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*****FOR IMMEDIATE RELEASE*****

Legal Aid Files Lawsuit Against New York City for Failing to Provide Adequate Shelter for Homeless Single Adult New Yorkers During the COVID-19 Pandemic

(NEW YORK, NY) – The Legal Aid Society and Jenner & Block LLP today filed a [lawsuit](#) in New York State Supreme Court on behalf of the Coalition for the Homeless and single adult New Yorkers who are experiencing homelessness. The [lawsuit](#) is against the City of New York, the Department of Social Services (DSS), and the Department of Homeless Services (DHS) for failing to take appropriate action to temporarily provide safe shelter for single adults that is free of significant health risks from aerosol transmission of the coronavirus that causes COVID-19.

Despite an abundance of vacant hotel rooms — to the point where some hotels are in danger of permanently closing — and federal funding explicitly available for this exact purpose, the City has taken only half-measures to protect single adult homeless individuals in a timely, measured, and effective manner. The lawsuit seeks to require that the City offer a single-occupancy hotel room to each single adult homeless New Yorker for the duration of the COVID-19 pandemic, among other forms of relief.

“For decades, we have enforced the rights of homeless New Yorkers to access safe shelter. This once-in-a-century pandemic requires the City to shift from housing our clients in congregate shelters to providing shelter where clients can safely social distance in order to comply with public health guidance,” said **Josh Goldfein, Staff Attorney in the Homeless Rights Project at The Legal Aid Society**. “It is cruel and unacceptable to place the health and lives of thousands of homeless individuals at needless risk when the City has the resources and space to

appropriately house our clients in single-occupancy hotel rooms for the remainder of the pandemic.”

Jenner & Block Partner Dawn Smalls added, “To fight the coronavirus effectively, all New Yorkers – including those in need of shelter – need the ability to remain socially distanced. The City has an obligation under the New York State Constitution to provide safe shelter to our most vulnerable New Yorkers. We intend to ensure they fulfill it.”

“Mounting evidence that widespread infection of others by a single asymptomatic -- but highly infectious -- individual occurs indoors, even when people attempt to stay apart and wear face coverings, underscores the need for the City to provide access to private hotel rooms for homeless individuals during this extraordinary pandemic. The Coalition for the Homeless is most grateful to The Legal Aid Society and Jenner & Block for their work to ensure the health and safety of homeless New Yorkers, and we implore the City to heed the science in order to save lives,” said **Shelly Nortz, Deputy Executive Director for Policy with Coalition for the Homeless.**

These New Yorkers face disproportionate health risks due to their placement in congregate settings in adult shelter facilities where it is impossible to socially distance, an essential component of minimizing risk during the COVID-19 pandemic. The age-adjusted mortality rate for single adults in shelters since the pandemic began is 409 per 100,000 people, which is 80 percent higher than the rate for the city’s general population. Many more who survive the disease face potentially long-lasting detrimental health effects as a result.

The lawsuit was brought under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Due Process Clause of the United States and New York State Constitutions, the New York State Human Rights Law, the New York State Social Services Law and its implementing regulations, and the New York City Human Rights Law.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. <https://www.legalaidnyc.org>

Jenner & Block LLP is a law firm with global reach, with offices in Chicago, London, Los Angeles, New York, and Washington, DC. The firm is known for its prominent and successful litigation practice and experience handling sophisticated and high-profile corporate transactions. In 2020, The American Lawyer recognized the firm for the fourth consecutive year as the #1 pro bono firm in the United States, marking the 10th time in 13 years the firm has received this recognition. <https://www.probono.jenner.com>