NEW YORK CITY BAR

REPORT BY THE SOCIAL WELFARE COMMITTEE

PROPOSED LEGISLATION AMENDING NEW YORK LIEN LAW SECTION 182: SHAVON'S LAW

I. SUMMARY

The Social Welfare Committee (the Committee) of the New York City Bar Association (the City Bar) proposes amending New York Lien Law Section 182, which governs self-storage facilities. Through the proposed legislation, Shavon's Law, New Yorkers experiencing homelessness who have applied for self-storage fee assistance from their social services department will not have their belongings auctioned off while they await or challenge the social services department's payment or decision.

II. INTRODUCTION

New York Lien Law Section 182 currently provides for prompt auction of items in self-storage facilities, should the occupant default on payment and the storage facility owner provide 30 days' notice. When bureaucratic delay or error - beyond any individual applicant's ability to control – meets with the current New York Lien Law Section 182 provisos, homeless individuals suffer the disastrous consequence of losing all their items to auction before they can challenge such agency delay or error in processing their assistance applications. Shavon's Law would prohibit enforcement of a lien where the occupant has a pending social services department storage fee assistance request or appeal. A copy of the Committee's proposed amendments is attached to this report (*see* Appendix A).

III. LIEN LAW 182 AND HOMELESSNESS

In New York, eligible individuals and families living in shelters, on the street, or doubled-up in the community (i.e., temporarily living in another person's home), are entitled to emergency assistance grants from their local department of social services to pay for the temporary storage of their belongings. More specifically, each social services department "must" provide a monetary grant for storage of personal and household items "when it is necessary for circumstances such as relocation, eviction or temporary shelter, so long as eligibility for public assistance continues and

About the Association
The mission of the New York City Bar Association, which was founded in 1870 and has over 20,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.

so long as the circumstances necessitating the storage continue to exist, and no other storage options exist."[1]

Upon approval of a storage assistance application, the social services department pays the applicant's self-storage facility directly. Under New York Lien Law Section 182, the owner of the self-storage facility has "a lien upon all personal property stored at a self-storage facility for occupancy fees or other charges."[2] If the occupant fails to pay storage fees, the owner may enforce the lien by auctioning off the contents of the storage unit, as long as the owner provides 30-days' notice of the auction indicating, among other things, the occupant's right to file a special proceeding to challenge either "the validity of the lien" or "the amount" of the arrears or value of the owner's services.[3] In the vast majority of cases, individuals waiting for a public assistance grant lack any basis to challenge the validity of the lien per se, amount of arrears, or value of the owner's services.

In New York City, applicants are required each month to present a monthly application and / or storage bill to their benefits center, notwithstanding an existing policy of the New York City Human Resources Administration ("HRA") that provides for an automated payment system for residents of Department of Homeless Services shelters. As a result, and as described in detail below, people in housing crises essentially roll the dice – every month – on whether their application will be granted in sufficient time to prevent mounting arrears and lien enforcement auction that risks all their worldly possessions. This problem is exacerbated by the fact that not every storage facility complies with the existing notice requirements of New York Lien Law Section 182 and individuals experiencing homelessness may lack consistent access to their mail.

Social services departments have existing directives and laws aimed at preventing agency delays and errors. For example, when necessary to meet an urgent need, the social services department must make same-day decisions and/or provide immediate relief while determining whether an emergency need exists.[4] More specifically, HRA requires decisions on emergency storage fee assistance requests be made within the time "necessary to abate an emergency (such as preventing an auction sale or allowing access to urgently needed items in storage)."[5]However, enforcing these laws on a case-by-case basis – and repeatedly – is an excessive burden on the administrative system and is too much to ask any individual, let alone someone navigating a shelter crisis for themselves and their families. Similarly, while there are procedures to request emergency appeals of their application status, applicants are routinely kept in the dark as to the status of their application or told they simply must wait and cannot do anything to speed up the process, depriving them of any opportunity to force the agency to comply with existing laws.

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[1] N.Y. Comp. Codes R. & Regs. Tit. 18 § 352.6(f) (Miscellaneous shelter allowances and grants) and N.Y. Comp. Codes R. & Regs. Tit. 18 § 397.5(k) (Granting of EAA (Emergency Assistance for Adults))

[2] N.Y. Lien Law § 182(6).

[3] N.Y. Lien Law § 182(7)(a), (9)

[4] See, e.g., New York Social Services Law § 133; Office of Temporary and Disability Administration Directive 02 ADM-2

[5] HRA's Policy Directive #23-03-OPE at 14.

IV. WHY AMENDMENTS ARE NECESSARY

Despite diligently complying with the application and eligibility rules referenced above, applicants for storage assistance are commonly met with bureaucratic delays and errors. In this context, even relatively short delays result in the loss of one's belongings to New York Lien Law Section 182 auction, depriving homeless individuals of their personal property as well as any meaningful opportunity to challenge the erroneous denial of the public assistance benefit.

Below are the stories of several of the City Bar Justice Center's[6] clients. They chronicle the chaos and anxiety in the lives of homeless individuals and families caused by administrative delay and a flawed Lien Law 182, as well as the resulting trauma of losing all of one's belongings, through no fault of their own. This loss not only deepens each person's housing crisis, it robs them of objects imbued with their family history, symbolizing their individual achievements, necessary for their livelihoods, and in one tragic case, the ashes of a mother's beloved son.

a. Nina Davila

Nina Davila, a former professor who built a life for herself after growing up in foster care, found herself, after a COVID-related employment reduction and the onset of a nervous system disorder, without stable housing or income in 2023. Without a secure home to hold her belongings, Ms. Davila rented a small storage unit and filled it with her most important possessions, including artwork, music, books, and most importantly, two urns. One contained the ashes of her treasured pets, and the other contained the ashes of her beloved son, Shavon Davila. During this time of housing instability, Ms. Davila believed the storage unit to be the most secure place to safeguard her belongings.

For over a year, Ms. Davila complied with HRA's requirements for obtaining storage fee assistance for her storage unit and HRA paid the invoices, albeit sometimes late. On April 25, 2024, Ms. Davila requested storage fee assistance and presented her invoice in the same manner as usual. When Ms. Davila did not receive confirmation that her bill was paid, she presented a second copy of her invoice, which she had requested from a local office of her storage facility, to HRA on May 15, 2024.

HRA did not provide Ms. Davila with notice that her application was denied until May 30, 2024. However, unbeknownst to Ms. Davila, on May 23, 2024, the self-storage facility had auctioned off her unit, and her items were cleared out on May 24, 2024. The reason belatedly given for HRA's denial was that Ms. Davila's residence could not be verified. However, HRA's files

[6] The City Bar Justice Center (CBJC or Justice Center) is the largest department of the Association of the Bar of the City of New York Fund, Inc. (City Bar Fund), the 501(c)(3) affiliate of the New York City Bar Association. CBJC furthers access to justice by addressing unmet civil legal needs of New Yorkers struggling with poverty and other systemic socioeconomic barriers. The Justice Center mobilizes law firms, corporate legal departments, and other legal institutions to provide pro bono legal services; educates the public on pertinent legal issues; fosters strategic community relationships; and impacts public policy. The Justice Center's dozen civil justice projects, including the most comprehensive civil legal hotline in New York, are led by a staff of dedicated attorneys and professionals who provide high-quality civil legal services through brief advice and information, referrals, and both limited scope and extended representation that benefit more than 27,000 New Yorkers each year. For more information, please visit https://www.citybarjusticecenter.org/ (All websites last accessed January 30. 2026)

show that not only was there a letter verifying her residence, but there had been a separate investigation into this very issue which found that she was eligible. Ms. Davila pleaded with the storage facility to provide the name of the buyer of her items. But it was too late. He had already disposed of the urn with her son's ashes.

Beyond the loss of tens of thousands of dollars in personal property that symbolized who she is and what she had overcome, Ms. Davila is distraught first and foremost over the loss of the ashes of her stillborn son, Shavon Davila. Ms. Davila had planned to one day be buried along with her son's ashes, and this experience has caused her to relive the trauma of losing her son repeatedly. She wants no one else to suffer this type of preventable, excruciating loss. For this reason, the City Bar proposes that the new amendments to Lien Law 182 be named "Shavon's Law" after this beloved family member, Shavon Davila.

b. Yolanda Castillo (alias)

In or around 2023, Ms. Castillo, who is a licensed cosmetologist and voice-over artist, lived with her then one-year-old daughter and 21-year-old college-attending daughter. Due to lack of space at an extended family member's home and economic difficulties from a then-undiagnosed case of fibromyalgia, Ms. Castillo and her baby entered the shelter system. Her adult daughter was told she was too old to join them in the shelter. Ms. Castillo placed all of the family's belongings in storage: her daughter's college books and materials, sentimental children's items from both girls, several beds, a TV, other furniture, along with the tools she had bought to practice her cosmetology trade.

Ms. Castillo requested storage payments from HRA. On July 10, 2023, she filed an emergency needs application noting that her items in storage were set to be auctioned on August 7, 2023. She called HRA and explained the situation, but the representative was "sleepy," disinterested, and told her she could not do anything for her, she just had to wait. Despite pain from her medical condition, she walked into her benefits center but the HRA representative simply, and erroneously, sent her to another center allegedly to present employment verification. Despite HRA policy that requires timely action to abate an auction, HRA did not approve her request until August 7, 2023.

Unfortunately, Ms. Castillo's belongings were auctioned off that day. Upon hearing the news, Ms. Castillo broke down in tears. Despite trying so hard to get HRA to pay attention, she and her daughter had lost everything and had to "start over from zero." Ms. Castillo filed for compensation from HRA for her lost belongings, but the Administrative Law Judge told her that the fair hearing process could not provide such relief. These facts demonstrate that without some change to Lien Law 182 or providing each applicant with a magic wand to eliminate bureaucratic delay and malfeasance, homeless individuals are squeezed between the two, with no meaningful opportunity to protect their property rights or obtain post facto compensation.

c. Venus Weisman

A former dental assistant who was laid off during COVID, Ms. Weisman entered a women's shelter after using up all her savings, working side gigs, and rooming with others in an apartment plagued with mold, leaks, and flooding. When Ms. Weisman learned that HRA could

help pay for her belongings in storage, she began the monthly process of applying. Every month, she submitted her bills early, called HRA to remind them to pay, and walked into her benefits center to ensure that her storage bills were being paid. Despite her careful attention, HRA repeatedly failed to issue timely payments, resulting in late fees and tremendous stress.

By November and December of 2024, Ms. Weisman began receiving bills noting that her storage unit was at risk of auction. She repeatedly submitted payment requests to HRA indicating the urgent risk of auction. Although HRA eventually approved her requests on December 24, 2025, HRA never submitted the payments to the storage facility. On January 23, 2025, Ms. Weisman received a voicemail from the self-storage facility that her items would be auctioned unless she made payment within one hour. She never received a written notice of auction. Nonetheless, all of her items were auctioned off. The storage facility even charged her for the next month.

The contents of her storage unit were deeply personal, irreplaceable, and encompassed nearly her entire life. It held childhood photos, including the only remaining photos of her biological family and the only baby and childhood photos she had as an adoptee. It contained high school yearbooks, letters, birthday cards from her late adoptive parents and biological father, a portrait canvas of her biological father, albums of her nephews, acting certificates, her humanitarian award, signatures from classmates, clippings from articles and pageants documenting her accomplishments. These items represented relationships, experiences, and parts of her identity that can never be replaced. The grief she experienced mirrored the pain of losing a loved one, as these belongings were her last tangible connections to the people she had lost and to the history she could never recreate.

After losing virtually everything she owned including furniture, kitchen equipment, summer and winter clothing, when Ms. Weisman eventually left the shelter, she had to move into an empty apartment with only a few clothes and an airbed, facing the overwhelming challenge of rebuilding her life from scratch. With no family to turn to, Ms. Weisman felt as if everything came crashing down on her while she was completely alone.

Without a mechanism to protect belongings while HRA processes applications for storage assistance, countless other homeless New Yorkers like Ms. Weisman will continue to face catastrophic and irreparable loss, deepening their sense of isolation, trauma, and financial hardship.

d. Jorge Ibarra

Jorge Ibarra, a former IT professional and business manager, turned to HRA for assistance with paying for a storage unit after the pandemic gutted his business and his Chronic Inflammatory Demyelinating Polyneuropathy made it medically unsafe to reside in his four-story walk-up apartment. Mr. Ibarra complied with HRA requirements for emergency grant applications and filed up to three Fair Hearings when HRA did not timely pay his storage fees. While he was waiting for a final Fair Hearing decision regarding the storage fee payments, Mr. Ibarra filed for a temporary restraining order to enjoin the auction in Superior Court of New Jersey, where Mr. Ibarra had chosen to store his belongings due to cheaper rates. Although the unit contained important documents, clothing, and items related to his medical care, as well as items associated with his work, family, and personal history, the Superior Court judge was reluctant to grant the

injunction because it was not clear that loss of such property was irreparable. After all, loss of personal property is generally considered compensable by monetary damages.

Mr. Ibarra eventually convinced the judge that the medical equipment was necessary for his health, and the court granted a short injunction. During that time, Mr. Ibarra scrambled and sought free legal help advocating with HRA, which resulted in the issuance of the checks on the day the injunction was set to expire. Mr. Ibarra was lucky: he had the ability to draft legal paperwork, argue his case, as well as the time and means to travel and submit an emergency filing in court. It is simply not feasible for most individuals experiencing homelessness to do this. Shavon's Law would ensure that a meaningful opportunity to be heard regarding the deprivation of all of one's personal property, as well as a statutory welfare entitlement, is afforded to all homeless New Yorkers.

V. BALANCING THE EQUITIES

The proposed amendments to Section 182 of the Lien Law balance the unfair burden on homeless individuals, enormous financial benefits that self-storage facilities reap from public assistance storage payments, and the common denominator of social services department delay. As noted above, homeless individuals do not store excess belongings in self-storage facilities, but often their only and most essential belongings. Their heightened property interest in their stored belongings coupled with the high risk of untimely payments or erroneous denials by social services departments create an environment where erroneous deprivations of due process and personal property rights are all too common, nearly impossible to fully remedy, and potentially unconstitutional.

Furthermore, self-storage facilities benefit financially when eligible New Yorkers experiencing homelessness obtain monthly storage fee public assistance grants for self-storage services. The New York City Department of Social Services reports the total annual amount HRA paid directly to self-storage facilities for each year from 2022-2024 as follows[7]:

HRA Storage Facility Payments

Calendar Year	Total Payment Amount
2022	$8,234,608.87
2023	$7,690,232.53
2024	$8,615,660.33

[7] See Appendix B (Email from New York City Department of Social Services FOIL Office to a member of the New York City Bar Association's Social Welfare Committee, dated December 16, 2025).

Since individuals in housing crises would not otherwise be able to afford these fees, self-storage facilities benefit, to the tune of millions of dollars, from this additional, government-subsidized stream of income.

Finally, if and when there are delays due to the fair hearing process, there is a substantial likelihood that HRA will, post-fair hearing, ultimately pay the storage facility all fees due and owing. Studies have shown that the vast majority of HRA decisions subject to fair hearings are decided in favor of the applicant.[8] Furthermore, legal and social service organizations in New York City are lobbying Mayor Mamdani to implement aid-continuing for storage assistance payments. This would require HRA to provide ongoing storage assistance payments after an initial denial, if the public assistance applicant files a fair hearing request and a request for aid-continuing within 10 days of the denial.

The relatively minor financial burden placed on storage facilities to wait for the relevant social services department to act pales in comparison to the dual burdens that currently fall on homeless New Yorkers: the strain of repeatedly fighting bureaucratic delay and error and the risk of losing all of one's property. Further, by incentivizing bureaucratic efficiency, an amended lien law will reduce the financial risks or losses that self-storage facilities bear in situations where storage assistance payments are delayed or erroneously denied. In recognition of these unnecessary risks and unfair burdens, Shavon's Law provides a balanced and limited safe haven for homeless New Yorkers to securely store their belongings.

VI. SHAVON'S LAW: PROPOSED AMENDMENTS TO LIEN LAW SECTION 182

The proposed amendments to the New York Lien Law Section 182 will:

- Where payment has been made by a social services department under an occupancy agreement, require self-storage facilities to send the requisite auction notice to the social services department, an important step should automated payments be enabled and/or a person experiencing a housing crisis not receive a notice of auction.

- Require the social services department to certify within 10 days of receipt of an auction notice whether a storage assistance payment, application, or fair hearing request is pending.

- Require a social services department to bear the cost of any delay in providing such written certification.

- Prohibit auction of items where (1) the social services department fails to certify the status of a storage assistance payment, application, or fair hearing request or (2) a social

[8] For example, a 2014 report by the New York State Comptroller's Office found that over 80 percent of HRA benefit eligibility determinations were overturned after fair hearing challenges. See Benefit Eligibility Assessment Process, NYC Human Resources Administration, NYS Office of Temporary and Disability Assistance, NYS Office of the State Comptroller, Division of State Government Accountability, May 28, 2014, available at https://www.osc.ny.gov/files/audits/2017-12/sga-2014-12s51_1.pdf, at p. 7

services district certifies, or an occupant provides evidence of, a pending social services department storage assistance payment, decision, or fair hearing.

- Permit an occupant to, if necessary, request a stay of auction to enforce this prohibition, without requiring that they establish irreparable harm, a standard and burdensome showing required for injunctions under New York law.

- Award attorney's fees and costs if a stay request is necessary to obtain compliance.

A copy of the Committee's proposed amendments to New York Lien Law Section 182 is attached to this report (*see* Appendix A).

VII. CONCLUSION

The City Bar urges the legislature to enact Shavon's Law to protect homeless individuals from the deprivation of their due process rights and property rights. The proposed law will (a) incentivize bureaucratic efficiency, (b) in the vast majority of circumstances, impose only a minimal, temporary financial burden on self-storage facilities that earn millions of dollars each year from public assistance storage payments, and (c) enable individuals experiencing housing instability to protect precious, essential belongings, fulfilling the spirit and intent of the relevant New York statutes and regulations. With the approval of Shavon's Law, the legislature will ensure that New Yorkers in housing crises can focus on finding a home, rather than engaging in the Sisyphean task of fighting bureaucratic delay on the one hand and a merciless lien law on the other.

Social Welfare Law Committee*
Catherine Frizell, Chair
Amelia Toledo, Member

January 2026

**The Committee thanks the City Bar Justice Center clients for sharing their stories and Professor Stephen Loffredo and pro bono volunteer Alex Leonard for their contributions to the proposed amendments.*

Contact

Elizabeth Kocienda, Director of Advocacy | 212.382.4788 | ekocienda@nycbar.org
Mary Margulis-Ohnuma, Senior Policy Counsel | 212.382.6767 | mmargulis-ohnuma@nycbar.org

CONTACT
ELIZABETH KOCIENDA
212.382.4788 | ekocienda@nycbar.org

APPENDIX A

PROPOSED LEGISLATION

STATE OF NEW YORK

2024-2025 Regular Sessions

AN ACT to amend the lien law to prohibit enforcement of a lien where the occupant has a pending social services department storage fee assistance request or appeal

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as "Shavon's Law".

§ 2. Subdivision 1of section 182 of the lien law is amended by adding new paragraphs (i), (j) and (k) to read as follows:

(i) "Social Services Department," as defined in social services law section 2(7), shall mean the division or officer of city government or the office or official or board charged with authority to administer public assistance or care in the county social services district.

(j) "Storage Assistance" means any allowance or grant administered by a social services department to pay storage or other fees to the owner.

(k) "Supporting evidence" includes but is not limited to a paper or digital copy of one of the following: (1) the occupant's application to a social services department for storage assistance, (2) a social services department's receipt of such application, (3) a social services department's written determination. (4) a request for a fair hearing to contest denial or delay of an application for storage assistance, or acknowledgement of such a request, (5) a decision after fair hearing on a social services department's determination or delay, including a decision that the social services department must grant, evaluate, or reevaluate the occupant's application, or (6) the occupant's social services department mobile application indicating (1)-(5).

§ 2. Subdivision 2 of section 182 of the lien law is amended to read as follows:

2. Required disclosures. (a) The owner shall be required to provide prior to allowing occupancy a written occupancy agreement which shall be dated and signed by the occupant and the owner or his duly authorized agent, and be written or printed in a size equal to at least ten-point bold type and which shall set forth the following information:

(i) name and address of owner and occupant and electronic mail address of owner and occupant should the occupant choose to be contacted via electronic mail;

(ii) The name, address, electronic mailing address, and telephone number of the social services department the occupant designates as responsible for the occupant's payments under the agreement;

[~~(ii)~~](iii) street address of self-storage facility where goods will be stored;

[~~(iii)~~](iv) the actual monthly occupancy charge for the particular goods to be stored expressed in dollars;

[~~(iv)~~](v) an itemization of other charges imposed or which may be imposed in connection with the occupancy, a description of each such charge, whether the charge is mandatory or optional, and the amount of each charge expressed in dollars;

[~~(v)~~](vi) a statement of any limitation of damages limiting the amount of the owner's liability in case of loss or damage of the goods setting forth a specific liability per room size or dollar amount beyond which the owner will not be liable; provided that if damages are so limited, a statement shall be included that such liability may on the written request of the occupant and if accepted in writing by the owner at the time of signing such occupancy agreement or within a reasonable time thereafter be increased on part or all of the goods stored, in which event increased rates may be charged based on such increased valuation. The rates charged for an increased valuation shall be set forth and a pre-addressed request form to enable the occupant to request an increased valuation shall be provided; and

[~~(vi)~~](vii) any other material terms and conditions of the occupancy transaction.

(b) Every occupancy agreement as required by this section shall include the business address and telephone number to be used by the occupant in making inquiries concerning the occupancy transaction.

(c) Every occupancy agreement as required by this section shall contain the following conspicuous notices: (i) “Notice: The monthly occupancy charge and other charges stated in this agreement are the actual charges you must pay”; (ii) “Notice: You may choose to be contacted for legal matters related to late or lien notices, via electronic mail by providing your electronic mail address in at least two locations within the occupancy agreement”**; (iii) "Notice: Auction of your items is prohibited if you provide evidence or a social services department certifies that there is a pending social services department storage assistance payment, application for storage assistance, or fair hearing request regarding a storage assistance decision or delay. If a social services department is required under subsection 8(b) to timely certify the status of a storage assistance payment, application, or fair hearing, then the social services department will be responsible for paying the costs of additional storage costs and fees caused by the delayed certification"**.

§ 3. Subdivision 7 of section 182 of the lien law is amended to read as follows:

7. Enforcement of lien. (a) An owner's lien may be enforced by public or private sale of the occupant's goods that remain in the self-storage facility, in block, or in parcel, at any time or place and on any terms which are commercially reasonable after notice to all persons known to claim an interest in the goods. The notice shall include an itemized statement of the amount due, the description of the property subject to the lien, the nature of the proposed sale, a demand for payment within a specified time not less than thirty days from mailing of the notice and a conspicuous statement that unless the claimant pays within that time the goods will be advertised for sale and sold at public or private sale in a commercially reasonable manner. The notice shall further include the time and place of any public or private sale and it shall state that any person claiming an interest in the goods is entitled to bring a proceeding hereunder within **[~~ten~~]** **twenty** days of the service of the notice if he disputes the validity of the lien, **[~~or~~]** the amount claimed**, or the owner's compliance with this article**. The notice shall be personally delivered to the occupant, or sent by registered or certified mail to the occupant's last known address, or sent by verified mail and electronic mail to the occupant's last known address. Any notice made pursuant to this section and sent by verified mail shall be sent to the last known address provided by the occupant, pursuant to the occupancy agreement. Any notice

made pursuant to this section and sent by electronic mail shall only be effective if: (i) the occupancy agreement states that the occupant has consented to receive late or lien notices by electronic mail; and (ii) the occupant has provided the occupant's electronic mail address in at least two locations within the occupancy agreement.

(b) Any notice given pursuant to this section is deemed delivered when it is: (i) properly addressed to the last known address, and (ii) either sent by registered, certified or verified mail and evidence of mailing is received, or sent by electronic mail and either a non-automated response to the electronic mail is received or a receipt of delivery to the electronic mail is received.

§ 4. Subdivisions 8 of section 182 of the lien law is renumbered as subdivision 9 and a new subdivision 8 is amended to read as follows:

8. Special rules when storage fees paid by a social services department. (a) Whenever a social services department or official has made one or more payments under an agreement, or the occupant has designated in the agreement a social services department as responsible for payment, the owner shall also send a copy of the notice required by subsection 7(a), by mail and electronic mail, to the person designated by law as one to whom a summons in an action in the supreme court issued against such social services department may be delivered, or to an attorney regularly engaged in representing such social services department.

(b) Within ten (10) days of receipt of a notice required by subsection 7(a), the social services department shall transmit, by mail and electronic mail, a written certification to the owner and the occupant stating (i) whether the occupant has a storage assistance payment or application pending; (ii) whether the social services district has denied an application by the occupant for storage assistance, and the date of that denial; and (iii) whether the occupant has requested a fair hearing to appeal the denial or delay of storage assistance, and the status of that appeal.

(c) The office of temporary and disability assistance shall publish and require the use of a standard certification form for social services department compliance with subsection 8(b). The form shall contain the following conspicuous notice: "If the occupant disagrees with the social services department's certification, the occupant shall immediately provide supporting evidence to the owner indicating

that a storage assistance payment, application, or fair hearing is pending". The notice shall further include the definition of "supporting evidence" from subsection 1(k).

(d) An owner shall not enforce a lien prior to receiving the written certification from a social services department required by subsection 8(b). Should the department of social services fail to provide such written certification within the 10 days prescribed by that subsection, the department of social services shall bear the additional storage costs and fees due to the delayed certification.

(e) If an occupant provides supporting evidence or a social services department provides written certification that a storage assistance payment or application, or fair hearing request regarding a social services department's storage assistance decision or delay, is pending, the owner shall not enforce a lien unless and until (i) a decision after fair hearing determines that the occupant is not eligible for storage assistance or, (ii) 60 days after the social services department determines that the occupant is not eligible for storage assistance, if no fair hearing request has been made.

§ 5. Subdivision 9 of section 182 of the lien law is renumbered as subdivision 10 and amended to read as follows:

[~~9~~]10. Special proceeding. The special proceeding may be brought in any court which would have jurisdiction to render a judgment for a sum equal to the amount of the lien **or to stay enforcement of the lien**. If the person shall show that the owner is not entitled to claim a lien in the goods, or that all or part of the amount claimed by the owner has not been properly charged to the account of such person, or, as the case may be, that all or part of such amount exceeds the fair and reasonable value of the services performed by the owner, the court shall direct the entry of judgment cancelling the lien or reducing the amount claimed thereunder accordingly. If the owner shall establish the validity of the lien, in whole or in part, the judgment shall fix the amount thereof, and shall provide that the sale may proceed upon the expiration of five days after service of a copy of the judgment together with notice of entry thereof upon the person, unless the goods are redeemed prior thereto. If the lien is cancelled, the judgment shall provide that, upon service of a copy of the judgment together with notice of entry thereof upon the owner,

the person shall be entitled to possession of the property. **If the person shall show a failure by the owner to comply with this section, the court shall prohibit enforcement of the lien and award attorney's fees and costs to such person.**

§ 6. This act shall take effect immediately.

From: FOIL <FOIL@dss.nyc.gov>
Date: December 16, 2025 at 11:31:06 AM EST
To: [redacted]
Subject: RE: FOIL #25-572 (total payments to storage companies annually, 2022-2024)

Dear Mr. [redacted],

In further response to your request submitted December 4, 2025, seeking the total annual amount the HRA has paid directly to storage facilities for each year 2022-2024, please be advised that the amounts are as follows:

Storage Facility Payments

Calendar Year	Total Payment Amount
2022	$8,234,608.87
2023	$7,690,232.53
2024	$8,615,660.33

Hopefully this information is helpful, and please feel free to email with any questions or concerns.

Sincerely,
DSS FOIL Office

From: FOIL
Sent: Thursday, December 11, 2025 5:44 PM
To: [redacted]
Subject: FOIL #25-572 (total payments to storage companies annually, 2022-2024)

Dear Mr. [redacted],

In response to your request below, emailed December 4, 2025, seeking the total annual amount the HRA has paid directly to storage facilities for each year 2022-2024, please be advised that before a further response can be provided, the agency requires time to conduct a diligent search in order to locate available records and review what is found for responsiveness and releasability. Based on the overall volume of requests received by the agency as well as an initial review of the particular language of your request, including the volume of data requested, the type of data requested and the search methods involved, the agency will respond further to your request on or before January 23, 2026.

Thank you for your request, and please feel free to email with any questions or concerns.

Sincerely,
DSS FOIL Office

From: donotreply@records.nyc.gov <donotreply@records.nyc.gov>
Sent: Thursday, December 4, 2025 7:52 PM
To: [redacted]
Subject: [OpenRecords] FOIL Request Submitted to Human Resources Administration (HRA)

Your request has been emailed to the Human Resources Administration (HRA) because that agency is not yet using the portal to respond to FOIL requests. The details of your request are shown below. No further information will be available on the OpenRecords portal regarding this request.
Request Title: HRA payments to storage facilities

Request Description: Under N.Y. Comp. Codes R. & Regs. Tit. 18 § 352.6 (f), "[a]n allowance for storage of furniture and personal belongings must be made when it is necessary for circumstances such as relocation, eviction or temporary shelter, so long as eligibility for public assistance continues and so long as the circumstances necessitating the storage continue to exist, and no other storage options exist." Please let me know the total annual amount the HRA has paid directly to storage facilities for each of the years 2022, 2023, and 2024. Thank you.

Requester's Contact Information
Name:
[redacted]
Title:
Not provided
Organization:
Not provided
Email:
[redacted]
Phone Number:
Not provided
Fax Number:
Not provided
Street Address (line 1):
Not provided
Street Address (line 2):
Not provided
City:
Not provided
State:

Not provided
Zip Code:
Not provided
Please contact the Human Resources Administration (HRA) via email at foil@hra.nyc.gov for any further information.