Continuum of Care Written Standards for NY- 508 Buffalo, Niagara Falls/Erie, Niagara, Orleans, Genesee, Wyoming Counties CoC

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## Introduction

The Continuum of Care (CoC) is responsible for coordinating and implementing a system to meet the needs of the population and subpopulations experiencing homelessness within a given geographic area, which for the NY-508 CoC includes the following geographic areas: Buffalo/ Erie, Niagara Falls/Niagara, Orleans, Genesee, and Wyoming Counties. Both the Emergency Solution Grant (ESG) Rules and Regulations and the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Continuum of Care Program Interim Rules state that the CoC, in consultation with recipients of Emergency Solutions Grants (ESG) program funds within the geographic area, are responsible to (1) establish and consistently follow written standards for providing Continuum of Care assistance, (2) establish performance targets appropriate for population and program type, and (3) monitor recipient and subrecipient performance.

These written standards have been established to ensure that persons experiencing homelessness who enter programs throughout the CoC will be given similar information and support to access and maintain permanent housing. All programs that receive ESG or CoC funding are required to abide by these written standards. Agency program procedure should reflect the policy and procedures described in this document. The CoC strongly encourages programs that do not receive either of these funding sources to accept and utilize these written standards.

The majority of these standards are based on the ESG and/or the HEARTH Interim Rules. There are additional standards that have been established by the CoC to assist programs in meeting and exceeding performance outcomes that will help to reach the goal of ending homelessness.

**The Continuum of Care Written Standards will include policies and procedures for**

* **evaluating individuals’ and families’ eligibility for assistance**
* **determining and prioritizing which eligible households will receive Transitional Housing, Safe Haven and Permanent Supportive Housing, Rapid rehousing funded by the CoC and ESG**
* **standards for determining what percentage and amount of rent each household must pay while receiving RRH assistance**
* **common performance measurements and benchmarks.**

These standards are in place in order to

* establish community-wide expectations on the operations of projects within the community
* ensure that the system is transparent to users and operators
* establish a minimum set of standards and expectations in terms of the quality expected of projects
* ensure the local priorities are transparent to recipients and subrecipients of funds
* create consistency and coordination between recipients’ and subrecipients’ projects

These written standards have been developed in conjunction with ESG recipients and with service providers. Thus the implementation reflects the perspectives of those organizations that are directly providing homeless housing and services, including Emergency Shelter (ES), Transitional Housing (TH), Permanent Supportive Housing (PSH), Rapid Re-Housing (RRH) and Supportive Service Only (SSO).

The CoC Written Standards have been approved by the CoC, the County, and City ESG recipients and providers. The Written Standards will be reviewed and revised as needed at a minimum of once per year. Agreement to abide by the Written Standards will be required to participate in the process for acquiring CoC or ESG funding.

## Program Requirements for All Programs

#### 1. Housing First & Low Barriers

The Housing First approach has several key features: few programmatic prerequisites, admission policies that support low barriers to access, rapid and streamlined entry into permanent housing, voluntary and engaging supportive services, and a focus on housing stability. As such, CoC funded projects should allow entry to program participants regardless of their income, current or past substance use, criminal records, or history of domestic violence. Projects also should not terminate clients regardless of whether or not they participate in supportive services, make progress on a service plan, lose their income or based on other activities not covered in a lease agreement typically found for an unassisted person in the project’s geographic area. All CoC funded programs must adopt the Housing First and Low Barriers approach. The CoC will authorize limited exceptions for projects in the adoption of a housing first model where it conflicts with funder requirements or local/state law (e.g., restrictions on serving people who are listed on sex offender registries).

#### 2. Equal Access & Non-discrimination

Providers must have non-discrimination policies in place and assertively outreach to people least likely to engage in the homeless system. Providers must comply with all federal statutes and rules including the Fair Housing Act[[1]](#footnote-1)and Equal Access to Housing Final Rule[[2]](#footnote-2). A determination of eligibility for housing that is assisted by HUD or subject to a mortgage insured by HUD shall be made in accordance with the eligibility requirements provided for such program by HUD, and such housing shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status. The people who present together for assistance, regardless of age or relationship, are considered a household and are eligible for assistance as a household. Projects that serve families with children must serve all types of families with children; if a project targets a specific population (e.g., women with children), these projects must serve all families with children that are otherwise eligible for assistance, including families with children that are headed by a single adult or consist of multiple adults that reside together. The age and gender of a child under 18 must not be used as a basis for denying any family's admission to a project.

#### 3. Coordinated Entry Participation

All CoC-funded and ESG-funded projects are required to participate in the CoC's Coordinated Entry (CE) System, except for victim services providers, who may decide whether or not they will participate in the CoC CE system. A victim service provider may choose not to use the CoC’s Coordinated entry process, if victim service providers in the area use a coordinated entry process that meets HUD’s requirements and the victim service provider uses that system instead. CoC and ESG funded housing projects must only take referral from the CE lead. Participation requires following all established procedures and the use of the Coordinated Entry Assessment Tool and Vulnerability Index (VI). Projects should refer to the CoC's *Coordinated Entry Policy and Procedure Operational Manual* for additional information.

#### 4. HMIS Participation

All CoC-funded and ESG-funded projects are required to participate in the Homeless Management Information System (HMIS) with the exception of victim services provider projects (definded by Violence Against Women Reauthorization Act of 2013). Instead, victim services provider must use a comparable database to collect client level data. The CoC actively encourages non-CoC/ESG providers to participate in HMIS. All HMIS participating agencies should meet the minimum data quality standards and follow the HMIS Policies and Procedural Manual.

#### 5. Access to Mainstream Resources

The CoC expects that every agency that is funded through the CoC or ESG programs will coordinate with and access mainstream and other targeted homeless resources. Providers should assess and assist participants with obtaining any mainstream resource for which they may be eligible for including: TANF, Public Assistance, Veterans Health Care, Supplemental Nutrition Assistance Program (SNAP), Medicaid, Medicare, SSI/SSDI, or Access-VR. Where possible, providers should streamline processes that include applying for mainstream benefits such as the use of a singular form to apply for benefits or collecting all necessary information in one step. The SSI/SSDI Outreach Access and Recovery (SOAR) process is encouraged to speed up the SSI/SSDI process.

#### 6. Educational Liaison & early childhood services

For projects that serve households with children, a staff person must be designated as the educational liaison that will ensure children are: 1.Enrolled in school 2.Connected to appropriate services in the community, including early childhood projects such as Head Start.

#### 7. Termination & Grievance Procedures

Providers must have a written termination policy outlining program rules and termination processes including a formal grievance process. This process, at minimum, must consist of: (1) Providing the program participant with a written copy of the program rules and the termination process before the participant begins to receive assistance; (2) Written notice to the program participant containing a clear statement of the reasons for termination; (3) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and (4) Prompt written notice of the final decision to the program participant.

## Record Keeping Requirements for All Projects

Participant Recordkeeping Requirements include:

* All records containing personally identifying information must be kept secure and confidential
* Programs must have a written confidentiality/privacy notice, provided to the participant if requested
* Documentation of homelessness (following HUD guidelines)
* A record of services and assistance provided to each participant
* Documentation of any applicable requirements for providing services/assistance
* Documentation of use of the coordinated assessment system
* Documentation of use of HMIS
* Records must be retained for the appropriate amount of time as prescribed by HUD

Financial Recordkeeping Requirements include:

* Documentation for all costs charged to the grant
* Documentation that funds were spent on allowable costs
* Documentation of the receipt and use of program income
* Documentation of compliance with expenditure limits and deadlines
* Retain copies of all procurement contracts as applicable
* Documentation of amount, source and use of resources for each match contribution

## Permanent Supportive Housing (PSH) and Safe Haven

Permanent Supportive Housing (PSH) for persons with disabilities is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist persons experiencing homelessness with a disability or families with an adult or child member with a disability achieve housing stability.

### Eligibility Criteria

* Households must meet the HUD definition of homelessness
* One adult or child member of the household must have a disability
* CoC funded programs must follow any additional eligibility criteria set forth in the NOFA through which a project was funded and the grant agreement.
* Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

### Prioritization

All CoC funded PSH program are required to commit to be either Dedicated or [DedicatedPlus](https://www.hudexchange.info/faqs/3247/can-you-explain-the-difference-between-beds-dedicated-to-chronically/) for housing Chronically homeless. Regardless a PSH program is classified as Dedicated or DedicatedPlus, order of priority will follow the HUD Notice on [Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing](https://www.hudexchange.info/resource/5108/notice-cpd-16-11-prioritizing-persons-experiencing-chronic-homelessness-and-other-vulnerable-homeless-persons-in-psh/). All CoC funded PSH program are required to take clients from a single prioritized list based on the CoC *Coordinated Entry Policy and Procedure Manual*.

1. First priority will be given to individuals or families who meet the chronically homeless definition.

When there is no individual or family identified on the priority list to meet the chronically homeless definition, the order of priority will follow:

2. Homeless individuals and families with a disability with at least 12 months homeless time but do not meet the chronically homeless definition AND has been identified as having severe service needs.

3. Homeless individuals and families with a disability with severe service needs.

4. Homeless individuals and families with a disability coming from places not mean for human habitation, safe haven, or emergency shelter without severe service needs.

5. Homeless individuals and families with a disability coming from Transitional Housing.

### Minimum Standards of Assistance

* There can be no predetermined length of stay for a PSH project
* Supportive services designed to meet the needs of the project participants must be made available to the project participants throughout the duration of stay in PSH
* Project participants in PSH must enter into a lease (or sublease) agreement for an initial term of at least one year that is renewable and is terminable only for cause. Leases (or subleases) must be renewable for a minimum term of one month.
* PSH programs must utilize housing first approaches

### HUD performance benchmark

* 80% of Participants remained or exited to permanent housing in non-CH dedicated programs

### Performance Goals

* 95% annual occupancy/utilization rate
* 90% of Participants remained or exited to permanent housing in non-CH dedicated programs, 85% for CH dedicated programs
* 20% adult participants that maintained, gained or increased earned income at the end of the report year
* 80% adult participants have income other than employment at the end of the report year
* House client within 45 days from referral
* At least 85 % of households that exit a rapid rehousing program to permanent housing should not become homeless again within a year.

## Rapid Rehousing (RRH)

Rapid ReHousing is an intervention designed to help individuals and families exit homelessness quickly by returning to permanent housing without preconditions (including, but not limited to, sobriety, employment, absence of a criminal record, or income). Additionally, the resources and services provided are tailored to the unique needs of the household receiving assistance.

There are three core components that constitute a rapid rehousing program, all of which must be available in order to qualify as a rapid rehousing program. Although RRH programs must have each of the three components available, it is not required that a single entity provides all three services. Similarly, it is also not required that any one household utilize all three in order to be considered a recipient of rapid rehousing.

Rapid Rehousing core components include the following: Housing Identification, Rent/Move-In Assistance (Financial) and Rapid Rehousing Case Management and Services. Actions constituting these components are presented on the following page:

|  |  |  |
| --- | --- | --- |
| **Housing Identification** | **Rent/Move-In Assistance** | **Rapid Re-housing Case Management and Services** |
| -Recruit landlords to provide housing opportunities for individuals and families experiencing homelessness. -Address potential barriers to landlord participation such as concern about short term nature of rental assistance and tenant qualifications. -Assist households to find and secure appropriate rental housing. | Provide assistance to cover move-in costs, deposits, and the rental and/or utility assistance (typically six months or less) necessary to allow individuals and families to move immediately out of homelessness and to stabilize in permanent housing. | -Help individuals and families experiencing homelessness identify and select among various permanent housing options based on their unique needs, preferences, and financial resources.  -Help individuals and families experiencing homelessness address issues that may impede access to housing (such as credit history, arrears, and legal issues).  -Help individuals and families negotiate manageable and appropriate lease agreements with landlords.  -Make appropriate and time-limited services and supports available to families and individuals to allow them to stabilize quickly in permanent housing.  -Monitor participants’ housing stability and be available to resolve crises, at a minimum during the time rapid re-housing assistance is provided.  -Provide or assist the household with connections to resources that help them improve their safety and well-being and achieve their long-term goals. This includes providing or ensuring that the household has access to resources related to benefits, employment and community-based services (if needed/appropriate) so that they can sustain rent payments independently when rental assistance ends.  -Ensure that services provided are client-directed, respectful of individuals’ right to self-determination, and voluntary. Unless basic, program-related case management is required by statute or regulation, participation in services should not be required to receive rapid re-housing assistance. |

### Eligibility Criteria

* Households must meet the HUD definition of homelessness Category 1. Only programs approved by the CoC can serve Category 4.
* CoC funded programs must follow any additional eligibility criteria set forth in the NOFA through which a project was funded and the grant agreement.
* Programs may not establish additional eligibility requirements beyond those specified here and those required by funders
* For ESG funded programs, program participant household’s annual income should be at or below 30% Area Median Income (AMI) and at annual re-evaluation. For CoC funded programs, program a participant household’s annual income should be at or below 50% AMI.
* Maintain less than 5% unspent fund at the end of the report year

### Prioritization

Eligible participants are referred to the rapid rehousing program based on the following priorities:

* Households with the longest history of homelessness
* Households with the most severe service needs
* Households who are currently living in a place not meant for human habitation or emergency shelter

All Rapid rehousing programs will strictly take referrals from a single priority list communicated by the Coordinated Entry Lead administer, and follow the Coordinated Entry Policy and Procedure.

Note:

\*For ESG funded projects, the project has to prioritize participants who are residents of the ESG consortium.

### Rent Limits for Rapid Rehousing Program

* Financial assistance is available for maximum 24 months. It is recommended to evaluate each individual case monthly to determine the length and percentage of financial assistance.
* Typically at the beginning of assistance, RRH program will be paying 100% of the rent or utility. Participants responsibility of rent/utility should be reviewed, determined, and explained to the participants by the RRH program and will gradually be increased to 100% within the determined timeframe.
* A household can only be eligible for RRH programs within the CoC geographic area no more than 2 times in the past 3 years and total rental assistance must not exceed 24 months. Total amount of assistance must not exceed $10,000.

### Minimum Standards of Assistance

* Maximum participation in a rapid rehousing program cannot exceed 24 months.
* Support services must be provided throughout the duration of stay in housing. Program participants are required to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability.
* CoC funded program participants must enter into a lease agreement for a term of at least one year, which is terminable for cause. The lease must be automatically renewable upon expiration for terms that are a minimum of one month long, except on prior notice by either party.
* For CoC funded RRH programs, supportive services may be provided until 6 months after rental assistance stops. For ESG funded RRH programs, housing stability case management assistance may not exceed 30 days during the period in which the program participant is seeking permanent housing and may not exceed 24 months during the period in which the program participant is living in permanent housing.
* To continue to receive ESG and CoC RRH assistance, a program participant’s reevaluation must demonstrate eligibility based on: 1) Lack of sufficient resources and support networks to retain housing without the program assistance. 2) The ESG or CoC funded program must determine the amount and type of assistance that the individual or family will need to (re)gain stability in permanent housing at minimum every 3 month, preferably monthly.
* RRH programs must utilize housing first approaches

### HUD Benchmarks

* Households served by a rapid rehousing programs move into permanent housing in an average of 30 days or fewer from program entry
* At least 80 % of households that exit a rapid rehousing program exit to permanent housing
* At least 85 % of households that exit a rapid rehousing program to permanent housing should not become homeless again within a year.

### Performance goals

* 95% annual occupancy/utilization rate
* 30% adult participants that maintained, gained, or increased earned income at the end of the report year
* 80% adult participants have income other than employment at the end of the report year

## Transitional Housing

Transitional Housing (TH) is designed to provide homeless individuals and families with interim stability and support to successfully move into and maintain permanent housing.

### Eligibility Criteria

* Households must meet the HUD definition of homelessness
* CoC funded programs must follow any additional eligibility criteria set forth in the NOFA through which a project was funded and the grant agreement
* Programs may not establish additional eligibility requirements beyond those specified here and those required by funders

### Prioritization

Eligible participants are referred to the rapid rehousing program based on the following priorities:

* Households with the longest history of homelessness
* Households with the most severe service needs
* Households who are currently living in place not meant for human habitation or emergency shelter

All CoC funded Transitional Housing program will strictly take referral from a single priority list that the Coordinated Entry Lead administer, and follow the *Coordinated Entry Policy and Procedure.*

### Minimum Standards of Assistance

* Maximum length of stay cannot exceed 24 months.
* Assistance in transitioning to permanent housing must be made available/provided.
* Support services must be provided throughout the duration of stay in transitional housing. Program participants in transitional housing must enter into a lease, sublease or occupancy agreement for a term of at least one month and that ends in 24 months and cannot be extended.

### Performance goals

* 90% annual occupancy/utilization rate
* 90% of Participants remained or exited to permanent housing. For youth only program, 90% participants exited to safe housing.
* 20% adult participants that gained or increased earned income at the end of the report year
* At least 85 % of households that exit a TH program to permanent housing should not become homeless again within a year.

## Emergency Shelter and Outreach Performance goals

For ESG funded Emergency shelter and outreach programs, performance goals are set as follows:

Emergency Shelters

* Average length of stay is less than 35 days
* 50% of participants exit with a successful housing outcome[[3]](#footnote-3)

and/or

* 30% of participants exit to permanent housing
* Less than 30% of participants exit to an unknown location
* 60% of participants exit with/linked to cash income
* 60% of participants exit with/linked to non-cash resources

Outreach

* 50% or more of all participants exit to a permanent housing situation
* 60% or more of adult participants have income from sources other than employment
* 60% or more of all participants have mainstream (non-cash) benefits at exit from program

## System Wide Performance

A critical aspect of the McKinney-Vento Homeless Assistance Act (the “Act”) as amended, is a focus on viewing the local homeless response as a coordinated system of homeless assistance options as opposed to homeless assistance programs and funding sources that operate independently from one another. To facilitate this perspective, the Act now requires communities to measure their performance as a coordinated system in addition to analyzing performance by specific projects or project types.

To this end, the Act established a set of criteria for HUD to use that require all CoCs to report their system-level performance to HUD. The intent of selected system performance measures is to encourage CoCs , in coordination with ESG program recipients, as well as all other homeless assistance stakeholders in the CoC, to regularly measure their progress in meeting the needs of people experiencing homelessness in their community and to report this progress to HUD.

The goals below should be reviewed and adjusted annually based on the previous year’s performance.

|  |  |  |
| --- | --- | --- |
| System Performance Measures | | |
| Measure 1: Length of Time Persons Remain Homeless | Persons in ES and SH | <35 days |
| Persons in ES, Safe Haven, TH | <68 days |
| Measure 1b: Length of Time Persons Remain Homeless  Using “approximate date homelessness started” | Persons in ES and SH | <74 days |
| Persons in ES, Safe Haven, and TH | <107 days |
| Measure 2a: Extent to which Persons who Exit Homelessness to Permanent Housing Destinations Return to Homelessness within 6 to 12 Months | 2a.1 Returns to SO, ES, SH, and TH | <6% |
| 2a.2 Returns to SO, ES, SH, TH, and PH | <7% |
| Measure 2b: Extent to which Persons who Exit Homelessness to Permanent Housing Destinations Return to Homelessness within 2 Years | 2b.1 Returns to SO, ES, SH, and TH | <22% |
| 2b.2 Returns to SO, ES, SH, TH, and PH | <22% |
| Measure 3: Number of Homeless Persons | 3.1 Change in PIT counts of sheltered and unsheltered persons | <962 |
| 3.2 Change in counts of sheltered persons in HMIS | <4637 |
| Measure 4: Employment and Income Growth for Homeless Persons in CoC Program-funded Projects  4.1 Increase in employment income for stayers  4.2 Increase in non-employment cash income for stayers  4.3 Increase in total cash income for stayers  4.4 Increase in employment income for leavers  4.5 Increase in non-employment cash income for leavers  4.6 Increase in total cash income for leavers |  | |
| 4.1 >6%  4.2 >28%  4.3 >31%  4.4 >11%  4.5 >40%  4.6 >47% | |
| Measure 5: Number of Persons who Become Homeless for the First Time  5.1 Persons First Time Homeless in ES, SH, TH  5.2 Persons First Time Homeless in ES, SH, TH, PH |  | |
| 5.1 <3346 | |
| 5.2 <3622 | |
| Measure 7a: Successful Placement from Street Outreach | |  |  |  |  | | --- | --- | --- | --- | |  | Prior Year | Current | Difference | | Persons who exited Street Outreach | 538 | 493 | **-45** | | Exited to temporary & some institutional destinations | 35 | 35 | **0** | | Exited to permanent housing destinations | 200 | 108 | **-92** | | 7a1. Percentage successful exits | 44% | 29% | **-15%** | | >44% |
| Measure 7b: Successful Placement in or Retention of Permanent Housing | |  |  |  |  | | --- | --- | --- | --- | |  | Prior Year | Current | Difference | | Persons in ES, SH, TH, and RRH who exited | 3942 | 4413 | **+471** | | Exited to permanent housing destinations | 1429 | 1627 | **+198** | | 7b1. Percentage successful exits >36% | 36% | 37% | **+1%** | |  |  |  |  | | Persons in PH-H, PSH, and PH-S who exited | 981 | 1081 | **+100** | | Remained in applicable PH projects and/or exit to permanent destination | 932 | 1036 | **+104** | | 7b2. Percentage successful exits and retention > 95% | 95% | 96% | **+1%** | | |

### Monitoring Performance

CoC is responsible to monitor project level and system level performance annually or biennially. CoC Lead will consult with recipients and subrecipients annually to establish performance targets appropriate for population and program type, monitor recipient and subrecipient performance, evaluate outcomes, and take action to improve performance.

## 

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## Appendix A: Homeless and chronically homeless definition[[4]](#footnote-4)

|  |  |  |
| --- | --- | --- |
| Category 1 | Literally Homeless | (1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:  (i) Has a primary nighttime residence that is a public or private place not meant for human habitation;  (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or  (iii) Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution |
| Category 2 | Imminent Risk of Homelessness | (2) Individual or family who will imminently lose their primary nighttime residence, provided that:  (i) Residence will be lost within 14 days of the date of application for homeless assistance;  (ii) No subsequent residence has been identified; and  (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing |
| Category 3 | Homeless under other Federal statutes | (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:  (i) Are defined as homeless under the other listed federal statutes;  (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;  (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and  (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers |
| Category 4 | Fleeing/ Attempting to Flee DV | (4) Any individual or family who:  (i) Is fleeing, or is attempting to flee, domestic violence;  (ii) Has no other residence; and  (iii) Lacks the resources or support networks to obtain other permanent housing |

*\*All Permanent Supportive Housing Program and most Rapid Rehousing programs will only accept clients who meet the category 1, literally homeless definition. Certain Rapid Rehousing program will accept clients who meet the category 4, fleeing/attempting to flee DV definition. Emergency Solution Grant (ESG) funded Prevention program can only assist clients who meet category 2 or 4.*

**Chronically Homeless Definition**

The definition of “chronically homeless[[5]](#footnote-5)”, as stated in Definition of Chronically Homeless final rule is:

(a) A “homeless individual with a disability,” as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), who:

i. lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and

ii. Has been homeless and living as described in paragraph (a)(i) continuously for at least 12 months or on at least four separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (a)(i). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering an institutional care facility;

(b) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (a) of this definition, before entering the facility;

(c) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (a) or (b) of this definition (as described in Section I.D.2.(a) of this Notice), including a family whose composition has fluctuated while the head of household has been homeless.

## Appendix B Homelessness Verification requirements

Homeless documentation recording requirements:

|  |  |  |
| --- | --- | --- |
| **Category 1** | Literally Homeless | * Written observation by the outreach worker; or * Written referral by another housing or service provider; or * Certification by the individual or head of household seeking assistance stating that they were living on the streets or in shelter; * For individuals exiting an institution - one of the forms of evidence above and:   + Discharge paperwork or writter/oral referral; or   + Written record of intake worker’s due diligence to obtain above evidence and certification by individual that they exited institution |
| **Category 2** | Imminent Risk of Homelessness | * A court order resulting from an eviction action notifying the individual or family that they must leave; or * FOr individuals and families leaving a hotel/motel - evidence that they lack the financial resources to stay; or * A documented and verified oral statement; and * Certification that no subsequent residence has been identified; and * Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing |
| **Category 3** | Homeless under other Federal statutes | * Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; and * Certification of no PH in the last 60 days; and * Certification by the individual or head of household, and any available supporting documentation, that they have moved two or more times in the past 60 days; and * Documentation of special needs or 2 or more barriers |
| **Category 4** | Fleeing/ Attempting to Flee DV | * For victim service providers:   + An oral statement by the individual or head of household seeking assistance which states: they are fleeing and have no subsequent residence, and they lack resources. Statement must be documented by a self-certification by the intake worker. * For non-victim service providers:   + Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. WHere the safety of the individual or family is not jeopardized, the oral statement must be verified; and   + Self-certification, or other written documentation, that they individual or family lacks the financial resources and support networks to obtain other permanent housing |

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1. United States Department of Justice. The Fair Housing Act. Accessed May 2015. http://www.justice.gov/crt/about/hce/title8.php [↑](#footnote-ref-1)
2. https://www.hudexchange.info/resource/1991/equal-access-to-housing-final-rule/ [↑](#footnote-ref-2)
3. Successful housing outcome for Emergency Shelter participants could be permanent housing or transitional housing for formerly homeless persons; living with family or friend as permanent tenure; owned or rental by client with or without subsidy; psychiatric facility; substance abuse or detox facility. [↑](#footnote-ref-3)
4. https://www.hudexchange.info/resources/documents/HomelessDefinition\_RecordkeepingRequirementsandCriteria.pdf [↑](#footnote-ref-4)
5. https://www.hudexchange.info/resources/documents/Defining-Chronically-Homeless-Final-Rule.pdf [↑](#footnote-ref-5)