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# **Continuum of Care Operational Standards City of New Bedford**

**Amended - June 2019**

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# CONTINUUM OF CARE OPERATIONAL STANDARDS for THE NEW BEDFORD COC

## Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Standards for All Project Types</b>	<b>2</b>
1. Housing First	2
2. Equal Access & Non-Discrimination	2
3. Confidentiality	5
4. Coordinated Entry Participation	5
5. HMIS Participation	5
6. Access to Mainstream Resources	5
7. Educational Liaison	6
8. Termination & Grievance Procedures	6
9. Recordkeeping Requirements	6
10. Religious Activities	7
11. Case Management	7
12. Occupancy Standards	8
<b>Diversion</b>	<b>9</b>
13. Eligibility Criteria	9
14. Prioritizing/Targeting Eligible Households for Diversion	9
15. Minimum Standards for Diversion	9
<b>Prevention</b>	<b>9</b>
16. Eligibility Criteria	9
17. Prioritizing/Targeting Eligible Households for Prevention	9
18. Minimum Standards for Prevention	9
<b>Street Outreach</b>	<b>10</b>
19. Eligibility/Targeting Criteria	10
20. Minimum Standards for Outreach Programs	10
<b>Emergency Shelter</b>	<b>10</b>
21. Eligibility Criteria	10
22. Prioritizing/Targeting Eligible Households for Emergency Shelter	10
23. Assessment	11

24. Length of Stay/Discharge .....	11
25. Safety and Shelter Needs of Special Populations.....	11

**Transitional Housing .....11**

26. Eligibility Criteria .....	11
27. Prioritizing Eligible Households for Transitional Housing Programs .....	11
28. Minimum Standards for Transitional Housing Programs .....	12

**Permanent Supportive Housing .....12**

29. Eligibility Criteria .....	12
30. Prioritizing Eligible Households .....	12
31. Minimum Standards of Assistance .....	14

**Rapid Re-Housing Programs .....14**

32. Eligibility Criteria for RRH .....	14
33. Prioritizing Eligible Households for Rapid Re-Housing Programs.....	14
34. Rent Limits for Rapid Re-Housing Programs .....	15
35. Minimum Standards for Rapid Re-Housing Programs.....	15

**Program Transfers .....16**

36. PSH to PSH.....	16
37. RRH to PSH .....	16
38. TH to TH.....	16
39. TH to PSH.....	16
40. Relationship Between VA’s Homeless Programs and HUD’s Program Types & Eligibility.....	16

**Prioritization (Order of Priorities) .....18**

**Future Review, Updates and Amendments .....20**

**Appendix: HUD Definitions .....21**

Homeless .....	22
Chronically Homeless .....	23
Homeless Individual with a Disability .....	23



# CONTINUUM OF CARE OPERATIONAL STANDARDS for THE NEW BEDFORD COC

## Introduction

The City of New Bedford, in coordination with the City’s Continuum of Care known locally as the “Homeless Service Providers Network” (HSPN), has developed the operational standards contained here for providing housing and homeless services to those persons experiencing homelessness or at-risk of homelessness across New Bedford. Both the Emergency Solutions Grant (ESG) Rules and Regulations and the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Continuum of Care Program Interim Rules state that the Continuum of Care (CoC), in consultation with recipients of Emergency Solutions Grants program funds within the geographic area, (1) establish and consistently follow operational standards for providing Continuum of Care assistance, (2) establish performance targets appropriate for population and program type, and (3) monitor recipient and sub-recipient performance.

All programs that receive Emergency Solutions Grant (ESG) or Continuum of Care (CoC) funding in the City of New Bedford are required to abide by these operational standards. Additionally, in order to achieve the highest level of efficiency and performance system-wide within the New Bedford Continuum, it is strongly encouraged that programs not receiving funding from either of these two grant sources accept and utilize these operational standards.

These *Continuum of Care Operational Standards* for the City of New Bedford have been developed in conjunction with ESG subrecipients, CoC subrecipients and other community service providers to allow for input on standards and the process for full implementation of the standards throughout the CoC<sup>1</sup>. Such input has helped ensure the perspective of organizations directly providing homeless housing and services, including, but not limited to agencies providing Emergency Shelter (ES), Permanent Supportive Housing (PSH), Rapid Re- Housing (RRH) and Supportive Service Only (SSO) programming. Adopted coordinated entry operational protocols were also reviewed and considered in the development and amendment of these coc operational standards to ensure consistency between systems and expectations.

Additionally, these operational standards have been established to ensure that persons experiencing homelessness who seek assistance and/or enter programs throughout the CoC will be given consistent information and support to access and maintain stable permanent housing.

To this end, these Operational Standards will:

- ❑ Establish community-wide expectations on the operations of projects within the community.
- ❑ Ensure that the system is transparent to users and operators.
- ❑ Establish a minimum set of standards and expectations in terms of the quality expected of projects.
- ❑ Assist with the coordination of service delivery across the geographic area and serve as the foundation for the coordinated entry system;

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<sup>1</sup> NOTE: Separate governance standards, policies and procedures exist for the Continuum’s Homeless Management Information System (HMIS) as well as the *Coordinated Entry Operational Standards* for the Continuum’s Coordinated Entry System (CES).

- ❑ Assist in assessing individuals and families consistently to determine program eligibility;
- ❑ Assist in administering programs fairly and methodically;
- ❑ Provide an important basis for the monitoring of all CoC and ESG funded projects.

## Standards for All Project Types

As indicated in its “Strategic Plan,” the New Bedford CoC is committed to ensuring homelessness is rare, short-lived and recoverable. As part of this effort, the CoC is focused on improving access to and coordination of housing services and enhancing services for highly vulnerable populations to include Chronically Homeless individuals and families, Veterans, Survivors of Domestic Violence, and Unaccompanied Youth.

The following standards are applicable to all project types and funding streams and will promote better access and outcomes within the New Bedford CoC:

### 1. Housing First

All CoC funded programs must adopt the Housing First and Low Barriers approach.

- ❑ Housing First is a programmatic and systems approach that centers on quickly providing people who are homeless with housing and then providing services as needed.
- ❑ The Housing First approach has several key features: few programmatic prerequisites, admission policies that support low barriers to access, rapid and streamlined entry into permanent housing, voluntary and engaging supportive services, and a focus on housing stability. As such, CoC funded projects should allow entry to program participants regardless of their lack of income, current or past substance use, criminal records, or history of domestic violence.
- ❑ Housing is not contingent on compliance with services. Supportive services are voluntary, but can and should be used to persistently engage participants to ensure housing stability (except in RRH where participation in case management is required).
- ❑ Participants are expected to comply with a standard lease agreement and are provided with services and supports to help maintain housing and prevent eviction.
- ❑ Services are provided post-housing to promote housing stability and well-being.
- ❑ All programs are expected to ensure low barriers to program entry for program participants and there should be few to no programmatic prerequisites to permanent housing entry. As such, projects must allow entry to program participants regardless of their income, current or past substance use, criminal records, or history of domestic violence.
- ❑ The CoC will authorize limited exceptions for projects in the adoption of a housing first model where it conflicts with funder requirements or local/state law (e.g., restrictions on serving people who are listed on sex offender registries).

### 2. Equal Access & Non-Discrimination

- ❑ Providers must have non-discrimination policies in place and assertively outreach to people least likely to engage in the homelessness assistance system.
- ❑ Providers must comply with all federal statutes and rules including, but not limited to, the Fair Housing Act<sup>2</sup>, the Americans with Disabilities Act<sup>3</sup>, and Equal Access to Housing Final Rule<sup>4</sup>.

<sup>2</sup> United States Department of Justice. The Fair Housing Act. Accessed May 2015. <http://www.justice.gov/crt/about/hce/title8.php>.

<sup>3</sup> U.S. Department of Housing and Urban Development. Section 504 of the Rehabilitation Act of 1973. Accessed May 2015. <http://portal.hud.gov/hudportal/HUD?src=/programdescription/sec504>.

- ❑ **Fair Housing.** Organizations shall comply with applicable civil rights laws, including the Fair Housing Act. Within this framework, these standards establish subpopulations to be prioritized for housing and services that align with the identified needs of the local community and the goals of the Federal Strategic Plan to End Homelessness. Subpopulations may be prioritized as long as doing so does not discriminate against any protected class under federal nondiscrimination laws (e.g., the housing may be limited to homeless veterans, victims of domestic violence and their children, or chronically homeless households); subpopulations may also be prioritized according to who needs the specialized supportive services that are offered by the project (e.g., substance use disorder treatment, domestic violence services, or a high intensity package of services designed to meet the needs of hard-to-reach homeless persons).
- ❑ **Reasonable Accommodations.** Providers will comply with Reasonable Accommodations and Modifications for Persons with Disabilities. Organizations are required to provide reasonable accommodations and modifications for persons with disabilities. For federally-funded housing, the recipient is responsible for paying for the modification. Organizations must inform applicants during the intake process of their right to request a reasonable accommodation or modification. A reasonable modification is a structural change, and a reasonable accommodation is change to rules, policies, or services so that a person with a disability has equal opportunity to use and enjoy a dwelling unit or common space. An example of a reasonable modification is installing a grab bar in the bathroom of a person with a disability, while examples of reasonable accommodations include, permitting a person with a disability to have a service animal.

**Outreach.** Providers must have non-discrimination policies in place and conduct assertive outreach to people least likely to engage with the homeless system. Organizations receiving CoC Program and ESG Program funding shall market housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability; and, shall provide program applicants and participants with information, in writing, on their rights and remedies under applicable federal, state, and local fair housing and civil rights laws.

**Integrated Housing.** Housing and supportive services must be offered in an integrated manner such that persons with disabilities may enjoy a meaningful life within the community. Providers shall offer housing and supportive services to enable individuals with disabilities to interact with nondisabled persons to the fullest extent possible.

**Equal Access.** Providers must ensure their policies are consistent with and reflect HUD’s Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule (Equal Access Rule) that requires HUD’s housing projects be made available to individuals and families without regard to actual or perceived sexual orientation, gender identity, or marital status. The rule defines “gender identity” to mean “actual or perceived gender-related characteristics.”

**Dedicated versus Prioritized.** Projects and/or beds that are dedicated to serving a specific subpopulation must continue serving only this subpopulation. (For instance, a Permanent Supportive Housing project that is dedicated to serving households experiencing chronic homelessness must continue serving those households. This means that if two otherwise eligible households are seeking admission into the program, one who falls within the designated prioritized subpopulation and one who does not, the household who

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<sup>4</sup> U.S. Department of Housing and Urban Development. <https://www.hudexchange.info/resource/1991/equal-access-to-housing-final-rule/> HUD’s Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule (Equal Access Rule) requires that HUD’s housing projects be made available to individuals and families without regard to actual or perceived sexual orientation, gender identity, or marital status.

is in the designated prioritized subpopulation must be given priority for admission). If there are no persons on a waiting list or applying for entrance to the program who fall within the dedicated subpopulation, organizations should not hold the unit or bed vacant, but instead should serve the next prioritized subpopulation who may benefit from the services being provided.

- ❑ **The Violence Against Woman Act (VAWA).** ESG and CoC-funded homeless assistance programs providing housing or rental assistance must comply with VAWA regulations.

VAWA protections mean that survivors of domestic violence, dating violence, sexual assault, or stalking:

- Cannot be denied admission to emergency housing, safe havens, transitional housing, or permanent housing programs because they are or have been victims or threatened victims;
- Cannot be evicted, lose federal rental assistance, or have emergency housing assistance terminated because they are or have been victims or threatened victims;
- Cannot be denied admission or rental assistance, evicted, terminated, or lose a rental subsidy for reasons related to the abuse, such as bad credit history and criminal history;
- May remain in housing, at least temporarily, if their abuser is evicted; and
- Must be able to move or “transfer” to another subsidized unit to protect their safety and keep their affordable housing.

HUD’s regulations implementing the law include a number of requirements:

- Notifying all program participants (current and future) of their rights under VAWA;
- Providing all participants (current and future) with a self-certification form, to have in case needed;
- Including a lease provision/addendum with all VAWA requirements in all leases with participants;
- Establishing Rental Assistance Agreements or Contracts with all third-party housing owners, or revising current agreements or contracts, to ensure compliance with VAWA obligations.

- ❑ **Household Composition.** The people who present together for assistance, regardless of age or relationship, are considered a household and are eligible for assistance as a household.

- Organizations cannot discriminate against a group of persons presenting as a family based on the composition of the family, the age of any member of the family, the disability status of any members of the family, marital status, actual or perceived sexual orientation, or gender identity. The people who present together for assistance, regardless of age or relationship, are considered a household and are eligible for assistance as a household.
- Projects that serve families with children must serve *all types of families with children*; if a project targets a specific population (e.g., women with children), these projects must serve all families with children that are otherwise eligible for assistance, including families with children that are headed by a single adult or consist of multiple adults that reside together.
- In an effort to maintain family unity, for housing projects serving households with children, the age and gender of a child under age 21 shall not be used as a basis for denying any family’s admission, nor may a recipient deny admission to any member of the family (e.g., 17-year old son). Projects will make every attempt possible to avoid family separation, unless absolutely necessary for the safety and well-being of the family.

- ❑ The New Bedford CoC practices a person-centered model that strongly incorporates participant choice and inclusion of subpopulations present in New Bedford including, but not limited to, chronically homeless, homeless veterans, youth, families with children and survivors of domestic violence.

- ❑ Organizations operating ESG-single-sex emergency shelters (or other ESG- and/or CoC facilities) may not make a determination about services for one participant based on the complaints of another participant

when those complaints are based on a participant's gender identity or non-conformity with gender stereotypes. The organizations must take reasonable steps to address safety and privacy concerns; the organization should provide for privacy in bathrooms and dressing areas. For instance, organizations may install privacy curtains or partitions. When deciding how to house a victim of domestic violence, an organization that provides sex-segregated housing may consider on a case-by-case basis whether a particular housing assignment would ensure the victim's health and safety. A victim's own views with respect to personal safety deserve serious consideration. The organizations should ensure that its services do not isolate or segregate victims of domestic violence based upon actual or perceived gender identity.

### 3. Confidentiality

- ❑ Agencies will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the agency operational permission to release the information on a time-limited basis, or disclosure of the information if required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault or stalking against the tenant.

### 4. Coordinated Entry Participation

Programs providing housing for those experiencing homelessness must use the CoC's coordinated entry system (CES) currently operated by "The CALL" for the intake of all program participants working cooperatively with that coordinated entry system as it relates to the determination of eligibility and amount and type of assistance needed to regain stability in permanent housing.

- ❑ Participation requires following all established procedures and the use of the Coordinated Entry Assessment Tool (Vulnerability Index–Service Prioritization Decision Assessment Tool (VI-SPDAT)).
- ❑ Projects should refer to the CoC's *Coordinated Entry Operational Standards* for additional information.

### 5. HMIS Participation

All CoC Programs and ESG Programs are required to participate in the New Bedford CoC's Homeless Management Information System (HMIS) using the CaseWorthy platform overseen by the CoC's HMIS Lead, the City's Office of Housing & Community Development.

- ❑ The CoC actively encourages non-CoC/ESG providers to participate in HMIS.
- ❑ Programs must meet minimum HMIS data quality standards
- ❑ Programs providing Domestic Violence or Legal Services may opt out of HMIS participation but must utilize a comparable database to collect HUD required data elements to be reported in the aggregate rather than at the client level.

### 6. Access to Mainstream Resources

The CoC expects that every agency funded through the CoC Program or ESG Program will coordinate with and access mainstream and other targeted homeless resources.

- ❑ Providers should assess and assist participants with obtaining any mainstream resource for which they may be eligible including: TANF, Veterans Health Care, Food Stamps, Medicaid, CHIP, SSI/SSDI, SOAR, Workforce Investment funds, Welfare-to-Work, Substance Abuse Block Grant programs, and Social Service Block Grant programs.
- ❑ Programs must have operational policies and procedures, reviewed and updated as may be needed annually, and must consistently apply them to all participants
- ❑ Where possible, providers should streamline processes applying for mainstream benefits such as the use of a singular form to apply for benefits or collecting necessary information in one step.



## 7. Educational Liaison

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- ❑ Providers are expected to designate a staff person to ensure that children enrolled in their program are:
  - Enrolled in school
  - Connected to appropriate services in the community, including early childhood projects such as Head Start, Part C of the Individuals with Disabilities Education Act, and the McKinney Vento education services
- ❑ Staff persons who are designated in this role may carry out multiple duties within their organization in addition to their role as an educational liaison.
- ❑ Providers may also partner with another agency/individual to ensure that children are receiving educational services so long as the provider has a staff member who is responsible for ensuring the services are being accessed.

## 8. Termination & Grievance Procedures

Program rules and regulations adopted by each program that are designed in the spirit of inclusion rather than as grounds for denial or termination. Programs should exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant's assistance is terminated only in the most severe cases.

- ❑ Providers must have an operational termination policy outlining program rules and termination processes that recognizes the rights of the participant(s) involved including a formal due process.
- ❑ The termination process rules and regulations, at a minimum, must consist of:
  - Providing the program participant with a n copy and verbal explanation of the program rules and the termination process *before* the participant begins to receive assistance;
  - Operational notice and verbal explanation to the program participant containing a clear statement of the reasons for his/her/their termination (e.g. lease obligations, tenant payments, damage to the property, etc.);
  - A review of the decision, in which the program participant is given the opportunity to present operational or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
  - Prompt operational and verbal notice of the final decision to the program participant.
- ❑ Programs must demonstrate the use of judgment in examining all extenuating circumstances in determining that a violation should result in termination.
- ❑ Every effort should be made to allow the participant to remain in the program; termination should only be exercised in the most severe cases.
- ❑ Termination does not necessarily preclude assistance at a future date.

## 9. Recordkeeping Requirements

- ❑ Participant records containing personal identifying information must be kept secure and confidential.
- ❑ Participant Recordkeeping Requirements shall include but not be limited to :
  - A operational confidentiality/privacy notice, a copy of which should be reviewed with participants at intake into the program and made available to participants if requested after intake.
  - Documentation of homelessness (following HUDs guidelines)
  - A record of services and assistance provided to each participant
  - Documentation of any applicable requirements for providing services/assistance
  - Documentation of the use of the CES (coordinated entry system)
  - Documentation and authorization as to the use of HMIS (homeless management information system)

- Evidence that program participant records are retained for the appropriate amount of time as prescribed by HUD

**❏ Financial Recordkeeping Requirements shall include but not be limited to:**

- Documentation for all costs charged to the grant
- Documentation that funds were spent on allowable costs
- Documentation of the receipt and use of program income
- Documentation of compliance with expenditure limits and deadlines
- Retain copies of all procurement contracts as applicable
- Documentation of amount, source and use of resources for each match contribution

## 10. Religious Activities

Programs may not engage in inherently religious activities such as worship, religious instruction or proselytization as part of the program or services funded under the CoC or ESG. These activities can be conducted but must be separate and voluntary for program participants.

## 11. Case Management

Programs are required to provide ongoing case management that demonstrably:

- ❏ Helps individuals and families experiencing homelessness in identifying and selecting among various permanent housing options based on their unique needs, preferences, and financial resources.
- ❏ Helps individuals and families experiencing homelessness address issues that may impede access to housing (such as credit history, arrears, and legal issues).
- ❏ Helps individuals and families negotiate manageable and appropriate lease agreements with landlords.
- ❏ Makes appropriate and time-limited services and supports available to families and individuals to allow them to stabilize quickly in permanent housing.
- ❏ Monitors participants' housing stability and provides staff availability to resolve crises, at a minimum during the timeframe when assistance is provided.
- ❏ Ensures that services provided are client-directed, respectful of individuals' right to self determination, and voluntary. Unless basic, program-related case management is required by statute or regulation, participation in services should not be required to receive rapid re-housing assistance.
- ❏ Utilizes an Individual Service Plan (ISP) to outline the steps, goals, activities, actions, anticipated outcomes and timelines of the case management supports. An ISP should:
  - Be client-driven. A Case Manager should not include any activities, directives or requirements that the client has not consented to in the ISP.
  - Be quickly expedited after program admission. An ISP should be operational within two weeks of admission and should be focused on Housing Stability; Relationships; Basic Needs; Supports and Safety. ISPs shall include outcomes that measure changes in skill, knowledge, behavior, stability, sustainability, quality of life, etc.
  - Be updated as the needs and/or goals of the clients change or become better defined and/or as outcomes are achieved.
  - Be updated at least every 45 days or more frequently as appropriate.
  - Be client approved. Clients must sign the ISP and be provided a copy of the final document.

## 12. Occupancy Standards

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All housing units, including scattered site programs and regardless of the type of services/housing provided, owned and managed by private landlords, must meet applicable state or local government health and safety codes and have current certificate of occupancy for the current use and meet or exceed the following minimum standards: *(For more details refer to ESG regulations 24 CFR 576.403 (b) Minimum Standards)*

- Buildings must be structurally sound to protect from the elements and not pose any threat to health and safety of the residents.
- Must be accessible in accordance with Section 504 of the Rehabilitation Act, the Fair Housing Act and the Americans with Disabilities Act where applicable.
- Must provide an acceptable place to sleep and adequate space and security for themselves and their belongings
- Each room must have a natural or mechanical means of ventilation.
- Must provide access to sanitary facilities that are in operating condition, private and clean.
- Water supply must be free of contamination.
- Heating/cooling equipment must be in working condition.
- Must have adequate natural or artificial illumination and adequate electrical resources to permit safe use of electrical appliances.
- Food preparation areas must have suitable space and equipment to store, prepare and serve food in safe and sanitary manner.
- Building must be maintained in a sanitary condition.
- Must be at least one smoke detector in each occupied unit of the program; and where possible near sleeping areas. The fire alarm system must be designed for hearing-impaired participants. There must be a second means of exiting the building in case of fire or other emergency.

## Diversion

Diversion is a strategy that prevents homelessness for people seeking housing by helping them identify immediate alternate housing arrangements and, if necessary, connecting them with services and financial assistance to help them return to permanent housing. It is intended to provide assistance in order to prevent an individual or family from moving into an emergency shelter or place not meant for human habitation.

### 13. Eligibility Criteria

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- ❑ Individuals and families who will be homeless if they do not receive diversion assistance to prevent them from sleeping at shelter or in an unsheltered location.

### 14. Prioritizing/Targeting Eligible Households

Staff at the CoC's Coordinated Entry System practice diversion in the course of their calls from the public each day. Coordinated Entry diversion policies may not conflict with any part of these Operational Standards.

### 15. Minimum Standards for Diversion

Coordinated Entry staff shall conduct an initial intake in order to determine imminent risk of person's needing to sleep at shelter or unsheltered location.

- ❑ Coordinated Entry staff must assist the subject household the day they present by providing referrals or offering resources.
- ❑ Coordinated Entry staff practicing diversion must be highly skilled in areas of mediation, negotiation, assessment, advocacy, and strength based case management.
- ❑ Length of assistance can vary from one-time "light touch" to more extensive support.

## Prevention

Prevention funds are designed to prevent an individual or family from moving into an emergency shelter or living in a public or private place not meant for human through housing relocation and stabilization services and short-and/or medium-term rental assistance

### 16. Eligibility Criteria

Households must be at-risk of homelessness and meet the eligibility requirements of the program under which the project is funded including any applicable income limits (ESG, etc).

### 17. Prioritizing/Targeting Eligible Households

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- ❑ Providers of Prevention Funds are able to set their own policies regarding prioritization and targeting of households so long as the policies are outlined in a written document(s) and do not conflict with any part of these Operational Standards.

### 18. Minimum Standards for Prevention

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- ❑ Providers must follow all requirements and financial limits established in the program under which the project is funded (ESG, etc).

## Street Outreach

Street Outreach (SO) is designed to increase access and connection to services for people who are living unsheltered on the streets including the provision of urgent, non-facility based care to people who are unsheltered who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility.

### 19. Eligibility/Targeting Criteria

Providers of Street Outreach services shall target unsheltered homeless individuals and families, meaning those 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. Known encampments shall be included in all targeted outreach efforts.

### 20. Minimum Standards for Outreach Programs

Providers will follow the City's Homeless Emergency Assistance Response Team (HEART) protocols when out in the field and work cooperatively with others according to the HEART protocols.

- ❑ Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered the following Street Outreach services, as needed and appropriate:
  - Engagement (proactive activities to find and engage persons experiencing homelessness)
  - Provision of basic survival items (blankets, gloves, socks, personal care items, etc)
  - Case Management including assistance with navigating service delivery system and assistance with obtaining housing
  - Provision or connection to appropriate emergency and mental health services
  - Transportation of unsheltered people to emergency shelters or other service facilities
- ❑ When appropriate based on the individual's needs and wishes, outreach workers will refer individuals to emergency shelter. However, the provision of or referral to rapid rehousing or other permanent housing solution should be prioritized over emergency shelter or transitional housing
- ❑ If a household with a child under the age of 18 is found during outreach activities, outreach workers are required to contact the MA Department of Child & Family Services. Outreach workers should take the necessary steps to assure safety as outlined in the HEART protocols.

## Emergency Shelter

Emergency shelter (ES) provides safe, basic lodging where individuals and families can stay temporarily while they resolve their housing crisis.

### 21. Eligibility Criteria

Providers of emergency shelter will receive referrals from the state (in the case of families) or the CES (in the case of individuals) in order to admit individuals and families who meet the HUD definition of homeless (see Appendix A).

### 22. Prioritizing/Targeting Eligible Households for Emergency Shelter

When appropriate based on the individual's needs and wishes, the provision of, or referral to, Homeless diversion, Prevention or Rapid Re-Housing services, or other available housing programs offered through the

Continuum of Care’s CES that can quickly assist individuals to maintain or obtain safe, permanent housing shall be prioritized over the provision of Emergency Shelter services.

### 23. Assessment

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Emergency shelter providers will secure all needed and relevant documentation in order to assess and qualify program participants, including those meeting special population criteria, and will offer emergency shelter services, as needed, available, and appropriate. Once admitted, providers must also reassess emergency shelter participants, on an ongoing basis, to determine the earliest possible time that they can be discharged to permanent housing.

### 24. Length of Stay/Discharge

Shelter stays should be avoided, if possible, and when not possible, limited to the shortest time necessary to help participants regain permanent housing. The length of stay is generally expected to be 30 days or less.

- ❑ Providers should make every effort to ensure program participants are discharged from emergency shelter *only* when they choose to leave or when they have successfully obtained safe, permanent housing.
- ❑ Individual service provider’s policies will determine any length of stay limitations, which will be clearly communicated to program participants at program entry.
- ❑ Termination should only occur in the most severe of cases. Keep in mind, termination from emergency shelter means that a person may sleep unsheltered.

### 25. Safety and Shelter Needs of Special Populations

Safety and shelter safeguards shall be determined by the individual service provider’s policies and clearly communicated to program participants.

## Transitional Housing

Transitional Housing (TH) is designed to provide homeless individuals and families with interim stability and support to successfully move to and maintain permanent housing.

### 26. Eligibility Criteria

Households must meet the HUD definition of homeless

- ❑ Must follow any additional eligibility criteria set forth in the NOFA through which a project was funded and the grant agreement (e.g. households fleeing domestic violence)
- ❑ Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

### 27. Prioritizing Eligible Households for Transitional Housing Programs<sup>16</sup>

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Eligible participants are referred to the TH program for which they are eligible and prioritized based the following prioritization:

1. Households with the most severe service needs not eligible for PSH
2. Households with the longest histories of homelessness

- ❑ In instances where two or more households have equal priority, applicants will be further prioritized as follows:
  - Veterans Not Eligible for Housing/Health VA Services
  - Survivors of Domestic Violence
  - Unaccompanied Youth (18 – 24 years of age)
- ❑ The most severe service needs will be determined by the household’s VI-SPDAT score
- ❑ Recipients must inform any Chronically Homeless households being referred to non-GPD TH that by entering the transitional housing project they will not be eligible for permanent supportive housing projects dedicated to serving chronically homeless.

## 28. Minimum Standards for Transitional Housing Programs

All referrals to transitional housing and assessment for type and level of services must come through the coordinated entry system. The following minimum standards apply to all TH programs:

- ❑ Maximum length of stay cannot exceed 24 months.
- ❑ Assistance in transitioning to permanent housing must be made available/provided.
- ❑ Support services must be provided throughout the duration of stay in transitional housing.
- ❑ Program participants in transitional housing must enter into an occupancy agreement, program agreement, lease or housing contract for a term of at least one month. The agreement must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months.

## Permanent Supportive Housing

Permanent Supportive Housing (PSH) for persons with disabilities is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability.

## 29. Eligibility Criteria

Households must meet the HUD definition of homelessness

- ❑ One adult or child member of the household must have a disability
- ❑ Must follow any additional eligibility criteria set forth in the NOFA through which a project was funded (i.e. Projects funded under the Permanent Supportive Housing Bonus must continue to serve the homeless population outlined in the NOFA under which the project was originally awarded) and the current grant agreement.
- ❑ Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

## 30. Prioritizing Eligible Households

The CoC has adopted the orders of priority for PSH as established in Notice CPD-16-11: Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing.<sup>5</sup> As such, all PSH eligible households will be prioritized as follows:

<sup>5</sup> <https://www.hudexchange.info/resources/documents/notice-cpd-16-11-prioritizing-persons-experiencing-chronic-homelessness-and-other-vulnerable-homeless-persons-in-psh.pdf>

### **Dedicated/Prioritized CoC PSH**

- ❑ Chronically Homeless Individuals and Families<sup>6</sup> with the Longest History of Homelessness and with the Most Severe Service Needs.
- ❑ In instances where two or more households have equal priority, applicants will be further prioritized as follows:
  - Veterans Not Eligible for Housing/Health VA Services
  - Survivors of Domestic Violence
  - Unaccompanied Youth (18-24 years of age)
- ❑ The most severe service needs will be determined by the household's VI-SPDAT score
- ❑ If there are no persons within the CoC's geographic area that meet the definition of chronically homeless, recipients of dedicated and prioritized CoC Program-funded PSH may serve households that are not experiencing chronic homelessness and in the order of priority described below for non-dedicated and not-prioritized PSH beds. Should the bed turnover and become vacant again, the recipient must start by first seeking households that meet the Order of Priority for dedicated and prioritized CoC Program-funded PSH.

### **Non-Dedicated/Prioritized CoC PSH**

- ❑ Homeless Individuals and Families with a Disability with Long Periods of Episodic Homelessness and Severe Service Needs<sup>7</sup>
- ❑ Homeless Individuals and Families with a Disability with Severe Service Needs<sup>8</sup>.
- ❑ Homeless Individuals and Families with a Disability Coming from Places Not Meant for Human Habitation, Safe Haven, or Emergency Shelter Without Severe Service Needs.<sup>9</sup>
- ❑ Homeless Individuals and Families with a Disability Coming from Transitional Housing. An individual or family that is eligible for CoC Program-funded PSH who is currently residing in a transitional housing project, where prior to residing in the transitional housing had lived in a place not meant for human habitation, in an emergency shelter, or safe haven<sup>10</sup>.
- ❑ In instances where two or more households have equal priority, applicants will be further prioritized as follows:
  - Veterans Not Eligible for Housing/Health VA Services
  - Survivors of Domestic Violence
  - Youth (18 – 24 years of age)

<sup>6</sup> <https://www.hudexchange.info/resource/4847/hearth-defining-chronically-homeless-final-rule/>

<sup>7</sup> An individual or family that is eligible for CoC Program-funded PSH who has experienced fewer than four occasions where they have been living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter but where the cumulative time homeless is at least 12 months and has been identified as having severe service needs.

<sup>8</sup> An individual or family that is eligible for CoC Program-funded PSH who is residing in a place not meant for human habitation, a safe haven, or in an emergency shelter and has been identified as having severe service needs. The length of time in which households have been homeless should also be considered when prioritizing households that meet this order of priority, but there is not a minimum length of time required.

<sup>9</sup> An individual or family that is eligible for CoC Program-funded PSH who is residing in a place not meant for human habitation, a safe haven, or an emergency shelter where the individual or family has not been identified as having severe service needs. The length of time in which households have been homeless should be considered when prioritizing households that meet this order of priority, but there is not a minimum length of time required.

<sup>10</sup> This priority also includes individuals and families residing in transitional housing who were fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking and prior to residing in that transitional housing project even if they did not live in a place not meant for human habitation, an emergency shelter, or a safe haven prior to entry in the transitional housing.



- ❑ The most severe service needs will be determined by the household's VI-SPDAT score.<sup>11</sup>

### 31. Minimum Standards of Assistance

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- ❑ There can be no predetermined length of stay for a PSH project
- ❑ Supportive services designed to meet the needs of the project participants must be made available to the project participants throughout the duration of stay in PSH
- ❑ The program participant must be the tenant on the lease (or sublease) for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminated only for cause
- ❑ Recipients and subrecipients that are providing permanent supportive housing for hard-to-house populations of homeless persons must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant's assistance is terminated only in the most severe cases.

## Rapid Re-Housing Programs

Rapid Re-Housing (RRH) is available to help those experiencing homelessness to be quickly and permanently housed. Rapid Re-Housing Projects provide housing relocation and stabilization services and short or medium term rental assistance as needed to help a homeless individual or family move as quickly as possible to permanent housing and achieve stability in that housing.

### 32. Eligibility Criteria for RRH

#### CoC Program RRH

- Households must meet the HUD definition of homelessness
- Must follow any additional eligibility criteria set forth in the NOFA through which a project was funded and the grant agreement
- Programs may not establish additional eligibility requirements beyond those specified here and those required by funders.

#### ❑ ESG Program RRH

- Households must meet Category 1 or Category 4 the HUD definition of homelessness.
- There is no income requirement for initial eligibility
- For participants receiving assistance during the preceding 12 months, the household annual income must be less than or equal to 30% area median income (AMI) at the time of the annual re-evaluation

### 33. Prioritizing Eligible Households for Re-Housing Programs (RRH)

#### CoC and ESG Program RRH

- ❑ Eligible participants are referred to the rapid re-housing program for which they are eligible and prioritized based the following prioritization:
  1. Chronically Homeless individuals and families with the Longest History of Homelessness and with the Most Severe Service Needs<sup>12</sup>
  2. Non-Chronically Homeless individuals and families with the Longest History of Homelessness and with the Most Severe Service Needs.

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<sup>11</sup> HUD funded Veterans Affairs Supportive Housing (HUD-VASH) may use its program specific assessment tool to determine priority.

<sup>12</sup> Chronically Homeless Households maintain their chronic status in RRH and therefore this assistance can be used as bridge housing once PSH is available if determined a more appropriate intervention.

- ❑ In instances where two or more households have equal priority, applicants will be further prioritized as follows:
  - Veterans Not Eligible for Housing/Health VA Services
  - Survivors of Domestic Violence
  - Unaccompanied Youth (18 – 24 years of age)
- ❑ The most severe service needs will be determined by the household's VI-SPDAT score

**Note:** The prioritization process must take into account client choice. Prior to Rapid Re-housing being used as a bridge to PSH the Coordinated Entry System Lead and associated case workers must develop a plan to ensure that the projects are resourced to successfully bridge the household into PSH.

### 34. Rent Limits for Rapid Re-Housing Programs

#### CoC and ESG RRH

- ❑ Subrecipients may set their own parameters for the total amount of assistance provided including:
  - May set a maximum amount program participant may receive (e.g. \$8,000/year)
  - May set a maximum number of months that a program participant may receive rental assistance (e.g. no more than 6 months of rental assistance)
  - May set a maximum number of times that a program participant may receive rental assistance (e.g. no more than 12 times within 2 years)
- ❑ Subrecipients may require a program participant to pay rent.

### 35. Minimum Standards for Rapid Re-Housing Programs

#### CoC and ESG RRH

The following minimum standards will be applied to all CoC & ESG rapid re-housing programs:

- ❑ Maximum participation in a rapid re-housing program cannot exceed 24 months.
- ❑ Support services must be provided throughout the duration of stay in housing.
- ❑ Providers develop and maintain strong linkages with community supports/networks.
- ❑ The program participant must be the tenant on the lease (or sublease) for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminated only for cause.
- ❑ Require Program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability.
- ❑ Must re-evaluate at least annually that the program participant lacks sufficient resources and support networks necessary to retain housing without assistance. *In addition, an ESG-RRH re-evaluation must demonstrate that the household's annual income must be less than or equal to 30 percent of Area Median Income (AMI).*

## Program Transfers

In specific situations, participants in one type of project may transfer to another project as noted below. The CES policies and procedures further clarify how households are prioritized in transfer situations.

### 36. PSH to PSH

CoC-funded PSH projects may serve individuals and families from other CoC-funded PSH projects as long as program participants originally met the eligibility requirements for the PSH project to which they are transferring at the time they entered their initial PSH project

- ❏ **Example 1** : A program participant who originally met the definition of chronically homeless prior to entering the initial PSH program may be served by a PSH project that is dedicated to serving individuals and families experiencing chronic homelessness.
- ❏ **Example 2**: A program participant who did not meet the definition of chronically homeless may be served by a PSH project that is not dedicated to serving individuals and families experiencing chronic homelessness.

### 37. RRH to PSH

Program participants that are receiving RRH assistance through ESG, CoC, or select other funding sources maintain their homeless status and chronically homeless status for the purpose of eligibility for other permanent housing programs, such as HUD-VASH and CoC-funded permanent supportive housing (so long as they meet any other additional eligibility criteria for these programs).

- ❏ **Example 1**: A chronically homeless program participant enrolls in an SSVF RRH project. During the period of time the participant is receiving assistance, it is determined that the participant would be better served in PSH. The participant may transfer to a dedicated PSH project because they have maintained their chronically homeless status while in RRH.
- ❏ **Example 2**: A CoC RRH participant who entered the program as homeless and is a person with disabilities may transfer to a non-dedicated PSH project since they maintain their homeless status and met the eligibility requirements of non-dedicated PSH when they entered CoCRRH.

### 38. TH to TH

Program participants who are residing in TH are considered homeless and are, therefore, eligible for a few other forms of assistance funded through the CoC and ESG Program. If a provider is unable to find a permanent housing placement for program participants in TH who are coming up on time limits, that participant could be eligible for other TH projects.

### 39. TH to PSH

Some program participants residing in TH are eligible for PSH depending on the NOFA under which the PSH was funded. Some previous CoC Program NOFAs allowed TH participants to be served in PSH if the program participant has a qualifying disability and resided on the streets or ES prior to entering the TH OR those who were fleeing domestic violence.

### 40. Relationship Between VA's Homeless Programs and HUD's Program Types & Eligibility

The following chart is based on the CPD Memorandum: Guidance for Determining Eligibility for Permanent Supportive Housing for Persons Participating in Certain Department of Veterans Affairs Programs.

Relationship Between VA’s Homeless Programs and HUD’s Program Types & Eligibility, *Continued*

HUD Homeless Program Type	VA Homeless Programs	Maintains Homeless Status	Maintains Chronically Homeless Status	Count Homeless Status on PIT Count	HUD Homeless Program Type Participants are Eligible to Enter upon Exit of This Program
Emergency Shelter (ES)	-VA-funded Health Care for Homeless Veterans(HCHV) provider programs -VA-funded VA Mental Health Residential Rehabilitation Treatment Program–Domiciliary Care for Homeless Veterans (VADOM)provider programs	YES	YES	YES NO-VADOM	TH RRH SH PSH
Safe Haven (SH)	-VA-funded Health Care for Homeless Veterans (HCHV) -VA Community Contract Safe Haven Program (HCHV/SH)	YES	YES	YES	TH RRH PSH
Transitional Housing (TH)	-VA Grant and Per Diem(GPD) -VA Compensated Work Therapy – Transitional Residence (CWT/TR)	YES	NO-HUD TH YES-VA TH	YES-Homeless NO-Chronically Homeless	RRH SH PSH (if they came from the streets or shelter when they entered the TH Program)
Rapid Re-housing (RRH)	-VA-funded Supportive Services for Veteran Families(SSVF) provider programs -Veterans Homelessness Prevention Demonstration Program(VHPD)	YES	YES	NO	PSH
Permanent Supportive Housing (PSH)	HUD-funded Veterans Affairs Supportive Housing(HUD-VASH)	NO	NO	NO	N/A

## Prioritization (Order of Priorities)

### Determining and Prioritizing which eligible individuals and families will receive assistance

The New Bedford CoC and its member agencies providing services and permanent housing for those experiencing homelessness shall prioritize individuals and families as follows:

<b>PERMANENT HOUSING for those who are experiencing homelessness</b>	
Priority Level	Description
1	Individuals and families who are chronically homeless with the longest histories of homelessness, disabilities and most severe service needs. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.
2	Individuals and families who are chronically homeless with disabilities and service needs. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.
3	Individuals and families who are chronically homeless with disabilities. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.
4	Individuals and families who are homeless with the longest history of homelessness, disabilities and most severe service needs. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.
5	Individuals and families who are homeless with disabilities and service needs. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.
6	Individuals and families who are homeless with disabilities. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.

The New Bedford CoC and its member agencies providing services and rapid rehousing for those experiencing homelessness shall prioritize individuals and families as follows:

RAPID REHOUSING for those who are at risk of homelessness	
Priority Level	Description
1	Individuals and families with higher barriers to housing and higher service needs who are waiting to obtain another permanent housing subsidy.
2	Individuals and families with lower barriers to housing and less service needs who are expected to stabilize in permanent housing with no additional assistance.

For those who are at risk of becoming homeless, the following priorities shall be observed and diversion shall be used as the first method of intervention:

For those who are at risk of homelessness	
Priority Level	Description
1	Individuals and families who spend the night in an emergency shelter or on the streets without assistance. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.
2	Individuals and families who have the most severe service and housing needs. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.
3	Individuals and families who have service and housing needs. Of these, survivors of domestic violence/sexual assault/trafficking/stalking, veterans, families and unaccompanied youth shall have the highest priority within this category.

In addition to the foregoing priorities for both those who are experiencing homelessness and those who are at risk of homelessness, individuals (and their children as may be appropriate) who are victims of domestic violence, dating violence, sexual assault and/or stalking and in need of *immediate shelter and safety planning* shall be considered before all others in those programs equipped to address such needs and immediate safety issues (typically emergency and/or transitional programs for victims).

**These operational standards and prioritization descriptors are intended to align with, and fully include, the U.S. Department of Housing & Urban Development’s CPD-16-11 Notice dated July 25, 2016 regarding “...Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing.” The City of New Bedford’s CoC adopts this Notice and incorporates it as part of its written standards.**

In establishing these priorities and by updating these operational standards on August 16, 2018, the New Bedford CoC hereby formally acknowledges its commitment to the four major goals articulated in *Opening Doors: Federal Strategic Plan* as amended: ending chronic homelessness, ending veterans’ homelessness, ending family and youth homelessness and setting a path to preventing and ending all homelessness.

## Future Review, Updates and Amendments

These operational standards are not only intended to be specific and detailed, addressing unique eligibility requirements for the housing and service resources available, but they are also relevant in the Continuum's work today. To ensure the relevancy of these standards against HUD requirements, the CoC's homeless population and both local and national targeting priorities, the CoC will regularly review and update these operational standards.

**Changes to forms:** The Continuum of Care Program Standards Group will meet quarterly. Proposed changes to forms will be brought to this quarterly meeting. Changes will be considered and agreed to by working consensus. Any conflicts will be discussed and resolved in person. The relevant Emergency Solutions Grants or Continuum of Care regulations will rule first. On other issues working consensus will be the required process for resolving disputes. If no consensus can be found within a reasonable length of time, the majority will rule.

When reviewing these standards in the future, the CoC's consideration may include, but not be limited to:

- Provider feedback on the current operational standards
- Program participant feedback on the intake/coordinated entry process
- The effectiveness and appropriateness of housing and services for current program participants
- The CoC's success at meeting the performance standards in Section 427 of the McKinney-Vento Act
- Changes in the characteristics of the homeless population within the CoC
- Changes in the housing and service resources available

**APPENDIX**  
**HUD Definitions**



## Appendix: HUD Definitions

### Homeless<sup>13</sup>

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1. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (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 government 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; OR
2. An individual or family who will imminently lose their primary nighttime residence, provided that: (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing; OR
3. Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who: (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a); (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance; (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; OR
4. Any individual or family who: (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; (ii) Has no other residence; and (iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

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<sup>13</sup> [https://www.hudexchange.info/resources/documents/HEARTH\\_HomelessDefinition\\_FinalRule.pdf](https://www.hudexchange.info/resources/documents/HEARTH_HomelessDefinition_FinalRule.pdf)

### **Chronically Homeless<sup>14</sup>**

Chronically homeless means: (1) A “homeless individual with a disability,” as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), who: (i) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and (ii) Has been homeless and living as described in paragraph (1)(i) of this definition continuously for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (1)(i). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility; (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 of the criteria in paragraph (1) of this definition, before entering that facility; or (3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

### **Homeless Individual with a Disability<sup>15</sup>**

The term ‘homeless individual with a disability’ means an individual who is homeless, as defined in section 103, and has a disability that— (i)(I) is expected to be long-continuing or of indefinite duration; (II) substantially impedes the individual’s ability to live independently; (III) could be improved by the provision of more suitable housing conditions; and (IV) is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post traumatic stress disorder, or brain injury; (ii) is a developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002); or (iii) is the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.

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<sup>14</sup> <https://www.hudexchange.info/resources/documents/Defining-Chronically-Homeless-Final-Rule.pdf>

<sup>15</sup> [https://www.hudexchange.info/resources/documents/HEARTH\\_HomelessDefinition\\_FinalRule.pdf](https://www.hudexchange.info/resources/documents/HEARTH_HomelessDefinition_FinalRule.pdf)