

Emergency Shelter

Does the Department of Social Services have to help me with Emergency Shelter?

The Erie County Department of Social Services must provide temporary shelter for individuals and families who are experiencing homelessness. There is no time limit. DSS must place you in shelter for as long as you need it. You are required to follow the rules at the shelter, comply with Temporary (cash) Assistance requirements, and look for permanent housing.

Can I get help with shelter even if I am not getting Public Assistance?

Yes. You do not have to be getting public assistance to be eligible for help with shelter.

What do I have to show to DSS to get a bed in a shelter?

At a minimum you have to show your household composition, citizenship and identification. You also have to show you have no place to stay.

What if I can't provide all the information to DSS when I apply?

DSS has a duty to place you in shelter, even if you don't have all of the information they ask for when you first apply. If DSS needs more information, DSS should give you a pre-investigation grant. A pre-investigation grant is a short placement in shelter to give you time to get the information they are asking for. You must try to get the information they are requesting. If you do not have it and do not have a good reason why, DSS may give you a denial notice.

If you cannot get the documents, but have tried your best to get them, tell your worker. DSS has a duty to help you get the information they require if you cannot get it yourself. (For example, if there is a fee to get copies but you have no money or the person you are trying to reach is not responding, etc.) Tell your worker that you tried, but cannot get what they are asking for and they have to help you. DSS cannot deny you shelter because you cannot get the documents.

What are the Emergency Shelter Assistance rules?

1. You must cooperate with DSS to assess your housing and housing-related Public Assistance needs and create an Independent Living Plan.
2. You have to actively look for housing and turn in a list of the apartments you have contacted and looked at. DSS will tell you how many you need to contact each week and may give you a form to fill out.
3. You will have to apply for Temporary (cash) Assistance if you are eligible. If you already have Temporary Assistance you will still need to attend your work program or substance abuse treatment program unless you have good cause or are exempt from participating.

Where do I apply?

In Erie County, go the first floor of the Rath Building at 95 Franklin Street, Buffalo, NY 14202.

What if DSS won't help me or I get denied shelter?

Ask for a denial notice from DSS. Contact our office immediately at (716) 847-0650. Ask for the Homeless Task Force, we will review your case with you and may be able to take your case.

Is there anything else I can do?

If you feel you were wrongly denied or discontinued, you can request a Fair Hearing. You have 60 days from the notice date to ask for a Fair Hearing. If you request a hearing within 10 days of your discontinuance, you are entitled to “aid continuing.” This means DSS must keep you in the shelter until you get a hearing decision or you default your hearing.

How do I request a Fair Hearing?

You request a Fair Hearing:

By Phone:

Statewide Toll-Free 1-800-342-3334: Fair Hearing Requests & Inquiries

By Mail:

New York State Office of Temporary and Disability Assistance (OTDA)

Office of Administrative Hearings

P.O. Box 1930 Albany, New York 12201-1930

By Fax

Fax No. (518) 473-6735

Online:

Forms: <http://www.otda.state.nyus/oah.forms.asp>