Definition & Documentation of Homeless

HUD Program Eligibility

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- Overview of the HEARTH Act
- HUD Homeless Programs
- HUD Homeless Definition (and Documentation)
- Chronic Homeless Definition (and Documentation)
Overview of the HEARTH Act
HEARTH Act Legislation:

- Reauthorization of HUD's McKinney-Vento Homeless Assistance programs
- Consolidated three programs into the Continuum of Care Program
- Codified into law the role and functions of the CoC

Emergency Solutions Grants (ESG) Program Interim Rule in effect January 12, 2012

Continuum of Care (CoC) Interim Rule in effect August 30, 2012
HEARTH Act Changes

The HEARTH Act changed many of the definitions and regulations about homelessness. The biggest of these changes are:

- A requirement to serve the “hardest to house” first
- Clear definitions about homelessness and what programs can serve what categories of homelessness
- A new intervention - Rapid Rehousing
- Defined “Housing First” as the model CoCs should follow
- HUD added new funding streams for outreach and planning to support these changes

ALL OF THESE CHANGES BENEFIT HOMELESS PARTICIPANTS WHO ARE OFTEN THE “HARDEST TO SERVE”
HUD Homeless Programs
CoC Program interim rule requires communities to establish a CoC in order to receive CoC Program funding
- The CoC must meet minimum requirements for CoC structure, governance and responsibilities
- The rule requires collaboration between CoC and ESG recipients on certain responsibilities

The Continuum of Care is the group responsible for carrying out the duties defined in the interim rule.
- Each CoC is established by representatives of relevant organizations within a geographic area to carry out the responsibilities set forth in the CoC Program interim rule
What is a CoC?
- A geographical area
- A governing body

What is the purpose of the CoC?
- Coordination and planning for homeless service system
- Promotes communitywide commitment to goal of ending homelessness

Responsibilities Included Under Operating a CoC?
- Must establish and operate a coordinated assessment system (Coordinated Entry)
- Must establish Written Standards for providing assistance
- Must measure and monitor performance across whole CoC system and at project level
Continuum of Care (CoC)

- There are 9 CoC’s in Georgia
  - Athens/Clarke County
  - Augusta/Richmond County
  - City of Atlanta
  - DeKalb County
  - Fulton County
  - Cobb County
  - Columbus/Muscogee County
  - Savannah/Chatham County
  - Balance of State – 152 counties*
GA Balance of State CoC
Emergency Solutions Grants Program (ESG)

- Formula-funded program (HUD)
- Purpose – Maintains support for a crisis response system through, with emphasis on identifying and preventing homelessness and returning those who experience homelessness back into the community as quickly as possible (permanent housing)
ESG Entitlement Jurisdictions

There are 10 ESG Entitlement Jurisdictions in Georgia

- Clayton County
- Gwinnett County
- Macon-Bibb County
- Atlanta
- Augusta
- Cobb County
- DeKalb County
- Fulton County
- Savannah
- State of Georgia (DCA administers State ESG)*
HUD Homeless Definition
HUD Homeless Definition

- Category 1 – Literally Homeless
- Category 2 – Imminent Risk of Homelessness
- Category 3 – Homeless under other Federal statutes
- Category 4 – Fleeing/Attempting to Flee Domestic Violence
(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

i. Has a primary nighttime residence that is a public or private place not meant for human habitation;

ii. Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing*, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or

iii. Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
Category 2: Imminent Risk of Homelessness

(2) Individual or family who will imminently lose their primary nighttime residence, provided that:

i. Residence will be lost within 14 days of the date of application for homeless assistance;

ii. No subsequent residence has been identified; and

iii. The individual or family lacks the resources or support networks needed to obtain other permanent housing

- Primarily for Homelessness Prevention
Category 3: Homeless under other Federal Statutes

- NOT Applicable for Georgia Balance of State CoC
- NOT Applicable for State ESG
- Other Federal Programs have their own homeless definition
Category 4: Fleeing/Attempting to Flee Domestic Violence (DV)

(4) Any individual or family who:

i. Is fleeing, or is attempting to flee, domestic violence;

ii. Has no other residence; and

iii. Lacks the resources or support networks to obtain other permanent housing
Eligible Homeless Populations Served Through Continuum of Care

Homeless Individuals & Families

- Literally Homeless - Originally from the streets or emergency shelters (or as expanded by competition guidance).
- Homeless Verification - A household is homeless if you can prove with adequate documentation.
- All Individual and Family households served in CoC and ESG-funded projects MUST meet HUD definition of homelessness as applicable for that program AND agency MUST complete/provide homeless verification on ALL persons served.
## Eligibility by Project Type

<table>
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<th>Project Type</th>
<th>Individuals/Families defined as Homeless under the following Categories are eligible for assistance:</th>
<th>HUD Program</th>
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<tr>
<td>Rapid Re-Housing</td>
<td>Categories 1 &amp; 4</td>
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<td>Street Outreach</td>
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<td>Categories 1 &amp; 4</td>
<td>No CoC or ESG</td>
</tr>
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Required Documentation Category 1
(Literally Homeless)

- Documentation must be included in the case file, and/or scanned into the HMIS client record that demonstrates eligibility as follows (in order of priority):
  - Literally Homeless (in order of preference)
    - Third party verification (HMIS print-out, or written referral/certification by another housing or service provider); or
    - Written observation by an outreach worker; or
    - Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter;
    - For individuals exiting an institution – one of the forms of evidence above and;
      - Discharge paperwork or written/oral referral, or
      - Written record of intake worker’s due diligence to obtain above evidence and certification by individual that they exited institution

If the provider is using anything other than a. Third Party Verification, the case file must include documentation of due diligence to obtain third party verification.
Required Documentation Category 2
(Imminent Risk of Homelessness)

a. A court order resulting from an eviction action notifying the individual or family that they must leave within 14 days; OR

b. For individual and families leaving a hotel or motel – evidence that they lack the financial resources to stay; OR

c. A documented and verified written or oral statement that the individual or family will be literally homeless within 14 days; AND

d. Certification that no subsequent residence has been identified; AND

e. Self-certification or other written documentation that the individual lacks the financial resources and support necessary to obtain permanent housing.
Required Documentation Category 4
(Fleeing/Attempting to Flee DV)

- For victim service providers:
  - i. 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.

- For non-victim service providers:
  - ii. Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; **AND**
  - iii. Certification by the individual or head of household that no subsequent residence has been identified; **AND**
  - iv. Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.
Eligible Populations Served and Homeless Verification

- A person is Homeless if projects can prove with adequate documentation.

- HUD Guidance at
  https://www.hudexchange.info/resource/1928/hearth-defining-homeless-final-rule/ and
  https://www.hudexchange.info/trainings/courses/recording-and-documenting-homeless-status/

- Example of Documentation format on DCA ESG web page at
  https://www.dca.ga.gov/housing/homeless-special-needs-housing/emergency-solutions-grants/esg-resources-current-subgrantees
Examples of Persons NOT Eligible

- Persons with resources for housing
- In housing paying excessive rent, in substandard or overcrowded housing
- Living long-term with immediate family, relatives or friends (doubled up)
- Living in a congregate living facility (other than a shelter)
- Living in a hospital or institution (for > 90 days) where the institution has a policy that requires housing placement at discharge
- Youth or adults in state custody
- Persons in Transitional Housing that is NOT a VA or Joint TH-RRH project
HUD Chronic Homeless Definition
Definition of “chronically homeless” provides a way to prioritize people with longest histories of homelessness and most severe needs. Seeks to ensure that persons with highest needs are prioritized for permanent supportive housing.
Final Definition of Chronically Homeless
(Amends 24 CFR 91.5 and 24 CFR 578.3)

Chronically Homeless means:
(1) A “homeless individual with a disability” as defined in the Act, who:

- Lives in a place not meant for human habitation, a safe haven, or emergency shelter; and
- Has been homeless (as described above) continuously for at least 12 months or on at least 4 separate occasions in the last 3 years where the combined occasions must total at least 12 months
  - Occasions separated by a break of at least 7 nights
  - Stays in an institution of fewer than 90 days do not constitute a break
Final Definition of Chronically Homeless
(Amends 24 CFR 91.5 and 24 CFR 578.3)

Chronically Homeless means (cont’d.):

(2) An individual who has been residing in an institutional care facility (hospital, jail, etc.) for fewer than 90 days and met all of the criteria above of this definition, before entering the facility; or
Final Definition of Chronically Homeless (Amends 24 CFR 91.5 and 24 CFR 578.3)

Chronically Homeless means (cont’d.):

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraphs (1) and (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless
Final Definition of Chronically Homeless

Summary of Major Changes

- Four occasions must total 12 months
- Replaced “disabling condition” with “homeless individual with a disability”
- “Occasion” is defined by a break of at least 7 nights not residing in an emergency shelter, safe haven, or residing in a place not meant for human habitation (e.g., staying with a friend, in a hotel/motel paid for by a program participant)
- Stays in institution of fewer than 90 days does not constitute as a break and count toward total time homeless
- New Recordkeeping Requirements under CoC Program
- Effective — CoC Program Recipients must comply for participants admitted after January 15, 2016
Homeless Episode

- A break in homeless episode occurs during one of the following scenarios:
  - Client is staying with friends or family for 7 days or more;
  - Client is staying in an institution for 90 days or more; or
  - Client moves into a housing or hotel paid for by personal funds for 7 days or more.
Definition of Disability
(as it relates to Chronically Homeless)

- The individual or family has a head of household with a diagnosable substance use disorder, serious mental illness, developmental disability [as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)], post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability.

- In addition, the disabling condition limits an individual’s ability to work or perform one or more activities of daily living.
Documenting Chronic Homeless Status: Disability (as it relates to Chronically Homeless)

- Must be third party, and includes:
  - Written verification from a professional licensed by the State to diagnose and treat the disability and certification that the disability is expected to be long-continuing or of an indefinite duration and substantially impedes the individual’s ability to live independently
  - Written verification from SSA
  - The receipt of a disability check
  - Intake staff-recorded observation of a disability that is accompanied by evidence above within 45 days

- **Documentation also required for homeless status and length of time homeless/occasions of homelessness**
Chronically Homeless Documentation

- Required for all PSH projects that dedicate beds or prioritize beds for chronically homeless individuals or families
- Established order of priority of obtaining evidence
  - Third-party
  - Intake worker observation
  - Self-certification (some limits)
- Length of time can be verified in HMIS
Chronic Homeless Verification

- A person is Chronically Homeless if you can prove with adequate documentation.
- Chronic Homelessness determined in HMIS
- All individuals served in New CoC-funded PSH projects (non-DedicatedPLUS projects) MUST meet HUD definition of chronic homelessness and agency MUST complete/provide homeless verification on ALL persons served.
Questions?
Thank you so much for your participation!

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