

ESG Homeless Definition & Income FAQs as of June 2014

FAQ ID	FAQ Question	FAQ Answer
501	<p>With regard to the final rule on the definition of homeless, does the condition that “The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance” apply when an individual or family who is living with someone is told they need to move out in a week?</p>	<p>Yes, as long as they meet all of the other requirements of category 2 of the homeless definition. The second category of the definition of homeless includes individuals and families who are within 14 days of losing their housing, including housing they own, rent, are sharing with others, or are living in without paying rent. It also includes individuals and families who are living in hotels and motels that they are paying for using their own resources.</p> <p>Any individual or family who will lose their housing within 14 days – including those who are within one week of losing their housing – who have not identified a subsequent residence, and who lack the resources or support networks needed to obtain other permanent housing, qualifies as “homeless” under category 2 of the homeless definition.</p>
526	<p>The Homeless Definition final rule, published in the Federal Register, contains a typo in the preamble. On page 75977, the preamble text mistakenly indicates that written documentation of disability includes written verification from a professional who is licensed by the state to diagnose and treat the condition AND written verification from the Social Security Administration or the receipt of a disability check.</p>	<p>The regulatory text found on page 76016 and page 76019 contain the correct requirements. These sections indicate that acceptable evidence of a disability includes:</p> <p>Written verification of the disability from a professional licensed by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently; OR</p> <p>Written verification from the Social Security Administration; OR</p> <p>The receipt of a disability check; OR</p> <p>Intake staff-recorded observation of a disability that, no later than 45 days of the application for assistance, is confirmed and accompanied by evidence in this; OR</p> <p>Other documentation approve by HUD.</p>

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530	<p>Is an individual or family that is receiving Rapid Re-Housing Assistance considered chronically homeless for purposes of remaining eligible for permanent housing placements dedicated to serving the chronically homeless?</p>	<p>Yes. Program participants that are receiving Rapid Re-Housing Assistance through programs such as the Emergency Solutions Grants (ESG) Program, the Continuum of Care (CoC) Program, the Supportive Services for Veterans Families (SSVF) Program, or the Veterans Homelessness Prevention Demonstration Program (VHPD) maintain their chronically homeless status for the purpose of eligibility for other permanent housing programs dedicated to serving the chronically homeless, such as HUD-VASH and CoC-funded permanent supportive housing (so long as they meet any other additional eligibility criteria for these programs). Program participants maintain their chronically homeless status during the time period that they are receiving the rapid re-housing assistance. Rapid re-housing is a model for helping homeless individuals and families obtain and maintain permanent housing, and it can be appropriate to use as a bridge to other permanent housing programs.</p> <p>It is important to note that although the program participants in rapid re-housing are considered chronically homeless for purposes of eligibility for other programs, the housing itself is still considered permanent housing; therefore, these program participants are not considered chronically homeless (or homeless) for counting purposes, and must not be included in the CoC's sheltered point-in-time count.</p>
504	<p>When does the amended definition of homeless become effective? The final rule states that it is effective January 4, 2012, while the December 2011 webinars on the definition of homeless mentioned that the definition applies to all SHP and S+C grants with a start date on or after January 1, 2012.</p>	<p>The amended definition of homeless, published in the Federal Register on December 5, 2011, applies to projects funded under the Emergency Solutions Grants program, as well as Shelter Plus Care and Supportive Housing program projects funded in the FY 2011 CoC Competition, new and renewal.</p> <p>SHP and S+C projects that received funding in FY2011 CoC Competition must use the revised definition when administering their projects. The definition applies to all SHP and S+C projects funded in the FY 2011 CoC Competition, including those with an operating start date between January 1, 2012 and January 3, 2012.</p> <p>For SHP and S+C grants, the amended definition of homeless goes into effect for the individual project at the beginning of the operating year. For example, if a renewal project is funded in the FY2011 CoC Competition and has an operating year beginning September 1, 2012, the amended definition of homeless will go into effect for that project September 1, 2012.</p>

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1460	<p>Are youth who are within 14 days of exiting the foster care system who have not identified other permanent housing and have no other resources or support networks to obtain permanent housing defined as homeless under Category 2 of the definition of homeless?</p>	<p>No. Youth who are within 14 days of exiting the foster care system who have not identified other permanent housing and who have no other resources or support networks to obtain permanent housing are not defined as homeless under Category 2 of the definition of homeless. This is different than how HUD operationalized eligibility for Transitional Housing and Supportive Service Only projects under the Supportive Housing Program. The HEARTH Act amendments changed the definition of homeless for HUD's Homeless Assistance programs and HUD began implementing the changes through the FY2011 Homeless Assistance Grants Program competition.</p> <p>In most instances, the definition was broadened; however, in this one instance, the definition was narrowed. The statutory language in Section 103(5), which HUD further clarified through the regulations, defines as homeless, "An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided."</p> <p>Through the regulation, HUD further clarified that individuals exiting systems of care, including institutions and foster care, are no longer defined as homeless if they have resided there for more than 90 days and were not previously living on the streets or in emergency shelter prior to entering the institution or system of care. This means that unaccompanied youth being emancipated from the foster care system are not defined as homeless under Category 1, unless they are residing on the streets or in an emergency shelter at the point of intake.</p> <p>Additionally, HUD has determined that individuals exiting institutions, or systems of care, are not defined as homeless under paragraph (2) of the definition of homeless even if they are within 14-days of discharge and no subsequent residence has been identified. This means that unaccompanied youth who are being emancipated from the foster care system are not defined as homeless under Category 2, and are therefore not eligible for those projects that serve Category 2 in the CoC Program.</p> <p>These youth, however, may be defined as Category 3 of the homeless definition if the following conditions are met:</p> <ul style="list-style-type: none"> • The youth is under the age of 25 • The youth meets another federal definition of homeless • The youth has not had a lease, ownership interest, or

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		<p>occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application</p> <ul style="list-style-type: none"> • The youth has experienced persistent instability as measured by two moves or more during the preceding 60 days • The youth can be expected to continue in such status for an extended period of time due to special needs or barriers <p>A youth who is defined as homeless under Category 3 of the homeless definition may only be eligible for transitional housing if the CoC has received approval from HUD to serve this population.</p> <p>If the youth does not meet criteria described above, then he or she could be considered at-risk of homelessness. To meet the "at-risk of homelessness" definition, an individual must have an annual income below 30 percent of the median family income for the area, as determined by HUD, not have sufficient resources or support networks to prevent him or her from moving to an emergency shelter or other place not intended as a regular sleeping accommodation for human beings, and is exiting a publicly funded institution, or system of care (such as a mental health facility). A person who is defined as "at risk of homelessness" may be eligible for a homelessness prevention program under the Emergency Solutions Grants program.</p>

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1000	<p>If an ESG case manager learns that a program participant's annual income has increased and now exceeds 30% of AMI, must the recipient/subrecipient immediately stop providing assistance to the program participant?</p>	<p>Whether a recipient/subrecipient must stop a program participant's ESG assistance upon learning of an increase in income (or other change in household circumstances that may affect eligibility) depends upon whether the information is obtained through a re-evaluation, or through other means (e.g., case management).</p> <p>If income over AMI is discovered during re-evaluation for homelessness prevention and rapid re-housing assistance: Each re-evaluation of eligibility must establish that the program participant has an annual income that does not exceed 30 percent of median family income for the area, as determined by HUD. (24 CFR § 576.401(b)(1)(i)). Rapid Re-Housing program participants must be re-evaluated not less than once annually and Homelessness Prevention program participants must be re-evaluated not less than once every three months. If the re-evaluation shows that the program participant is no longer eligible for ESG, assistance must be stopped at that time.</p> <p>If income over AMI is discovered outside of the re-evaluation process for homelessness prevention and rapid re-housing assistance: HUD does not require recipients/subrecipients to conduct a re-evaluation outside of the regular re-evaluation process if information becomes available to indicate that a household has (or may have) increased income or a change in household circumstances that affect eligibility for the program. However, the recipient/subrecipient has discretion to institute its own standards and MAY require each program participant receiving Rapid Re-Housing or Homelessness Prevention assistance to provide information about changes in income or other circumstances (e.g., household composition) that affect the program participant's need for assistance. When a program participant notifies a recipient/subrecipient of a relevant change because the notification is REQUIRED, the recipient/subrecipient MUST re-evaluate the program participant's eligibility and the amount and types of assistance the program participant needs (see 24 CFR §</p>

		<p>576.401(b)(2)). If the re-evaluation shows that the program participant is no longer eligible for ESG, assistance must be stopped at that time.</p> <p>If the recipient/subrecipient has NOT required such a notification, simply receiving information about a change in a program participant's situation outside of the re-evaluation process (e.g., through case management or credit repair activities) has no immediate effect on the program participant's eligibility for ESG, and ESG assistance can continue until the next re-evaluation. At that time, the re-evaluation will determine whether the program participant continues to be eligible for ESG assistance.</p>
1042	<p>To what ESG program components does the 30% area median income (AMI) limit apply?</p>	<p>For Rapid Re-Housing, an income assessment is not required at initial evaluation. However, at annual re-evaluation, income must be LESS THAN OR EQUAL TO 30% AMI.</p> <p>For Homelessness Prevention assistance, households must have an income BELOW 30% AMI at initial evaluation, and have no other housing options, financial resources, or support networks. At re-evaluation - not less than once every three months - the participant must have an annual income LESS THAN OR EQUAL TO 30% AMI.</p> <p>The 30% AMI limit does not apply to program participants who are being served under the Emergency Shelter or Street Outreach components.</p>