advocates for homeless people disagree with the mayor's whole plan.

"Congregate shelters are NOT in fact better for homeless folks," Josiah Haken, an officer of the homeless-aid nonprofit organization New York City Relief, [wrote on Twitter](#). "But it really looks bad to say out loud that you care more about helping tourists, hotel owners, nonprofit contractors, & wealthy folks than you do homeless people."

The mayor's claim that hotels need to free up rooms for tourists is [disputed by the industry itself](#).

"Absolutely it is imperative for many hotels that this program continue," Vijay Dandapani, the president of the Hotel Association of New York City, said last week. Even counting homeless people, occupancy rates are low, he said, and a lack of demand has driven down room prices at hotels that are open to the public.

But the hotels, many of them concentrated in the Manhattan neighborhoods of [Hell's Kitchen](#) and Chelsea, have been magnets for community opposition since the program started. Neighbors complain that hotel residents use drugs, loiter, steal from stores and harass passers-by.

One hotel, the Lucerne on the Upper West Side, blocks from Central Park, became the subject of a [monthslong political battle](#) in a bastion of liberalism after nearly 200 men, many of them struggling with substance abuse problems, were moved there.

Some residents welcomed the men. Many did not and loudly lobbied the city, which tried to shift them to a hotel in another affluent neighborhood downtown, only to face [a lawsuit there](#).

By last week, the men had been moved out of the hotel and back to shelters.

One of them, Mike Roberts, 36, offered a dispatch on Sunday from his new lodgings in the East Village.

He sleeps in a room with seven or eight cubicles that each house three or four men. If he reaches over from his bed, he can touch the next one.

Unlike his room at the Lucerne, the one at the shelter has no air conditioning. Mr. Roberts often awakens in the middle of the night drenched in sweat, and he cannot go for a walk because if he leaves the shelter between 10 p.m. and 5 a.m., he loses his bed. Needless to say, his room also does not have a private shower or a television.

"Here, when I wake up I'm in a cubicle," he said. "It'll be three people around me sleeping, one snoring, one probably getting high or a guy pacing the floor. Who wants that?"

Andy Newman writes about social services and poverty in New York City and its environs. He has covered the New York metropolitan area for The Times for 25 years and written nearly 4,000 stories and blog posts. [@andylocal](#)