

## D.3

### Homeless Continuum of Care of Stark County Policies Governing Eligibility and Prioritization to Receive CoC Assistance and Standards for Administering Assistance

- I. **Purpose.** The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) requires the Homeless Continuum of Care of Stark County (HCCSC) to establish and consistently follow standards for providing Continuum of Care (CoC) assistance. These standards must include:
- A. Policies and procedures for evaluating individuals' and families' eligibility for CoC assistance; B. Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance;
  - C. Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid re-housing assistance;
  - D. Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid re-housing assistance; and
  - E. Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance.

Another document -- the HCCSC's *Coordinated Entry Guide (CE Guide)* -- outlines procedures for making requests for HCCSC assistance as well as the procedures that the Homeless Navigation Hotline (the Hotline) and HCCSC projects will follow in assessing and responding to those requests in a consistent manner.

This document defines various categories of homeless projects operated by agencies participating in HCCSC's coordinated entry system (CES), including all agencies receiving Continuum of Care or Emergency Solutions Grant funds as well as all agencies receiving funds from grant programs administered by the Ohio Development Services Agency, including the Homeless Crisis Response Program ("Participating Agencies"). In addition, this document outlines common eligibility criteria for each project category and policies that the HCCSC follows in prioritizing individuals and families for services in each project category.

**Note: Transitional and permanent housing projects may adopt more restrictive eligibility criteria consistent with their respective missions to serve a particular homeless subpopulation if the projects address a need identified by the HCCSC and otherwise meet the requirements of 24 CFR Section 578.93(b) pertaining to housing for specific subpopulations.**

**In addition, projects may adopt more restrictive eligibility criteria if their funding sources impose limits or conditions on the clients they can serve. If mandated by their funding sources, projects may also adopt different service prioritization rules as long as they adhere to the prioritization policies established herein to the best of their ability. However, in all cases where projects adopt more**

restrictive eligibility criteria or service prioritization rules based on the requirements of their funding sources, those requirements must be documented and approved by the HCCSC as prescribed in the HCCSC policy entitled *Adherence to Approved Eligibility and Exclusionary Rules*.

## II. Eligibility for System and Housing Diversion Assistance

### A. System Diversion Assistance.

1. Who Receives System Diversion Assistance. Hotline staff will inform people that they are ineligible for HCCSC projects and advise them to pursue other options if the information those people provide, either during pre-screening or during formal intake and assessment, reveals that:
  - a. They have other resources or support networks that they can use to solve their homeless crisis; or
  - b. They are not homeless within the meaning of 24 CFR Section 578.3 or at risk of homelessness and potentially eligible for any of the prevention or shelter diversion programs operating under the auspices of the HCCSC.
2. The Assistance Provided. The Hotline staff will explore other options with people not eligible for HCCSC projects and help them make well-informed decisions about which options they should pursue. To this end, the staff will maintain a list of mainstream resources available in the community to people experiencing housing instability.

- B. Housing Diversion Assistance. If, based on information and assessment gathered during formal intake and assessment, the Hotline staff concludes that people are eligible for shelter but do not meet minimum requirements for any of the HCCSC's housing projects, staff will inform those people that they are ineligible for HCCSC housing projects and advise that they will need to work with shelter staff to pursue other housing options.

## III. Eligibility and Prioritization for Homelessness Prevention Programs

- A. Independent Prevention Programs. Many organizations in Stark County offer funds to help individuals and families pay the arrears in rent and utilities that put them at risk of losing their housing. Since many of these programs are funded by private sources and operate independently of HCCSC, the Hotline is unaware in many instances of what programs have funding available and what criteria they use in determining eligibility for funding. However, the HCCSC will attempt to identify and will convene representatives of prevention programs at least once a year in an effort to:
1. Ensure that the Hotline staff is aware of the assistance these programs provide and the criteria they use in determining eligibility for this assistance so that they can refer eligible callers to the programs; and
  2. Encourage the programs to develop a well-coordinated system for preventing homelessness that uses a common set of criteria in determining eligibility for services.
- B. Prevention Programs Receiving ESG (annual).

1. **Eligibility for Prevention.** To be eligible for homelessness prevention services operated by Participating Agencies, individuals and families must:
  - a. Be residents of Stark County;
  - b. Be a non-leaseholder (or “doubled-up”);
  - c. Have a prior history of being homeless;
  - d. Have a physical, mental, or emotional impairment, including impairment caused by alcohol or drug abuse, post-traumatic stress disorder, brain injury or a chronic physical illness or a developmental disability
  - e. Be at imminent risk of homelessness
    - i. Individual or family who will imminently lose their primary nighttime residence, provided that:
      1. Residence will be lost within 14 days of the date of application for homeless assistance;
      2. No subsequent residence has been identified; and
      3. The individual or family lacks the resources or support networks needed to obtain other permanent housing
  - f. Have an income at or below 30% of area median income (AMI);
  - g. Be ineligible for system diversion;
  - h. Meet Homeless Navigation Pre-Screen eligibility and HMIS intake process.
  
2. **Prioritization for Prevention.** The following rules will be followed in prioritizing households for prevention services:
  - a. **Households Eligible for PATH:** Prioritization of Head of Households who are eligible for Projects for Assistance in Transition from Homelessness (PATH) will be prioritized for services before households that and not eligible for PATH
  - b. **Families with Minor Children:** Households with at least one minor child or, a woman who is pregnant with the head of household under the age of 24 will be prioritized before households that do not have minor children with a head of household under the age of 24
  
3. **Requirement to Exhaust Other Resources.** Before providing prevention services to any household, prevention staff must determine whether they have exhausted other options available to them.
  - a. In the case of families with minor children, staff should determine whether they are eligible for services provided by the Department of Job and Family Services and, if they are, collaborate with DJFS to help families access those services.
  - b. In the case of households with veterans, staff should determine whether they can be referred for emergency housing assistance by contacting the HCCSC Veteran Coordinator or any other representatives that provides special assistance to veterans.

#### IV. Eligibility and Prioritization for CommQuest's Shelter Diversion Pilot Project

A. Eligibility for Shelter Diversion Pilot Project. To be eligible for the shelter diversion pilot project operated by CommQuest, individuals and families must:

1. Be residents of Stark County;
2. Be precariously housed currently;
3. Have an income below 50% of the area median income (AMI);
4. Have completed the Hotline's intake and assessment, requested emergency shelter, and been placed on the shelter diversion list;
5. Have or expect to have a source of income to maintain their current housing or relocate to sustainable housing; and
6. Score in one of the following ranges on the Service Prioritization and Decision Assistance Tool (SPDAT):
  - a. No lower than 30 and no higher than 39 on the F-SPDAT for families; or
  - b. No lower than 22 and no higher than 29 on the SPDAT for individuals.

<sup>1</sup> Effective January 20, 2015, HCCSC adopted SPDAT as its standardized assessment tool.

B. Access to the Shelter Diversion Pilot Project.

1. Hotline staff will identify eligible individuals and families from the shelter diversion prioritization list.
2. Hotline staff will inform the identified eligible individuals and families of the shelter diversion pilot project using a uniform description provided by CommQuest and instruct them to send income verification to CommQuest to indicate their commitment to enrolling.
3. CommQuest staff will maintain a record of eligible individuals and families who send their income verification and only admit to the project eligible individuals and families from that record.

C. Prioritization for Shelter Diversion Pilot Project. The following rules will be followed in prioritizing households who send income verification to CommQuest for shelter diversion pilot project services:

1. Families with Minor Children. Households with minor children will be prioritized for services before households without children.
2. Veterans. Households with veterans will be prioritized for services before households without veterans.
3. Acuity of Need. Within each household category (e.g., households with minor children, households with veterans, households without veterans or minor children), families and individuals with higher SPDAT scores will be prioritized for services before those with lower scores.
4. Susceptibility to Homelessness. In cases where SPDAT scores are equal, shelter diversion pilot project staff may determine which should be prioritized for services due to higher susceptibility to homelessness by taking into account such factors as history of evictions, history of prevention

assistance, history of emergency assistance, and numbers of previous homeless episodes.

- D. Inability to Locate Appropriate New Housing for Shelter Diversion Pilot Project Clients with Higher Priority Who Must Relocate to Sustainable Housing. Although the shelter diversion pilot project must make a diligent effort to serve clients in the order of priority outlined in this section, in cases where clients must relocate to new sustainable housing, the project may deviate from that order when housing becomes available that does not meet the needs of households with higher priority but does meet the needs of those with lower priority.
- E. Requirement to Exhaust Other Resources. Before providing shelter diversion pilot project services to any household, shelter diversion pilot project staff must determine whether they have exhausted other options available to them.
1. In the case of families with minor children, staff should determine whether they are eligible for services provided by the Department of Job and Family Services and, if they are, collaborate with DJFS to help families access those services.
  2. In the case of households with veterans, staff should determine whether they qualify for emergency housing assistance from the Veterans Service Commission or any other source that provides special assistance to veterans.

## **V. Eligibility and Prioritization for Emergency Shelter**

- A. Definition of Emergency Shelter. An “emergency shelter” is any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for a specific population of homeless persons. On average, stays in emergency shelters should be no more than 90 days.
- B. Eligibility for Shelter. To be eligible for emergency shelter offered by Participating Agencies, individuals and families must:
1. Be present in Stark County when requesting shelter; and
  2. Lack other nighttime shelter meant for human habitation, apart from a motel or hotel room paid for by a charitable organization or by a federal, state, or local government program for low-income individuals.
- C. Permissible Reasons for Excluding or Expelling People from Shelter. Shelters may deny admission or terminate service to people for the following reasons only:
1. Because they need medical services that the shelter is not equipped to provide;
  2. Because they exhibit violent or aggressive behavior that suggests that they may be a danger to others;
  3. Because they exhibit behavior that suggests that they may be a danger to themselves;
  4. Because they have brought illegal drugs or alcohol onto the premises;
  5. Because they have violated fire or other safety rules; or
  6. Because they have failed to appear at a shelter to which they have been referred in accordance with

the requirements of Section IV.I. of the *CE Guide* or have failed to make use of a shelter bed or unit assigned to them.

- D. Ten-Day Time-out Rule. In the event that it declines to admit or expels a person for permissible reasons, a shelter may exercise its discretion to refuse to admit or readmit that person for ten days. Longer periods of exclusion must be justified by compelling facts and circumstances.
- E. Impermissible Reasons for Denying or Terminating Service. Shelters may not deny or terminate services for any of the following reasons:
1. Because a person lacks ID, income, or employment;
  2. Because a person was previously expelled from the shelter – unless the refusal to accept the person conforms to a system-wide rule allowing certain waiting periods before such returns; or
  3. Any reason that violates the Fair Housing and Equal Access Rules adopted by the HCCSC. (See policy entitled *Fair Housing and Equal Access Standards*.)
- F. Prioritization for Shelter. In the event there is a waiting list for shelter, the following rules will apply:
1. Chronically Homeless. Chronically homeless individuals and families will be prioritized for shelter before those who are not chronically homeless.
  2. Families with Minor Children. Families with minor children will be prioritized for available units at all family shelters.
  3. Acuity of Need. Among the chronically homeless as well as among those who are not chronically homeless, individuals and families receiving the highest SPDAT score will be served first.
  4. Veterans. Households with veterans will be served before households with equal acuity of need.

## **VI. Types of Housing Projects and Common Eligibility Criteria**

- A. Categories of Available Housing Projects. Eligible households may access the following types of housing projects through HCCSC's coordinated entry system:
1. Rapid Re-housing (RRH). Rapid re-housing projects help homeless families and individuals locate and secure appropriate rental housing in the community; help in paying move-in costs, deposits, and rental and utility expenses for a limited period; and provide case management and other services designed to address issues that may prevent clients from achieving sufficient independence to maintain housing after RRH assistance ends.
  2. Transitional Housing (TH). Transitional housing projects provide homeless individuals and families with rent-subsidized housing either in the community or in properties leased to or owned by the agency operating the program, typically for no more than 12 months but up to a maximum of 24 months. Designed for clients who need more intensive, longer-term support than those who are appropriate for RRH, TH also provides case management and other services, either directly or through referral, that are designed to prepare clients for independent living after their eligibility for TH expires.
  3. Emergency Housing Vouchers (EHV). The Emergency Housing Voucher program is available through the American Rescue Plan Act (ARPA). Through EHV, HUD provided 70,000 housing choice vouchers to local Public Housing Authorities (PHAs) in order to assist individuals and families who are

homeless, at-risk of homelessness, fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, or were recently homeless or have a high risk of housing instability. Emergency Housing Vouchers are tenant-based vouchers that are separate and distinct from regular Housing Choice Vouchers (HCVs). EHV's include a number of requirements and flexibilities different from the regular HCV program that HUD has created to expedite and facilitate the use of the EHV funding.

4. Permanent Supportive Housing (PSH). Permanent supportive housing projects are designed to serve only homeless persons with long-term disabilities that substantially impede their ability to live independently. They provide community-based housing and the supportive services necessary to maintain disabled persons in that housing without limit on their length of stay.

## B. Common Eligibility Criteria for Admission to All Housing Projects.

1. Presence in Stark County: To gain admission to any of the housing projects operated by Participating Agencies, individuals and families must have resided in Stark County for at least 60 days. An exception to this rule is when a client has left the county to seek shelter if there are no shelter beds available in Stark County. The client would need to be directed out of the county by the CES, Domestic Violence System (DVS) or a provider. It is the responsibility of the DVS and provider to notify CE that they have directed a client out of county.
2. "Literally Homeless" or Fleeing Domestic Violence.
  - a. With the exception of TH projects, housing projects operated by Participating Agencies may serve only persons who are either:
    - i. "Literally homeless";<sup>2</sup>or
    - i. Fleeing or attempting to flee domestic violence, dating violence, sexual assault or stalking and have no other residence and no resources or support networks they can use to obtain permanent housing.
  - b. In addition to serving persons who are literally homeless or who are fleeing or attempting to flee domestic violence, TH projects may also serve young adults (ages 18 through 24) who are at imminent risk of homelessness<sup>3</sup> and who otherwise qualify for TH. However, in no circumstances, may young adults at risk of homelessness be prioritized for TH housing over other individuals who are literally homeless or fleeing domestic violence.

<sup>2</sup>For purposes of these policies, "literally homeless" means meeting the criteria outlined in the first paragraph of the definition of "homeless" set forth in 24 CFR section 578.3. Thus, to be "literally homeless," an individual or family must lack a fixed, regular, and adequate nighttime residence, including:

- 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 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.<sup>3</sup>In accordance with 24 CFR section 578.3, an individual or family is at imminent risk of homelessness if: i. They will lose their residence within 14 days of the application for homeless assistance;

- ii. They have identified no subsequent residence; and
- iii. They lack the resources and support networks needed to obtain other permanent housing.

3. **Income.** Individuals and families must have incomes below 60% of the area median income (AMI) at the time they are admitted to a housing project.
4. **Age.** Individuals must be at least 18 years old, and families must be headed by at least one individual who is at least 18 years old.
5. **ID Number.** Prospective participants must provide their social security number or alien identification number.

## **VII. Additional Eligibility Criteria and Prioritization Rules for Rapid Re-housing**

A. **Eligibility for RRH.** To be eligible for RRH projects operated by Participating Agencies, individuals and families must be literally homeless. In addition, they must meet the following criteria:

1. Individuals must score no lower than 20 and no higher than 34 on the SPDAT; and
2. Families must score no lower than 27 and no higher than 53 on the F-SPDAT; or
3. Households transferred from a RRH project due to loss of funding or program closure.

B. **Prioritization for RRH.** In the event there is a waiting list for RRH, the following rules will apply:

1. **Households with Minor Children.** To achieve the goal of re-housing all families with minor children within 30 days after they become homeless, all such households will be prioritized for RRH before all other households.
2. **Chronically Homeless.** Among both households with minor children and other households, chronically homeless individuals and families will be prioritized for RRH before those who are not chronically homeless.
3. **Acuity of Need.** Among both the chronically homeless and those who are not chronically homeless, households with higher SPDAT scores will be prioritized for RRH before those with lower scores.
4. **Veterans.** Among households with equal SPDAT scores, households with veterans will be prioritized for RRH before households without veterans.
5. **Date and Time of Intake.** Among households with equal SPDAT scores without either veterans or minor children, priority will be given to the household that has been waiting longest for housing, as determined by date and time of intake into HCCSC.

C. **Re-Scoring Persons Who Seem Unlikely to Succeed in RRH.**

1. If, in processing people for intake into an RRH project, project staff determines that it is highly unlikely that they will succeed in RRH, staff should re-administer the SPDAT assessment to determine whether they are eligible for PSH. Reasons for re-administering the SPDAT include the following:



- a. Evidence that persons have been chronically homeless or homeless repeatedly and for significant periods of time; and
  - b. Evidence that persons are suffering from one or more disabilities that have prevented them and will prevent them in the future from securing the income necessary to sustain housing.
2. If people score within the SPDAT range for RRH but have already received the maximum amount of assistance available from RRH projects, staff at the shelter serving the people or, if the people are unsheltered, staff at the Hotline will re-administer the SPDAT to determine whether they qualify for PSH.
  3. If, upon re-administration of the SPDAT under the circumstance described in subsections VII.D.1 or VII.D.2 above, people continue to fall within the range of scores that make them eligible for RRH rather than PSH, the staff that has re-administered the SPDAT must bring their cases to the Quality Assurance Workgroup for case conferencing.

### **VIII. Additional Eligibility Criteria and Prioritization Rules for Transitional Housing**

- A. Eligibility for TH. To be eligible for TH projects operated by Participating Agencies, individuals and families must satisfy both of the following criteria relating to SPDAT scores and income:
  1. Standardized Assessment Scores
    - a. Individuals must score above 34 on the SPDAT; and
    - b. Families must score above 53 on the F-SPDAT.
  2. Income Minimum/Maximum. Individuals and families must have incomes at or below 50% of AMI.
- B. Prioritization for TH. In the event there is a waiting list for TH, the Hotline and HCCSC projects will give priority to individuals and families who qualify as chronically homeless. Among those who qualify as chronically homeless as well as those who do not qualify as chronically homeless, priority will be given to those with the greatest acuity of need as measured by SPDAT. Among those with equal acuity of need, priority will be based on the date and time of intake, with those who have been waiting longer receiving higher priority.

### **IX. Additional Eligibility Criteria and Prioritization Rules for Emergency Housing Vouchers**

- A. Eligibility for EHV. To be eligible for EHV projects operated by the Public Housing Authority, individuals and families must satisfy both of the following criteria relating to SPDAT scores and income:
  1. Standardized Assessment Scores
    - a. Individuals must score must be no lower than 20 on the SPDAT; and
    - b. Families must score no lower than 27 on the F-SPDAT.
  2. Income Minimum/Maximum. Income limits for EHV are the same as income limits for the Housing Choice Voucher (HCV) program as outlined in 24 CFR 982.201(b)(1).

B. Prioritization of Participants Transferring Between ESG RRH CV and EHV Units. Current ESG RRH CV project participants whose requests for transfers to an EHV unit have been approved for any of the reasons outlined in the ***Policies Governing Eligibility and Prioritization to Receive Assistance and Standards for Administering Rapid Rehousing Assistance, and Standards for Sub-Recipient Recordkeeping Requirements*** will be prioritized for EHV vacancies before all other persons awaiting PSH.

## X. Additional Eligibility Criteria and Prioritization Rules for Permanent Supportive Housing

A. Eligibility for PSH. To be eligible for PSH projects operated by Participating Agencies, individuals and families must satisfy the following criteria relating to standardized assessment scores and disability:

### 1. Standardized Assessment Scores.

- a. Individuals must score above 34 on the SPDAT; and
- b. Families must score above 53 on the F-SPDAT. (See Section X.C of this policy for exceptions to this rule)

2. Disability. Only individuals with disabilities and families in which at least one adult has a disability (except for non-dedicated and non-dedicated plus family units in which case at least one adult or child has a disability) are eligible for PSH projects operated by Participating Agencies.<sup>4</sup>

B. Prioritization of Participants Transferring Between PSH Units. Current PSH project participants whose requests for transfers to another PSH unit have been approved for any of the reasons outlined in the Section VI.A. of the HCCSC's *CE Guide* will be prioritized for PSH vacancies before all other persons awaiting PSH. Current PSH participants awaiting transfers will be prioritized based on the criteria outlined for PSH in section IX.C of this policy.

### C. Prioritization of Prospective PSH Participants

#### 1. Order of Priority for PSH Beds Dedicated to or Prioritized for Occupancy by Clients Experiencing Chronic Homelessness

Following the recommendations outlined in HUD's Notice CPD-16-11, the Hotline and HCCSC projects will observe the following rules in prioritizing individuals and families for vacancies in PSH beds dedicated to or prioritized for occupancy by persons experiencing chronic homelessness:

- a. First Priority – Chronically Homeless Individuals and Families with the Longest History of Homelessness and with Severe Service Needs. Highest priority will be given to chronically homeless individuals or heads of household (in the case of families), as defined in 24 CFR 578.3,<sup>5</sup> for whom both of the following are true:
  - i. The chronically homeless individuals or heads of household have 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 4 separate occasions in the last 3 years, where the cumulative total length of the 4 occasions equals at least 12 months;and
  - ii. The individuals or heads of household have been identified as having "severe service needs" that are

identified and verified by standardized assessment.<sup>6</sup>

<sup>5</sup> 24 CFR 578.3 defines “chronically homeless” as:

- 1) An individual who:
  - i. Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
  - ii. Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years; and
  - iii. Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;
- 2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all the criterion paragraph 1 of this definition before entering that facility; or
- 3) A family with an adult head of household (if there is no adult in the family, a minor head of household) who meets all the criteria in paragraph 1 of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

b. Second Priority – Chronically Homeless Individuals and Families with the Longest History of Homelessness. Second highest priority will be given to chronically homeless individuals or heads of household (in the case of families), as defined in 24 CFR 578.3, for whom both of the following are true:

- i. The chronically homeless individuals or heads of household have 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 4 separate occasions in the last 3 years, where the cumulative total length of the 4 occasions equals at least 12 months; and
- ii. The individuals or heads of household, though meeting all the criteria of paragraph 1 of the definition of “chronically homeless,” have not been identified as having severe service needs.

c. Third Priority – Other Eligible Individuals and Families. Where there are no chronically homeless individuals and families within Stark County, HCCSC will follow the order of priority outlined in Section IX.C.2 below, in assigning eligible, but not chronically homeless, individuals and families, to beds dedicated or prioritized for the chronically homeless.

2. Order of Priority for PSH Beds Not Dedicated or Prioritized for Persons Experiencing Chronic Homelessness and for Dedicated and Prioritized Beds When Chronically Homeless Persons Cannot be Identified for Those Beds

Following the recommendations outlined in HUD’s Notice CPD-16-11, the Hotline and HCCSC providers will observe the following rules in prioritizing individuals and families for vacancies in PSH beds not dedicated to or prioritized for occupancy by the chronically homeless and in PSH beds that have been dedicated to or prioritized for the chronically homeless when no chronically homeless individuals or families can be identified to occupy those beds:

a. First Priority - Homeless Individuals and Families with a Disability and with Long Periods of

Episodic Homelessness and Severe Service Needs. The highest priority will be given to homeless individuals or heads of household (in the case of families), as defined in 24 CFR 578.3, who are eligible for CoC Program-funded PSH for whom both the following are true:

- i. The homeless individual or head of household has been literally homeless on fewer than 4 separate documented occasions in the last 3 years, where the total length of those separate occasions equals is at least 12 months; **and**
- ii. The homeless individual or head of household has been identified as having severe service needs.

<sup>4</sup> For purposes of this section, the definition of “disability” is the same as that outlined in 24 CFR 582.5.

- b. Second Priority – Homeless Individuals and Families with a Disability and Severe Service Needs. Second priority will be given to homeless individuals or heads of household (in the case families), as defined in 24 CFR 578.3, who are eligible for CoC Program-funded PSH and who have severe service needs. In the case of individuals or heads of household with equally severe service needs, those with the longest cumulative length of documented homelessness during the last 3 years will receive priority.
- c. Third Priority – Homeless Individuals and Families with a Disability Without Severe Service Needs. Third priority will be given to individuals and heads of households (in the case of families) who are eligible for CoC Program-funded PSH but who have not been identified as having severe service needs. In the case of individuals or heads of household in this category, those with a higher SPDAT score will be prioritized before those with a lower score. Where scores are equal, those with the longest cumulative length of documented homelessness during the last 3 years will receive priority.
- d. Fourth Priority – Homeless Individuals and Families with a Disability Coming from Transitional Housing. Fourth priority will be given to individuals and heads of households (in the case of families) who are:
  - i. Eligible for CoC Program-funded PSH and currently residing in a transitional housing project, where, before residing in the transitional housing, they had lived in a place not meant for human habitation, in an emergency shelter, or in a safe have; or
  - ii. Eligible for CoC Program-funded PSH and currently residing in a transitional housing project if they were fleeing or attempting to flee domestic violence before residing in the transitional housing even if they did not live in a place not meant for human habitation, an emergency shelter, or a safe haven before entering the transitional housing.

<sup>6</sup> For purposes of CPD-16-11, a person with severe service needs is one for whom at least one of the following is true: (1) History of high utilization of crisis services, which include but are not limited to, emergency rooms, jails, and psychiatric facilities; and/or (2) Significant health or behavioral health challenges, substance use disorders, or functional impairments which require a significant level of support to maintain permanent housing. The notice goes on to say that, for youth and victims of domestic violence, high risk of continued trauma or high risk of harm or exposure to very dangerous living conditions may constitute severe service needs.

The notice further specifies that severe services needs should be “identified and verified through data-driven methods such as an administrative data match or by using a standardized assessment tool and process and should be documented in a program

participant's case file. The determination must not be based on a specific diagnosis or disability type, but only on the severity of needs of the individual

## **XI. Acceptable Deviations from Prescribed Priorities**

- A. Projects Targeting Specific Populations. In serving people, projects must follow the orders of priority specified in Sections II-IX of these policies while also taking into consideration their own specific goals and any identified target populations they are intended to serve. For example, a PSH project that is permitted to target homeless persons with a serious mental illness should follow the order of priority prescribed for PSH projects in selecting for service those people on the PSH prioritization list who have a serious mental illness.
- B. Projects with Funding Sources that Establish Different Rules for Prioritization. Projects that have funding sources that require them to follow different rules for prioritizing services to people are expected to follow the appropriate order of priority specified in Sections II-IX of these policies to the best of their ability without jeopardizing their funding.
- C. Inability to Locate or Engage Persons with Higher Priority. Both the Hotline, in making referrals to emergency shelter, and projects, in accepting people from the central prioritization lists, must exercise due diligence to ensure that persons are served in the order of priority outlined in Sections II-IX of these policies. However, projects are not required to keep beds or units vacant and available to persons who meet a higher priority if those persons cannot be contacted, certified as eligible for the project, or persuaded to accept the beds or units offered to them within the time specified in Section IV of HCCSC's *Coordinated Entry Guide*. In cases where there is an inability to locate a PSH eligible family willing to accept a vacant PSH unit, providers may take the next highest scoring RRH family, provided:
  - a. The family has at least one adult with a disabling condition, as defined in IX.2 of this policy;
  - b. Attempts were made to contact all PSH eligible families in accordance with Section IV.G of *HCCSC's Coordinated Entry Guide*; and
  - c. The case is approved at a Quality Assurance Workgroup meeting.

## **XII. Standards for Administering Assistance**

- A. Requirement for Lease or Occupancy Agreement. All CoC-funded housing programs must require a lease or occupancy agreement with tenants that must be at least one month (TH) or one year (RRH and PSH) in duration. The lease agreement must observe Fair Housing Act regulations.
- B. Tenant Rent Portion for TH and PSH. TH and PSH project participants must pay rent in the amount dictated by the funding source(s) of their housing projects. In the absence of any more restrictive rules imposed by those funding sources, participants must pay rent equal to the highest of 30% of their monthly, adjusted income or 10% of their monthly gross income or the portion of the family's welfare assistance, if any, designated for the payment of rent (including utilities). If participants have zero income, they are not required to pay rent, but, in that event, the housing project staff or its supportive services partner staff is expected to work with the participants to secure income (either earned or unearned) as soon as possible.
- C. Rules Regarding Nature, Amount, and Duration of Assistance in Rapid Re-Housing. The following rules govern the nature, amount, and duration of financial assistance and other services available to households participating in RRH programs:

1. As necessary to secure housing for participants, RRH projects will pay their first month's rent and security deposit;
  2. RRH projects will provide rental assistance and security deposits only for housing that:
    - a. Meets reasonable rent standards as determined by HUD regulations;
    - b. Meets HUD's Housing Quality Standards (in the case of CoC-funded housing) or "habitability standards" (in the case of ESG-funded housing); and
    - c. Is made available to a participant through a lease agreement between the participant and the landlord that permits occupancy for at least one year, subject only to early termination for cause.
  3. Households must pay a minimum of 30% of their monthly, adjusted income toward their rent;
  4. Participants must re-certify their income at least every 90 days, and, if their income changes, they will receive a 30-day notice before the financial assistance they receive is reduced or terminated;
  5. If RRH participants have no income and are unable to contribute to their rent, they will receive rental assistance up to 100% of their rent.
  6. RRH projects will provide case management services to participants, which must include help in developing a realistic plan for weaning the participants from rental assistance within 12 months. In addition, RRH case managers must meet with participants at least monthly to evaluate their progress in executing their plan and to provide additional assistance, as needed. If they choose, households may continue to receive case management services through RRH projects for an additional 90 days after they have secured income sufficient to cover 100% of their rent and utilities and ceased to receive financial assistance
  7. Households may not receive additional assistance from an RRH project for at least 12 months after exiting that or another RRH project.
  8. Households may not receive assistance from an RRH project for more than 24 months over a period of 5 years.
- D. Occupancy Charges in Leasing Programs. Participants in leasing programs may be charged an occupancy charge up to 30% of their monthly adjusted income or 10% of their monthly gross income or the portion of the family's welfare assistance, if any, designated for the payment of the rent (including utilities), whichever is the greatest.