

 **Determining Homeless and At-Risk Status, Income, and Disability**

December 13, 2011

Presenters:	Resource Advisors:
- Ann Oliva	- Susana Limon
- Brett Gagnon	- Theresa Silla
- Cynthia High	

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 **Webinar Format, Materials & Evaluation**

- Webinar will last approximately 1 ½ hours (90 mins).
- A recorded version of this can be found on HUD's Homelessness Resource Exchange at <http://hudhre.info> after December 20, 2011

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 **Submitting Questions in the Webinar**

- Audience members are muted due to the high number of participants
- For audio, please use the telephone, not your computer
- If you have technical difficulty with the audio or video portions of this webcast, try:
  - Logging off, then logging in again
  - Requesting help through the “questions” function in the “Go To Webinar” toolbar

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 **Submitting Questions in the Webinar**

- To pose a question for the Resource Advisors during this webinar, use the “Questions” function in the “GoToWebinar” toolbar
- Resource advisors will only have time to answer some questions

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 **Submitting Questions After Webinar**

- If you have a question that is not answered during the webinar, you may submit it to HUD’s Virtual Help Desk at <http://hudhre.info/helpdesk>
  - Select “Emergency Solutions Grants” as your Program/System
  - Select “General Provisions” as your topic
  - Select “Definitions” as your sub-topic

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 **What is Covered in the Webinar**

- Housing Status, Income & Disability Definitions
- Housing Status & Income applicable to
  - Emergency Solutions Programs
  - Supportive Housing Programs (SHP) and Shelter Plus Care (S+C)
    - Projects funded in FY 11 CoC Competition
    - Affects both new and renewal projects
- Disability definition applicable to SHP & S+C only

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 **What is Covered in the Webinar**

- Housing Status
  - Homeless Definition and
  - At-risk of Homelessness Definition
- Income Definition
  - What counts as income
  - What does not count as income
- Disability
- Including HUD's standards for determining and documenting status

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 **Webinar Objectives**

Upon completing this webinar, you will be able to

- Apply the criteria under the homeless and at-risk of homelessness definitions
- Identify the applicable housing status in HMIS
- Describe the income definition, including what counts and does not count as income
- Describe the criteria under the disability definition
- Understand the documentation standards

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 **What is NOT covered in the webinar**

- Details specific to each program component are NOT covered.
  - Eligibility for assistance
  - Income requirements
  - Disability requirements
- Specific documentation requirements are NOT covered
  - Topic of future webinar

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## Definition of Homeless

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## Overview of Homeless Definition

**Homeless definition has 4 categories:**

- 1) Literally homeless individuals/families
- 2) Individuals/families who will imminently (within 14 days) lose their primary nighttime residence with no subsequent residence, resources or support networks
- 3) Unaccompanied youth or families with children/youth who meet the homeless definition under another federal statute and 3 additional criteria
- 4) Individuals/families fleeing or attempting to flee domestic violence with no subsequent residence, resources or support networks

*To avoid confusion, slides will refer to these as Homeless-Category 1, Homeless-Category 2, Homeless-Category 3 and Homeless-Category 4.*

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## Homeless Category 1 Criteria

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
- Living in a shelter designated to provide temporary living arrangements
- Exiting an institution
  - where they resided for 90 days or less AND
  - were residing in emergency shelter or place not meant for human habitation immediately before entering institution.

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 **Homeless Category 2 Criteria**

Individuals/families who will imminently lose their primary nighttime residence within 14 days AND

- have no subsequent residence identified AND
- lack the resources or support networks needed to obtain other permanent housing

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 **Homeless Category 3 Criteria**

Unaccompanied youth under 25 or families with children and youth who do not otherwise qualify as homeless, but who

- meet homeless definition under another federal statute; AND
- have not had lease, ownership interest, or occupancy agreement in permanent housing at any time during last 60 days; AND
- have experienced two or more moves during last 60 days; AND...

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 **Homeless Category 3 Criteria, continued**

- Can be expected to continue in such status for an extended period of time because of:
  - chronic disabilities, OR
  - chronic physical health or mental health conditions, OR
  - substance addiction, OR
  - histories of domestic violence or childhood abuse (including neglect) OR
  - presence of a child or youth with a disability, OR
  - two or more barriers to employment

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 **Homeless Category 4 Criteria**

Individuals/families fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence, who

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

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 **Recap of Homeless Definition**

**Homeless definition has 4 categories:**

- 1) Literally homeless individuals/families
- 2) Individuals/families who will imminently (within 14 days) lose their primary nighttime residence with no subsequent residence, resources or support networks
- 3) Unaccompanied youth or families with children/youth who meet the homeless definition under another federal statute and 3 additional criteria
- 4) Individuals/families fleeing or attempting to flee domestic violence with no subsequent residence, resources or support networks

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 **Quiz: Homeless Definition**

**1. Mark is facing discharge after 4 months and no housing options/resources/networks. He meets the criteria for Literally Homeless.**

True	False
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 **Definition of At-Risk of Homelessness**

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 **Overview of At-Risk of Homelessness**

At-Risk of Homelessness definition has 3 categories applicable to:

- 1) Individuals and Families
- 2) Unaccompanied Children and Youth
- 3) Unaccompanied Children and Youth and their Families

*To avoid confusion, will refer to these as At-Risk-Category 1, At-Risk-Category 2, and At-Risk-Category 3*

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 **At-Risk Category 1 Criteria**

Individuals/families who

- Have annual incomes **below** 30% AMI; AND
- Do not have sufficient resources or support networks immediately available to prevent literal homelessness; AND
- Meet at least one of 7 conditions...

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 **At-Risk Category 1 Criteria, continued**

7 Conditions (must meet at least one):

1. Moved two or more times due to economic reasons in 60 days prior to application for assistance
2. Living in home of another due to economic hardship
3. Losing housing within 21 days after application date
4. Live in hotel/motel not paid for by charitable organizations or Fed/state/local government programs

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 **At-Risk Category 1 Criteria, continued**

7 Conditions, continued (must meet at least one):

5. Lives in severely overcrowded unit as defined by the US Census Bureau
6. Exiting publicly funded institution or system of care
7. Lives in housing associated with instability and increased risk of homelessness, as defined in the Con Plan

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 **At-Risk Category 2 Criteria**

Children/youth who qualify under other federal statutes

- Does not include children/youth who qualify under the homeless definition
- Does not include parents or guardians
- Regulations include the list of applicable other federal statutes

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 **At-Risk Category 3 Criteria**

Children/youth who qualify as homeless under the Education for Children and Youth program ( § 725(2) of the McKinney-Vento Act) and the parents or guardians of that child/youth if living with him/her.

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 **Recap of At-Risk of Homelessness**

At-Risk of Homelessness definition has 3 categories applicable to:

- 1) Individuals and Families
- 2) Unaccompanied Children and Youth
- 3) Unaccompanied Children and Youth and their Families

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 **Quiz: At-Risk of Homelessness**

**2. Which potential program participant meets the income requirement of the 1<sup>st</sup> category of the at-risk of homelessness definition?**

- A. Mark and his wife at 53% AMI
- B. Estefan, a single mother with two sons, at 30% AMI
- C. Molly, who has no income
- D. Both Estefan and Molly
- E. All of the above

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 **Documentation Standards for Homeless & At-Risk of Homelessness**

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 **Documenting Homeless & At-Risk of Homelessness Status**

- Record keeping requirements
  - Homeless: Categories 1-4
    - Homeless Definition Final Rule
      - SHP: 582.301(b)
      - SPC: 583.301(b)
    - ESG Interim Rule: 576.500(b)
  - At-Risk of Homelessness: Categories 1-3
    - ESG: ESG Interim Rule: 576.500(c)

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 **Documenting Homeless & At-Risk of Homelessness Status**

- Policies and Procedures
  - ESG/SHP/SPC recipients must have and follow written policies and procedures
  - Must establish the order of priority for obtaining evidence as required by HUD
  - Must document due diligence

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 **Range of Documentation Types**

- In order of preference:
  - third-party documentation first
  - intake worker observations second
  - certification from the person seeking assistance third
- Already available documentation
  - Discharge paperwork
  - HMIS service transactions

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 **Determining Acceptable Level of Documentation**

- Appropriate documentation for intake files will vary depending on
  - Type of assistance provided, examples include
    - Emergency shelter
    - Street outreach services
    - Services provided by victim service providers
  - Circumstances of the potential program participant, including
    - Individuals fleeing/attempting to flee domestic violence

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 **Overview of Housing Status**

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### Overview of Housing Status

- Homeless: *Literally Homeless*
- Homeless: *At-Imminent Risk of Literal Homelessness*
- Homeless: *At-Risk of Literal Homelessness*
- Housed: *At-Risk of Homelessness*

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### Housing Status & Homeless Categories

**Homeless: Literally Homeless**

- 1) Literally homeless individuals/families
- 4) Individuals/families fleeing or attempting to flee domestic violence with no subsequent residence, resources or support networks

**Homeless: At-Imminent Risk of Literal Homelessness**

- 2) Individuals who will imminently (within 14 days) lose their primary nighttime residence with no subsequent residence, resources or support networks
- 4) Individuals/families fleeing or attempting to flee domestic violence with no subsequent residence, resources or support networks

**Homeless: At-Risk of Literal Homelessness**

- 3) Unaccompanied youth or families with children/youth who meet the homeless definition under another federal statute

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### Housing Status & At-Risk Categories

**Housed: At-Risk of Homelessness**

- 1) Households who
  - Have annual incomes below 30% AMI; AND
  - Do not have sufficient resources or support networks immediately available to prevent literal homelessness; AND
  - Demonstrate risk of homelessness by meeting one of 7 risk factors.
- 2) Children/youth who qualify under other federal statutes
- 3) Children/youth who qualify under § 725(2) McKinney-Vento Homeless Assistance Act and the parents or guardians of that child/youth if living with him/her.

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 **Quiz: Appropriate Housing Status**

**3. Housing status Homeless: At-Risk of Literal Homelessness is related to the following category of the at-risk definition:**

- A. At-risk category 1
- B. At-risk category 2
- C. At-risk category 3
- D. All of the above
- E. None of the above

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 **Determining Income**

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 **Overview of Income**

- Part 5/Section 8 definition
  - Gross Income
  - Anticipated during the coming 12 months
- Definition Specifies:
  - Inclusions
  - Exclusions
  - Treatment of Assets

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 **Income Inclusions**

- Earned Income
- Interest & Dividend Income
- Pension/Retirement Income
- Unemployment & Disability Income
- TANF/Public Assistance
- Alimony and child support income
- Armed forces income

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 **Exclusions**

- Income of Children
- Inheritance and Insurance Income
- Medical Expense Reimbursements
- Income of Live-in Aides
- Certain State payments re disability
- Student Financial Aid
- Armed Forces Hostile Fire Pay

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 **Treatment of Assets**

- What to include
- What to exclude
- Actual income from assets
- Nuances related to imputed income and assets disposed of at less than fair market value

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 **Documenting Income**

- Range of Documentation Types, in order of preference
  - Written third party and intake work observations
  - Oral third party
  - Self-Declaration
- Determining Acceptable Level of Documentation

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 **Documenting Income continued**

- Calculate income
  - Annualize hourly, weekly or monthly payment information, as appropriate
- Compare against Area Median Income (AMI)
- Keep documentation in case file

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 **Definition of Disability**

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 **Overview of Disability Definition**

- 1) Physical, mental or emotional impairment
- 2) Developmental disability
- 3) HIV/AIDS

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 **Physical, Mental or Emotional Impairment**

- Is expected to be long-continuing or of indefinite duration;
- Substantially impedes the individual's ability to live independently;
- Could be improved by the provision of more suitable housing conditions and
- Is a physical, mental or emotional impairment, including impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury

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 **Developmental Disability**

- Defined in § 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 USC 15002)
- Means a severe, chronic disability that
  - Is attributable to a mental or physical impairment or combination AND
  - Is manifested before age 22 AND
  - Is likely to continue indefinitelyAND

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 **Developmental Disability (cont.)**

- Results in substantial limitations in three or more major life activities:
  - Self-care
  - Receptive and expressive language
  - Learning
  - Mobility
  - Self-direction
  - Capacity for independent living
  - Economic self-sufficiency

AND

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 **Developmental Disability (cont.)**

- Reflects need for
  - a combination and sequence of special, interdisciplinary, or generic services,
  - individualized supports, or
  - other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated

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 **Developmental Disability (cont.)**

- An individual may be considered to have a developmental disability without meeting three or more of the criteria listed previously, if
  - Individual is 9 years old or younger AND
  - has a substantial developmental delay or specific congenital or acquired condition AND
  - without services and supports, has a high probability of meeting those criteria later in life.

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 **HIV/AIDS Criteria**

- Includes the disease of acquired immunodeficiency syndrome (AIDS) or
- Any conditions arising from the etiologic agent for acquired immunodeficiency syndrome, including infection with the human immunodeficiency virus (HIV).

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 **Documenting Disability Status**

- ***Documentation requirements applicable only when status is required for eligibility to a program***
- Written 3<sup>rd</sup> Party Written Verification
  - State licensed professional
  - Social Security Administration
  - Receipt of disability check

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 **Documenting Disability Status, continued**

- Intake staff observations
  - Applicable only in the absence of written 3<sup>rd</sup> party verification.
  - Must be confirmed and accompanied by written 3<sup>rd</sup> party verification no later than 45 days
- Oral-third party and self-certification is not appropriate

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## Forthcoming Guidance

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## Where To Get More Information



Use the [www.HUDHRE.info](http://www.HUDHRE.info) to download additional information and submit questions

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## Forthcoming Guidance on Determining and Documenting Status

- Additional guidance to be posted includes
  - Webinar on Specifics of Determining and Documenting Housing Status
  - User guide on Determining and Documenting Housing Status, Income and Disability of Potential Program Participants
  - Documentation templates

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 **Additional Helpful Resources**

- Resources on [www.hudhre.info](http://www.hudhre.info) will eventually include all of the following:
  - User Guides
  - McKinney-Vento Act, as amended by the HEARTH Act
  - All published program regulations
  - Webinar recordings
  - At-a-glance charts and sample forms
  - ESG Help Desk (now available)

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 **Other ESG-Related Webinars**

ESG Webinar	Date
ESG Substantial Amendment	12/27
ESG General Administrative and Program Requirements	01/10
Recordkeeping Requirements for Homeless, At Risk of Homelessness, Income, and Disability	TBD

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 **Webinar Evaluation**

- You should now be able to:
  - Describe the criteria under the homeless and at-risk of homelessness definitions
  - Identify the applicable housing status in HMIS
  - Describe the income definition, including what counts and does not count as income
  - Describe the criteria under the disability definition
  - Understand the documentation standards related to housing status, income and disability
- Please complete the on-line survey to rate how well this webinar met its objectives

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