



Connecticut Balance of State Continuum of Care

Ending Homelessness in Connecticut | Email: ctboscoc@gmail.com | Website: www.ctbos.org

CT Balance of State (CT BOS) Continuum of Care (CoC)

HUD CoC Policies

Rules for Running Your Program

Updated 12/7/17

PLEASE NOTE: Based on new information obtained from HUD, we have made important changes to the VAWA slides in this presentation.

Agenda

- Welcome & Introductions
- National Policy Context
- Participant Eligibility
- Fair Housing, Equal Access & Reasonable Accommodations
- Violence Against Women Act (VAWA)
- Every Student Succeeds Act (ESSA)
- Housing First
- Other Service Requirements
- Monitoring & Tips for Success
- Helpful Resources



Why are you here today?

What do you hope to get out of today's session?

Learning Objectives



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Learning Objectives

Participants will be able to:

- Understand the national policies that are driving changes to requirements
- Understand the requirements of the CoC Program Interim Rule, relevant HUD Notices, & CT BOS policies related to the provision of services to CoC project participants
- Understand risks associated with non-compliance
- Know how to succeed during monitoring
- Know where to locate additional information



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National Policy Context

HUD Policy Priorities

1. Ending homelessness for all persons

- Target resources to highest needs/longest homelessness
- Engage and effectively serve all, including unsheltered
- Use reallocation to create new projects, improve performance and better align with identified needs

2. Creating a systemic response to homelessness

- Measure systems performance to determine effectiveness
- Use Coordinated Entry to provide assistance quickly, promote choice and ensure transparency



HUD Policy Priorities

3. Strategically allocate resources

- Use cost and outcome data to improve
- Maximize use of mainstream resources
- Evaluate cost/effectiveness of renewal projects

4. Use a Housing First approach

- Eliminate preconditions & service requirements
- Prioritize rapid placement/stabilization
- Engage landlords
- Adopt client-centered practices



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HUD/HEARTH Performance Measures



Length of time persons remain homeless – avg and median LOS

The extent to which persons who exit to permanent housing return to homelessness

Number of homeless persons – PIT and Annual Counts

Jobs and income growth for homeless persons in CoC funded projects

Number of people who become homeless for the first time

Number of successful housing placements

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HUD Requirements

COC INTERIM RULE:

[HTTPS://WWW.HUDEXCHANGE.INFO/RESOURCE/2033/HEARTH-COC-PROGRAM-INTERIM-RULE/](https://www.hudexchange.info/resource/2033/hearth-coc-program-interim-rule/)



Participant Eligibility

Overview of Homeless Definition

HUD Category	Type	General Eligibility Guidelines*
Category 1	Literally Homeless	Eligible for PSH, RRH, TH
Category 2	Imminent Risk of Homelessness	Not eligible for any CoC Program assistance in CT BOS
Category 3	Homeless Under other Federal Statutes	Not eligible for any CoC Program assistance in CT BOS
Category 4	Fleeing/Attempting to Flee Domestic Violence	Unless under age 25 & seeking RRH, must also be Category 1 to be eligible for CoC Program assistance in CT BOS

*Note: important details are contained in following slides – eligibility limits may apply in certain circumstances

Literally Homeless

- An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
- Sleeping in a place not designed for or ordinarily used as a regular sleeping accommodation:
 - car
 - park
 - abandoned building
 - bus or train station
 - airport
 - camping ground



Literally Homeless (cont.)



- **Living in a shelter designated to provide temporary living arrangements:**
 - Emergency shelter
 - Transitional housing
 - Hotels and motels paid for by charitable organizations or federal/state/local government programs
 - *Safe Haven*
- **Exiting an institution (e.g., jail, hospital)**
 - where they resided for less than 90 days
 - AND
 - were residing in emergency shelter or place not meant for human habitation immediately before entering institution

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Homeless Eligibility – Young People



- 20 year old sleeping in his car: Eligible under Category 1
- 15 year old is living with an ex in exchange for sex: Eligible for RRH under Category 4
- Youth exiting foster care: not eligible under Category 1 (unless literally homeless) or 2 HUD FAQ 1460

HUD Guide: <https://www.hudexchange.info/resources/documents/Determining-Homeless-Status-of-Youth.pdf>

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HUD Chronic Homelessness Definition –as of 1/2016

1) Live in a place not meant for human habitation, or an emergency shelter, or a safe haven (People in TH are not CH);

AND

2) Homeless (as defined above) for at least one year continuously or on 4 separate occasions in the last 3 years **(totaling 12 months)**;

AND

3) Disabled as defined by HUD



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HUD Chronic Homelessness Definition – Continued



- ✓ People residing in an institution <90 days AND who were literally homeless (unsheltered, ES, SH only) immediately before entering also qualify (time in institution counts toward 12 months).
- ✓ Families with an adult or minor HoH who meet all criteria above also qualify.
- ✓ RRH participants retain their CH status [if CH at time of program entry] Time in RRH does not count toward CH
- ✓ **Occasion is demarcated by a break of 7 or more consecutive nights** not residing in a place not meant for human habitation, in shelter, or in a safe haven.
- ✓ Continuous means without a break of 7 or more consecutive nights.
- ✓ Third-party documentation of a single encounter is sufficient to consider an individual homeless for the entire month unless there is evidence of a break (e.g., an encounter in 5/1/16 counts for 5/1/16-5/31/16)

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Definition of Disability

- Physical, mental or emotional impairment – includes impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury
 - Is expected to be long-continuing or of indefinite duration
 - AND**
 - Substantially impedes the person's ability to live independently
 - AND**
 - Could be improved by more suitable housing
- Developmental Disability
- HIV/AIDS



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What counts as evidence of disability?

- Written verification from professional
 - ✓ licensed by State to diagnose and treat the disability
 - ✓ certification that disability meets the HUD definition
- Written verification from the Social Security Administration
- The receipt of a disability check (e.g., SSI/SSDI check or Veteran Disability Compensation);
- Intake staff-recorded observation of disability that, no later than 45 days from the application for assistance, is confirmed and accompanied by evidence described under bullets 1 through 3 above.
- Other documentation approved by HUD



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CT BOS PSH Prioritization Policy

PSH Projects must dedicate or prioritize 100% of beds to Chronically Homeless and accept referrals only through their CAN from the *Statewide By-Name List*.



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PSH Order of Priority – Dedicated/Prioritized Beds

- Chronic + VISPDAT score of at least:
 - ✓ 8 for individuals,
 - ✓ 9 for families, or
 - ✓ a Next Steps score of at least 8 for youth
- Housing Placement Teams determine prioritization based on the VISPDAT score, the length of history of homelessness, and other knowledge of the individual or family that may help measure severity of service needs.
- Exceptions must be approved by consensus at the local CAN Housing Placement Committee



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PSH Order of Priority – Target Populations



- Must adhere to any target populations identified in the project application.
- Example: If project targets persons with a serious mental illness (SMI), follow order of priority to the extent to which persons with SMI meet chronic homelessness (CH) criteria.
- If no persons with SMI also meets criteria for CH, then follow the order of priority for when no CH person exists on the By-Name List.

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PSH Order of Priority – Due diligence

- Not required to allow units to remain vacant while waiting for identified CH person to accept an offer.
- Offer to next person on list.
- Continue to engage persons who have not accepted offers until they are housed.
- Document engagement efforts.



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PSH Order of Priority – Transfers



- Participants being transferred from a different CT BOS PSH project are exempt from the order of priority.
- Transfers must be approved by and coordinated through the CAN.
- Resulting vacancy must be filled using the order of priority unless units are exchanged.
- Must prioritize units for people residing in CT BOS over applicants from outside of the CoC.
- Participants in tenant-based rental assistance can move anywhere within the CT BOS CoC (may be limited by service availability unless limit would present DV risk).

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Transfers – domestic violence

- Participants in tenant-based rental assistance who have been victims of domestic violence, dating violence, sexual assault, or stalking may retain their assistance and move to another CoC if the move is to protect their health and safety.
- See also slide on VAWA emergency transfer plans.



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PSH Order of Priority – No CH person on By-Name List wants vacancy

1. Fewer than 4 occasions & cumulative homelessness in shelter or unsheltered at least 12 months & VISPDAT 8 or higher for individual, 9 or higher for family, or 8 or higher on Next Step for youth
2. 8 months in shelter or unsheltered homeless & same scores as #1
3. Homeless in shelter or unsheltered and no severe service needs
4. Living in transitional housing & lived in shelter or unsheltered immediately prior to TH



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True or False?



A young person who has been incarcerated for more than 90 days who has no place to go following release is eligible for CT BOS Transitional Housing assistance?

FALSE

A person who is being evicted in 5 days is eligible for CT BOS Rapid Re-housing assistance?

FALSE

A person who is living in PSH in Stamford may transfer to a PSH unit in New Haven?

Generally False, unless transfer is to protect safety in a domestic violence situation.

A 100% CH dedicated PSH project targets people who are HIV+ and there are no HIV+ chronic applicants. The project must serve someone with HIV who is not chronic?

True.

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CH PSH Eligibility - Recordkeeping Requirements

Evidence of Chronically Homeless Status must include:

- Evidence of homeless status at time of project entry
- Evidence of meeting continuous or occasions requirements
- Evidence of disability

AND

If applicable in order to maintain CH status for future program participation, evidence that the person was CH immediately before entering RRH.



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Timeline for Implementation of New Chronic Homeless Definition

Participants admitted after **January 15, 2016**



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Self Certification



- Disability cannot be self-certified.
- For all clients, up to 3 months of homelessness can be documented through self-certification.
- Self-certification of more than 3 months may not be used for more than 25% of households served by a project during an operating year
- Must be accompanied by documentation of intake workers attempts to obtain third-party documentation.
- Documentation of breaks in homelessness between occasions can be entirely based on self-report.
- HUD allows self-certification while third-party documentation is gathered for up to 180 days (participants enrolled for fewer than 180 days can be excluded from determination of whether at least 75% of participants have at least 9 months of third-party documentation). HUD FAQ 2872

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What counts as third-party documentation?

- HMIS record?
YES
- Letter from a shelter or outreach worker?
YES
- Letter from a shopkeeper, building owner, neighbor or sister?
YES
- Letter from a clergy person or educator?
YES
- Letter from a doctor, counselor or therapist?
YES
- Letter from law enforcement?
YES

Letters must:

- Be on agency letterhead
- Be signed and dated
- Include name and title of the person signing



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Third Party Documentation Requirements

	Community Member	Intake Worker
Observation of person living unsheltered	<ul style="list-style-type: none"> • Must have physically observed the living location • Must describe actual living location • Must specify months the living location was observed 	<ul style="list-style-type: none"> • May document conversation with member of public providing this information if they are unwilling to provide written documentation • Must use professional judgment regarding reliability of information • Does not have to physically observe the location described by the community member.

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Third-party documentation requirements



- ✓ Community members must have physically observed the place where the person is residing **AND** intake worker must use professional judgment regarding reliability.
- ✓ Documentation requirements are more flexible for housing/service providers. Providers may also document homelessness even if their encounter with the individual was in another setting (e.g., soup kitchen, drop-in center, doctor's office).
- ✓ Provider must specify each month of encounter, the living conditions, and nature of the conversations that indicated the person was homeless.
- ✓ May not provide third-party documentation for months in which they did not encounter the person.
- ✓ Where the provider did not observe the location where the person resides:
 - Must state why they believe to the best of their knowledge based on professional judgment that the person is homeless.

HUD FAQs 2756, 2758, 2759, 2760

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Am I Chronically Homeless? - Dan

- Dan is seriously mentally ill.
- He lived in a shelter from August 2014 to February 2015.
- He was hospitalized for for 100 days From February 2015 to May 2015
- He returned to Shelter the rest of May 2015.
- He lived with his sister for 2 weeks in June 2015.
- He went back to shelter from June to August 2015.
- Then spent 3 nights in jail and returned to shelter until September 2015.
- He stayed with friends for 3 weeks, then was back in shelter from October 2015 to March 2016.
- Is Dan eligible to enter a CH designated PSH bed in April 2016?



YES

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Am I Chronically Homeless? - Lisa

- Lisa has a substance use disorder.
- She lived in a shelter from October 2014 to March 2015.
- She lived in a campground from April to August 2015.
- She lived in transitional housing from August to December 2015.
- She has been hospitalized since December 2015.
- Is Lisa eligible to enter a CH designated PSH bed on January 20, 2016?



NO: Lisa was living in TH prior to hospitalization and is not Chronically Homeless.

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Am I Chronically Homeless? - Drew

- Drew is not disabled, but his son is developmentally disabled.
- They have been living in a shelter since February 2015.
- They have occasionally left the shelter for a few days to stay with friends or family.
- Are they eligible to enter a CH designated PSH unit on March 15, 2016?



NO: Drew is not disabled. A head of household must be disabled for a family to qualify as chronically homeless.

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Am I Chronically Homeless? - Ellen

- Ellen is disabled by multiple chronic health issues.
- She lived in a shelter from Feb 2015 until Feb 2016.
- She received rapid re-housing assistance & moved to her own apartment in Feb 2016.
- She is being evicted.
- Is she eligible to enter a CH designated PSH bed on Nov. 1, 2016?



YES: Ellen was Chronically Homeless prior to entering RRH. Participants retain their CH status while in RRH; however time spent in RRH does not count towards 12 month requirement.

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Documenting Homelessness – Written Intake Procedures

Must maintain & follow written procedures:

- Require intake staff to document
 - At intake, screening for eligibility for ALL persons seeking assistance
 - Evidence relied upon to establish and verify homeless status
- Include standards for documenting due diligence
- Standards must be consistent with HUD's recordkeeping requirements
- Sample available on CT BOS website



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Documenting Homelessness – Written Intake Procedures (cont.)

Standards must establish order of priority for obtaining evidence as:

1. Third-party documentation, examples:
 - ✓ Letter from a shelter
 - ✓ Letter from an outreach team
 - ✓ Letter from another "service provider"
 - ✓ HMIS record
2. Staff member of grantee's observation of the conditions where the individual was living
3. Self-certification
 - ✓ must be accompanied by intake worker's documentation of the living situation and steps taken to obtain third-party documentation (limits apply)



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Policies for Intake – Things to Remember

Projects must participate in the Coordinated Entry System

Projects must follow the CoC's written standards for administering assistance.

Project must have their own policies and procedures for administering assistance.

Project intake procedures must include order of priority of obtaining evidence AND prioritization standards for chronically homeless.

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CT BOS Rapid Rehousing Eligibility

- Must serve only participants coming from emergency shelters or unsheltered.
 - Exception: youth under age 25 may also qualify under HUD Category 4 (i.e., fleeing domestic violence).
- Must have income below 30% of AMI.



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CT BOS Transitional Housing Eligibility

- Must serve only participants coming from emergency shelters or unsheltered.
- Must have income below 30% of AMI.
- Must be screened for diversion and admitted only if no other options are available.



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Eligibility - Resources

- Homelessness Verification Form
- Disability Verification Form
- Chronic Homelessness Documentation Checklist
- Chronic Homelessness Sample Third Party Letters
- Sample Written Intake Procedures



Available at:

<http://www.csh.org/csh-solutions/community-work/housing-development-and-operation/2578-2/>

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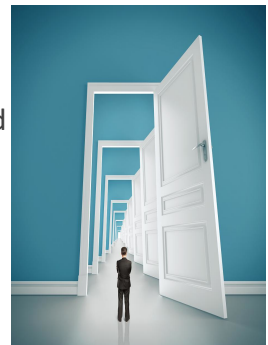
Non-Discrimination & Equal Access



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Equal Access to HUD Programs

- Programs must be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status.
- “Any group of people that present together for assistance and identify themselves as a family... are considered to be a family and must be served together as such.” (*HUD FAQ ID 1913*)
- Families cannot be separated because of age or gender of household members.
- When projects serve ANY families with children, they must serve ALL families with children (single dad, single mom, same sex couple, multi-generational, non-romantic groups, etc.)



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Equal Access to HUD Programs -2



- HUD prohibits inquiring about sexual orientation or gender identity to determine eligibility for HUD-assisted or HUD-insured housing.
- Services for transgendered individuals must correspond to the person's identified gender.
- Requirements for individuals to "prove" gender identity are prohibited.
- Projects must take reasonable steps to address safety and privacy concerns.
- Providers must update policies and procedures to reflect Equal Access requirements.

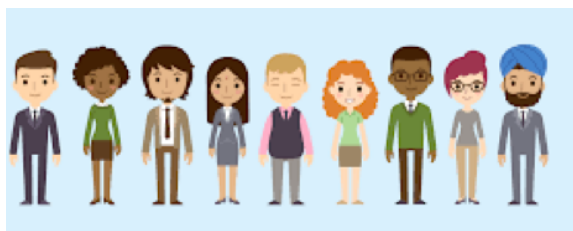
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Limiting access based on gender

Projects may limit access based on gender only if:

- Project has shared bathing and/or sleeping accommodations
- Shared bathrooms = intended for use by more than one person at a time

(HUD AAQ Response – Question ID 75271)



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Is my project required to comply?

All HUD programs must comply with Equal Access Rules. Includes all CPD Programs:

CoC, ESG, CDBG, HOME, CoC, ESG, HOPWA, Housing Trust Fund, Rural Housing



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Accommodating Changes to Family Composition – CT BOS Policy

- Allow participants to alter their family composition at any time during the admission process or post admission

EXCEPTIONS:

- Unit is not large enough by HUD standards
- Services required to meet needs of new family member are not available
- Housing the family together would present an imminent health and/or safety risk
- When circumstances prevent accommodating family changes, projects must help families to access a different unit or work with their CAN to access a different project



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Tips for Supporting Equal Access



- Staff accept & use clients' preferred name & gender pro-noun regardless of documents/sex-assigned at birth.
- Staff does not ask about clients' sex during the intake process.
- Staff honors clients' decisions regarding disclosure.
- Staff model respect, coach clients that express disrespect and promote non-discrimination by ensuring all clients understand that verbal/physical bullying are prohibited.
- Staff promptly address complaints regarding harassment.
- Staff focus on the aggressor making changes not the harassed individual.

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Tips for Supporting Equal Access - 2



- Staff lead efforts to educate and do not expect LGBTQ clients to educate others about LGBTQ issues.
- Projects require no special procedures for and do not segregate households with a transgender person.
- Staff correct & engage clients' misperception that non-stereotypical gender expression creates a safety risk.
- Projects make facilities gender neutral and take steps to increase privacy when possible.
- When referring to a single-sex project, staff assists clients to access services for which they are eligible & reports Equal Access violations.

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Equal Access Scenarios – Small Group Discussions

Select one of the scenarios from the handout. Discuss the following:

1. Have you encountered a similar situation in your project?
2. How would you handle this situation? For example, what steps might you take to:
 - ensure equal access to your project?
 - ensure client safety?
 - stop verbal and physical harassment?
 - ensure client privacy & confidentiality?
 - prevent the perception of special treatment?
 - educate staff and clients?



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Steps to Ensure Equal Access

- Ensure your project has an anti-discrimination policy that includes gender identity, gender expression, and sexual orientation.
- Ensure the policy is posted publicly.
- Regularly train staff and volunteers on the policy and how to implement.
- Take a look at the HUD Equal Access Self Assessment.
- Connect with local LGBTQ organizations.



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Equal Access Resources



HUD Equal Access Final Rule -

<https://www.hudexchange.info/resource/1991/equal-access-to-housing-final-rule/>

HUD Equal Access in Accordance with Gender Identity Final Rule -

<https://www.hudexchange.info/resources/documents/Equal-Access-Final-Rule-2016.pdf>

HUD Equal Access Resources for Projects -

<https://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/#self-assessment-for-shelters-and-projects>

HUD Equal Access Notice for Posting at Sites – (not required pending OMB approval)

<https://www.hudexchange.info/resources/documents/Notice-on-Equal-Access-Rights.pdf>

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Fair Housing – New as of 4/4/16



- Fair Housing Act prohibits discrimination on the basis of race, color, religion, sex, disability, familial status or national origin.
- Violations of the Fair Housing Act occur when policy or practice has an unjustified discriminatory effect, even when the provider had no intent to discriminate.
- Where a policy or practice that restricts access to housing on the basis of criminal history has a disparate impact on individuals of a particular race, national origin, or other protected class, such policy or practice is unlawful.

See: http://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASandCR.pdf

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Fair Housing - Tips



Applies to CoC funded projects and private market landlords:

- Retain all application records, including outcome and reason for denial
- Ensure your CAN is documenting marketing to persons least likely to apply in the absence of special outreach (e.g., to marginalized communities)
- Terminate any blanket policy against renting to persons with criminal records
- Use individualized and detailed assessments of criminal records
- Consider only convictions
- Ensure that any policy actually assists in ensuring the security of residents and property, and that you are able to demonstrate as such
- Ensure that any policy concerning a tenant's criminal record is absolutely necessary, and that no less discriminatory alternative is available
- Report fair housing violations, including to the Con Plan jurisdiction

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Reasonable Accommodations (504 of the Rehabilitation Act of 1973)

- Housing providers are required to make reasonable accommodations to enable people with disabilities to access housing
- Accommodations can include
 - Increased payment standards/utility allowances
 - Larger units
 - Emotional Support animals (provide emotional support that alleviates one or more symptoms of an existing disability) https://portal.hud.gov/hudportal/documents/huddoc?id=servanimals_ntcfho2013-01.pdf
 - Service animals (ADA: a dog trained to do work or perform a task directly related to a disability)
 - Renting from family members
- Documentation can come from a physician, psychiatrist, social worker or other mental health professional



CT BOS Client Bill of Rights

- Establishes basic rights for participants in areas including:
 - ✓ Fair Housing/Equal Access
 - ✓ Respectful treatment
 - ✓ Transparent services
 - ✓ Confidentiality
 - ✓ Grievances
 - ✓ Voluntary services
- Provides information about what a client who believes rights have been violated can do
- Must be signed by all applicants and participants and maintained in files



Available in CT BOS Policies at:

<http://www.csh.org/csh-solutions/community-work/housing-development-and-operation/2578-2/>

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Participation by Homeless People

Each grantee and sub-grantee must:

- Have at least one homeless or formerly homeless person on the board of directors or equivalent policy making entity; and
- To the maximum extent practicable involve homeless people through employment, volunteer services or other means in maintaining, operating, and providing supportive services.



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Review

Can a group of friends from a shelter can live together as a family in a CoC project?

Yes

When is it allowable for a project to only accept men or women?

Only if the sleeping area or bathroom is intended for use by more than one person at a time.

May a project intended to serve families terminate assistance for a person because the children are no longer living in the unit?

NO

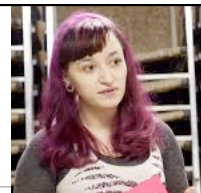


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Service Requirements

Violence Against Women Act (VAWA) Anti Discrimination Provisions



Housing providers may not deny housing to an applicant, evict a tenant, or terminate a subsidy on the basis or as a direct result of:

- an applicant or “affiliated individual” having been a survivor of domestic violence, dating violence, sexual assault, or stalking
- adverse factors resulting from the abuse (e.g., poor credit or criminal history)

If an abuser is an unauthorized occupant and the survivor, because of the abuse, did not have choice in allowing the abuser to occupy the unit, unauthorized occupancy can not be sole grounds for eviction.

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VAWA Notice of Occupancy Rights

- PSH, RRH & TH projects must give the notice to each adult tenant and applicant at each indicated time (see slide # 68 for additional detail).
- Form requires some customization (e.g., name of the agency and program, contact information for local organizations that can assist survivors).
- For more information see the VAWA forms slide.



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VAWA Emergency Transfer Provisions

- Allows survivors to move to another subsidized unit to protect their safety and maintain affordable housing.
- CoC must adopt an emergency transfer plan based on HUD's model (see VAWA Forms slide).
- Families living in CoC assisted units who qualify for emergency transfers but cannot make an immediate internal emergency transfer (i.e., within the inventory of the agency currently assisting them) must be provided with priority over all other applicants for a new unit elsewhere.
- All projects are required to comply with the CoC's emergency transfer plan (CT BOS plan is currently under development).
- Providers must retain records for all emergency transfer requests and outcomes.



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VAWA Lease Requirements & Bifurcations



- CoC projects are required to include descriptions of VAWA protections in leases, lease addendums, and contracts.
- A housing provider may bifurcate a lease to evict an abuser while allowing the survivor to stay.
- If the evicted abuser was the person who qualified the family for CoC assistance, must provide remaining tenant(s) **until lease expiration** to establish eligibility or find alternative housing. Remaining tenants are obligated to pay rent based on the usual CoC program requirements.
- To protect survivors whose names are not included on the lease, these rights apply to tenants AND residents.

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VAWA Incident Certification

- Under most circumstances, a survivor need only to self-certify.
- Third-party documentation should not cause a barrier to receiving protections needed to keep survivors safe.
- Providers may take tenants seeking VAWA protections at their word or can ask for certain documentation.
- Only when there is conflicting evidence (e.g., regarding who is the abuser and who is the victim), can the provider ask for third-party documentation.



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VAWA Incident Certification (2)

Providers must allow tenants to provide any of these:

- Self-certification form (HUD Form 5382 – See VAWA Forms slide)
- Police, court or administrative record (e.g., police reports, protective orders, restraining orders, etc.)
- Statement from a third party – (e.g., from a victim service provider, medical or mental health professional, or attorney)
- Any other statement or evidence that the housing provider has agreed to accept



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VAWA Forms



- **Notice of Occupancy Rights** Under VAWA, form HUD 5380
- Model **Emergency Transfer Plan** for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, form HUD 5381
- **Certification** of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation, form HUD 5382
- **Emergency Transfer Request** for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, form HUD 5383

When there is a mix of federal funding, provider under each program must provide Notice of Occupancy Rights and Certification Form

All forms available in English and 14 additional languages at:

- https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a

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When is provision of VAWA forms required?



The **Notice of Occupancy Rights** must be provided when individuals and/or families are applying for permanent housing (PH & RRH) and transitional housing.

The **Notice of Occupancy Rights & Certification form** must also be provided at each of the following times:

- (A) When an individual or family is denied PSH, RRH, or transitional housing;
- (B) When a program participant is admitted to PSH, RRH or transitional housing;
- (C) When a program participant receives notification of eviction; and
- (D) When a program participant is notified of termination of assistance.

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VAWA Confidentiality Protections



- Must keep confidential any information provided related to the exercise of VAWA rights, including the fact of exercising those rights
- Providers cannot allow anyone administering assistance or employees to have access to confidential information unless explicitly authorized under Federal, State or local law.
- Confidential information cannot be entered into any shared database or disclosed, except if disclosure is: requested or consented to in writing by survivor in a time-limited release; required for use in eviction or termination hearing; or otherwise required by law.
- Transfer plans must ensure confidentiality to prevent disclosure of the location of new unit

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VAWA Implementation Timeline



- **12/15/17:** Give each existing adult tenant the notice of occupancy rights and the certification form
- Beginning **12/16/17:** Provide the Notification of Occupancy Rights and Certification forms to applicants and at the times indicated on slide #9.
HUD encourages projects to post the Notice of Occupancy Rights in a location visible to tenants.
- **6/14/17:** Deadline for developing a CoC Emergency Transfer Plan. May require tenants seeking an emergency transfer to provide a written Emergency transfer request. All projects are required to comply with CoC Plan.

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Additional VAWA Resources & Acknowledgement

HUD Final Rule Implementing VAWA Reauthorization Act of 2013 -

<https://www.hudexchange.info/news/hud-announces-publication-of-final-rule-implementing-vawa-reauthorization-act-of-2013/>

National Housing Law Project webinar on HUD's Final Rule Implementing VAWA 2013 available at:

<https://www.nhlp.org/domesticviolencewebinars>

Housing Innovations would like to acknowledge the work of the National Housing Law Project, upon which this overview draws heavily.

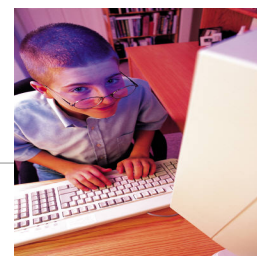
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Educational Rights

Applies to Children >18 and young adults 18-24

Grantees required to:

- Inform homeless families and youth of their rights under McKinney-Vento Education Services (Now Every Student Succeeds Act – ESSA)
- Help children and young adults to enroll in school immediately
- Advocate for ability to attend school of origin while homeless and until end of academic year once housed
- Advocate to ensure students receive services to which they are entitled, including assistance from the school district's homeless liaison
- Have a staff person assigned as educational liaison to assist
- **Adopt CT BOS sample policy or similar policy (available in CT BOS Policies on website)**



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Assessment & Service Planning



- Must conduct assessment of participants' supportive services needs, the availability of such services, and the coordination of services to ensure long-term housing stability **at least annually**.
- Services must be adjusted accordingly
- Assessment should be dated and documented in participant files

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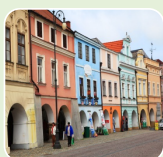
Assessment & Service Planning



- Evidence that supportive services are available to meet the needs of participants is documented in participant files:
 - ✓ Documentation of service delivery (e.g. case notes) reconciles with time sheets
 - ✓ Services are provided with a frequency that is responsive to participant needs
 - ✓ Evidence of appropriate and timely intervention on identified issues that threaten housing stability or health/wellbeing
 - ✓ Service plans/case notes consistent with Housing First

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Housing First



Quick, low barrier access to housing while providing needed services



Housing is not contingent on compliance with services; Services are voluntary for tenants, not staff – assertive engagement



Same expectations as anyone else in housing as established in lease.



Services are wrapped around the individual
Person is assisted to meet lease obligations

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Housing First is *not*

“Housing only”
OR
“Anything goes”



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CT BOS Housing First Requirements

All Projects are required to adopt the CT BOS Housing First Principles.

Available at:

<http://www.csh.org/csh-solutions/community-work/housing-development-and-operation/2578-2/>

HUD Housing First Assessment available at:

<https://www.hudexchange.info/resource/5294/housing-first-assessment-tool/>



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Termination of Assistance

Must be consistent with Housing First

Must provide formal due process:

- Written copy of program rules
- Written notice of reason for termination
- Review of the decision
- Written notice of the final decision

TH/PSH projects must notify CAN as early as possible to prevent unstable placements/returns to homelessness. CAN will:

- Convene a case conference to try to prevent a return to homelessness
- Does not apply in situations of imminent risk



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Review

To whom must the VAWA Notice of Occupancy Rights be provided?

Each adult applicant and tenant in PSH and RRH

In what circumstances can a provider ask for third-party documentation of domestic violence?

Only when there is conflicting evidence

How often is assessment required by HUD?

Annually

Do educational rights apply only to projects serving families?

No – applies to children and young adults 18-24



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HUD Monitoring Exhibits

Updated HUD monitoring exhibits available at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/6509.2



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HUD Monitoring Areas

Beneficiaries	Housing	Supportive Services	Project Progress
Match Documentation	Subrecipient Management	Overall Systems Management	Financial Management
Cost Allowability	Procurement	Equipment and Equipment Disposition	Other Federal Requirements

Tips for Success

- Use resources provided on handout
- Include supervisory review of eligibility documentation as a standard intake process
- Use DMHAS Rent Calculation Spreadsheet or HUD CPD Income Calculator - Select HOPWA
<https://www.hudexchange.info/resource/2079/cpd-income-eligibility-calculator/>
- Review files for compliance at least annually





Wrap-up & Evaluations

THANKS FOR PARTICIPATING!

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