



Memorandum in Opposition

A.2553-A/S.4542-A

AN ACT to amend the administrative code of the city of New York, in relation to the location of supportive housing facilities and social services centers, and renewal of the lease or operation of such facility or center.

MHANYS opposes A.2553-A(Benedetto)/S. 4542-A(Klein) which would require the New York city planning commission to hold a public community forum prior to approving the location or continued operation of a supportive housing facility or social services center. In our view, such a mechanism would be discriminatory against people with disabilities and other groups and would be, in essence, a vehicle to foster and enable “not in my backyard” (NIMBY) oriented practices.

This bill would compromise the ability of community based organizations to provide supports to individuals with disabilities including mental illnesses, developmental disabilities and chronic illnesses in addition to people who are homeless, victims of domestic violence, and people with substance abuse issues. In addition, the bill would apply to certain afterschool programs, senior services, specialized foster care programs, hospice care, and many other critical services provided to residents of New York City. The justification that this bill is needed as a public notice measure is, in our view, disingenuous and in fact would impose unrealistic and unnecessary burdens on community based providers and those they serve.

This legislation unfairly subjects both prospective and existing housing programs to an extra review process not required of other housing developments or existing congregate housing arrangements and is therefore discriminatory. Restricting the establishment of programs for people with disabilities based upon the density in a neighborhood is not acceptable under Federal Law, nor is segregating people based upon disability. This bill also appears to be in violation of the Federal Fair Housing Act which prohibits localities from making decisions to deny the establishment of facilities serving people with disabilities based upon or in response to the fears or stereotypes expressed by prospective neighbors, even when the body making the decision does not express such views.

Finally, this bill would allow the City Planning Commission and Community Boards to prevent the establishment and even the continued operation of a wide range of housing, health, and social services. There could potentially be closures of long-standing community based services that meet the needs of some of the most vulnerable citizens. These programs also save taxpayers money while fostering safer, healthier communities.

Based on the aforementioned reasons MHANYS strongly opposes A.2553-A/S.4542-A and urges the Legislature to reject this legislation.

...working to ensure available and accessible mental health services to all New Yorkers