



---

## CoC NY-511: Binghamton/Uniontown, Broome, Chenango, Cortland, Delaware, Otsego, & Tioga Counties

### WRITTEN STANDARDS for Providing Continuum of Care Assistance

#### **CoC NY-511 Mission**

*The Coalition is dedicated to improving the lives of individuals and families at-risk of or experiencing homelessness by advocating for and providing permanent solutions for the problems of homelessness in the Southern Tier of New York State.*

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH Act): Continuum of Care Program (24 CFR Part 578) describes in §578.7 Responsibilities of the Continuum of Care, subsection (a) Operate the Continuum of Care (9), the Continuum of Care must:

“In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and consistently follow written standards for providing Continuum of Care assistance.”<sup>1</sup>

This subsection also states that at a minimum, written standards must include “policies and procedures for evaluating individuals’ and families’ eligibility for assistance” for:

1. Permanent Supportive Housing;
2. Rapid Re-housing; and
3. Transitional Housing.

However, these written standards for CoC NY-511 will also include:

4. Coordinated Entry;
5. Emergency Shelter;
6. “No Freeze” Policies; and
7. Homeless Prevention

and will be subject to change upon release of subsequent HUD Rules, Notices, and Policy Briefs.

All CoC and ESG Program-funded projects within CoC NY-511 shall market to and serve all eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability who are least likely to apply in the absence of special outreach or accommodation and without regard to actual or perceived sexual orientation, gender identity, or marital status in accordance with the State and Federal statutes outlined in CoC NY-511’s *Anti-Discrimination Policy* (see **Appendix A**).

---

<sup>1</sup> The Interim Rule for the Emergency Solutions Grant Program does not provide information concerning transitional housing beyond the Interim Rule for the HEARTH Act Continuum of Care program because in order



for a transitional facility to receive ESG funds, the facility cannot require occupants to sign leases or occupancy agreements whereas CoC funded transitional housing programs must require occupants to sign leases or occupancy agreements. (See §576.2)

In compliance with §578.99(j)(8) *Emergency Transfer Plan* and 24 CFR §5.2005(e) *Emergency Transfer Plan*, all CoC Program recipients and sub-recipients within the Continuum of Care shall follow CoC NY-511's *Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking* (see **Appendix B**).

## **I. Determining Written Standards for Permanent Supportive Housing**

### **A. Background information**

§578.7 Responsibilities of the Continuum of Care (a)(9) of the HEARTH Act Interim Rule notes:

“In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and consistently follow written standards for providing Continuum of Care assistance. At a minimum, these written standards must include:

- (i) Policies and procedures for evaluating individuals’ and families’ eligibility for assistance under this part;
- (v) Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance

§578.3 Definitions identifies “permanent housing” as:

“community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid re-housing. To be ‘permanent housing’, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause.”

“Permanent supportive housing” also as defined by §578.3 Definitions:

“means permanent housing in which supportive services are provided to assist homeless persons with a disability to live independently.”

### **1. Eligible clients**

Eligible clients include homeless persons with a disability or families with an adult or child member with a disability. Clients may be defined as homeless under Category 1 “Literally Homeless” as defined by the HEARTH Act: Defining “Homeless” Final Rule, which states:

*“Homeless means:*

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or

train station, airport, or camping ground; (ii) An individual or family living in a supervised 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, or local government programs for low-income individuals); or (iii) An individual who is exiting an institution where he or she 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;”

Individuals and families coming from Transitional Housing projects must have originally come from the streets or emergency shelter. Eligible clients must also meet eligibility criteria as defined in the NOFA under which the program was funded.

## **2. Prioritizing Permanent Supportive Housing**

Regarding CoC-Program funded Permanent Supportive Housing beds that are *dedicated to or prioritized for* occupancy by persons experiencing Chronic Homelessness, HUD published Notice: CPD-14-012 on July 28, 2014. CoC NY-511 has adopted the orders of priority identified therein as follows pursuant to the updates identified by HUD’s “Defining Chronically Homeless” Final Rule and Notice: CPD-16-11 as referenced below:

### **a. For Prioritizing Chronically Homeless Persons in CoC Program-funded Permanent Supportive Housing Beds Dedicated or Prioritized for Occupancy by Persons Experiencing Chronic Homelessness:**

- First Priority–Chronically Homeless Individuals and Families with the Longest History of Homelessness and with the Most Severe Service Needs.

A chronically homeless individual or head of household as defined in §578.3 Definitions of the HEARTH Act: “Defining Chronically Homelessness” Final Rule for whom both of the following are true:

- i. The chronically homeless individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter for at least 12 months either continuously or on at least four separate occasions in the last 3 years, where the cumulative total length of the four occasions equals at least 12 months; and
- ii. The CoC or CoC Program recipient has identified the chronically homeless individual or head of household who meets all of the criteria in paragraph (1) of the definition for chronically homeless of the family as having severe service needs as defined in Section I.D.3 of CPD-16-11.

- Second Priority–Chronically Homeless Individuals and Families with the Longest History of Homelessness.

A chronically homeless individual or head of household, as defined in §578.3 Definitions of the HEARTH Act: “Defining Chronically Homelessness” Final Rule, for which both of the following are true:

- i. The chronically homeless individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter for at least 12 months either continuously or on at least four separate occasions in the last 3 years, where the cumulative total length of the four occasions equals at least 12 months; and,
- ii. The CoC or CoC program recipient has not identified the chronically homeless individual or the head of household, who meets all of the criteria in paragraph (1) of the definition for chronically homeless, of the family as having severe service needs.

Regarding CoC-Program funded Permanent Supportive Housing beds that are *not dedicated or not prioritized* for occupancy by persons experiencing Chronic Homelessness, HUD published Notice: CPD-16-11 “Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing” on July 25, 2016.

CoC NY-511 acknowledges, as stated in CPD-16-11, that “to ensure that all PSH beds funded through the CoC Program are used as strategically and effectively as possible, PSH needs to be targeted to serve persons with the highest needs and greatest barriers towards obtaining and maintaining housing on their own – persons experiencing chronic homelessness” and thus adopts the following “Order of Priority in CoC Program-funded Permanent Supportive Housing”:

**a. For Prioritizing Chronically Homeless Persons in CoC Program-funded Permanent Supportive Housing Beds Not Dedicated or Not Prioritized for Occupancy by Persons Experiencing Chronic Homelessness:**

- First Priority–Individuals and Families with a Disability with Long Periods of Episodic Homelessness and Severe Service Needs

An individual or family that is eligible for CoC Program-funded PSH who has experienced fewer than four occasions where they have been living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter but where the cumulative time homeless is at least 12 months and has been identified as having severe service needs.

- Second Priority–Individuals and Families with a Disability with Severe Service Needs

An individual or family that is eligible for CoC Program-funded PSH who is residing in a place not meant for human habitation, a safe haven, or in an emergency shelter and has

been identified as having severe service needs. The length of time in which households have been homeless should also be considered when prioritizing households that meet this order of priority, but there is not a minimum length of time required.

- **Third Priority—Homeless Individuals and Families with a Disability Coming from Places Not Meant for Human Habitation, Safe Haven, or Emergency Shelter Without Severe Service Needs.**

An individual or family that is eligible for CoC Program-funded PSH who is residing in a place not meant for human habitation, a safe haven, or an emergency shelter where the individual or family has not been identified as having severe service needs. The length of time in which households have been homeless should be considered when prioritizing households that meet this order of priority, but there is not a minimum length of time required.

- **Fourth Priority—Homeless Individuals and Families with a Disability Coming from Transitional Housing.**

An individual or family that is eligible for CoC Program-funded PSH who is currently residing in a transitional housing project, where prior to residing in the transitional housing had lived in a place not meant for human habitation, in an emergency shelter, or safe haven. This priority also includes individuals and families residing in transitional housing who were fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking and prior to residing in that transitional housing project even if they did not live in a place not meant for human habitation, an emergency shelter, or a safe haven prior to entry in the transitional housing.

### **3. CoC Records**

In addition to the records required in 24 CFR 578.103(a)(1), Notice: CPD-16-11 states:

“HUD expects that where CoCs have adopted the orders of priority in Section III. of this Notice into their written standards, the CoC, as well as recipients of CoC Program-funded PSH, will maintain evidence of implementing these priorities. Evidence of following these orders of priority may be demonstrated by:

- a. Evidence of Severe Service Needs**
- b. Evidence that the Recipient is Following the CoC’s Written Standards for Prioritizing Assistance**
- c. Evidence that there are no Households Meeting Higher Order of Priority within CoC’s Geographic Area**
  - (i) When dedicated and prioritized PSH is used to serve non-chronically homeless households, the recipient of CoC Program-funded PSH should document how it was determined that there were no chronically homeless**

households identified for assistance within the CoC's geographic area – or for those CoCs that implement a sub-CoC planning and housing and service delivery approach, the smaller defined geographic area within the CoC's geographic area – at the point in which a vacancy became available. This documentation should include evidence of the outreach efforts that had been undertaken to locate eligible chronically homeless households within the defined geographic area and, where chronically homeless households have been identified but have not yet accepted assistance, the documentation should specify the number of persons that are chronically homeless that meet this condition and the attempts that have been made to engage the individual or family. Where a CoC is using a single prioritized list, the recipient of PSH may refer to that list as evidence.

(ii) When non-dedicated and non-prioritized PSH is used to serve an eligible individual or family that meets a lower order of priority, the recipient of CoC Program-funded PSH should document how the determination was made that there were no eligible individuals or families within the CoC's geographic area - or for those CoCs that implement a sub-CoC planning and housing and service delivery approach, the smaller defined geographic area within the CoC's geographic area - that met a higher priority. Where a CoC is using a single prioritized list, the recipient of PSH may refer to that list as evidence that there were no households identified within the CoC's geographic area that meet a higher order of priority.

- d. Evidence of the use of a Coordinated Entry process, including a Standardized Assessment Tool and a Single Prioritized List for PSH.”

Details for **a-d** may be found on pages 11-12 of the notice.

#### **4. Recipient Recordkeeping Requirements**

Recipients of CoC Program-funded PSH must maintain records in accordance with §578.103 Recordkeeping Requirements. In addition, NY-511 expects recipients to maintain the following records:

- a. Written Intake Procedures
- b. Written Due Process Procedures

#### **5. Written Standards**

##### **Written Standard #1: No Designated Length of Stay**

- **Program participants are provided housing without a designated length of stay that permits them to live as independently as possible.**

In Program Components and Eligible Costs (Subpart D) of the Preamble of the HEARTH Act

Interim Rule the following is noted:

“Consistent with the definition of permanent housing in section 401 of the McKinney- Vento Act and §578.3 of this interim rule, the permanent housing component is community-based housing without a designated length of stay that permits formerly homeless individuals and families to live as independently as possible. The interim rule clarifies that Continuum of Care funds may be spent on two types of permanent housing: permanent supportive housing for persons with disabilities (PSH) and rapid rehousing that provides temporary assistance (i.e., rental assistance and/or supportive services) to program participants in a unit that the program participant retains after the assistance ends.”

### **Written Standard #2: Lease Agreement**

- **Program participants must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long.**

In General Provisions (Subpart A) of the Preamble of the HEARTH Act Interim Rule,

“HUD clarifies that to be permanent housing, the program participant must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long. HUD has determined that requiring a lease for a term of at least one year that is renewable and terminable only for cause, assists program participants in obtaining stability in housing, even when the rental assistance is temporary. These requirements are consistent with Section 8 requirements.”

Also, §578.77 Calculating occupancy charges and rent (a) states:

“(a) Occupancy agreements and leases. Recipients and subrecipients must have signed occupancy agreements or leases (or subleases) with program participants residing in housing.”

### **Written Standard #3: Restricted Assistance and Disabilities**

- **Program participants of permanent supportive housing must be individuals with disabilities or families in which one adult or child has a disability.**

§578.37 Program components and uses of assistance (a)(1)(i) states:

“*Permanent supportive housing for persons with disabilities (PSH)*. PSH can only provide assistance to individuals with disabilities and families in which one adult or child has a disability. Supportive services designed to meet the needs of the program

participants must be made available to the program participants.”

#### **Written Standard #4: Supportive Services**

- **Program participants must be provided with supportive services designed to meet their needs.**

§578.37 Program components and uses of assistance (a)(1)(i) states:

*“Permanent supportive housing for persons with disabilities (PSH). PSH can only provide assistance to individuals with disabilities and families in which one adult or child has a disability. Supportive services designed to meet the needs of the program participants must be made available to the program participants.”*

#### **Written Standard #5: Duration of Supportive Services Assistance**

- **Program participants must be provided with supportive services to enable them to live as independently as possible throughout the duration of their residence.**

§578.53 Supportive services (b)(2) states:

*“Permanent supportive housing projects must provide supportive services for the residents to enable them to live as independently as is practicable throughout the duration of their residence in the project.”*

#### **Written Standard #6: One Person per Bedroom**

- **Two individuals in a shared housing situation must have their own lease and their own bedroom unless the two individuals are presented together as a household**

§578.75 General operations (b) *Housing quality standards* state:

*“Housing leased with Continuum of Care program funds, or for which rental assistance payments are made with Continuum of Care program funds, must meet the applicable housing quality standards (HQS) under 24 CFR 982.401 of this title, except that 24 CFR 982.401(j) applies only to housing occupied by program participants receiving tenant-based rental assistance.”*

§578.75 General operations (c) *Suitable dwelling size* state:

*“The dwelling unit must have at least one bedroom or living/sleeping room for each two persons. (1) Children of opposite sex, other than very young children, may not*

be required to occupy the same bedroom or living/sleeping room. (2) If household composition changes during the term of assistance, recipients and subrecipients may relocate the household to a more appropriately sized unit. The household must still have access to appropriate supportive services.

24 CFR 982.401 Housing Quality Standards (HQS) (a)(2)(ii)(d) *Space and security* dictates that, at a minimum, the unit must have a living room, a kitchen, and a bathroom. HQS requirements also dictate that the dwelling unit must have at least one bedroom or living/sleeping room for each two persons and that children of the opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.

The CoC Program also allows for shared housing/roommate situations in projects with leasing or rental assistance funds. Each household must have the bedroom size that fits their household size and two individuals in a shared housing situation must have their own lease as well as their own bedroom. The only situation where two adults would be sharing one bedroom would be if they presented together as a household.

For more information about Housing Quality Standards, please refer to Chapter 10 of the HCVP Guidebook:

[www.hud.gov/offices/adm/hudclips/guidebooks/7420.10G/7420g10GUID.pdf](http://www.hud.gov/offices/adm/hudclips/guidebooks/7420.10G/7420g10GUID.pdf).”

### **Written Standard #7: Program Income**

- **Program participants may be required to pay rent and occupancy charges, resulting in program income to add to funds committed to the project by HUD and used for eligible program activities**

§578.97 Program income states:

“(a) *Defined.* Program income is the income received by the recipient or subrecipient directly generated by a grant-supported activity.

(b) *Use.* Program income earned during the grant term shall be retained by the recipient, and added to funds committed to the project by HUD and the recipient, used for eligible activities in accordance with the requirements of this part. Costs incident to the generation of program income may be deducted from gross income to calculate program income, provided that the costs have not been charged to grant funds.

(c) *Rent and occupancy charges.* Rents and occupancy charges collected from program participants are program income. In addition, rents and occupancy charges collected from residents of transitional housing may be reserved, in whole or in part, to assist the residents from whom they are collected to move to permanent housing.”

Also, §578.49 Leasing (b)(7) states:

*“Program income. Occupancy charges and rent collected from program participants are program income and may be used as provided under §578.97.”*

### **Written Standard #8: Occupancy Charges**

- **Program participants may not be required to pay occupancy charges in excess of the highest of 30% of the family’s monthly adjusted income, 10% of the family’s monthly income, or the portion of public agency payments designated for housing costs.**

§578.77 Calculating occupancy charges and rent (b) *Calculation of occupancy charges* states:

“Recipients and subrecipients are not required to impose occupancy charges on program participants as a condition of residing in the housing. However, if occupancy charges are imposed, they may not exceed the highest of:

- (1) 30 percent of the family’s monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child- care expenses);
- (2) 10 percent of the family’s monthly income; or
- (3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family’s actual housing costs) is specifically designated by the agency to meet the family’s housing costs, the portion of the payments that is designated for housing costs.”

### **Written Standard #9: Examining Program Participant’s Initial Income**

- **Program participants’ initial income must be examined at least annually to determine the amount of the contribution toward rent payable by the program participant and adjustments to a program participant’s contribution toward the rental payment must be made as changes in income are identified.**

§578.77 Calculating occupancy charges and rent (c)(2) states:

“Recipients or subrecipients must examine a program participant’s income initially, and at least annually thereafter, to determine the amount of the contribution toward rent payable by the program participant. Adjustments to a program participant’s contribution toward the rental payment must be made as changes in income are identified.”

§578.103 Recordkeeping requirements (7)(i)(ii) states that the recipient or subrecipient must keep records for each program participant that document:

“(i) The services and assistance provided to that program participant, including

evidence that the recipient or subrecipient has conducted an annual assessment of services for those program participants that remain in the program for more than a year and adjusted the service package accordingly, and including case management services as provided in §578.37(a)(1)(ii)(F); and

(ii) Where applicable, compliance with the termination of assistance requirement in §578.91.”

### **Written Standard #10: Verifying Program Participant’s Initial Income**

- **Program participants must agree to supply the information or documentation necessary to verify the program participant’s income.**

§578.77 Calculating occupancy charges and rent (c)(3) states:

“As a condition of participation in the program, each program participant must agree to supply the information or documentation necessary to verify the program participant’s income. Program participants must provide the recipient or subrecipient with information at any time regarding changes in income or other circumstances that may result in changes to a program participant’s contribution toward the rental payment.”

§578.103 Recordkeeping requirements (6)(i)(ii)(iii) and (iv) state:

“For each program participant who receives housing assistance where rent or an occupancy charge is paid by the program participant, the recipient or subrecipient must keep the following documentation of annual income:

(i) Income evaluation form specified by HUD and completed by the recipient or subrecipient; and

(ii) Source documents (e.g., most recent wage statement, unemployment compensation statement, public benefits statement, bank statement) for the assets held by the program participant and income received before the date of the evaluation;

(iii) To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., employer, government benefits administrator) or the written certification by the recipient’s or subrecipient’s intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period; or

(iv) To the extent that source documents and third-party verification are unobtainable, the written certification by the program participant of the amount of income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.”

### **Written Standard #11: Recalculating Occupancy Charges and Rent**

- **Program participants may request an interim reexamination of their income if there is a change in family composition (e.g., birth of a child) or a decrease in the resident’s income during the year and the occupancy charge will be adjusted accordingly.**

§578.77 Calculating occupancy charges and rent (b)(4) notes:

“(4) Income. Income must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a). Recipients and subrecipients must examine a program participant’s income initially, and if there is a change in family composition (e.g., birth of a child) or a decrease in the resident’s income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly.”

### **Written Standard #12: Low Barriers to Entry or Housing First Approach**

- **Program policies & procedures will demonstrate Low Barriers to Entry or Housing First principles throughout service provision in order to maximize housing retention and reduce returns to homelessness.**

HUD’s “HOUSING FIRST IN PERMANENT SUPPORTIVE HOUSING” Brief states:

“Housing First is an approach to quickly and successfully connect individuals and families experiencing homelessness to permanent housing without preconditions and barriers to entry, such as sobriety, treatment or service participation requirements. Supportive services are offered to maximize housing stability and prevent returns to homelessness as opposed to addressing predetermined treatment goals prior to permanent housing entry.”

The Brief further identifies the following core components of Housing First:

“Few to no programmatic prerequisites to permanent housing entry;  
Low barrier admission policies;  
Rapid and streamlined entry into housing;  
Supportive services are voluntary;  
Tenants have full rights, responsibilities, and legal protections; and  
Practices and policies to prevent lease violations and evictions”

Low Barriers to Entry is demonstrated by entry without preconditions and regardless of income, current or past substance use, history of victimization, and criminal record – except restrictions imposed by federal, state, or local law or ordinance – and prioritizes rapid placement and stabilization in permanent housing but does not prohibit the use of service participation requirements after participants have stabilized in permanent housing.

### Written Standard #13: Supportive Services Agreement

- **Program participants may be required to take part in supportive services that are not disability-related services (including substance abuse treatment services) provided through the project as a condition of continued participation in the program. However, HUD tends to believe that these kinds of requirements can be barriers and should be rare and minimal if used as all.**

§578.75 General operations (h) *Supportive service agreement* states:

“Recipients and subrecipients may require the program participants to take part in supportive services that are not disability-related services provided through the project as a condition of continued participation in the program. Examples of disability-related services include, but are not limited to, mental health services, outpatient health services, and provision of medication, which are provided to a person with a disability to address a condition caused by the disability. Notwithstanding this provision, if the purpose of the project is to provide substance abuse treatment services, recipients and subrecipients may require program participants to take part in such services as a condition of continued participation in the program.”

HUD’s “HOUSING FIRST IN PERMANENT SUPPORTIVE HOUSING” Brief states:

“Supportive services are offered to maximize housing stability and prevent returns to homelessness as opposed to addressing predetermined treatment goals prior to permanent housing entry.” And;

***“Supportive services are voluntary, but can and should be used to persistently engage tenants to ensure housing stability*** - Supportive services are proactively offered to help tenants achieve and maintain housing stability, but tenants are not required to participate in services as a condition of tenancy. Techniques such as harm reduction and motivational interviewing may be useful. Harm reduction techniques can confront and mitigate the harms of drug and alcohol use through non-judgmental communication while motivational interviewing may be useful in helping households acquire and utilize new skills and information.”

### Written Standard #14: Termination of Assistance

- **Program participants’ assistance may be terminated if program requirements or conditions of occupancy are violated by providing a formal process that recognizes the due process of law.**

§578.91 Termination of assistance to program participants states:

“(a) *Termination of assistance.* The recipient or subrecipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination under this section does not bar the recipient or subrecipient from providing further assistance at a later date to the same individual or family.

(b) *Due process.* In terminating assistance to a program participant, the recipient or subrecipient must provide a formal process that recognizes the rights of individuals receiving assistance under the due process of law. This process, at a 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.

(c) *Hard-to-house populations.* Recipients and subrecipients that are providing permanent supportive housing for hard-to-house populations of homeless persons must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant’s assistance is terminated only in the most severe cases.”

## **6. Performance Measures and Benchmarks**

**Unit Utilization Rate – 95%**

**Maintain PSH or Exit to PH – 90%**

**Returns to Homelessness – ≤ 15%**

**Increased Earned Income – ≥ 8%**

**Increased Non-Employment Income – ≥ 10%**

**% of Persons with More than 1 Disability Type – 25%**

**Reasonable Costs – Within 5% of Average Cost per Positive Housing Exit**

**Coordinated Entry Participation – ≥ 95%**

**Commitment to Housing First**

## **II. Determining Written Standards for Rapid Re-Housing**

### **A. Background information**

§578.7 Responsibilities of the Continuum of Care (a)(9) of the HEARTH Act Interim Rule notes:

“In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and consistently follow written standards for providing Continuum of Care assistance. At a minimum, these written standards must include:

- i. Policies and procedures for evaluating individuals’ and families’ eligibility for assistance under this part;
- iii. Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid rehousing assistance;
- iv. Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance;

Rapid rehousing is considered permanent housing. §578.3 Definitions identifies “permanent housing” as:

“community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid re-housing. To be ‘permanent housing’, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause.”

HUD’s “Rapid Re-Housing Brief” describes:

“Rapid rehousing is an intervention, informed by a Housing First approach that is a critical part of a community’s effective homeless crisis response system. Rapid rehousing rapidly connects families and individuals experiencing homelessness to permanent housing through a tailored package of assistance that may include the use of time-limited financial assistance and targeted supportive services. Rapid rehousing programs help families and individuals living on the streets or in emergency shelters solve the practical and immediate challenges to obtaining permanent housing while reducing the amount of time they experience homelessness, avoiding a near-term return to homelessness, and linking to community resources that enable them to achieve housing stability in the long-term. Rapid re-housing is an important component of a community’s response to

homelessness. A fundamental goal of rapid rehousing is to reduce the amount of time a person is homeless.

Types of Rapid Re-Housing assistance include:

- Housing Identification;
- Rental (Tenant-Based) and Move-In Assistance;
- Case Management and Services.

### **1. Eligible Clients**

HUD’s “Rapid Re-Housing: ESG vs. CoC Guide” states:

“To receive CoC rapid re-housing (CoC-RRH) assistance, individuals and families may be defined as homeless under any of the four categories included in the Homeless Definition Final Rule: Literally homeless (Category 1); Imminently losing their primary night-time residence (Category 2); 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 are defined as homeless under another Federal statute and meet additional specified criteria (Category 3 – Note: For CoC-RRH assistance to be provided to persons defined as homeless under Category 3, the project must be located within the geographic area of a CoC that has received HUD approval to serve this population. [See §578.89 Limitation on use of grant funds to serve persons defined as homeless under other federal laws.]); Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions (Category 4).

The CoC Program Notice of Funding Availability (NOFA) may impose additional eligibility requirements not reflected in the regulation. Projects funded to carry out RRH assistance under the CoC program must follow both CoC Program NOFA and regulatory requirements.”

HUD’s Notice of Funding Availability for the Fiscal Year 2017 Continuum of Care Program Competition (FR-6100-N-25) further limited CoC RRH eligibility to Categories 1 & 4.

The HEARTH Act: Defining “Homeless” Final Rule for these Categories states:

*“Homeless means:*

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park,

abandoned building, bus or train station, airport, or camping ground; (ii) An individual or family living in a supervised 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, or local government programs for low-income individuals); or (iii) An individual who is exiting an institution where he or she 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; or

(4) Any individual or family who: (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; (ii) Has no other residence; and (iii) Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.”

[For eligibility details for ESG rapid re-housing assistance, refer to City of Binghamton's ESG Written Standards – **Appendix E**]

## **2. Prioritizing Rapid Re-Housing**

HUD has provided guidance for rapid rehousing in terms of prioritizing subpopulations, noting in a SNAPS In Focus: Rapid Re-Housing As a Model and Best Practice (August 6, 2014) that:

“Rapid re-housing can be effective for many populations, such as families with children, youth aging out of foster care, domestic violence survivors, single adults, and veterans, but should be targeted to those households that would not be able to get out of homelessness without the assistance. It is particularly a key strategy for achieving the Opening Doors goal of ending family, youth, and child homelessness by 2020...Rapid re-housing should prioritize people with more challenges, including those with no income, poor employment prospects, troubled rental histories, and criminal records. Providers should link participants with community resources that will help them achieve longer-term stability and well-being. Now is the time for communities to be working together to establish written standards for administering rapid re-housing and thinking strategically about how this type of assistance will be used most effectively within the CoC.

Thus, CoC NY-511 will prioritize the following subpopulations:

- households at or below 30% AMI
- families with children;
- youth aging out of foster care;
- domestic violence survivors;
- single adults;
- veterans

### **3. Recipient Recordkeeping Requirements**

Recipients of CoC Program-funded RRH must maintain records in accordance with §578.103 Recordkeeping Requirements.

### **4. Written Standards**

#### **Written Standard #1: Lease Agreement**

- **Program participants must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long.**

In General Provisions (Subpart A) of the Preamble of the HEARTH Act Interim Rule,

“HUD clarifies that to be permanent housing, the program participant must be the tenant on a lease for a term of at least one year that is renewable and is terminable only for cause. The lease must be renewable for terms that are a minimum of one month long. HUD has determined that requiring a lease for a term of at least one year that is renewable and terminable only for cause, assists program participants in obtaining stability in housing, even when the rental assistance is temporary. These requirements are consistent with Section 8 requirements.”

#### **Written Standard #2: Rental Assistance**

- **Program participants may receive short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance**

§578.37 Program components and uses of assistance (a)(1)(ii) states:

“Continuum of Care funds may provide supportive services, as set forth in §578.53, and/or short-term (up to 3 months) and/or medium-term (for 3 to 24

months) tenant-based rental assistance, as set forth in §578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing.”

### **Written Standard #3: Amount of Rental Assistance**

- **Program participants’ share of rent and utilities costs will be based on the following guidelines:**
  - The maximum amount of rent that a participant will pay can be up to 100% of the rental amount;
  - The maximum percentage of income paid by participants towards rent at program completion shall be no more than 30%. However, in certain circumstances, on a case-by-case basis, there may be participants whose rental share may exceed 30% of the rent based on their financial circumstances. In general, the goal will be that participants pay generally no more than 30% of their income in rent;
  - 100% of the cost of rent in rental assistance may be provided to program participants. However, to maximize the number of households that can be served with rapid re-housing resources, it is expected that the level of need will be based on the goal of providing only what is necessary for each household to be stably housed for the longterm;
  - Rental assistance cannot be provided for a unit unless the rent for that unit is at or below the Fair Market Rent limit, established by HUD;
  - The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units.
  - Program participants may receive rental assistance for a maximum of 6 months.

§578.37 Program components and uses of assistance (a)(1)(ii)(F) states that a Continuum of Care:

“May set a maximum amount or percentage of rental assistance that a program participant may receive, a maximum number of months that a program participant may receive rental assistance, and/or a maximum number of times that a program participant may receive rental assistance. The recipient or subrecipient may also require program participants to share in the costs of rent. For the purposes of calculating rent for rapid rehousing, the rent shall equal the sum of the total monthly rent for the unit and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located.”

#### **Written Standard #4: Duration of Assistance**

- **Program participants may receive up to 6 months of rental assistance. However, it is expected that program participants will only receive the level of assistance necessary to be stably housed for the long-term.**

§578.37 Program components and uses of assistance (a)(1)(ii) states:

“Continuum of Care funds may provide supportive services, as set forth in §578.53, and/or short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance, as set forth in § 578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing.”

#### **Written Standard #5: Security Deposits including Last Month’s Rent**

- **Program participants may receive funds for security deposits in an amount not to exceed two months of rent.**

§578.51 Rental assistance (a)(2) states:

“Grant funds may be used for security deposits in an amount not to exceed 2 months of rent. An advance payment of the last month’s rent may be provided to the landlord, in addition to the security deposit and payment of first month’s rent.”

#### **Written Standard #6: Receiving Rental Assistance through Other Sources**

- **Program participants who are already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources may not be provided with rental assistance.**

§578.51 Rental assistance (a)(1) states:

“Grant funds may be used for rental assistance for homeless individuals and families. Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.”

### **Written Standard #7: Case Management**

- **Program participants must meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability.**

§578.37 Program components and uses of assistance (a)(1)(ii)(F) states that Rapid rehousing projects must:

“Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability. The project is exempt from this requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13925 *et seq.*) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 *et seq.*) prohibits the recipient carrying out the project from making its housing conditional on the participant’s acceptance of services.”

### **Written Standard #8: Supportive Services**

- **Program participants may receive supportive services as set forth in §578.53 (see Appendix B)**

§578.37 Program components and uses of assistance (a)(1)(ii) states:

“Continuum of Care funds may provide supportive services, as set forth in §578.53, and/or short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance, as set forth in § 578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing.”

### **Written Standard #9: Duration of Supportive Services**

- **Program participants may receive supportive services for no longer than 6 months after rental assistance stops.**

§578.37 Program components and uses of assistance (a)(1)(ii)(D) states:

“[Projects] may provide supportive services for no longer than 6 months after rental assistance stops.”

### **Written Standard #10: Low Barriers to Entry or Housing First Approach**

- **Program policies & procedures will demonstrate Low Barriers to Entry or**

**Housing First principles throughout service provision in order to maximize housing retention and reduce returns to homelessness.**

HUD and USICH’s “Core Principles of Housing First and Rapid Re-Housing Webinar” (June 26, 2014) defines Rapid Re-Housing as a “Housing First intervention which rapidly connects families and individuals experiencing homelessness to permanent housing.” It further defines Housing First as “an approach to quickly connect individuals and families experiencing homelessness to permanent housing without preconditions or barriers to entry, such as sobriety, treatment, or service participation requirements.”

Low Barriers to Entry is demonstrated by entry without preconditions and regardless of income, current or past substance use, history of victimization, and criminal record – except restrictions imposed by federal, state, or local law or ordinance – and prioritizes rapid placement and stabilization in permanent housing but does not prohibit the use of service participation requirements after participants have stabilized in permanent housing.

**Written Standard #11: Initial and Re-evaluation of Income**

- **Program participants initial income must be evaluated at project entry to determine eligibility (at or below 50% AMI) and must be re-evaluated, not less than once annually, in order to determine whether program participants lack sufficient resources and support networks necessary to retain housing without Continuum of Care assistance and the types and amounts of assistance that the program participant needs to retain housing.**

§578.37 Program components and uses of assistance (a)(1)(ii)(E) states:

“[Projects] must re-evaluate, not less than once annually, that the program participant lacks sufficient resources and support networks necessary to retain housing without Continuum of Care assistance and the types and amounts of assistance that the program participant needs to retain housing. The recipient or subrecipient may require each program participant receiving assistance to notify the recipient or subrecipient of changes in the program participant’s income or other circumstances (e.g., changes in household composition) that affect the program participant’s need for assistance. When notified of a relevant change, the recipient or subrecipient must reevaluate the program participant’s eligibility and the amount and types of assistance that the program participant needs.”

**5. Performance Measures and Benchmarks**

**Unit Utilization Rate – 95%**

**% of Persons who Move to PH - 90%**

**Returns to Homelessness -  $\leq$  15%**

**Increased Earned Income -  $\geq$  8%**

**Increased Non-Employment Income -  $\geq$  10%**

**% of Persons with More than 1 Disability Type - 25%**

**Reasonable Costs - Within 5% of Average Cost per Positive Housing Exit**

**Coordinated Entry Participation -  $\geq$  95%**

**Commitment to Housing First**

### **III. Determining Written Standards for Transitional Housing**

#### **A. Background Information**

§578.7 Responsibilities of the Continuum of Care (a)(9) of the HEARTH Act Interim Rule notes:

“In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and consistently follow written standards for providing Continuum of Care assistance. At a minimum, these written standards must include:

- (i) Policies and procedures for evaluating individuals’ and families’ eligibility for assistance under this part;
- (ii) Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance;”

§578.3 Definitions states:

“Transitional housing means housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended.”

#### **1. Eligible Clients**

Eligible clients must meet HUD’s definition of “Homeless” as defined by the HEARTH Act’s Final Rule (Categories 1-4).

Eligible clients must also meet eligibility criteria as defined in the NOFA under which the program was funded and are subject to §578.89 Limitation on use of grant funds to serve persons defined as homeless under other federal laws.

#### **2. Prioritizing Transitional Housing**

According to HUD’s “SNAPS Weekly Focus: What about Transitional Housing?” (September 18, 2013):

“Transitional housing is an eligible component of the Continuum of Care (CoC) Program and can be a necessary part of a CoC’s homeless assistance portfolio.

However, it is time for CoCs to look at transitional housing programs with a critical eye – look at recent research, review each program’s eligibility criteria, analyze outcomes and occupancy rates, and make sure the services offered (and paid for) actually match the needs of people experiencing homelessness within the CoC. Many transitional housing programs may need to change their program design or serve a different population. For example, some may need to remove strict eligibility criteria that result in those families that really need intensive services being screened out (often resulting in low occupancy). In other cases, the best course of action is to reallocate the transitional housing program in favor of a more promising model.

...Transitional housing should be reserved for those populations that most need that type of intervention – programs that serve domestic violence survivors and youth and those that provide substance abuse treatment come to mind first – rather than being used either as a holding pattern for those that really need permanent supportive housing or those that need less intensive interventions.”

Thus, individuals in recovery from substance use and/or mental health disorders, survivors of domestic violence, and youth ages 18–24 will be prioritized for transitional housing if they are not assessed as chronically homeless. Any chronically homeless individuals or families will not be served through transitional housing.<sup>2</sup> Such households will be served by permanent supportive housing through a Housing First approach. Also, eligible single veterans and veterans with families, will be served by permanent supportive housing.

### **3. Recipient Recordkeeping Requirements**

Recipients of CoC Program-funded TH must maintain records in accordance with §578.103 Recordkeeping Requirements. In addition, NY-511 expects recipients to maintain the following records:

- a.** Written Intake Procedures
- b.** Written Due Process Procedures

---

<sup>2</sup> Chronically homeless households are no longer considered chronically homeless once they become residents of transitional housing programs. As a result, such households are no longer eligible for permanent supportive housing programs that are restricted to serve only chronically homeless households. In addition, HUD strongly encourages permanent supportive housing providers to fill vacant beds with chronically homeless households.

#### 4. Written Standards

##### Written Standard #1: Lease Agreement

- **Program participants must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended unless permanent housing for the individual or family has not been located or if the individual or family requires additional time to prepare for independent living.**

§578.51 Rental assistance (1)(2) *Initial lease for transitional housing* states:

“Program participants in transitional housing must enter into a lease agreement for a term of at least one month. The lease must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months.”

§578.79 Limitation on transitional housing states:

“A homeless individual or family may remain in transitional housing for a period longer than 24 months, if permanent housing for the individual or family has not been located or if the individual or family requires additional time to prepare for independent living. However, HUD may discontinue assistance for a transitional housing project if more than half of the homeless individuals or families remain in that project longer than 24 months.”

##### Written Standard #2: Occupancy Charges

- **Program participants may not be required to pay occupancy charges in excess of the highest of: 30% of the family’s monthly adjusted income, 10% of the family’s monthly income, or the portion of public agency payments designated for housing costs.**

§578.77 Calculating occupancy charges and rent (b) *Calculation of occupancy charges* states:

“Recipients and subrecipients are not required to impose occupancy charges on program participants as a condition of residing in the housing. However, if occupancy charges are imposed, they may not exceed the highest of:

- (1) 30 percent of the family’s monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child-care expenses);
- (2) 10 percent of the family’s monthly income; or
- (3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family’s

actual housing costs) is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated for housing costs.

(4) Income. Income must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a). Recipients and subrecipients must examine a program participant's income initially, and if there is a change in family composition (e.g., birth of a child) or a decrease in the resident's income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly."

### **Written Standard #3: Program Income**

- **Program participants may be required to pay rent and occupancy charges, resulting in program income to add to funds committed to the project by HUD and used for eligible program activities**

§578.97 Program income states:

"(a) *Defined.* Program income is the income received by the recipient or subrecipient directly generated by a grant-supported activity.

(b) *Use.* Program income earned during the grant term shall be retained by the recipient, and added to funds committed to the project by HUD and the recipient, used for eligible activities in accordance with the requirements of this part. Costs incident to the generation of program income may be deducted from gross income to calculate program income, provided that the costs have not been charged to grant funds.

(c) *Rent and occupancy charges.* Rents and occupancy charges collected from program participants are program income. In addition, rents and occupancy charges collected from residents of transitional housing may be reserved, in whole or in part, to assist the residents from whom they are collected to move to permanent housing."

Also, §578.49 Leasing (b)(7) states:

"*Program income.* Occupancy charges and rent collected from program participants are program income and may be used as provided under §578.97."

### **Written Standard #4: Examining Program Participant's Initial Income**

- **Program participants' initial income must be examined at least annually to determine the amount of the contribution toward rent payable by the**

**program participant and adjustments to a program participant's contribution toward the rental payment must be made as changes in income are identified.**

§578.77 Calculating occupancy charges and rent (c)(2) states:

“Recipients or subrecipients must examine a program participant’s income initially, and at least annually thereafter, to determine the amount of the contribution toward rent payable by the program participant. Adjustments to a program participant’s contribution toward the rental payment must be made as changes in income are identified.”

§578.103 Recordkeeping requirements (7)(i)(ii) states that the recipient or subrecipient must keep records for each program participant that document:

“(i) The services and assistance provided to that program participant, including evidence that the recipient or subrecipient has conducted an annual assessment of services for those program participants that remain in the program for more than a year and adjusted the service package accordingly, and including case management services as provided in §578.37(a)(1)(ii)(F); and

(ii) Where applicable, compliance with the termination of assistance requirement in §578.91.”

#### **Written Standard #5: Verifying Program Participant’s Initial Income**

- **Program participants must agree to supply the information or documentation necessary to verify the program participant’s income.**

§578.77 Calculating occupancy charges and rent (c)(3) states:

“As a condition of participation in the program, each program participant must agree to supply the information or documentation necessary to verify the program participant’s income. Program participants must provide the recipient or subrecipient with information at any time regarding changes in income or other circumstances that may result in changes to a program participant’s contribution toward the rental payment.”

§578.103 Recordkeeping requirements (6)(i)(ii)(iii) and (iv) state:

“For each program participant who receives housing assistance where rent or an

occupancy charge is paid by the program participant, the recipient or subrecipient must keep the following documentation of annual income:

(i) Income evaluation form specified by HUD and completed by the recipient or subrecipient; and

(v) Source documents (e.g., most recent wage statement, unemployment compensation statement, public benefits statement, bank statement) for the assets held by the program participant and income received before the date of the evaluation;

(vi) To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., employer, government benefits administrator) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period; or

(vii) To the extent that source documents and third-party verification are unobtainable, the written certification by the program participant of the amount of income that the program participant is reasonably expected to receive over the 3-month period following the evaluation."

### **Written Standard #6: Recalculating Occupancy Charges and Rent**

- **Program participants may request an interim reexamination of their income if there is a change in family composition (e.g., birth of a child) or a decrease in the resident's income during the year and the occupancy charge will be adjusted accordingly.**

§578.77 Calculating occupancy charges and rent (b)(4) notes:

"(4) Income. Income must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a). Recipients and subrecipients must examine a program participant's income initially, and if there is a change in family composition (e.g., birth of a child) or a decrease in the resident's income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly."

### **Written Standard #7: Supportive Services Agreement**

- **Program participants may be required to take part in supportive services that are not disability-related services (including substance abuse treatment services) provided through the project as a condition of**

**continued participation in the program. However, HUD tends to believe that these kinds of requirements can be barriers and should be rare and minimal if used as all.**

§578.75 General operations (h) *Supportive service agreement* states:

“Recipients and subrecipients may require the program participants to take part in supportive services that are not disability-related services provided through the project as a condition of continued participation in the program. Examples of disability-related services include, but are not limited to, mental health services, outpatient health services, and provision of medication, which are provided to a person with a disability to address a condition caused by the disability. Notwithstanding this provision, if the purpose of the project is to provide substance abuse treatment services, recipients and subrecipients may require program participants to take part in such services as a condition of continued participation in the program.”

#### **Written Standard #8: Supportive Services**

- **Program participants may receive supportive services as set forth in §578.53 (see Appendix B)**

§578.53(b)(1) and (3) state:

“For a transitional housing project, supportive services must be made available to residents throughout the duration of their residence in the project.” and;

“Services may also be provided to former residents of transitional housing and current residents of permanent housing who were homeless in the prior 6 months, for no more than 6 months after leaving transitional housing or homelessness, respectively, to assist their adjustment to independent living.”

#### **Written Standard #9: Low Barriers to Entry or Housing First Approach**

- **Program policies & procedures will demonstrate Low Barriers to Entry or Housing First principles throughout service provision in order to maximize housing retention and reduce returns to homelessness.**

According to HUD’s “SNAPS Weekly Focus: What about Transitional Housing?” (September 18, 2013):

“Many transitional housing programs may need to change their program design or serve a different population. For example, some may need to remove strict eligibility criteria that result in those families that really need intensive services being screened out.”

Low Barriers to Entry is demonstrated by entry without preconditions and regardless of income, current or past substance use, history of victimization, and criminal record – except restrictions imposed by federal, state, or local law or ordinance – and prioritizes rapid placement and stabilization in permanent housing but does not prohibit the use of service participation requirements after participants have stabilized in permanent housing.

#### **Written Standard #10: Termination of Assistance**

- **Program participants’ assistance may be terminated if program requirements or conditions of occupancy are violated by providing a formal process that recognizes the due process of law.**

§578.91 Termination of assistance to program participants states:

“(a) *Termination of assistance.* The recipient or subrecipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination under this section does not bar the recipient or subrecipient from providing further assistance at a later date to the same individual or family.

(b) *Due process.* In terminating assistance to a program participant, the recipient or subrecipient must provide a formal process that recognizes the rights of individuals receiving assistance under the due process of law. This process, at a 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.

(c) *Hard-to-house populations.* Recipients and subrecipients that are providing permanent supportive housing for hard-to-house populations of homeless persons must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant’s assistance is terminated only in the most severe cases.”

## **Written Standard #11: Effective and efficient use of resources**

- **Funding for a transitional housing project may be discontinued if more than half of the homeless individuals or families remain in that project longer than 24 months.**

§578.79 Limitation on transitional housing states:

“A homeless individual or family may remain in transitional housing for a period longer than 24 months, if permanent housing for the individual or family has not been located or if the individual or family requires additional time to prepare for independent living. However, HUD may discontinue assistance for a transitional housing project if more than half of the homeless individuals or families remain in that project longer than 24 months.”

As noted above, prioritizing which eligible individuals and families will receive transitional housing has been the focus of HUD guidance. If a transitional project is determined to be ineffective and inefficient in moving individuals or families into permanent housing, it will be subject to NY-511’s NOFA Reallocation Process (see Appendix C).

### **5. Performance Measures and Benchmarks**

**Unit Utilization Rate – 95%**

**% of Persons who Move to PH – 90%**

**Returns to Homelessness – ≤ 15%**

**Increased Earned Income – ≥ 8%**

**Increased Non-Employment Income – ≥ 10%**

**% of Persons with More than 1 Disability Type – 25%**

**Reasonable Costs – Within 5% of Average Cost per Positive Housing Exit**

**Coordinated Entry Participation – ≥ 95%**

**Commitment to Housing First**

## **Appendix A: Anti-Discrimination Policy**

All CoC and ESG Program-funded projects within NY-511 CoC shall market to and serve all eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability who are least likely to apply in the absence of special outreach or accommodation and without regard to actual or perceived sexual orientation, gender identity, or marital status.

All CoC and ESG Program-funded projects within NY-511 CoC shall also comply with all State of New York and Federal statutes relating to nondiscrimination. These include but are not limited to:

- (a) Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule, which ensures that HUD programs are open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status;
- (b) Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs Final Rule, which ensures equal access for individuals in accordance with their gender identity in programs and shelter funded under programs administered by HUD's Office of Community Planning and Development (CPD);
- (c) the Fair Housing Act (Title VIII of the Civil Rights Act of 1968) which prohibits discriminatory housing practices based on race, color, religion, sex, national origin, disability, or familial status;
- (d) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. § 3601 et seq.), relating to non-discrimination in the sale, rental or financing of housing;
- (e) Title VI of the Civil Rights Act of 1964 (P.L. 88-352, 42 U.S.C. § 2000d, and implementing regulations) which prohibits discrimination on the grounds of race, creed, color, sex, religion, ancestry, age, condition of physical handicap, marital status, political affiliation, or national origin;
- (f) Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, (42 U.S.C. § 2000e), and implementing regulations;
- (g) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, 1685-1686), which prohibits discrimination on the basis of sex;
- (h) Sections 503 and 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794, 45

- C.F.R. Part 84), which prohibits discrimination on the basis of handicaps;
- (i) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
  - (j) the Drug Abuse Office and Treatment Act of 1972, as amended (P.L. 92-255), relating to nondiscrimination on the basis of drug abuse;
  - (k) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended (P.L. 91-616), relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - (l) Sections 523 and 527 of the Public Health Service Act of 1912, as amended, (42 U.S.C. §§ 290(dd)(3), 290 (ee)(3)), relating to confidentiality of alcohol and drug abuse patient records;
  - (m) Title II of the Americans with Disabilities Act prohibits public entities, which includes State and local governments, and special purpose districts, from discriminating against individuals with disabilities in all their services, programs, and activities, which include housing, and housing-related services such as housing search and referral assistance;
  - (n) Title III of the Americans with Disabilities Act prohibits private entities that own, lease, and operate places of public accommodation, which include shelters, social service establishments, and other public accommodations providing housing, from discriminating on the basis of disability;
  - (o) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and
  - (p) the requirements of any other nondiscrimination statute(s) which may apply to the application.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact Southern Tier Independence Center at 607.724.2111 or, if a resident of Cortland County, Access to Independence Cortland County at 607.753.7363. Individuals who are deaf, hard of hearing, or have speech disabilities may contact Southern Tier Independence Center at 607.724.2111 or, if a resident of Cortland County, Access to Independence Cortland County at 607.753.7363. Additionally, program information may be available in languages other than English.



If you believe your civil rights have been violated, a fair housing complaint may be filed online by completing the Housing Discrimination Complaint form (HUD form 903) found at <https://portal.hud.gov/FHEO903/Form903/Form903Start.action>

If you have questions regarding Fair Housing in New York State or believe you have been a victim of housing discrimination, contact the Civil Rights Bureau of the New York State Attorney General's Office at 212-416-8250 or [civil.rights@ag.ny.gov](mailto:civil.rights@ag.ny.gov).

## **Appendix B: Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

### **Emergency Transfers**

**[Insert name of covered housing provider (HP)]** is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),<sup>1</sup> HP allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The ability of HP to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether HP has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that **[insert name of program or rental assistance here]** is in compliance with VAWA.

---

<sup>1</sup> Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

### **Eligibility for Emergency Transfers**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

### **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify HP's management office and submit a written request for a transfer using Form HUD 5383 and/or Form HUD 5382 as applicable (See Appendix B and C) or an approved alternate form. HP will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under HP's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an

emergency transfer.

### **Confidentiality**

HP will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives HP written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about HP's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

### **Emergency Transfer Timing and Availability**

HP cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. HP will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to the availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. HP may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If HP has no safe and available units for which a tenant who needs an emergency is eligible, HP will

assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, HP will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

### **Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

### **Attachments:**

Attachment A – Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking

Attachment B – Emergency Transfer Request Form HUD 5383

Attachment C – Certification/Alternate Documentation Form HUD 5382



---

**Attachment A – LOCAL ORGANIZATIONS OFFERING ASSISTANCE TO VICTIMS OF  
DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

**Broome County**

RISE – [www.rise-ny.org](http://www.rise-ny.org) – 24-hour Crisis Hotline: 607.754.4340; 1.877.754.4340

CRIME VICTIMS ASSISTANCE CENTER – [www.cvac.us](http://www.cvac.us) – 377 Robinson St. Binghamton NY 13904;  
24-hour Crisis Hotline: 607.722.4256

YWCA of Binghamton/Broome County – [www.ywcabinghamton.org](http://www.ywcabinghamton.org) – 80 Hawley St. Binghamton NY  
13901; 607.722.0340

BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES – 36-42 Main St. Binghamton NY 13905;  
607.778.8850

**Chenango County**

CRIME VICTIMS ASSISTANCE CENTER – [www.cvac.us](http://www.cvac.us) – 8 Silver St. Norwich NY 13815; 24-hour  
Crisis Hotline: 607.722.4256

CHENANGO COUNTY DEPARTMENT OF SOCIAL SERVICES – 5 Court St. & 14 West Park Place  
Norwich NY 13815; 607.337.1500

**Cortland County**

YWCA of Cortland County – [www.cortlandywca.org](http://www.cortlandywca.org) – 24-hour Crisis Hotline: 607.756.6363;  
1.800.336.9622

CORTLAND COUNTY DEPARTMENT OF SOCIAL SERVICES – 60 Central Ave. Cortland NY 13045;  
607.753.5320

**Delaware County**

DELAWARE COUNTY DEPARTMENT OF SOCIAL SERVICES – 111 Main St. Delhi NY 13753;  
607.832.5300

**Otsego County**

OPPORTUNITIES FOR OTSEGO – [www.ofoinc.org](http://www.ofoinc.org) – 3 W. Broadway, Oneonta NY 13820; 24-hour  
Crisis Hotline: 607.432.4855

OTSEGO COUNTY DEPARTMENT OF SOCIAL SERVICES – 197 Main St. Ste. 1, Cooperstown NY  
13326; 607.547.4355

**Tioga County**

A NEW HOPE CENTER – [www.anewhopecenter.org](http://www.anewhopecenter.org) – 20 Church St. Owego NY 13827 – 24-hour



Crisis Hotline: 607.687.6866; 1.800.696.7600 or via text 607.972.1996

TIOGA COUNTY DEPARTMENT OF SOCIAL SERVICES – 1062 State Rt. 38, Owego NY 13827;  
607.687.8300

## Attachment B – EMERGENCY TRANSFER REQUEST FORM HUD 5383

**EMERGENCY TRANSFER  
REQUEST FOR CERTAIN  
VICTIMS OF DOMESTIC  
VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

**The requirements you must meet are:**

**(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.**

If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.

**(2) You expressly request the emergency transfer.** Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.

**(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records;

communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER**

1. Name of victim requesting an emergency transfer: \_\_\_\_\_

2. Your name (if different from victim's) \_\_\_\_\_

3. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

4. Name(s) of other family member(s) who would transfer with the victim: \_\_\_\_\_

5. Address of location from which the victim seeks to transfer: \_\_\_\_\_

6. Address or phone number for contacting the victim: \_\_\_\_\_

7. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

8. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

9. Date(s), Time(s) and location(s) of incident(s): \_\_\_\_\_

10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11. \_\_\_\_\_

11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit.

\_\_\_\_\_  
\_\_\_\_\_

12. If voluntarily provided, list any third-party documentation you are providing along with this

**notice:** \_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

## Attachment C – CERTIFICATION/ALTERNATE DOCUMENTATION FORM HUD 5382

**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

\_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

\_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

\_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.



---

## Appendix C: NOFA Reallocation Process

CoC NY-511 is committed to ensuring that available funding is appropriately matched with efficient and effective homeless service projects. Regular HMIS and CoC monitoring and evaluation of project APRs, community needs, and local level data assist with ensuring that housing programs throughout the Southern Tier are designed to serve the homeless population in the best possible manner.

In the event that a program is determined to be a greater asset to the Continuum through reallocation, the process will be as follows:

1. The NOFA Committee will examine all currently funded programs.
2. A program may be considered for reallocation either by the organization responsible for that program or through the advisement of the NOFA Committee.
3. If a program is determined to be better utilized through reallocation, this will be brought before the CoC for discussion and a vote to support reallocation.
4. If reallocation is determined to be the best course of action, HUD will be notified of the pending reallocation during the NOFA process.
5. The organization that is responsible for the program being reallocated will have first option for the reallocated funding unless otherwise advised by the NOFA committee.
6. If the organization that has the reallocated funding chooses not to pursue other housing program options, the CoC will open the funding opportunity up to the entire body.
7. A new project will be applied for during the NOFA process as a reallocated project.



---

## Appendix D: Supportive Services

### §578.53 Supportive services.

(a) *In general.* Grant funds may be used to pay the eligible costs of supportive services that address the special needs of the program participants. If the supportive services are provided in a supportive service facility not contained in a housing structure, the costs of day-to-day operation of the supportive service facility, including maintenance, repair, building security, furniture, utilities, and equipment are eligible as a supportive service.

(1) Supportive services must be necessary to assist program participants obtain and maintain housing.

(2) Recipients and subrecipients shall conduct an annual assessment of the service needs of the program participants and should adjust services accordingly.

(b) *Duration.*

(1) For a transitional housing project, supportive services must be made available to residents throughout the duration of their residence in the project.

(2) Permanent supportive housing projects must provide supportive services for the residents to enable them to live as independently as is practicable throughout the duration of their residence in the project.

(3) Services may also be provided to former residents of transitional housing and current residents of permanent housing who were homeless in the prior 6 months, for no more than 6 months after leaving transitional housing or homelessness, respectively, to assist their adjustment to independent living.

(4) Rapid rehousing projects must require the program participant to meet with a case manager not less than once per month as set forth in § 578.37(a)(1)(ii)(F), to assist the program participant in maintaining long-term housing stability.

(c) *Special populations.* All eligible costs are eligible to the same extent for program participants who are unaccompanied homeless youth; persons living with HIV/AIDS; and victims of domestic violence, dating violence, sexual assault, or stalking.

(d) *Ineligible costs.* Any cost that is not described as an eligible cost under this section is not an eligible cost of providing supportive services using Continuum of Care program funds. Staff training and the costs of obtaining professional licenses or certifications needed to provide supportive services are not eligible costs.

(e) *Eligible costs.*

(1) Annual Assessment of Service Needs. The costs of the assessment required by § 578.53(a)(2) are eligible costs.

(2) Assistance with moving costs. Reasonable one-time moving costs are eligible and include truck rental and hiring a moving company.

(3) Case management. The costs of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant(s) are eligible costs. Component services and activities consist of:

(i) Counseling;

(ii) Developing, securing, and coordinating services;

(iii) Using the centralized or coordinated entry system as required under § 578.23(c)(9).

(iv) Obtaining federal, State, and local benefits;

(v) Monitoring and evaluating program participant progress;

(vi) Providing information and referrals to other providers;

(vii) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and

(viii) Developing an individualized housing and service plan, including planning a path to permanent housing stability.

(4) Child care. The costs of establishing and operating child care, and providing child-care vouchers, for children from families experiencing homelessness, including providing meals and snacks, and comprehensive and coordinated developmental activities, are eligible.

(i) The children must be under the age of 13, unless they are disabled children.

(ii) Disabled children must be under the age of 18.

(iii) The child-care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible.

(5) Education services. The costs of improving knowledge and basic educational skills are eligible.

(i) Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED).

(ii) Component services or activities are screening, assessment and testing; individual or group instruction; tutoring; provision of books, supplies, and instructional material; counseling; and referral to community resources.

(6) Employment assistance and job training. The costs of establishing and operating employment assistance and job training programs are eligible, including classroom, online and/or computer instruction, on-the-job instruction, services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. The cost of providing reasonable stipends to program participants in employment assistance

and job training programs is also an eligible cost.

(i) Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates.

(ii) Services that assist individuals in securing employment consist of:

(A) Employment screening, assessment, or testing;

(B) Structured job skills and job-seeking skills;

(C) Special training and tutoring, including literacy training and pre-vocational training;

(D) Books and instructional material;

(E) Counseling or job coaching; and

(F) Referral to community resources.

(7) Food. The cost of providing meals or groceries to program participants is eligible.

(8) Housing search and counseling services. Costs of assisting eligible program participants to locate, obtain, and retain suitable housing are eligible.

(i) Component services or activities are tenant counseling; assisting individuals and families to understand leases; securing utilities; and making moving arrangements.

(ii) Other eligible costs are:

(A) Mediation with property owners and landlords on behalf of eligible program participants;

(B) Credit counseling, accessing a free personal credit report, and resolving personal credit issues; and

(C) The payment of rental application fees.

(9) Legal services. Eligible costs are the fees charged by licensed attorneys and by person(s) under the supervision of licensed attorneys, for advice and representation in matters that interfere with the homeless individual or family's ability to obtain and retain housing.

(iii) Eligible subject matters are child support; guardianship; paternity; emancipation; legal separation; orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking; appeal of veterans and public benefit claim denials; landlord tenant disputes; and the resolution of outstanding criminal warrants.

(iv) Component services or activities may include receiving and preparing cases for trial, provision of legal advice, representation at hearings, and counseling.

(v) Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost would be less than the cost of hourly fees. Filing fees and other necessary court costs are also eligible. If the subrecipient is a legal services provider and performs the services itself, the eligible costs are the subrecipient's employees' salaries and other costs necessary to perform the services.

(vi) Legal services for immigration and citizenship matters and issues related to mortgages and homeownership are ineligible. Retainer fee arrangements and contingency fee arrangements are ineligible.

(10) Life skills training. The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance abuse, and homelessness are eligible. These services must be necessary to assist the program participant to function independently in the community. Component life skills training are the budgeting of resources and money management, household management, conflict management, shopping for food and other needed items, nutrition, the use of public transportation, and parent training.

(11) Mental health services. Eligible costs are the direct outpatient treatment of mental health conditions that are provided by licensed professionals. Component services are crisis interventions; counseling; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.

(12) Outpatient health services. Eligible costs are the direct outpatient treatment of medical conditions when provided by licensed medical professionals including:

(i) Providing an analysis or assessment of an individual's health problems and the development of a treatment plan;

(ii) Assisting individuals to understand their health needs;

(iii) Providing directly or assisting individuals to obtain and utilize appropriate medical treatment;

(iv) Preventive medical care and health maintenance services, including in-home health services and emergency medical services;

(v) Provision of appropriate medication;

(vi) Providing follow-up services; and

(vii) Preventive and non-cosmetic dental care.

(13) Outreach services. The costs of activities to engage persons for the purpose of providing immediate support and intervention, as well as identifying potential program participants, are eligible.

(i) Eligible costs include the outreach worker's transportation costs and a cell phone to be used by the individual performing the outreach.

(ii) Component activities and services consist of: initial assessment; crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; actively connecting and providing people with information and referrals to homeless and mainstream programs; and publicizing the availability of the housing and/or services provided within the geographic area covered by the Continuum of Care.

(14) Substance abuse treatment services. The costs of program participant intake and assessment, outpatient treatment, group and individual counseling, and drug testing are eligible. Inpatient detoxification and other inpatient drug or alcohol treatment are ineligible.

(15) Transportation. Eligible costs are:

(i) the costs of program participant's travel on public transportation or in a vehicle provided by the recipient or subrecipient to and from medical care, employment, child care, or other services eligible under this section.

(ii) Mileage allowance for service workers to visit program participants and to carry out housing quality inspections;

(iii) The cost of purchasing or leasing a vehicle in which staff transports program participants and/or staff serving program participants;

(iv) The cost of gas, insurance, taxes, and maintenance for the vehicle;

(v) The costs of recipient or subrecipient staff to accompany or assist program participants to utilize public transportation; and

(vi) If public transportation options are not sufficient within the area, the recipient may make a one-time payment on behalf of a program participant needing car repairs or maintenance required to operate a personal vehicle, subject to the following:

(A) Payments for car repairs or maintenance on behalf of the program participant may not exceed 10 percent of the Blue Book value of the vehicle (Blue Book refers to the guidebook that compiles and quotes prices for new and used automobiles and other vehicles of all makes, models, and types);

(B) Payments for car repairs or maintenance must be paid by the recipient or subrecipient directly to the third party that repairs or maintains the car; and

(C) The recipients or subrecipients may require program participants to share in the cost of car repairs or maintenance as a condition of receiving assistance with car repairs or maintenance.

(16) Utility deposits. This form of assistance consists of paying for utility deposits. Utility deposits must be a one-time fee, paid to utility companies.

(17) Direct provision of services. If the a service described in paragraphs (e)(1) through (e)(16) of this section is being directly delivered by the recipient or subrecipient, eligible costs for those services also include:

(i) The costs of labor or supplies, and materials incurred by the recipient or subrecipient in directly providing supportive services to program participants; and

(ii) The salary and benefit packages of the recipient and subrecipient staff who directly deliver the services.



# Homeless Definition

<b>CRITERIA FOR DEFINING HOMELESS</b>	<b>Category 1</b>	Literally Homeless	(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: <ul style="list-style-type: none"> <li>(i) Has a primary nighttime residence that is a public or private place not meant for human habitation;</li> <li>(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); <u>or</u></li> <li>(iii) Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution</li> </ul>
	<b>Category 2</b>	Imminent Risk of Homelessness	(2) Individual or family who will imminently lose their primary nighttime residence, provided that: <ul style="list-style-type: none"> <li>(i) Residence will be lost within 14 days of the date of application for homeless assistance;</li> <li>(ii) No subsequent residence has been identified; <u>and</u></li> <li>(iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing</li> </ul>
	<b>Category 3</b>	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: <ul style="list-style-type: none"> <li>(i) Are defined as homeless under the other listed federal statutes;</li> <li>(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;</li> <li>(iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; <u>and</u></li> <li>(iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers</li> </ul>
	<b>Category 4</b>	Fleeing/ Attempting to Flee DV	(4) Any individual or family who: <ul style="list-style-type: none"> <li>(i) Is fleeing, or is attempting to flee, domestic violence;</li> <li>(ii) Has no other residence; <u>and</u></li> <li>(iii) Lacks the resources or support networks to obtain other permanent housing</li> </ul>



# Homeless Definition

## RECORDKEEPING REQUIREMENTS



	<b>Category 1</b>	Literally Homeless	<ul style="list-style-type: none"> <li>• Written observation by the outreach worker; <u>or</u></li> <li>• Written referral by another housing or service provider; <u>or</u></li> <li>• Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter;</li>   <li>• For individuals exiting an institution—one of the forms of evidence above <u>and</u>:             <ul style="list-style-type: none"> <li>○ discharge paperwork <u>or</u> written/oral referral, <u>or</u></li> <li>○ written record of intake worker’s due diligence to obtain above evidence <u>and</u> certification by individual that they exited institution</li> </ul> </li> </ul>
	<b>Category 2</b>	Imminent Risk of Homelessness	<ul style="list-style-type: none"> <li>• A court order resulting from an eviction action notifying the individual or family that they must leave; <u>or</u></li> <li>• For individual and families leaving a <u>hotel</u> or motel—evidence that they lack the financial resources to stay; <u>or</u></li> <li>• A documented and verified oral statement; <u>and</u></li>   <li>• Certification that no subsequent residence has been identified; <u>and</u></li> <li>• Self-certification or other written documentation that the individual lacks the financial resources and support necessary to obtain permanent housing</li> </ul>
	<b>Category 3</b>	Other federal statutes	<ul style="list-style-type: none"> <li>• 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; <u>and</u></li> <li>• Certification of no PH in last 60 days; <u>and</u></li> <li>• Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved two or more times in the past 60 days; <u>and</u></li> <li>• Documentation of special needs <u>or</u> 2 or more barriers</li> </ul>
	<b>Category 4</b>	Fleeing/ Attempting to flee DV	<ul style="list-style-type: none"> <li>• <i>For victim service providers:</i> <ul style="list-style-type: none"> <li>○ An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker.</li> </ul> </li> <li>• <i>For non-victim service providers:</i> <ul style="list-style-type: none"> <li>○ 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; <u>and</u></li> <li>○ Certification by the individual or head of household that no subsequent residence has been identified; <u>and</u></li> <li>○ Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.</li> </ul> </li> </ul>



# Chronic Homelessness Definition

This tool provides some sample recordkeeping tools for the Chronic Homelessness Definition. To review the exact language, please refer to 24 CFR Parts 91 & 578 and the [HUD Exchange](#).

## Recordkeeping Documentation Options Explained

<p><b>3<sup>rd</sup> Party Documentation</b></p>	 <p>Documentation from HMIS/Comparable Database</p> <p><i>Records must show entries/exits at Shelters.</i></p> <p><i>An answer of "Yes" to the question as to whether the individual is chronically homeless (Universal Data Element 3.917) is not sufficient.</i></p>	 <p>Written observation by an outreach worker or Written referral by another housing or service provider</p>	 <p>Documentation from Institutions like Hospitals, Correctional Facilities, etc.</p> <p><i>Must include records about stay the length of stay, signed by Clinician or other appropriate staff.</i></p>
<p><b>Self Certification</b></p>	 <p>Signed certification by the individual seeking assistance describing how they meet the definition, which must be accompanied by the intake worker's documentation of the living situation and the steps taken to obtain evidence to support it.</p> <p>Remember that for each Project:</p> <ul style="list-style-type: none"> <li>• 100% of households served can use self-certification for 3 months of their 12 months,</li> <li>• 75% of households served need to use 3<sup>rd</sup> Party documentation for 9 months of their 12 months, and</li> <li>• 25% of households served can use self-certification as documentation for any and all months.</li> </ul>		

### When do you need third party documentation?



Preferred to record all occasions of homelessness to document Chronic Homelessness.



Not necessary to record breaks in homelessness, these can be based on self reports.

## Chronic Homelessness Documentation Checklist

*An individual is defined by HUD as “Chronically Homeless” if they have a disability and have lived in a shelter, safe haven, or place not meant for human habitation for 12 continuous months or for 4 separate occasions in the last three years (must total 12 months). Breaks in homelessness, while the individual is residing in an institutional care facility will not count as a break in homelessness. Additionally, an individual who is currently residing in an institutional care facility for less than 90 days and meets the above criteria for chronic homelessness may also be considered chronically homeless. Lastly, a family with an adult/minor head of household who meets the above mentioned criteria may also be considered chronically homeless, despite changes in family composition (unless the chronically homeless head of household leaves the family).*

<b>Client Name:</b>	<b>Date of Birth:</b>
<b>Number in Household:</b>	<b>Client Head of Household:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Part 1: Current Housing Status</b>
<i>Client must currently be in one of these locations in order to be considered chronically homeless.</i>
<b>Client is currently residing:</b> <input type="checkbox"/> In Emergency Shelter <input type="checkbox"/> On the Streets/Place not Meant for Human Habitation <input type="checkbox"/> In the Safe Haven <input type="checkbox"/> In an Institutional Care Facility (Where they have been for fewer than 90 days)

<b>Start Date:</b> _____	<b>End Date:</b> _____
--------------------------	------------------------

<b>Location Name/Address:</b>

<b>Current Housing Status Notes:</b>

## Part 2: Housing History

	Month # 1	Month # 2	Month # 3	Month # 4	Month # 5	Month # 6	Month # 7	Month # 8	Month # 9	Month # 10	Month # 11	Month # 12	
Mo./Yr.	(Current Month)												
Location	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)	<input type="checkbox"/> Streets <input type="checkbox"/> Shelter <input type="checkbox"/> Safe Haven <input type="checkbox"/> Inst. (<90 days)
Doc. Type	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence	<input type="checkbox"/> HMIS <input type="checkbox"/> Obsv. By Outreach <input type="checkbox"/> Comp. Database <input type="checkbox"/> Discharge Paperwork <input type="checkbox"/> Referral <input type="checkbox"/> Self-Cert. <input type="checkbox"/> Staff Doc. of Situation <input type="checkbox"/> Doc. of steps to obtain evidence
Doc. Att.	<input type="checkbox"/> Yes <input type="checkbox"/> No												

Break Mo./Yr. & Descr.	Break 1: Break 2: Break 3: If there are additional breaks please detail and attach.
or N/A	

Notes	
-------	--

Self-Cert. Check	Does the documentation include more than 3 Months of Self-Certifications? * <input type="checkbox"/> Yes <input type="checkbox"/> No <i>* Please be advised that if you answered YES, that for at least 75% of the households assisted by a recipient in a project during an operating year, no more than 3 months can be self-certified. Please check with you project administrator to ensure your project has not exceeded its self-certification cap.</i>
------------------	--

Key Mo. = Month, Yr. = Year, Inst. = Institution, Doc. = Documentation, Obsv. = Observation, Comp. = Comparable, Cert. = Certification, Descr. = Description

### Part 3: Disability Status

*The term homeless individual with a disability' means an individual who is homeless, as defined in section 103, and has a disability that*

- *Is expected to be long-continuing or of indefinite duration;*
  - *Substantially impedes the individual's ability to live independently;*
  - *Could be improved by the provision of more suitable housing conditions; and*
  - *Is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury;*
- *Is a developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002); or*
- *Is the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.*

The head of household has been diagnosed with one or more of the following (check all that apply):

- Substance use disorder
- Serious mental illness
- Developmental disability
- Post-traumatic stress disorder
- Cognitive impairments resulting from brain injury
- Chronic physical illness or disability
- Other:

Documentation Attached:

- Written verification of the disability from a licensed professional;
- Written verification from the Social Security Administration;
- The receipt of a disability check; or
- Intake staff-recorded observation of disability that, no later than 45 days from the application for assistance, accompanied by supporting evidence.

**Disability Notes:**

## Part 4: Staff and Client Certifications

### Client Certification:

*To the best of my knowledge and ability, all the information provided in this document is true and complete. I also understand that any misrepresentation or false information may result in my participation being cancelled or denied, or in termination of assistance. It is my responsibility to notify \_\_\_\_\_ of any changes in my housing status or address in writing during program participation and I understand that my application may be cancelled if I fail to do so.*

**Client Name: (Printed)**

**Client Signature:**

**Date:**

### Staff Certification:

*To the best of my knowledge and ability, all of the information and documentation used in making this eligibility determination is true and complete.*

**Staff Name: (Printed)**

**Staff Signature:**

**Date:**

**Staff Role:**

**Agency:**

**Notes:**

