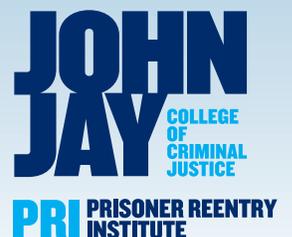


Reentry Research in the First Person

THREE
QUARTER
HOUSES:
THE VIEW FROM
THE INSIDE

October 2013



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EXECUTIVE SUMMARY

The problem of housing New York City's most vulnerable individuals has given rise to a growing market of privately operated, for-profit residences known as Three-Quarter Houses. Lacking any formal regulation or oversight, the houses are invisible to most citizens and policymakers. This report is the first of its kind to publicly and comprehensively address the Three-Quarter House issue through systematic data collection and analysis following rigorous research protocols. The research was carried out by the Prisoner Reentry Institute (PRI) of John Jay College, in collaboration with MFY Legal Services, Inc., Neighbors Together, the Legal Action Center, and the Three-Quarter House Tenant Organizing Project, with technical assistance from the Furman Center of Real Estate and Public Policy.

Policymakers, non-profits, and those in city, state, and federal government have long recognized that stable, safe, and dignified housing is a matter of individual wellbeing and public safety. However, the sheer magnitude of the need for very low-income housing in New York City is outpacing the best efforts of those in government and the non-profit sector. The findings of PRI's research on Three-Quarter Houses are troubling indications of what occurs when the city's poorest and most marginalized individuals are left to fend for themselves in an unregulated, informal housing market.

A wide-ranging review of previous research; news reports; and local, state, and federal laws and an analysis of data from focus groups and interviews with 43 current or recent tenants of Three-Quarter Houses in New York City have resulted in the following key findings:

THE WHO, WHAT, WHERE, WHY, AND HOW OF THREE-QUARTER HOUSES

- Three-Quarter Houses are one- and two-family homes, larger apartment buildings, or other structures that rent beds to single adults. Given a New York City housing code that outlaws cohabitation by three or more unrelated persons, most, if not all, Three-Quarter Houses are illegal.
- They hold themselves out as “programs” but do not provide any of the in-house services they promise.
- They receive referrals from a range of governmental agencies and community-based organizations under government contract, but no government agency officially regulates or oversees the houses.

The sheer magnitude of the need for very low-income housing in New York City is outpacing the best efforts of those in government and the non-profit sector. The findings of PRI's research on Three-Quarter Houses are troubling indications of what occurs when the city's poorest and most marginalized individuals are left to fend for themselves in an unregulated, informal housing market.

- The people who live in them tend to be returning home from jail or prison, recovering from short-term hospital or residential substance abuse treatment, battling with street homelessness, and/or struggling with unemployment, family crises, or medical issues. Three-Quarter Houses are their only alternative to living on the street or in a shelter.
- The majority of tenants subsists on public assistance benefits or other government funds and cannot afford housing on the formal rental market.
- The houses are funded almost entirely by public dollars. They tailor rents to residents' benefit amounts. Those on public assistance pay the amount of the New York City Human Resource Administration's (HRA's) monthly "shelter allowance" for individuals: \$215. Tenants who receive Social Security or unemployment benefits, or who are employed, pay \$350 or more for the same bunking space.
- No data exists to indicate exactly how many Three-Quarter Houses there are in New York City; however, PRI obtained the addresses of 317 known locations compiled by advocates and tenants. This incomplete list understates the number of houses in the city.
- The houses are concentrated in the city's poorest communities, such as central Brooklyn, southeastern Queens, and southern Bronx. The 317 addresses analyzed are buildings that range from a single unit to more than 25 units; approximately 82% are two- or three-family homes.

BUILDING CODE VIOLATIONS ARE RAMPANT IN THREE-QUARTER HOUSES

- Almost 90% of the 317 addresses analyzed had a building code complaint made between 2005 and 2012 that resulted in at least one violation or stop-work order by the New York City Department of Buildings (DOB).
- The DOB placed 588 violations or stop-work orders in 280 of the 317 buildings: 66.9% were cited for illegal conversions; 55.8% for lacking or violating certificates of occupancy; 39.1% for not having work permits; 37.5% for illegal SROs; 29% for blocked, locked, or improper egress; 24% for illegal or defective gas hook ups, boiler, piping, or wiring; and 18.9% for failure to maintain.
- Forty-one of 280 buildings inspected currently have vacate- or partial vacate-orders issued by DOB.
- Three-Quarter House operators frequently block DOB from gaining access to investigate complaints. DOB was unable to gain access to buildings on 187 complaints.

Tenants described small rooms with two to four bunk beds accommodating four to eight people. In some cases, bunk beds are placed in living rooms, hallways, and even kitchens.

THREE-QUARTER HOUSES ENDANGER PERSONAL AND PUBLIC SAFETY

- The houses profit by packing as many people as possible into rooms. Tenants described small rooms with two to four bunk beds accommodating four to eight people. In some cases, bunk beds are placed in living rooms, hallways, and even kitchens.
- Overcrowding creates the risk of catastrophic fires. The dangers are magnified when houses illegally subdivide rooms and block means of egress by placing bunk beds in front of windows.
- Tenants describe houses and rooms with jury-rigged electrical wiring, overloaded electrical outlets, and lack of smoke detectors that add to the risk of catastrophic fire.
- House operators often fail to perform routine maintenance on the houses, leaving minor leaks and plumbing problems to fester into serious health concerns.
- Infestations of bed bugs, rats, mice, roaches, and other vermin often plague dwellings, and structural issues commonly remain in dangerous disrepair.

Nearly all tenants report that their houses mandate substance abuse treatment as a condition of residency. Referrals are made by landlords or house managers with no diagnostic training or authority to impose such a mandate. They do so whether prospective tenants have substance abuse histories or need treatment. Tenants believe that the houses receive kickbacks from licensed substance abuse programs for their attendance in treatment.

THREE-QUARTER HOUSE OPERATORS BREAK THE LAW AND VIOLATE RIGHTS

- Residents' accounts indicate a systematic pattern and practice of illegal evictions. House operators arbitrarily force tenants out of buildings without notice, without court process, and without anywhere to go but the streets. This violates New York City and State law providing that once individuals have lawfully occupied a dwelling for 30 days, they cannot be evicted except by court order.
- Nearly all tenants report that their houses mandate substance abuse treatment as a condition of residency. Referrals are made by landlords or house managers with no diagnostic training or authority to impose such a mandate. They do so whether prospective tenants have substance abuse histories or need treatment. This practice violates residents' right to choice in treatment.

- Houses illegally evict tenants upon successful completion of house-mandated substance abuse treatment. This creates a perverse incentive to maintain continuous treatment eligibility, either by exaggerating or fabricating substance abuse histories or even relapsing.
- Tenants believe that the houses receive kickbacks from licensed substance abuse programs for their attendance in treatment. As evidence, they point to the requirement in houses that all tenants attend particular treatment programs and that they submit daily proof of attendance in the form of “slips.” The vigilance with which house operators pursue these “slips” and evict tenants upon successful program completion strongly suggests a per-visit financial arrangement with treatment programs. Because treatment is funded by Medicaid, any such system of financial incentives paid by treatment providers would constitute a crime as defined by the federal Anti-Kickback Statute.

THREE-QUARTER HOUSES IMPEDE RECOVERY AND REINTEGRATION

- Residents report open drug use in some houses. Some of the very people in charge of managing the house were reported to be engaged in active drug use in front of tenants who were mandated by the house to attend substance abuse treatment.
- Three-Quarter House operators often manipulate and threaten tenants who are on parole or probation. For parolees and probationers, safe and stable housing is particularly crucial to prevent recidivism and further contact with the criminal justice system. However, house operators sometimes exert control and settle scores by contacting or threatening to contact parole or probation officers with often-fabricated allegations of misconduct. This puts the tenant at risk of violation or re-incarceration.

Three-Quarter Houses are one of the few available options for single adults seeking housing they can afford with HRA’s shelter allowance of \$215 per month. Thousands of people rely on Three-Quarter Houses—far more than the city shelter system is prepared to absorb.

- House rules, especially the treatment mandate, prevent tenants from engaging in other positive activities such as education, job training, or even employment. Tenants cannot choose programs best suited to their needs or schedules. Additionally, illegal evictions derail recovery and reintegration and can lead to relapse, street homelessness, unemployment, and violations of parole mandates that can result in re-incarceration.

SOME ASPECTS OF THREE-QUARTER HOUSES WORK FOR TENANTS

- Despite the serious issues, tenants almost unanimously express their preference to live in a Three-Quarter House, rather than in a shelter or on the street. Some tenants appreciated the social support they received in their houses from housemates with similar backgrounds or life experiences.
- For some tenants, the presence of similarly situated housemates also provides support to advocate for improved living conditions, stand up for rights, and persevere on the path of recovery and reentry.
- Some residents report that their houses strike the right balance between allowing a degree of autonomy and providing the structure they need as they recover, reenter society, and transition into more stable housing.

CONCLUSION

Three-Quarter Houses exist because they fill a crucial need by providing housing for some of New York City's most vulnerable individuals. While this housing is almost always illegal, often dangerous, and too frequently abusive, simply closing down the houses would render their occupants homeless, with potentially devastating results. Three-Quarter Houses are one of the few available options for single adults seeking housing they can afford with HRA's shelter allowance of \$215 per month. Thousands of people rely on Three-Quarter Houses—far more than the city shelter system is prepared to absorb. In fact, residents specifically state that they do not want them closed down and that they do not want to go into the shelter system. Residents want Three-Quarter Houses improved. The research findings presented here indicate the urgent need for some minimum standards and some type of oversight of Three-Quarter Houses in New York City. We urge government officials and advocates to address this issue in a manner that preserves and expands truly affordable housing for single adults seeking to rebuild their lives.

INTRODUCTION

THE PROBLEM OF HOUSING New York City's most vulnerable individuals has given rise to a growing market of privately operated, for-profit residences known as Three-Quarter Houses. These houses typically pose serious safety hazards to tenants and surrounding communities. Their residents tend to be in the midst of major life transitions such as recovering from substance abuse problems, managing mental health issues, attempting to get off of the street, or striving to reenter society after periods of incarceration. These houses have become an informal extension of the City's apparatus for keeping vulnerable men and women off of the streets. Lacking any regulation or oversight, however, they remain virtually invisible to most citizens and policymakers.

In order to gain a deeper understanding of Three-Quarter Houses and to provide a clearer picture of the conditions within them, the Prisoner Reentry Institute (PRI) of John Jay College conducted nearly a year of research that included focus groups and interviews with current or recent tenants of Three-Quarter Houses. This report, a part of PRI's Reentry Research in the First Person series, presents the findings of this research.

It is the first report of its kind to publicly and comprehensively address the Three-Quarter Houses issue through systematic data collection and analysis following rigorous research protocols.

The research and the report are products of a larger collaborative effort involving MFY Legal Services, Neighbors Together, PRI, and the Legal Action Center. MFY, which provides free legal services to low-income New Yorkers, established its Three-Quarter House Project and began working on Three-Quarter House issues in 2009. At that time, MFY started a legal clinic in partnership with Neighbors Together, a community-based organization in Brownsville-Ocean Hill, Brooklyn that provides social services and meals to large numbers of Three-Quarter House tenants. The following year, MFY and Neighbors Together formed the Three-Quarter House Tenant Organizing Project, an effort comprised of current and former Three-Quarter House tenants.

MFY and Neighbors Together approached PRI in 2012 about designing and implementing research to learn about Three-Quarter Houses, and later that year, the parties brought the Legal Action Center on board and began the study. The findings presented below are the result of these joint efforts, providing the first systematically obtained view from inside Three-Quarter Houses in the voices of those who know them best—the people who live in them.

“ I want to first make a statement that Three-Quarter Houses are a needed housing situation, and you can get people from any walk of life living in them. I ended up there not because I didn't want to work but because I was living with my grandmother and she died and I couldn't afford the house anymore. We're still human beings, and money is being paid for rent. We deserve a decent place to live. ”

—55-year-old male tenant of a Three-Quarter House

The Policy Context

ACROSS THE CITY, STATE, AND NATION, concerned government officials and policymakers are taking steps to meet the challenges of providing housing to those in need. As New York Governor Andrew Cuomo said during the 2012 State of the State Address, “Having access to quality housing, like health care, is essential to families throughout the state.”¹ The Governor outlined recent initiatives to protect tenants of affordable housing and introduced a new plan to invest \$1 billion in preserving existing affordable units and creating new ones.² Recognizing that many very low-income and homeless New Yorkers suffer from substance abuse issues, the state’s Office of Alcoholism and Substance Abuse Services (OASAS) announced a new funding opportunity in December 2012 calling for OASAS-certified treatment providers and non-profits to submit proposals for supportive housing programs under its Statewide Medicaid Re-Design Team and Permanent Supportive Housing Initiative, which will award \$4 million in funds in Fiscal Year 2012-2013 and \$5 million in FY 2013-2014.³

“*I was incarcerated and was mandated to treatment. I went to residential treatment for about 14 months and fulfilled every one of the obligations I agreed to. I was told great things about Three-Quarter Houses, so I was elated, you know. Lo and behold, when I got there I was in for a shocker. I was told a lot of these falsehoods, that they would help me get my own place and all—like I said, falsehoods.*”
—47-year-old male tenant

At the federal level, housing for formerly incarcerated men and women has become a major area of concern. The U.S. Department of Housing and Urban Development (HUD) Secretary Shaun Donovan recently released an open letter to clarify HUD statutes and regulations that permit owners to bar individuals with criminal records from living in HUD-assisted properties. The Secretary noted that while owners are statutorily required to ban certain formerly incarcerated individuals from HUD-assisted properties, they are empowered with discretion in deciding whether or not to admit formerly incarcerated persons who are not statutorily banned.⁴ As the letter made clear, the Obama Administration “believes in the importance of second chances – that people who have paid their debt to society deserve the opportunity to become productive citizens and caring parents, to set the past aside and embrace the future.”⁵ The secretary called a place to live “one of the

most fundamental building blocks of a stable life” and asked “owners of HUD-assisted properties to seek a balance between allowing formerly incarcerated persons to reunite with families that live in HUD subsidized housing, and ensuring the safety of all residents of its programs.”⁶

These significant steps at all levels of government have established a policy framework that places a renewed emphasis on housing for men and women in the midst of major life transitions. This framework recognizes that stable, safe, and dignified housing is a matter not only of individual wellbeing but also of public safety and order. Yet, this report suggests that the magnitude of the need for very low-income housing in the city is outpacing even the best efforts of those in government.

The Report

THE TENANTS INTERVIEWED BY PRI indicated that Three-Quarter Houses vary in their living conditions and their treatment of residents. Many residents described harsh living conditions that include severe overcrowding, threats of illegal eviction, buildings in disrepair, vermin and bed bug infestation, unsecured or inoperable doors, abusive building staff, and requirements to leave the building for hours each day. Their stories raise significant questions about the use of Medicaid funds and other public benefits and their mandated attendance at outpatient substance abuse treatment programs – programs chosen by Three-Quarter House operators, irrespective of the tenants’ particular needs. Despite these serious shortcomings, some tenants described aspects of their houses that they found positive and desirable, including the ability to exercise independence and the support they felt from fellow tenants who had experienced similar life challenges.

The chapters that follow provide a comprehensive depiction of Three-Quarter Houses and the living conditions they provide to tenants. Chapter One combines the findings of this research with information from news outlets, research reports, and other relevant sources in order to provide an overview of Three-Quarter Houses and their operation; it also considers currently existing alternative models for housing very low-income individuals. Chapter Two describes conditions that jeopardize residents’ health and safety. Chapter Three illustrates the ways many Three-Quarter Houses routinely engage in illegal practices. Chapter Four focuses on aspects of Three-Quarter Houses that tenants described as helpful in moving through difficult phases of their lives, and Chapter Five illustrates how Three-Quarter Houses impede tenants’ efforts to transition into safe, stable, sober, and crime-free lives.

“ The house is a cesspool, and it’s in foreclosure. Con Edison was calling us. National Grid cut the gas and hot water. When the heat went off, I had to put it in my name. I have a bill right now for \$1,000. The bathroom hasn’t been fixed. But yet, they’re still getting our rent money from HRA. ”
—37-year-old female tenant

PART ONE: THREE-QUARTER HOUSES IN NEW YORK CITY

What are Three-Quarter Houses?

THE TERM “THREE-QUARTER HOUSE” is the colloquial name for what are essentially illegal boarding houses that rent beds to single adults. They exist in one- and two-family homes, larger apartment buildings, and other residential structures. Although they bill themselves as “programs,” they do not provide in-house services to tenants, are not licensed or regulated, and have no formal arrangement with any government agency. For example, they are not officially affiliated with either the New York State Department of Corrections and Community Supervision (“Community Supervision” or “parole”) or OASAS and are not licensed to provide housing to those who are reentering society after a period of incarceration or recovering from substance abuse or addiction. Despite their lack of licensure or official affiliations, they often promise to provide supportive services of some kind in order to induce prospective residents to move in.⁷

Three-Quarter Houses are not related to “halfway houses,”⁸ despite what their name may suggest. Halfway houses are residential programs that serve inmates nearing the completion of their sentences and are typically affiliated with the State, a church, a social service agency, or some other type of non-profit organization. Three-Quarter Houses, by contrast, are informal, privately owned operations whose primary purpose is the generation of profit or other benefit to its operators, and they house any individual who will pay rent and conform to their rules. These houses are typically staffed not by clinicians or social workers but rather by former residents without any formal training or expertise. Other names Three-Quarter Houses are known by include “sober houses” or “transitional housing.”

“*It’s a beat-up door like on any other house around. If you didn’t know it and ask questions, you wouldn’t know it’s a Three-Quarter House ‘cause it doesn’t look like it. It’s really hidden into the community ‘cause that’s the way they like it. They want to keep it that way. Like, the community doesn’t really want us there.*”
—51-year-old male tenant

Where Did Three-Quarter Houses Come From?

THE PROLIFERATION OF THREE-QUARTER HOUSES in New York City is likely the result of several converging factors. Legislation, tax abatement policies, and gentrification in the 1980s and 1990s led to a dramatic loss of many of the City’s Single Room Occupancy (SRO) Hotels,⁹ which had long been the last refuge of people squeezed out of the traditional housing market by high rents.¹⁰ The deinstitutionalization of patients with mental health issues and the closing of mental health facilities during the latter half of the twentieth century vastly increased the problem of street homelessness in the City in the 1990s and 2000s, stressing the shelter system to the breaking point.¹¹ At the same time, the massive expansion

of the state's prison population¹² from the 1970s to the 2000s resulted in a concomitant problem of "prisoner reentry,"¹³ greatly magnifying the need for very low-income housing. The difficulty of housing homeless formerly incarcerated men and women is exacerbated by federal laws that require HUD-assisted housing agencies to bar individuals convicted of certain crimes from public housing¹⁴ and, even more significantly, that empower them with discretion in deciding to bar individuals convicted of still other offenses. At the local level, the New York City Housing Authority (NYCHA) has employed a strict interpretation of HUD rules, barring additional categories of individuals with criminal convictions.¹⁵ As New York's prison population shrinks during the first decades of the twenty-first century, partly through diversion-to-drug-treatment programs,¹⁶ the demand for truly affordable housing continues to grow. All of these factors have led to the growth of the informal-sector housing known as Three-Quarter Houses.

Are Three-Quarter Houses Safe and Legal?

THREE-QUARTER HOUSES ARE OFTEN referred to as "illegal boarding houses." This designation points to the ways that many of them violate tenancy laws, building codes, and housing maintenance codes.¹⁷ For example, the current housing code in New York City makes cohabitation by more than three unrelated persons unlawful.¹⁸ Though occupancy standards that differentiate between unrelated persons sharing housing and families sharing housing seem outdated, this code makes most, if not all, Three-Quarter Houses illegal. As a recent exhibit on micro-housing at the Museum of the City of New York illustrated, the changing demographics of the city cannot be met without changes in building code and zoning laws.¹⁹

“*It's not really a sober Three-Quarter House. It's just some temporary dwelling that somebody turned into a Three-Quarter House so they could make money. And there's really no one really to oversee or watch the place. So people really don't complain as long as they got a place to sleep for the night. But a lot of people in there are using drugs.*”

—39-year-old year-old male tenant

Three-Quarter Houses are often unsafe. According to the Citizens Housing and Planning Council, "With unmet demand for more housing choices growing, more people are turning to an improvised housing market, often resulting in illegal and dangerous living situations."²⁰ Three-Quarter Houses are a case in point; they regularly violate their certificates of occupancy, contain illegally subdivided rooms, are dangerously overcrowded, and fail to provide sufficient means of egress from a room or a floor of a house.²¹ It is not unusual for a Three-Quarter House designated as a single-family home to house 30 to 40 adults. Typically, a single room in a Three-Quarter House has beds for between two and eight people, with bunk beds sometimes placed on all four walls of a small room. Particularly crowded houses even place beds in hallways and kitchens.²²

While there is no formal data on the scope of the problem, PRI obtained a list of 317 addresses of known Three-Quarter Houses compiled by advocates and tenants. Although it is important to note that this list is incomplete, analysis of these addresses offers a glimpse of some of the most glaring issues that pervade the Three-Quarter House industry. Thanks to the invaluable expertise and assistance of the Furman Center for Real Estate and Urban Policy in compiling data from this sampling, PRI learned about

the types of buildings currently operating as Three-Quarter Houses and the types of violations that tend to be seen in them. Of the buildings included in the sample, 88.6% had a building code complaint made between 2005 and 2012 that resulted in at least one violation or stop-work order by the New York City Department of Buildings (DOB).

“*I had just completed a residential treatment program, 17 months, and I was waiting for mental health housing, but it wasn't coming fast enough, and I was tired of living in the program. I decided to go to a Three-Quarter House to get out of the program, so I could, you know, have my freedom because I completed the residential drug program.*”
—33-year-old female tenant

In total, DOB placed 588 violations or stop-work orders in the buildings, with most facilities receiving multiple violations. Of the 280 buildings inspected, 66.9% were cited for illegal conversions; 55.8% for lacking or violating certificates of occupancy; 39.1% for not having work permits; 37.5% for illegal SROs; 29% for blocked, locked or improper egress; 24% for illegal or defective gas hook ups, boiler, piping, or wiring; and 18.9% for failure to maintain. Forty-one of the buildings currently have vacate or partial vacate orders issued by DOB; it is unknown how many of the buildings formerly had vacate orders because the agency does not track vacate orders that have been rescinded. Notably, on 187 occasions DOB was unable to gain access or denied access to a building to investigate a complaint, rendering it impossible to determine the conditions inside. Thus, the 588 recorded violations and stop-work orders at 280 of the 317 buildings on the list understates the actual number of violations present in the buildings since there were at least 187 additional instances where DOB attempted to investigate complaints but was unable to gain access.

Who Lives in Three-Quarter Houses?

THE INDIVIDUALS WHO LIVE IN THREE-QUARTER HOUSES tend to be in the midst of major life transitions such as returning from jail or prison, recovering after hospital or residential substance abuse treatment, attempting to get off of the street, exiting city shelters, losing jobs and housing, or leaving mental health facilities. For these individuals, Three-Quarter Houses are the housing of last resort, the only alternative to living on the street or in a shelter. In the absence of systematic research aimed at counting the houses and documenting their occupancy, it is impossible to know how many New Yorkers currently reside in Three-Quarter Houses. Based on available evidence, however, it is estimated that upwards of ten thousand New Yorkers currently reside in Three-Quarter Houses.

Among those leaving prison alone, the potential client-base for Three-Quarter Houses is large. An estimated 25,000 people are released from New York State prisons each year, and of these, nearly half return to New York City.²³ Many of those released each year are homeless and have traditionally cycled out of prison and into the New York City shelter system.²⁴ Analyses of adult homeless shelter populations in the city indicate that between 20 and 23 percent of homeless individuals have been incarcerated at

some point in the two years prior to entering the shelter system.²⁵ Indeed, research in 2010 showed that “discharge from the criminal justice system is now a primary institutional precursor to shelter use.”²⁶ However, through referrals from Parole, OASAS-licensed inpatient and residential substance abuse and detoxification programs, and other entities, Three-Quarter Houses now serve alongside the shelter system as an informal, unregulated arm of the City’s apparatus for housing its homeless population. In addition to the nearly 60,000 people housed in New York State prisons,²⁷ an estimated 13,000 more people are held in city jails,²⁸ which make up another large fount of homeless individuals released into New York City each year.

Who Lives in Three-Quarter Houses?*

- 72 percent of our respondents were previously incarcerated
- 60 percent had previously resided in a city shelter
- 51 percent had been in residential substance abuse treatment
- 42 percent had experienced street homelessness
- 19 percent were currently on parole
- 95 percent of our respondents were receiving food stamps
- 95 percent were receiving Medicaid
- 91 percent were currently unemployed

*All percentages presented in this chart and the charts below are based wholly on our sample and may not be representative of the Three-Quarter House population in New York City. (See the Research Methods section at the end of this report for more information.)

“*I was at a point in my life where I just really wanted help and I was desperate. I never knew about Three-Quarter Houses number one, but when I heard about it, I thought it was a treatment center. So when I got to the house, I thought, “Okay maybe this is the residential part of the treatment center.” Then I was given a pack of papers, lease, some forms to take down to HRA.*”
—29-year-old male tenant

Consistent research findings suggest that many of the New Yorkers who live in Three-Quarter Houses likely experience high rates of mental health and substance abuse problems. Among those incarcerated in New York prisons in 2007, for example, “Eighty-three percent... had an identified substance abuse need.”²⁹ Rates of substance abuse are similarly high among homeless populations.³⁰ Substance abusers, in fact, experience homelessness at four times the rate of non-users.³¹ In particular, homeless adults from urban areas suffer from substance abuse disorders at rates of up to eight times higher than the general population.³² Moreover, homeless individuals tend to access emergency services

repeatedly for severe mental disorders, and many of them suffer from co-occurring substance abuse problems.³³

The vast majority of Three-Quarter House tenants subsist on public assistance benefits from the New York City Human Resources Administration (HRA). With a maximum “shelter allowance” of \$215 per month for single adults, they are unable to access housing on the City’s rental market. The median contract rent (excluding utilities) in New York City is \$1,100.³⁴ Even the most affordable units on the market, those in SRO buildings, have median rents of between \$440 and \$705 per month,³⁵ amounts that are entirely unaffordable for single adults on public assistance. Other affordable housing programs in the City are typically geared toward individuals with incomes ranging between 40-60% of the Area Median Income (AMI). In New York City, 40% of the AMI for a household of one is \$23,240,³⁶ an income far above that of an individual receiving public assistance or Supplemental Security Income (SSI). Residents of Three-Quarter Houses tend to be among the most economically disadvantaged New Yorkers in the City, and housing them adequately is an ongoing and trenchant problem

“*I need the place. I’m homeless. I can’t keep running around. I’m 51 years old. All that picking up all those bags and going from here to there to come back and get the rest. I can’t keep doing that.*”
—51-year-old male tenant

How Do People Come to Live in Three-Quarter Houses?

HOUSING ALTERNATIVES FOR NEW YORK’S lowest income residents have been diminishing in recent years. In 2009, the New York City Department of Homeless Services (NYC DHS) ceased offering new Section 8 rent vouchers.³⁷ The elimination of Section 8 vouchers reflects the more general problem of the NYC DHS’s decreased capacity to transition individuals out of overtaxed city shelters into stable, permanent housing. While placements of homeless adults into subsidized housing dropped by 64 percent from 2004 to 2007, placements in residences described as “family or independent living” residences, the category that includes Three-Quarter Houses, rose by 93 percent during the same period.³⁸

How do People Come to Live in Three-Quarter Houses?

- 31 percent of our respondents were referred by a substance abuse program
- 19 percent were referred through word of mouth
- 14 percent were referred by parole
- 14 percent were referred by a city shelter
- 10 percent were referred by another Three-Quarter House
- 5 percent were referred by the courts

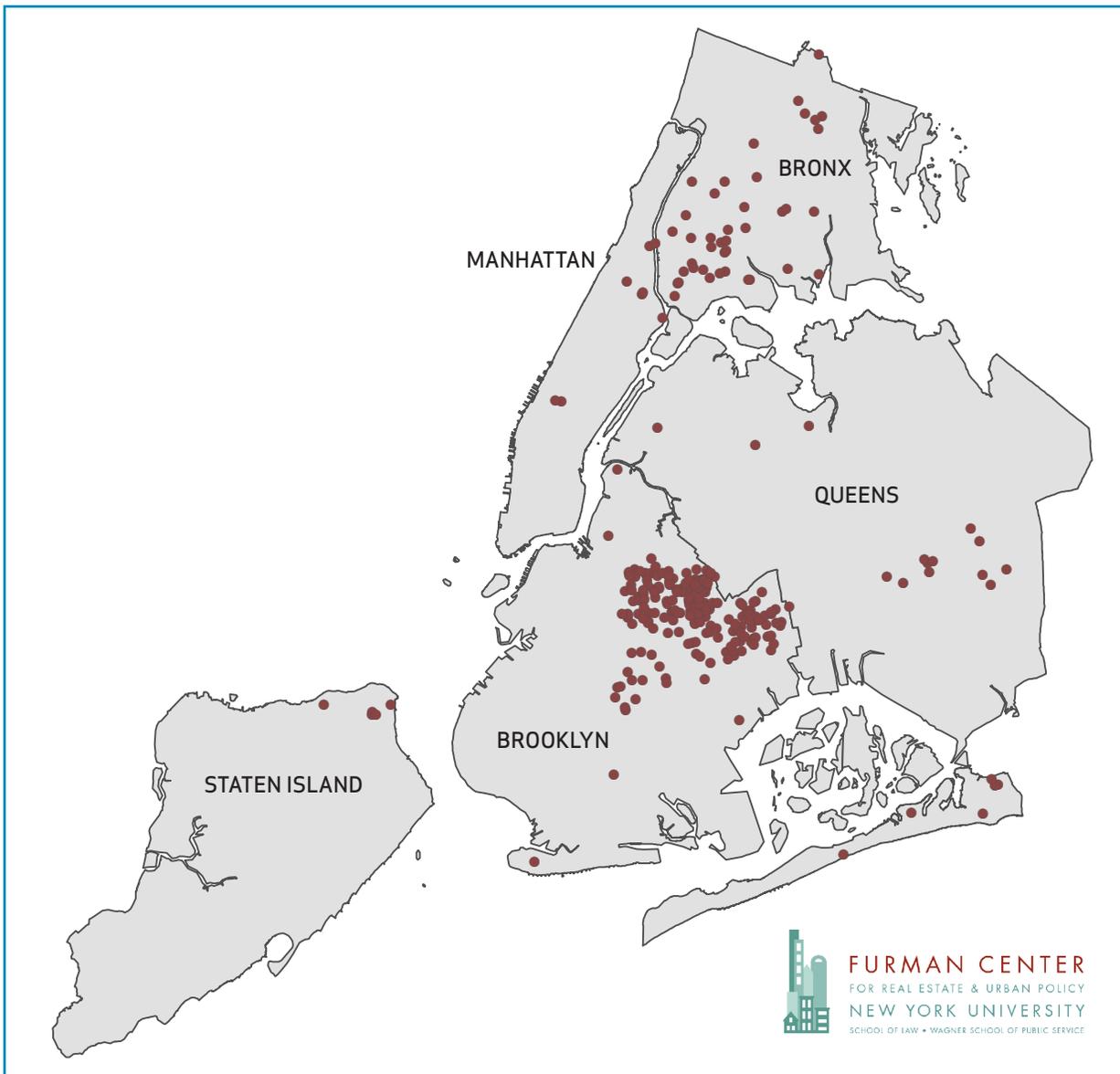
In 2010, under pressure from advocates and the New York City Council, NYC DHS adopted a regulation prohibiting referrals of clients to buildings with vacate orders and with recorded violations that are typical of Three-Quarter Houses, such as “Use Contrary to the Certificate of Occupancy” and “Illegal Conversion.”³⁹ Since this change in policy, NYC DHS has reduced referrals to Three-Quarter Houses; however, the houses have continued to proliferate,⁴⁰ partly due to a steady stream of referrals from other City and State agencies that have few options for housing their clients.

“*I’m an alcoholic, but I was sober for eighteen years and then I got injured and had twelve operations, and I was put on narcotics. I took them for seven years and that destroyed my life. I lost my apartment and checked into detox, and they referred me to a Three-Quarter House.*”
—50-year-old female tenant

How Many Three-Quarter Houses Are There in New York City?

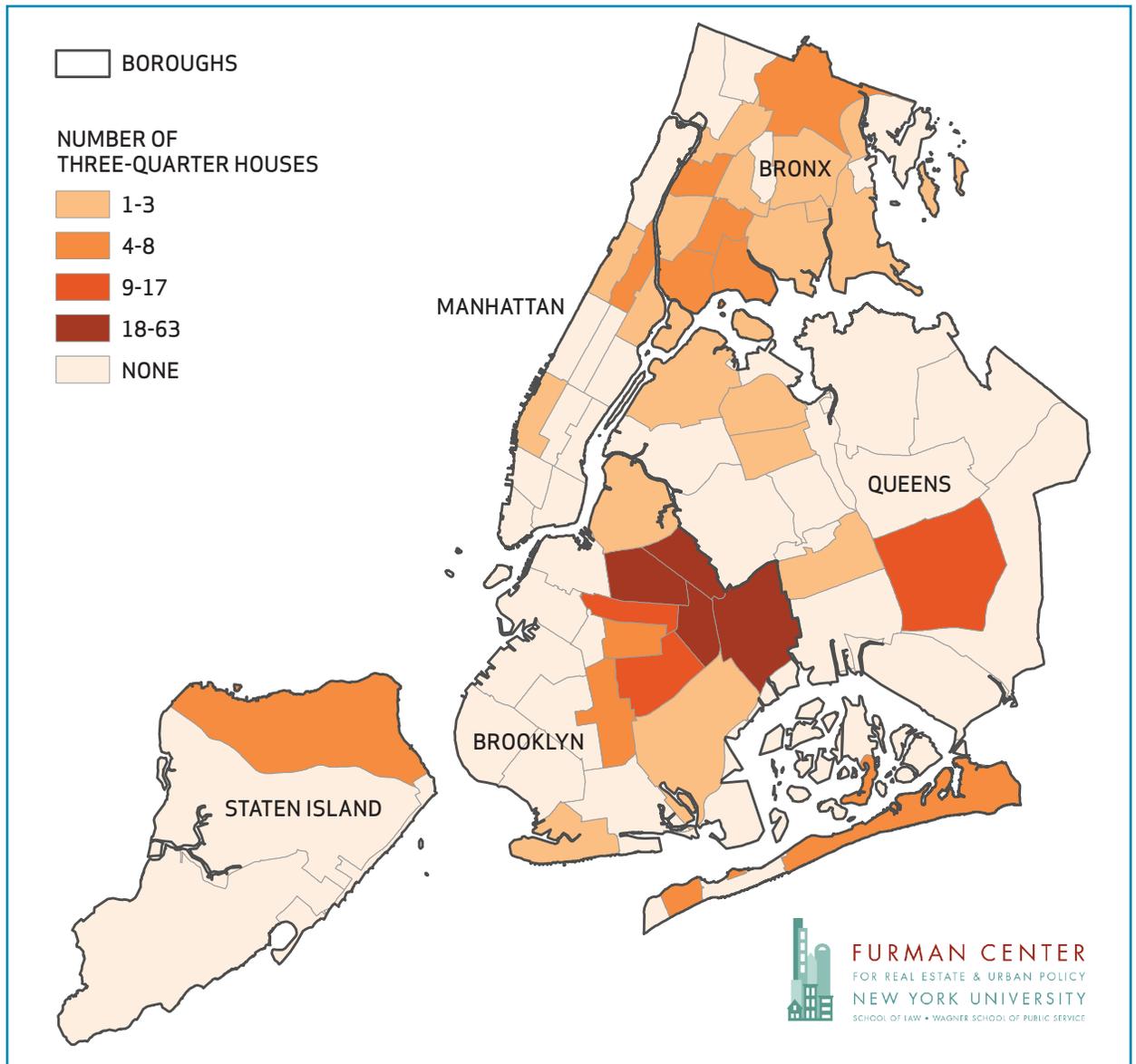
THERE HAS BEEN NO COMPREHENSIVE EFFORT to calculate the size and scope of the Three-Quarter House market in New York City. One major difficulty in making such a calculation is that Three-Quarter Houses are not required to register with any governmental agency.⁴¹ Additionally, houses often open, close, change their names, and move with frequency, making it difficult to determine how many exist and where they are located. Despite these difficulties, informal efforts to count Three-Quarter Houses indicate that they are prevalent and that they tend to be concentrated in the poorest neighborhoods of New York City. The Coalition for the Homeless (CFH) report, *Warehousing the Homeless: The Rising Use of Illegal Boarding Houses to Shelter Homeless New Yorkers*, identified 62 Three-Quarter Houses in low-income neighborhoods in Central Brooklyn, finding that in an 18-month period between 2007 and 2008, ten of them—all of which had received referrals from the city shelter system—were ordered vacated by city inspectors due to conditions such as “fire and safety hazards, collapsing walls, holes in floors and ceilings, severe overcrowding . . . infestations of vermin, and lack of heat.”⁴² Since the CFH report was released in 2008, advocates working on the Three-Quarter House issue have identified at least 317 Three-Quarter House addresses throughout the City, with over 250 in Brooklyn alone. As the maps below indicate, the vast majority are concentrated in some of the poorest and most marginalized communities such as the Brooklyn neighborhoods of Bushwick, Bedford-Stuyvesant, Brownsville, Crown Heights, Cypress Hills, East Flatbush, East New York as well as neighborhoods throughout the South Bronx and Jamaica, Queens. While the size of the buildings in the sample ranged from a single unit to more than 25 units, the vast majority, approximately 82%, are two- or three-family homes.

Three-Quarter Houses in New York City



“It’s a three-bedroom house with two entrances. I’m in an eight-man room, and there are more eight-man rooms upstairs. My room is just a skinny room which holds four bunk beds. We have a window in the room, but it’s wintertime so we put plastic on it.”
—33-year-old male tenant

Three-Quarter Houses by Community District in New York City



“The house manager woke me up at six o’ clock in the morning and handed me these papers to take down to HRA. It’s like a lease, you know, that you take to HRA, stating to them that you going to be staying there and this is how much your rent is going to be and so on. That’s how that works. That’s how I got on public assistance due to the Three-Quarter House.”
—43-year-old male tenant

How Are Three-Quarter Houses Funded?

THREE-QUARTER HOUSES EXIST AND OPERATE almost entirely through rents and fees paid by public funds and through arrangements with public sector entities. Generally, a single person, nonprofit, or limited liability corporation owns and operates one or more houses. However, the building owner often leases the building to a separate entity that serves as the operator and landlord of the house. Rents vary according to tenants' circumstances and ability to pay. For example, people on public assistance are usually charged \$215 per month, which is the maximum "shelter allowance" that HRA pays in monthly rent for individuals.

The total amount of shelter allowance funds received by Three-Quarter House operators is unknown; however, one operator of several houses, who has been sued for violations of tenants' rights on numerous occasions, has received more than \$360,000 in rent from HRA as of 2010, according to City records.⁴³ Additionally, HRA reported that it paid more than \$2 million over a 21-month period ending in October 2010 to about a dozen entities that operate Three-Quarter Houses.⁴⁴ In response to a more recent New York State Freedom of Information Law (FOIL) request that HRA provide total amounts paid in rent to a list of Three-Quarter House operators, the agency responded that it "does not maintain th[at] information."⁴⁵

For tenants who receive Social Security Disability (SSD) funds, Supplemental Security Income (SSI), unemployment insurance benefits, or who are employed, Three-Quarter Houses often charge more than the \$215 they charge for public assistance recipients. In addition to rent, some houses charge extra fees that generally fall between \$30 and \$50 per month. Tenants often have no choice but to pay these added fees out of the scant amount of cash they receive each month from HRA—\$158.00 per month for a single adult.⁴⁶

“ I was evicted from one place, and my friend knew someone staying in another Three-Quarter House. So we walked literally on the same street, two blocks away, and spoke with the manager. He said, “Okay, you can move in,” and he insisted that I go to a substance abuse program, same as everybody else in the house. ”
—42-year-old male tenant

How Are Three-Quarter Houses Funded?

- 91 percent of our respondents' rent is paid by HRA
- 47 percent of tenants are required to pay monthly fees with their public assistance cash benefits
- 81 percent of respondents' houses require tenants to attend substance abuse treatment and submit proof of attendance

Three-Quarter Houses may be tapping into an even larger source of revenue. Many of the houses have ongoing relationships with particular OASAS-licensed substance abuse treatment programs, and evidence suggests that these programs may be paying the houses kickbacks for referrals of clients. Many houses mandate that tenants attend the program with which they have an arrangement and then hand in proof of attendance after every single treatment session.⁴⁷ Tenants offer accounts of being evicted without court process or threatened with eviction if they fail to prove they attended the program, regardless of whether they have other obligations such as work or school, wish to attend a different program, or have already completed treatment.⁴⁸ Since tenants typically receive Medicaid, which pays for substance abuse treatment, reports have charged that these practices of mandating treatment at particular programs, tracking program attendance, and trying to evict tenants who do not attend the programs strongly suggest that house owners are obtaining remuneration through their arrangements with the treatment programs.⁴⁹

What Are the Alternatives to Three-Quarter Houses?

THREE-QUARTER HOUSES HAVE EXPLODED across New York City because they fill a housing gap left by existing social service models and the formal housing market. In the absence of truly affordable housing options or the expansion of existing programs, very low-income individuals coming from jails, prisons, drug and alcohol detoxification and rehabilitation programs, hospitals, shelters, and the street have been left to fend for themselves in the informal housing market where Three-Quarter Houses proliferate. This need not be the case. Below, we discuss some alternative housing models.

Truly Affordable Housing

At the root of the proliferation of Three-Quarter Houses is the lack of truly affordable housing in New York City. Although there has been a rise in the number of units designated as “affordable” in recent years, these units are typically created for people whose income ranges from thirty percent to eighty percent

of the Area Median Income (AMI) as defined by the Department of Housing and Urban Development (HUD). Moreover, the typical application process for these apartments, which includes screening for income, credit, and criminal justice history, virtually excludes most people who live in Three-Quarter Houses. These apartments are thus inaccessible to the lowest-income individuals in the city. One promising concept currently being discussed in New York is the idea of the micro-efficiency.⁵⁰ Using innovative design to make effective use of small spaces, these micro-apartments have much smaller footprints than even traditional studios. By encouraging the development of smaller units, the City may be able increase affordability and expand the number of units within the financial reach of very low-income single adults. In order to address the housing needs of those living in Three-Quarter Houses, however,

these units would need to be designated for people whose income fell at or below 30 percent of the AMI, and screening processes for credit and prior criminal justice involvement would need to be relaxed.

“*I had to find my own Three-Quarter House when I was in detox because the one I left wouldn’t take me back. These houses were atrocious, but I put myself in this situation. I mean, I have one hundred and eight days clean today.*”
—36-year-old female tenant

Single-Room Occupancy Hotels for Single Adults

SRO hotels were a major source of housing for many low-income single adults for decades,⁵¹ but their numbers have diminished rapidly—from over 200,000 units in the early 1950s to 35,227 units in 2002, the last time the Census Bureau surveyed SRO units.⁵² In 1954, the construction of private SRO units and the conversion of apartments to rooming houses were outlawed, and tax incentive programs like the J-51 program gave landlords incentives to convert existing SRO units to apartments. While these policies were intended to improve housing standards, some argue that reduced availability of SRO units combined with the loss of affordable housing units more broadly have resulted in increased homelessness and the growth of underground housing. Expansion of the SRO stock in New York City would be one way to house those most in need.

Supportive Housing

Another alternative is supportive housing, which integrates housing with supportive services, and serves diverse populations, including formerly homeless people, people with mental health disabilities, people with HIV/AIDS, and people coming out of prison. Supportive housing models vary greatly. They range from scattered site apartments and buildings that include set-asides of supportive housing units in mixed-tenancy development to buildings where one hundred percent of the units are dedicated to supportive housing.⁵³ Supportive housing services are generally provided to the tenant in the apartment, sometimes through on-site staff and other times through mobile case management. In New York State, joint efforts between the City and State created 5,000 units of supportive housing for homeless individuals with mental illness between 1990 and 2005.⁵⁴ The most recent city-state agreement, known as the NY/NY III Agreement, pledged to create 9,000 units of supportive housing between 2005 and 2015⁵⁵ for a more diverse population of homeless adults, families, and transition-aged youth. Eligibility includes people recovering from substance abuse issues, people living with HIV/AIDS, and people with serious mental health diagnoses.⁵⁶

Supportive housing is generally subsidized, charging single adults on public assistance \$215 per month and other low-income individuals one-third of their

income. Examples include Castle Gardens in Harlem, a development with units for low-income as well as formerly incarcerated people, and the Hegeman, a building with units for formerly homeless and low-income individuals in Brownsville, Brooklyn.

While supportive housing offers a critical resource for homeless individuals in need of supportive services, demand for units far outstrips available supply. Three-Quarter House tenants are in a particularly difficult bind because although their housing is often dangerously substandard and tenuous, they are considered “transitionally housed,” and therefore are not prioritized as highly as those who are deemed “chronically homeless.” Thus, Three-Quarter House tenants with serious mental illness are systematically excluded from much needed supportive housing, which can be a serious detriment to the maintenance of their mental health. While there will be 11,495 units dedicated to people with mental illness, just 1,500 units will be for people with substance abuse issues.⁵⁷ Therefore, even the tenants who

“Where I lived before, I hated it because it was too much like prison. Put it that way; I felt like I was in prison.”
—41-year-old female tenant

do qualify for units reserved for people with substance abuse issues are stymied by long waiting lists that are the result of an inadequate supply that cannot accommodate the demand.

Supportive housing could be a good option for some Three-Quarter House tenants if there were more units available to individuals who are not currently living on the street or in a homeless shelter. But for many other Three-Quarter House tenants, supportive housing is not the solution, because they do not need the services. Many New Yorkers currently residing in Three-Quarter Houses need nothing more than affordable permanent housing.

Rapid Rehousing

A new model of services designed to prevent homelessness for families, and increasingly individuals, is the rapid rehousing model. HUD has been heavily advancing rapid rehousing with a multi-billion dollar investment tied to the financial recovery bill. This model provides limited short-term rental assistance and other ancillary supports to help people quickly access housing in the private market and retain housing they are at risk of losing. Early indicators on the program indicate that it is a good alternative to shelter and transitional housing, leading to similar housing outcomes at less cost, but the research is still in very early stages.

“Ultimately, the house manager started calling my parole officer for every little thing. So it got unbearable for me, and I moved. I said let me move, because before you get me violated, I’ll leave. And I packed my stuff and I left.”
—35-year-old female tenant

In New York, rapid rehousing is implemented as part of the HomeBase program⁵⁸ funded by the Department of Homeless Services. The resources are primarily targeted to people leaving the shelter system and those presenting at DHS’s intake centers and HomeBase programs. Although the resources are not currently targeted at people living in Three-Quarter Houses, this approach could provide valuable assistance to some of these individuals.

Social Support Models

An additional alternative to consider is an independent, transitional housing option similar to Three-Quarter Houses but with regulation and oversight. One of these models, known as Sober Living Houses, exists in California. Although Three-Quarter Houses in New York City are sometimes known as Sober Living Houses, the California model differs in that the houses are members of “coalitions or associations that monitor health, safety, quality, and adherence to a social model philosophy of recovery that emphasizes 12-step group involvement and peer support.”⁵⁹ By contrast, Three-Quarter Houses in New York City exist largely outside the scope of any monitoring agency or organization that regulates their operation or their living standards. These California Sober Living Houses offer transitional housing for people recovering from alcoholism and substance abuse and provide stable, drug- and alcohol-free living environments that contribute significantly to successful treatment outcomes for their residents, according to a series of papers.⁶⁰ Like Three-Quarter Houses, Sober Living Houses do not offer substance abuse treatment in-house but do mandate treatment at outpatient substance abuse programs as a condition of residency.

“Some of us are in State-funded programs that require us to look for jobs, so you know we don’t have any closet space. Where do we hang our clothes? Where do we hang our suits? What are we supposed to do with the things we need to look for jobs? So I have to constantly deal with arguing with the owner about this every time he comes by on Sundays.”
—49-year-old male tenant

A similar model is a large, international coalition known as “Oxford Houses,” which is comprised of over 1,200 community-based recovery homes in the US, 30 homes in Canada, and 8 in Australia.⁶¹ Oxford Houses are for “persons who seek a supportive, mutual-help, residential setting with recovering peers in order to develop long-term sobriety skills . . . Each house is a rented, multi-bedroom dwelling for same-sex occupants, located in residential neighborhoods, and each operates democratically by majority rule. Houses are not overcrowded and rarely exceed 12 people per house.”⁶² These houses do not mandate substance abuse treatment but often house individuals who are in treatment or who have completed treatment. Research on the Oxford House model suggests efficacy in promoting long-term abstinence.⁶³

These results align with studies showing that the design and implementation of transitional housing programs play a crucial role in their effectiveness in helping formerly incarcerated men and women lead healthy, sober, and crime-free lives after prison.⁶⁴ In particular, there is evidence that combining housing with more programming than people need is counterproductive,⁶⁵ suggesting the potential benefits of a form of housing that offers some independence.

The demonstrated success of models like the California Sober Living Houses and the Oxford Houses suggests that for people transitioning out of jail or prison, attempting to maintain sobriety, or trying to reestablish lives following periods of unemployment or homelessness, well-run, closely monitored, and small-scale housing programs that operate under the social support model can be safe and cost-effective means of housing. Policymakers in New York have taken notice of the potential effectiveness of this model. Recently, legislation introduced in the state senate would create a framework for inspecting and

regulating Sober Homes in Suffolk County, New York: “According to the legislation, the New York State Office of Alcoholism and Substance Abuse Services (OASAS), in conjunction with Suffolk County and the Suffolk County Group Home Oversight Board, will establish rules and regulations necessary for the certification and operation of all sober living homes located within Suffolk County.”⁶⁶

While Three-Quarter Houses often operate illegally and fail to provide safe and adequate housing, the lack of housing options for very low-income New Yorkers calls for an inquiry into whether, with proper oversight and uniformly enforced standards, some kind of Three-Quarter House model could be a viable option for safely housing New York City residents in the midst of difficult life transitions. Any such assessment should be based on real-world knowledge of the often dangerous, illegal, and unsanitary conditions within Three-Quarter Houses as they currently exist in New York City.

PART TWO: THE VIEW FROM INSIDE

CHAPTER 1

The Worst Abuses: Endangering Personal and Public Safety

HAZARDOUS LIVING CONDITIONS IN THREE-QUARTER HOUSES result in serious risks to the health and safety of residents and surrounding communities. While some of the worst cases may eventually be reported to the relevant authorities, many more instances of seriously unsafe and unhealthy conditions go unnoticed due to lack of oversight. In addition, house operators often actively prevent City inspectors from gaining access to buildings and even intimidate tenants from making complaints, rendering the worst abuses of Three-Quarter Houses virtually invisible. This invisibility means that dangers such as fire hazards, severe overcrowding, and extremely unsanitary living environments often go unnoticed and unaddressed.

Fire Hazards

Conditions in Three-Quarter Houses often present the risk for potentially catastrophic fires. Because of overcrowding, windows and other means of egress are frequently blocked. Tenants report that walk-in closets are used as rooms in some cases and that rooms are often dangerously subdivided. For example, one tenant explained, “Next door to me is a two-man room. It’s really a big closet that they squeezed a bunk bed in and made a room out of.” The fire danger caused by overcrowded rooms, and rooms with inadequate means of egress, is clear. In addition to the risk to tenants’ lives and neighboring structures and individuals from potential fire, unlawful subdivisions inside the houses present serious potential dangers for firefighters who might respond to fires in these houses. The combination of factors such as jerry-rigged electrical wiring, overcrowding, lack of adequate means of egress, and absence of smoke detectors make these houses firetraps.

“If there was even a decent fire in the house where there was smoke, and smoke accumulates very, very quickly, I would imagine that it would be bad in my room. Just thinking about four of us trying to get out that one window that’s obstructed by the top bunk bed, I think it would not only be panic and chaos. I think somebody would not get out of there, just from the smoke inhalation. And mind you, it’s a very small room; it’s only as wide as the length of a bunk bed.”
— 54-year-old male tenant

“My house has no smoke detectors and that worries me. A lot of guys are very lackadaisical when it comes to cooking. They will be cooking and walk away outside, and you know, if something did light on fire, I’m lying down in my bed and wouldn’t even know.”
—29-year-old male tenant

“ We went about a month with no electricity on the second floor, but then we got like a 50-foot industrial extension cord running from the first floor to the second floor so that I could have lights and heat and stuff in my room ‘cause we had power strips. Yeah, three of those. I worried because you got five different rooms up there with electric heaters in them. But they called an electrician and he rewired the building. Everything’s on one circuit now. There’s two circuit boxes, but the electrician cut an extension cord and ran the wire from one box to the other. That’s how we got lights in the whole house. I watched him do that, and I just said, “Lord please save us.” It’s dangerous, a real bad situation. ”
—55-year-old male tenant

Severe Overcrowding

Perhaps the largest contributing factor to the danger of disastrous fire is severe overcrowding. Three-Quarter Houses frequently pack as many people as possible into rooms. House operators typically place two to four bunk beds in a single room, and in some cases, bunk beds are placed in living rooms, hallways, and even kitchens. With anywhere between four and eight people sharing a room and 30 or 40 in a house,

conditions can be dangerously overcrowded, compounding the potential for tragedy should a fire ignite.

“ I was in a six-man room. The room was small. If a fire breaks out, then people are climbing over each other trying to get out the door. If you live in a tinder box and flame goes up, it’s going to be complete chaos. ”
—51-year-old male tenant

Overcrowding also exacerbates the risk of other problems. As one tenant remarked, “Health-wise, I don’t feel so safe because where I am at, there are eight of us in a room, right? There’s no ventilation, and we are packed in there like sardines, right on top of each other. I feel that’s a health risk. If I get sick, everybody is going to get sick. And who knows what this person has, what that person has, what I have. Medically, I feel kind of unsafe.” Some tenants report that the overcrowding engenders a tense atmosphere that can induce stress and anxiety.

“ A fella can get angry with so many people packed in his room. We are just coming out of prison and some of us have substance abuse problems. With all that on our minds and being cramped up like that, it just adds to the stew of emotions and adds to the anxiety. It can be dangerous. ”
—50-year-old male tenant

Unsanitary Living Environments

Other serious health risks associated with some Three-Quarter Houses stem from unsanitary living conditions. House owners and operators frequently fail to perform routine maintenance on the houses. For example, minor leaks and plumbing issues are left to become dangerous and unsanitary; infestations of bed bugs, rats, and other vermin are not dealt with; and structural issues in the house often remain unfixed. One tenant reported a leak that house management left unrepaired for so long that mold started to grow: “We had a leak, and you go down in the basement, you see water running down the wall. It looked like a waterfall. We had to call HPD [NYC Department of Housing Preservation & Development] because the mold got so bad. It smelled real moldy. It was bad, bad, bad.”

These findings of unsafe living conditions demonstrate the urgent need for some form of regulation and oversight of these houses. Without any accountability, the most unscrupulous house owners and operators are able to completely disregard their tenants’ and employees’ safety and wellbeing.

“*We got infested with maggots or something. They were hanging off the ceiling in the kitchen and casting their nests. They changed into these things that looked like moths right before our eyes.*”
—37-year-old female tenant

“*The roaches were so bad that they were in the refrigerator. There was always some type of bug crawling around the counter tops. That house was infested with bed bugs. I got bit many a time. They were so bad they even got into my shoes somehow. The mattress was infested, and I used the spray, I used the plastic bag that you put over the bed. It worked for a little bit, but they came back. Along the rim of the mattress, it was all black, and we weren’t sure if it was mold or maybe bug droppings that were on the mattress. So yeah, it was roaches, bed bugs, probably mice. They were all over the place.*”
—33-year-old male tenant

CHAPTER 2

Outside the Law: Illicit Practices of Three-Quarter Houses

THREE-QUARTER HOUSES OPERATE OUTSIDE THE LAW. With no oversight, house owners and managers are left free to maximize their profits using any methods conceivable, without regard to their legality. For tenants who live in Three-Quarter Houses, many of these practices present significant concerns regarding human and civil rights, as well as personal safety. Tenants report problematic activities ranging from illegal evictions, extensive drug use among residents, house-mandated substance abuse treatment, and questionable appropriation of public assistance and Medicaid funds.

“ Everything is a money game in a Three-Quarter House. Once you get on public assistance and Medicaid, everything is money for them. They get the rent money from HRA and money from the drug program from Medicaid. They get a kick back. They try to burn your Medicaid. They’ll milk it away. ”
—50-year-old male tenant

Illegal Evictions

Three-Quarter Houses evict or attempt to evict tenants for numerous reasons. In most instances, the evictions are effectuated without court process, and tenants find themselves on the street with no notice and nowhere to go. Under New York City and New York State law, occupants cannot be evicted without a court order once they have resided in a dwelling for thirty days or more.⁶⁷

“ They feel as though they can kick you out for any reason. One manager told me if she called the police and told them this was a program, the police would say I had to go. I was like, “I been here for four months. I get mail here and this is my place of residence. You cannot kick me out.” Ultimately, the manager kept calling my parole officer for every little thing. So I ended up packing my stuff and leaving anyway. ”
—43-year-old male tenant

An illegal eviction is devastating for an individual attempting to rebuild his or her life, maintain sobriety, and achieve some measure of stability. Occasionally, simple disputes between tenants and house employees or situations in which tenants speak up for their rights lead to an illegal eviction. One tenant described calling 311 to report the house’s failure to provide heat during the winter: “Maybe a day or two after that, the owner told me, ‘Yo, why didn’t you just tell me it was cold instead of calling 311? As a matter of fact, you smell like alcohol. Pack up. You’re going to Parole tomorrow. I’m discharging you.’” This story illustrates Three-Quarter Houses’ untenable position on evictions. They use the term “discharge” and hold themselves out as “programs,” rather than private-sector residences, to assert authority to evict tenants at will, without regard to tenancy laws. Such assertions are false and unsupported by the law. Three-Quarter Houses are not “programs”: they are not licensed, regulated, or invested with authority by any governmental agency.

In addition to a host of quite arbitrary reasons for evictions, such as being accused of breaking “house rules,” another very common cause of illegal evictions is tenants’ completion of house-mandated substance abuse treatment. House owners force those who successfully complete substance abuse treatment out of the houses—even after accepting rent in many cases—in order to make way for tenants who can be mandated to treatment. Nearly all residents PRI interviewed charged that this practice reflects the fact that tenants in treatment are worth more to house owners than those who are not in treatment. Their experiences suggest that the houses receive extra funds for tenants in treatment through unlawful arrangements with particular drug programs.

At times, houses’ attempts to evict tenants result in police involvement. Sometimes the houses call the police; other times, tenants call. Although evicting a person in violation of the New York City Illegal Eviction Law is a misdemeanor and the police are required to assist tenants who have been unlawfully evicted,⁶⁸ by many reports, police often back up the house operators, ordering tenants out of the houses. The practice of evicting tenants illegally occurs without regard to tenants’ wellbeing and, in many cases, with full knowledge that the tenant may have nowhere to go but to the streets.

“*I had just completed a 7-month drug program when I went to this one Three-Quarter House. They still told me I had to attend substance abuse treatment or I could not stay there. I talked to the manager and told him, you’re talking to a graduate of a program, not somebody who’s slipping. He said, “You’re not going by the rules, sir. You have to leave.”*”
—31-year-old male tenant

House-Mandated Substance Abuse Treatment

Most Three-Quarter Houses require that tenants attend substance abuse treatment as a condition of residency. This practice raises several problems. First, Three-Quarter Houses do not simply mandate treatment at any program; each house requires that all tenants attend one *particular* program. This means tenants cannot choose a treatment program that best suits their needs and may be forced into substandard programs that provide poor-quality treatment.⁶⁹ Moreover, tenants already enrolled in a different treatment program when they move into the house are required to start treatment over at the house’s mandated program, losing the time and the relationships formed at the first program, and wasting the public funds already invested in their treatment at the first program. Second, the relationships between unregulated, unlicensed houses and OASAS-certified substance abuse programs raise questions about possible misuse of Medicaid dollars. Third, when treatment is a condition of residency, tenants are placed in a position where the only way to maintain a roof over their heads may be to engage in treatment, whether needed or not, at the expense of other activities to rebuild their lives, such as job training or

“*In my building, the way it works is you’re forced to go to an outpatient program to live in the house, and after you finish the program, you have to move out of the house. Some other places, when you finish a program, you still stay there. Not in my house. In my house, they get you out.*”
—33-year-old male tenant

“ Before I left Ward’s Island, I told them I was not a substance abuser or an alcoholic or anything, so I’m not signing paperwork to go to a program. Alright, so I got to the house and filled out the intake paperwork, and they still ended up sending me to a drug program. I told the drug program, “You can talk all you want to, I’m not signing this paper to say I’m going to a program.” So they told me I couldn’t stay in that house. ”

—47-year-old male tenant

education. The treatment requirement thus creates a perverse incentive for tenants to make themselves continually eligible for treatment in order to avoid being evicted, whether by exaggerating or fabricating substance abuse histories, or even relapsing. As noted above, tenants who successfully complete treatment programs are often evicted from their houses with no notice and no court process.

Three-Quarter Houses that mandate treatment at particular substance abuse programs as a condition of residency have no legal authority to do so. In fact, the practice violates State law as well as the policies of OASAS, the State agency that regulates licensed substance abuse programs. Pursuant to New York State’s Mental Hygiene Law, patients have a right to choice in substance abuse treatment.⁷⁰ OASAS directives also require facilities that mandate substance abuse treatment as a condition of residency to obtain a residential operating certificate from OASAS. The OASAS policy contemplates several criteria to determine whether a residence is a residential facility subject to licensure. According to these criteria, any residence that establishes a “requirement that residents have a diagnosis of chemical dependence

“ Even if I went to a program already, the house wants me to go to another program because they want that Medicaid money. Everything in life is Medicaid. That’s what I notice about the Three-Quarter Houses. As long as your Medicaid is active, they going to try to burn it out, and I need that for my CAT scans. ”

—50-year-old male tenant

of abuse,” institutes a “referral or mandate that residents attend an authorized or certified chemical dependence service(s) as a condition of continued stay in the residences,” provides any “integration and coordination of the residence’s services with an authorized or certified chemical dependence service(s),” and claims “oversight of the resident’s progress in recovery from addiction” must be licensed and regulated by OASAS.⁷¹ PRI finds that Three-Quarter Houses that mandate treatment meet all of these criteria but are not certified as residential treatment facilities. They are thus evading oversight by OASAS, which requires compliance with myriad resident and patient protections.

Potential Abuse of Medicaid and Public Assistance Funds

The vast majority of Three-Quarter House tenants receive rent assistance, cash assistance, and Medicaid through the New York City Human Resources Administration (HRA). For these tenants, public assistance is a crucial resource, especially where housing is concerned. Three-Quarter Houses' ability to shelter people for the \$215 public assistance pays for rent is a much-needed service, often making the difference between being housed and being on the street or in a shelter. Similarly, tenants' ability to access medical care, including substance abuse treatment, absolutely depends upon having Medicaid. However, we found that many Three-Quarter Houses engage in highly questionable practices that suggest abuse of tenants' Medicaid and cash assistance funds.

One of the most troubling outcomes of the relationships between Three-Quarter Houses and OASAS-certified substance abuse treatment programs may be abuse of Medicaid. Our findings suggest that nearly all tenants who attend house-mandated substance abuse treatment have their treatment paid for by Medicaid. Despite a host of investigative news articles and our own research, no investigation has "proven" that Three-Quarter Houses are receiving a portion of these Medicaid funds. However, all

available evidence suggests that some type of funds transfer is occurring between treatment programs and Three-Quarter Houses. Even if treatment programs can claim on paper that payments to Three-Quarter Houses come from funds other than Medicaid, any transfer of funds from the houses to the treatment programs would seem to be in direct violation of the federal Anti-Kickback Statute,⁷² a criminal law that prohibits the knowing and willful payment of 'remuneration' to induce or reward patient referrals or the generation of business involving any item or service payable by the Federal health care programs

(e.g., drugs, supplies, or health care services for Medicare or Medicaid patients).

“For about five weeks we had no water. They were manipulating it somehow, shutting off the valve. I think they were doing it because people weren't paying their \$35 a month for the fee. Just like other people were saying, they tell HRA it's a non-cooking facility, even though it is a cooking facility, just so they can get the extra money each month for the fee.”
—49-year-old male tenant

“That's so important for them to have that pink slip. I wish I had a copy. It has the program's name, the counselor's name and your name, and the day you attended to program. Here's one. It's different colors every day. They stamp it at the program, so you give these slips to the house at the end of the day. If you don't have those slips, you have to make it up. This is like law that you have the slip.”
—46-year-old male tenant

In any case, our findings suggest that houses receive payments from treatment programs based on the number of visits their tenants make to the programs. Medicaid reimburses the OASAS-licensed outpatient programs for every patient visit. Tenants report that they are required to attend five days per week in the beginning, and that the number of days they are required to attend is gradually reduced, so long as they maintain their sobriety. A tenant who maintains sobriety generally graduates within six to nine months. Even assuming the lowest

reimbursement rate, Medicaid pays over \$360 per week for treatment for a tenant who attends five times per week.

At the heart of the arrangement between the outpatient programs and the Three-Quarter Houses are what tenants refer to as “slips.” Tenants speak repeatedly of the “slips” they must acquire from outpatient programs and turn in to house employees each day in order to prove that they attended their mandated treatment visit for the day. PRI interviewed one tenant who said he had formerly been both a house manager and a house director. He described the payment arrangement his house had with a treatment program: “I just want to talk about the slips you have to bring from the treatment program. When it comes to the slips, the houses get paid by the programs.” The majority of tenant accounts strongly support the conclusion that some type of per-visit payment arrangement exists between all houses that mandate treatment and the outpatient programs involved.

“*I went into the house for the first time, and I did the basic things everyone else does. I did the orientation package. I filled out pages. I was given documents to take down to public assistance—you know, the lease and the document stating that it’s a non-cooking facility. Or was it? No, it’s not. It’s really a cooking facility.*”
—47-year-old male tenant

In addition to issues related to Medicaid funds, many Three-Quarter Houses also take a portion of tenants’ cash assistance each month. Typically, house employees inform tenants that they are required to pay monthly “fees” for maintenance or utilities over and above the rent that HRA sends house owners each month in the form of a check. These “fees” generally range between \$30 and \$50 per month, and tenants who refuse to pay may be subject to eviction. Considering how little cash assistance tenants receive, \$158 per month, this additional payment is a significant burden.

House operators justify the collection of these fees by designating their houses as “non-cooking facilities,” making residents eligible for a small sum of extra cash assistance each month. When a prospective tenant arrives at a house, the house manager typically gives him or her a “packet” of already completed papers to take to HRA. Included in this packet is often a form indicating that the house is a non-cooking facility. Public assistance recipients living in non-cooking facilities are entitled to an additional monthly “restaurant allowance” in the amount of \$64 per month for an individual.⁷³ It is often a false designation, as most houses in fact have kitchens and do allow cooking. Tenants newly arrived in a house, however, may not know whether the house allows cooking, and tenants may not know what the “non-cooking”

“*We all live in different houses and we all experience the same thing about the slip. So it’s got to be something up with the slip if everyone up in different houses talking about the slip. I’m even talking about the slip! I saw with my own eyes: you getting up, you got to get to that program. Dudes don’t even brush their teeth if they late. You get out, get on the train. The house manager even gives you a metro card just to get that slip.*”
—51-year-old male tenant

designation means. For example, tenants believe it means that houses do not provide daily meals, especially since the houses advertise themselves as “programs.” Tenants also may simply not question the designation the houses give to themselves, especially considering the official looking “packet” of paperwork they are given, which is readily accepted by HRA. In any case, upon return from HRA, tenants are told that a portion of the extra funds they receive for their “restaurant allowance” must be paid to the house in the form of a monthly fee.

Tenants thus become trapped into either paying each month or risking eviction. It is important to consider here the nature of the relationships tenants find themselves in with house operators. When housing and enrollment in substance abuse treatment are conditions of parole, for example, parolees are especially vulnerable to manipulation by house operators, not wanting to jeopardize their housing or treatment placement, because non-compliance with a parole directive can lead to a parole violation and incarceration. Similarly, most Three-Quarter House residents are one small step from the streets and likely to endure much to avoid having to take that step. Thus, the relationship between house operators and tenants is inherently coercive. This is the context within which tenants become inadvertently involved in the houses’ wrongdoing where HRA funds are concerned. It is also crucial to understand that tenants are not generally benefitting in any real way from the false designation; Three-Quarter House operators are. In other words, this is a systemic problem that requires systemic solutions, not investigations of individual recipients.

“*I think they are getting over on the government big time, you know, and it makes it bad for the people who really need help from the government. When you give me a paper, I feel like I’m committing fraud, you know, and I’m on parole. You’re giving me a paper stating that you’re not a cooking place and it really is a cooking place. And then I find out that it damn well is a cooking place, and I’m giving this paper to the government. You know what I’m saying? So that aspect I have a problem with.*”

—40-year-old female tenant

CHAPTER 3

What Works for Tenants: New Yorkers in Life Transitions

DESPITE THE SERIOUS AND DANGEROUS PROBLEMS already outlined about Three-Quarter Houses, some tenants reported positive qualities of their Three-Quarter Houses when asked whether

“*I like whole idea of the Three-Quarter House itself in general and the fact that, you know, there is that opportunity to have a place if you have nowhere else to go—a place to go and better yourself and get on with your life as far as getting back on track and having that opportunity when you have no other options.*”

—39-year-old male tenant

there were aspects of their living situations that they liked. Residents noted that some qualities of the houses fostered their efforts to regain their footing following personal tragedy, loss of employment, loss of housing, prison sentences, periods in residential treatment programs, and bouts of street homelessness. In other words, some aspects of Three-Quarter Houses appear to work for New Yorkers in transitional phases of their lives, and these characteristics are important to consider. They include offering a degree of independence, striking a balance between freedom and structure, and enabling supportive relationships among tenants.

Fostering Independence

Some of the tenants that PRI interviewed felt that the independence offered by the Three-Quarter House model fostered their efforts to rebuild their lives. Tenants described how the less restrictive environment of the houses and the separation of their housing from other services helped to teach them how to live on their own: “What I like about the Three-Quarter House is, well, I’m independent. I am on my own, and I think the life skills that I am practicing by myself are important.”

Other residents suggested that the independence of the Three-Quarter House enabled them to experience personal growth. In contrast to Halfway Houses, programs that combine wraparound services with housing, and other highly regimented forms of housing, such as residential treatment communities, some Three-Quarter Houses appear to provide motivated individuals with opportunities for making

“*I like the independence of my Three-Quarter House. To me, it allows you to express yourself and to explore your growth. You’re not stuffed into a bottle and dissected. You’re able to explore things, and you’re allowed to go out and see stuff and grow, as opposed to just sitting there in one spot where you got to be here, and you got to do this, and you got to do that. You’re able to make your own decisions, and if your decisions are good decisions you’re going to benefit from that and if your decisions are negative decisions you won’t benefit but you’ll still grow from that.*”

—46-year-old female tenant

personal decisions on their own. These findings are consistent with research suggesting that, for many individuals, highly structured and extensive programming may be counterproductive and lead to less successful outcomes than models that foster a degree of independence.⁷⁴ In particular, many of the residents in the study contrasted the independence offered by Three-Quarter Houses to the more regimented, rule-bound environment of city shelters. Unlike shelters, some Three-Quarter Houses allow tenants to leave for periods of time without penalty. This can be important for residents who have family members they would like to spend time with occasionally: “In Three-Quarter Houses, most likely you can get a weekend pass and go be with your family. You can’t do that in a shelter. If you miss a night in the shelter, you lose your bed and the process starts again, and nobody wants to go through that. This is why a Three-Quarter House will beat a shelter all day.”

“*I went to the Three-Quarter House after I came out of prison. I think Three-Quarter Houses are very much needed. They can definitely be tools to help people get back into society and do the right thing if they’re run right.*”
—37-year-old female tenant

Balancing Freedom and Structure

Three-Quarter Houses are sometimes able to strike a balance between freedom and house rules, and this balance may work well for residents who are motivated to rebuild their lives. Some of the rules, however, are arbitrary and damaging. For instance, most Three-Quarter Houses require that residents leave the facility each weekday morning at a designated time and only allow them to return in the late afternoon or evening, and most enforce a curfew. Many residents described these rules as seriously disruptive to their efforts to rebuild their lives. They spoke of being denied access to their homes during the day, even in terrible weather or when they were ill, and noted how curfews can be overly rigid and arbitrarily enforced. However, for some tenants, following house rules regarding clean-up and other matters provided them with a needed structure and routine, which they cited as valuable to their recovery. As one tenant explained, “What I like is the structure ‘cause I realize I definitely need structure in my life. Idle time is killer for me.”

“*My being in a Three-Quarter House is due to my substance abuse. I am coming from a shelter, and the house is definitely an improvement for me as far as getting my life back on track. The houses give, you know, structure but with enough freedom to benefit yourself and get on with your life.*”
—39-year-old male tenant

For people coming out of the regimented environments of prison or residential substance abuse treatment Three-Quarter Houses sometimes serve as a useful step on the path to self-sufficiency: “For me the experience in itself is very helpful. I needed that step-by-step, coming out of the restrictions of the federal Halfway House. There was less restriction in the Three-Quarter House, but there was still structure and restrictions.” The opportunity to practice independent life skills within a structure distinguishes Three-Quarter Houses from larger institutional facilities that can be so regimented that they preclude opportunities for independence. This balance appears to ease some tenants’ transition from dependence and regulation toward independence and self-sufficiency.

“What I like about this house is that we have a curfew and have to do our programs, but this is a house, you know. I am able to cook if I want to cook. If I want to sit and watch TV, I can. If I want to have company, no male company though, I can have someone come over on the first floor to visit me.”

—40-year-old female tenant

While many tenants indicated that the Three-Quarter House model, as it currently exists, is unacceptable, there are aspects of Three-Quarter Houses that do appear to work for some tenants. It is significant that tenants report how the balance between independence and structure is important to their transition and recovery.

Promoting Social Support

In addition to factors that foster independence and balance freedom and structure, Three-Quarter Houses may provide environments in which tenants in similar life situations can develop supportive relationships. PRI heard testimonies about the value of these relationships to residents attempting to get through difficult phases of their lives. In Three-Quarter Houses, camaraderie may flourish and become an important means of social support for people whose connections with family and friends may have become tenuous due to the difficulties of past drug addiction, the extended absences of prison sentences, or struggles with mental health issues. Studies have shown that this type of social support among similarly situated peers is an effective means of learning crucial life skills, such as maintaining sobriety.⁷⁵

“When you live with people for a length of time, there’s like that sense of family. You have somebody that you can complain about stuff with and they’ll complain about it with you. You know what I mean? That’s kind of good. I think about, you know, a couple of the barbeques we’ve had and Thanksgiving—how everybody pulled together and stuff like that. So even though it has its down sides, you know, there’s a flip side to every coin.”

—44-year-old female tenant

Three-Quarter House tenants are clear that their living situations are far from ideal; however, given the dearth of housing options available to them, some residents also identified beneficial qualities of their Three-Quarter Houses when PRI researchers asked them to identify positive aspects of their houses. There is no one-size-fits-all formula for what makes a “good” Three-Quarter House. Residents are typically in different phases of recovery or transition and demonstrate divergent levels of need and risk. What works for some tenants, such as a degree of independence, may not work as well for others, who may want more structure. In general, however, the testimonies PRI heard about some of the positive aspects of some Three-Quarter Houses

demonstrate that with proper oversight, engaged and accountable management, and an appropriate intake procedure, these housing options might become workable solutions to the difficult problem of providing shelter to very low-income, in-need New Yorkers.

“ We had a roommate that had a problem with his hygiene. But you know, a lot of time, it’s not what you say to the person but the way you say it. So we got together, and we told him, “Listen man, if you need help with anything let us know.” Like, we help people when we notice that they aren’t taking care of themselves. ”

—49-year-old male tenant

CHAPTER 4

Failing Tenants: Impeding Recovery and Reintegration

THREE-QUARTER HOUSES OFTEN FAIL to promote tenants' success in transitioning through difficult phases of their lives. In fact, a number of Three-Quarter Houses PRI heard about actually hindered tenants' efforts to maintain sobriety, to transition into society following prison or jail sentences, and to better themselves through education, employment, or programming. This is especially problematic because Three-Quarter Houses often attract tenants by billing themselves as "programs" and promising to assist tenants with enrolling in educational or vocational programs and with obtaining permanent housing. PRI's research did not uncover a single account of a Three-Quarter House actually fulfilling these promises. While well-managed houses with committed employees might help tenants in transitional phases of their lives, badly run houses with unengaged or reckless employees become, in themselves, barriers to tenants' success. Some of the most troubling of these barriers include visible drug and alcohol use in the houses (sometimes by house employees), issues related to compliance with the conditions of probation or parole, and obstructions of tenants' efforts to engage in self-improvement efforts.

“I was in a detox, and two days before it was time for me to leave, this guy came in and said, “I am from a Three-Quarter House program, and you come to this program, we’ll send you to school, and within six months we will give you your own housing.” You know, it sounded good because I needed that, but when I got there, that whole place was just in disarray. They didn’t care about anything.”
—39-year-old male tenant

Drug Use in the House

Three-Quarter Houses sometimes hinder tenants efforts to maintain sobriety by failing to enforce rules regarding illegal substance use on the premises. Tenants report witnessing open use by other residents and by house staff members. The most basic need of men and women attempting to rebuild their lives and stay sober is a safe, drug- and alcohol-free environment in which to live. By failing to provide such an environment, the worst Three-Quarter Houses promote the exact opposite of recovery. As one tenant

“It was supposed to be alcohol and drug free, but this house was completely the opposite. They were smoking marijuana in the house, and there was beer in the fridge. One of my roommates would sit there on football day and drink beer and all. That’s not me. I’m on probation. If there was a raid or something, I could get violated and end up in jail that day.”
—33-year-old male tenant

struggling with addiction explained: “Some guys are just trying to drink and do as much drugs as they can. I would say that maybe 50 percent are trying to get better, but if you’re battling addiction in that atmosphere, it’s hard. You might as well go to a bar to stop drinking.”

In some cases, tenants reported that the very people in charge of managing the house and enforcing the rules were using drugs in the house. As PRI learned, “house managers” are often themselves former tenants and typically do not have any experience or training that would qualify them to run houses. Their primary qualification is loyalty to the Three-Quarter House

operator. Tenants shared many stories about house managers using substances with the tenants whom they are ostensibly charged with protecting by enforcing a safe and sober atmosphere.

“*I saw people sit up at the kitchen table and sniff dope and crush up pills and sniff them, and I feel that’s endangering my recovery. One time, this man was standing at the stove with his stem, smoking crack off the burner. And some of the house managers even get high. I saw them sit in our house and get high with clients. I mean, they try to tell you to do the right thing, but it’s do as I say, not as I do.*”
—31-year-old male tenant

Probation and Parole Issues

Three-Quarter Houses often shelter people who are on probation or parole. For those individuals, it is especially important that their living environments promote a successful transition into drug- and crime-free lives. One tenant described a situation in which a resident was selling drugs in the house, with the sanction of the house manager: “You know, a guy was actually dealing inside of the house, and one of the managers knew what was happening. We had to take care of it ourselves because I had nowhere else to go. Me and a few other residents made him feel uncomfortable, so he left.” These types of illegal situations could have serious consequences for probationers and parolees, resulting in violations or even revocations of probation or parole, and, in some cases, increasing the risk of re-incarceration.

In addition to the prevalence of illegal drug activity, however, other aspects of Three-Quarter Houses create problems for probationers and parolees. PRI heard numerous reports of Three-Quarter House staff members attempting to control and coerce residents by making or threatening to make false reports to tenants’ probation or parole officers. Tenants reported that Three-Quarter House staff treated parolees differently by manipulating and intimidating them with implicit and explicit threats. For example, a tenant that called 311 to complain about a prolonged period of no heat in the building was told by the

landlord Three-Quarter House operator that he would call parole and allege that the tenant had violated his curfew. As this tenant explained, “If you’re on parole, they feel like they have you by the britches. They called my parole officer and lied, saying I wasn’t there by curfew. But it backfired because it’s on paper. I signed in before curfew, and there are cameras everywhere that showed I came in on time.”

“*When I was on parole in the Three-Quarter Houses, they were monitoring me. Parole would call the houses on a daily basis and, like, do a run-down of what I was doing. Did he go to his program? Did he sign in and out? It was like they had an ankle bracelet on my body. I felt like a little adolescent at home being punished. You know what I’m saying? I found it totally intolerable to be there, so I ended up leaving the Three-Quarter House and getting violated from parole. You know, under conditions like that, it was intolerable, and I felt that it was wrong.*”
—48-year-old male tenant

The common practice of many Three-Quarter House operators to illegally evict tenants without notice and with no court process puts parolees at risk of being in violation of parole for failing to comply with a parole directive to be inside at their approved address by curfew. For individuals recently released from prison or jail, situations such as these can be severely challenging and can jeopardize their ability to successfully transition back into society.

Obstructing Self-Improvement Efforts

The conditions of badly managed Three-Quarter Houses can hinder tenants' successful transition into better lives by placing barriers in the way of self-improvement efforts. While it is problematic that Three-Quarter Houses fail to provide the services they promise in order to attract tenants, it is even more troubling when the houses actually obstruct tenants' independent endeavors to better their lives. The tenants PRI spoke to described situations in which the conditions or rules of the houses created conflicts with schooling, job training, employment, and other self-improvement efforts.

“Our house manager thought the refrigerator was too packed, so he took it upon himself to just throw food out. Another time he felt that the dishes on the draining board were sitting there too long, so he just took them and dumped them in the garbage. You have two choices in that situation—fight the man or buy new stuff. And obviously, if you fight him, you’re violating, and that stuff, it’s like lawlessness, you know.”
—36-year-old male tenant

Houses frequently mandate tenants to particular substance abuse treatment programs instead of allowing them to find programs that work with their own schedules and are located near their homes, jobs, schools, or support systems. Tenants are also often required to attend house meetings at times that may coincide with other commitments. Without providing flexibility to motivated tenants who are attending school or working, the houses impede tenants' own efforts to get their lives back together. As one formerly incarcerated resident explained, “I got expelled from my schooling because the house wasn't willing to work with me on my schedule. It's crazy because you're really trying to get your life together and you got to worry about going to these house meetings and stuff.” Once tenants reach certain milestones, such as completing substance abuse treatment, Three-Quarter Houses often attempt to evict them. For residents who are successfully transitioning into better lives, by finding employment, for example, an untimely eviction can endanger their continued success.

“You know, if I leave my Three-Quarter House, I’m jumping out of the frying pan and into the fire. I don’t have any place to go, so I stay. But it’s hard, you know. I go to culinary school and I just failed one of my tests—not because I didn’t know what I was doing but because I could not sit down in my own house and study. For three weeks, we didn’t have any lights in the house.”
—56-year-old male tenant

As forms of housing that serve individuals attempting to transition through difficult phases of their lives, Three-Quarter Houses have an obligation to—at the very least—do no harm to tenants trying to improve themselves. Whether residents are leaving prison or jail, emerging from some sort of life tragedy, attempting to become drug- and alcohol-free, or trying to get off of the streets, their independent endeavors to better their lives are crucial to their success. Accounts from those who participated in the PRI study suggest that Three-Quarter Houses can impede these endeavors and become part of the problem rather than part of the solution.

“ I was at this Three-Quarter House that says you have to go to at least three NA meetings per week. I was going to an employment program in Brooklyn, trying to get a job, and I couldn’t do the meetings when they wanted me to, so they kicked me out. ”
—33-year-old male tenant

“ I eventually got a job, so I was paying extra money in the Three-Quarter House to have my own room, but I still couldn’t afford an apartment. I was doing well, but then the house told me my time was up and I had to leave. When you come out of jail and you go there, you want to get your life together. You go to a Three-Quarter House to try. They shouldn’t make it harder for you. ”
—37-year-old female tenant

CONCLUSION

THIS REPORT HAS PROVIDED a view of Three-Quarter Houses from the perspective of individuals who live in them. These tenants' viewpoints raise important and difficult issues for policymakers concerned with the problem of housing for New York City's most vulnerable residents.

Tenants are nearly unanimous in pointing out that as bad as Three-Quarter Houses can be sometimes, they are better than the alternatives that exist for them. These alternatives include city shelters and living on the street. PRI takes this viewpoint seriously. Our research indicates that with proper regulation and oversight, Three-Quarter Houses have the potential to be viable options for individuals in transitional phases of their lives. Making them viable, not to mention legal, will require changes in both law and policy. While it appears that the very worst abuses are the result of unscrupulous owners and operators, some of the problems associated with the houses are structural in nature. For example, in order for these houses to exist at all, they need to be financially viable. With the current maximum "shelter allowance" from HRA set at an untenably low \$215 per month for individuals, house operators have a need to pack as many people into their facilities as possible. While it is true that some house operators pay more attention to health and safety issues than others, this structural incentive to overcrowd is difficult to resist. Similarly, houses also have an incentive to mandate substance abuse treatment and engage in questionable financial arrangements with substance abuse treatment providers. These incentives do not excuse illegal or dangerous behavior; rather, they constitute issues that need to be addressed through rational policy.

Three-Quarter Houses exist because they fill a crucial need. Housing New York City's most vulnerable individuals has proven to be one of the most difficult and long-standing challenges policymakers face. PRI advocates for efforts to provide housing for those most in need that are based on research and grounded in common-sense public policy. Three-Quarter Houses might one day be made safer, legal, and more sensitive to the needs of the individuals they serve. However, our research clearly indicates the urgent need for some minimum standards and some type of oversight. Safe, affordable, legal, and dignified housing for all New Yorkers is an issue in which policymakers, tenants, stakeholders, and the public at large all have an interest.

RESEARCH METHODS

The research upon which this report is based was conducted over the course of nearly a year from October 2012 to July 2013. The specific goal of the project was to obtain a deeper understanding of the conditions within Three-Quarter Houses and to identify issues that need to be addressed through public policy. Over the course of the research period, the research team at John Jay's Prisoner Reentry Institute (PRI) conducted a comprehensive documentary review of literature related to Three-Quarter Houses and of local, state, and federal laws in the area of housing, sampled the population of Three-Quarter House tenants in New York City, conducted focus groups and interviews with members of the sample, and coded and analyzed the collected data. In the sections below, we elaborate upon each of these activities and provide a section describing the limitations of our study.

Literature and Document Review

The research included a review of literature and information related to Three-Quarter Houses in New York City, including media coverage, previous research reports, testimony of hearings before government bodies, policies and laws, and other sources. The review of these materials guided the research team in designing the research, formulating questions to be asked of subjects, developing a coding scheme, and analyzing the data. In this effort, the PRI research team was aided by partners at MFY Legal Services and Neighbors Together.

Sampling, Data Collection, and Analysis

Our population sample is comprised of current and former tenants of Three-Quarter Houses in New York City who are 18-years-old or above. All members of our sample are above the legal age of consent and were either living in a Three-Quarter House in New York City at the time of our contact with them, or had lived in one in the previous year. We recruited our sample by taking advantage of institutional contacts, by posting flyers, and by utilizing social networks. We partnered with the community-based organization Neighbors Together, located in Brooklyn, and with MFY Legal Services to carry out these recruitment activities. Our partners contacted tenants of Three-Quarter Houses whom they knew prior to the beginning of our research. They had previously worked with these tenants in the capacity of legal advocates and community organizers. Initial recruits were given flyers to hand out, which explained the research briefly and included instructions on how to participate. These flyers were also posted in and around Neighbors Together.

These methods yielded a final sample of 43 participants. Among the 43 participants were five core participants who were recruited specifically to serve as research assistants on this project. The goal in this effort was to take advantage of the cultural competence of these assistants and to benefit from their insider knowledge of Three-Quarter Houses. These research assistants were remunerated on a weekly basis for their work on this project. They were notified of their remuneration for work as research

assistants after they provided informed consent to participate as research subjects. This was done to avoid the potential that weekly remuneration could serve as a coercive factor in their participation as research subjects. The remaining 38 participants received incentives for their participation, in order to account for their time. Each participant in a focus group received \$20 in cash, a meal, and a two-fare subway pass worth \$4.50. Each participant in an individual interview or a roundtable discussion, both of which were conducted during a day-long session of data collection, were provided with both breakfast and lunch and a \$4.50 subway pass, but not with any cash incentives. “Roundtable discussion” designates a specific type of focus group in which the researcher leading the group focused on gathering information on specific categories that arose during initial data collection. For example, we conducted a roundtable discussion on “Safety Issues” once we realized through initial data collection that this was a recurring problem in the houses. In total, we conducted four initial focus groups, four subsequent roundtable discussions, and five individual interviews. Focus groups and roundtable discussions lasted approximately 90 minutes each, and individual interviews lasted about one hour each. Focus groups, roundtable discussions, and interviews were led by advanced graduate students or by PRI director Ann Jacobs.

At the close of data collection, the PRI research team in conjunction with partners from MFY Legal Services and Neighbors Together analyzed the data. Data analysis was based on a coding scheme developed by the PRI research team using information gathered during formative research. Over the course of the analysis period, some of the original categories were dropped and new categories were added as needed, in order to reflect the issues that tenants regularly mentioned. The final analysis of the data is captured in the report presented above.

Limitations of The Study

PRI has made every effort to ensure that this report paints an accurate and balanced picture of Three-Quarter Houses in New York City. However, there are some limitations to our research due to the nature of our recruitment and sampling. Our sample is not a random sample. Rather, it is essentially a convenience sample and thus cannot be considered representative of the Three-Quarter House population in New York City. In particular, it is likely that tenants from houses operated by large outfits that run several houses are overrepresented in our sample. While several multi-house operations constitute a significant part of the Three-Quarter House market in New York City, there is evidence that small operations run by single-house owners may also be prevalent. It is highly possible that these small operations differ in important ways from the large outfits that we believe are overrepresented in our sample. Additionally, the snowball technique used to build the sample likely resulted in a final sample that is unrepresentative in another manner. Our initial recruits tended to be middle-aged, in their 40s and 50s, and we believe that this age group may be overrepresented in our sample due to the snowball sampling technique we utilized after identifying these initial recruits. Moreover, our sample overrepresents tenants in houses in Brooklyn due to institutional partners. However, most individuals in our sample had lived in multiple houses in multiple locations and were thus able to provide information on more than one house. While it is not necessarily possible to generalize our findings to every Three-Quarter House in New York City, we are confident that the stories we heard from tenants accurately portray the conditions under which many Three-Quarter House tenants are currently living. Despite its limitations, this report provides the first systematically obtained portrait of Three-Quarter Houses from the perspective of tenants and provides crucial information for researchers, advocates, and policymakers.

ENDNOTES

- 1 Cuomo 2012.
- 2 Ibid.
- 3 OASAS 2012.
- 4 Donovan 2012.
- 5 Ibid.
- 6 Ibid.
- 7 MFY 2011.
- 8 In contrast to Three-Quarter Houses, halfway houses are governed by comprehensive guidelines established by the BOP that set standards for who is permitted or required to live in a halfway house, who can operate the halfway house, and how the halfway house must operate in order to be in compliance with the law. See Residential Reentry Center Statement of Work, U.S. B.O.P., (Feb. 2012), available at http://www.bop.gov/business/res_reentry_ctr_sow_2012.pdf Among other things, the BOP SOW requires that all federal RRCs “comply with applicable local, state, and national health, safety, environmental laws, regulations, Executive Orders, and building codes,” see id. at 3, and has specific requirements for air circulation, lighting, space, transportation options, bathrooms, showers, laundry, telephone service, room temperature, id. at 23-26, fire safety, id. at 28-30, sanitation, id. at 31-32, electrical safety, id. at 33-34, the standards by which rent is charged to residents, id. at 55-56, how a house may discipline a resident, id. at 70-81. In addition, BOP retains the right and responsibility to inspect and monitor the RRC facilities. Id. at 104-06.
- 9 N.Y. City Housing Maintenance Code, Article 4, §§ 27-2077, 27-2078.
- 10 Vitale 2008; Blackburn 1996.
- 11 Vitale 2008.
- 12 Garland 2001.
- 13 Travis 2005.
- 14 LAC 2009.
- 15 NYCHA 2013a. See Appendix, Exhibits F and FF (listing multiple bars to admission with various lengths of time for specific convictions); 12 USC 13663(a) (barring admission to public housing to any household including an individual subject to a lifetime sex offender registration requirement); 24 CFR 960.204(a)(3) (barring admission to public housing to any individual convicted of methamphetamine production).
- 16 Austin and Jacobson 2013.
- 17 CFH 2008; Ibid.
- 18 NYC RGB 2013
- 19 CHPC 2013.
- 20 Ibid.
- 21 Arden, 2012b
- 22 Ibid.
- 23 NYS DOCCS 2010.
- 24 Metraux et al. 2007.
- 25 Burt et al. 1999; Eberle et al. 2001; Kushel et al. 2005; Schlay & Rossi 1992.

26 Metraux et al. 2007.
27 NYS DOCCS 2010.
28 NYC DOC 2011.
29 NYS DOCCS 2007.
30 D'Amore et al. 2001; Johnsen & Teixeira 2010; Salt et al. 2008.
31 Folsom et al. 2009
32 Robinson, Zlotnick, and Westerfelt 1992.
33 McNeil and Binder 2005.
34 Census 2011.
35 These figures are based on testimony offered to the Rent Guidelines Board by Goddard-Riverside's
West-Side SRO Law Project in 2008 and are based on HVS data collected in 1996 and 2002.
36 NYC HDC. 2013.
37 NYCHA 2013b.
38 CFH 2008.
39 NYC R & R. 2013; Bosman 2010; Arden 2012b.
40 Arden 2012b.
41 Ibid.
42 CFH 2008.
43 Rodriguez 2010.
44 Ibid.
45 Arden. 2012a.
46 EJC 2012.
47 Rodriguez 2010; Ibid.
48 Arden. 2012a.
49 Rodriguez 2010.
50 PIX11 2013.
51 Burke and Sullivan 2014.
52 Census 2002.
53 Hannigan and Wagner 2003.
54 Houghton 2001.
55 NYU Furman 2013.
56 NY/NY 2005.
57 NY Network 2013.
58 HomeBase 2013
59 Polcin and Henderson 2008.
60 Ibid.; Polcin 2009.
61 Jason et al. 2007.
62 Ibid.
63 Ibid.
64 LaVigne. 2010.
65 Wetzel 2013; Lowencamp and Latessa 2002.
66 Zeldin 2013.
67 NYC DHS. 2013; NYC 2013.
68 NYPD 2013.

- 69 Bernstein 2013.
- 70 NYS 2013.
- 71 OASAS 2003.
- 72 US 2013.
- 73 NY OTDA 2011.
- 74 Wilson et al. 2005; Lowencamp and Latessa 2002.
- 75 Polcin and Henderson. 2008; Polcin 2009.

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