



Memorandum in Support

COMMITTEE ON CHILDREN AND THE LAW

Children #1

April 29, 2025

A.735

By: M. of A. Hevesi
Assembly Committee: Ways and
Means
Effective Date: Immediately

AN ACT to amend the Social Services Law in relation to expanding the age range for eligibility for the rent subsidy payable to a foster child living independently

LAW AND SECTIONS REFERRED TO: Subdivision 5 of Section 409-a of the Social Services Law

THE COMMITTEE ON CHILDREN AND THE LAW

SUPPORTS THIS LEGISLATION

The New York State Bar Association's Committee on Children and the Law strongly supports this amendment to the Social Services Law, which would expand the age range for eligibility for foster youth to access the Preventive Services Housing Subsidy up to the age of 24. This bill would provide vulnerable young adults who have aged out of or been discharged from foster care a vital safety net.

Currently, the subsidy is available to youth only up to age 21. As a result, youth who are aging out of foster care without a place to live are not able to access this important resource. Youth who have left care before age 21 but are just beginning to get settled, lose access to the funding as soon as they turn 21. The transition to independent living is a difficult one for many youths leaving foster care to live on their own. Prior to a youth's discharge from care, the foster care agency is obligated to provide the youth with assistance preparing them to live independently, most importantly assisting them in securing appropriate housing, employment, and education. Local Social Services Districts must ensure that youth who are discharged from foster care have safe and stable housing.¹ Nonetheless, youth who have been discharged from foster care often experience homelessness because of the critical shortage of affordable housing across New York state.

¹ 18 NYCRR 430.12(c)(3)(c)

Homelessness is a devastating and particularly challenging problem in New York, especially for those who have spent time in foster care. In New York State, rates of homeless doubled between January 2022 and January 2024.² The connection between foster care placement and homelessness is so great that the child welfare system has been described as a “highway to homelessness.”³ In one longitudinal study, it was estimated that as many as 31 to 46 percent of youth who age out of foster care experience homelessness by age 26.⁴

We commend the Legislature for the steps it has taken in recent years to support youth leaving foster care. In 2019, NYS passed a bill enhancing housing stability for youth leaving foster care by allowing recipients of the preventive services housing subsidy to live with roommates. In 2024, NYS increased the housing subsidy amount from \$300 to \$725⁵ in an effort to address the increase in housing costs since the subsidy was first created by the legislature. However, further reform is needed to address this challenging issue.

This legislation offers a simple, yet effective, solution to this problem by extending the age limit of eligibility for the subsidy until the youth reaches the age of 24. Extending eligibility to allow former foster care youth access to the housing subsidy will help minimize or avert negative outcomes by providing needed support to this vulnerable population as they transition to living independently.

For the foregoing reasons, the New York State Bar Association’s Committee on Children and the Law supports A. 735.

² Office of the New York State Comptroller, *New Yorkers in Need: Homelessness in New York State*, January 2025, available at <https://www.osc.ny.gov/files/reports/pdf/new-yorkers-in-need-homelessness-nys.pdf>

³ NFYI: Housing and Homelessness, available at <http://nfyi.org/issues/homelessness/#>

⁴ Amy Dworsky, Laura Napolitano, Mark Courtney, “Homelessness During the Transition from Foster Care to Adulthood,” *American Journal of Public Health* 103, no. S2 (December 1, 2013): pp. S318-S323.

⁵ New York State Fiscal Year 2024 Enacted Budget, available at, <https://www.budget.ny.gov/pubs/archive/fy24/en/fy24en-fp.pdf>