

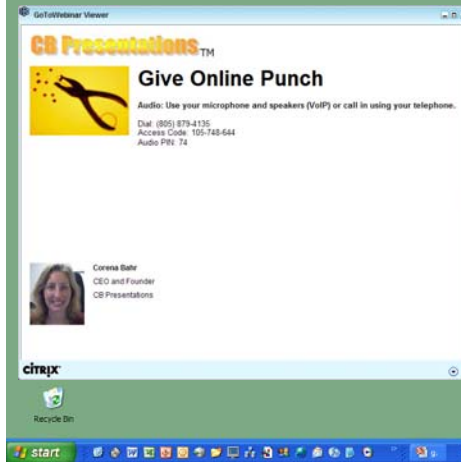


NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

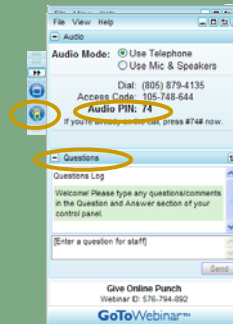
Subsidized Housing Basics, Part 4:
Housing Opportunities for Persons
with Aids (HOPWA) and McKinney-
Vento Homelessness Programs

GoToWebinar Interface

1. Viewer Window



2. Control Panel



Housekeeping

- Materials were emailed to registrants this morning and will be emailed again after the webinar, along with evaluations.
- Materials and recording will be posted at www.nhlp.org/OVWgrantees.
- CA attorneys seeking MCLE credits will be emailed MCLE certificates after the webinar.

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HOPWA – Goals for Today

- Overview of the HOPWA Program
 - Orientation to the program, distinguishing characteristics and eligibility, admissions, rents, and terminations/evictions
- HOPWA is a relatively small HUD housing program *with* services to assist individuals with AIDS/HIV and their families
- How to locate and identify this housing in your jurisdiction.
 - It is primarily available in selected MSA jurisdictions that have a certain number of cumulative AIDS cases
- Resources that provide more information about the program.

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Why Does This Matter?

- Advocates working with survivors of domestic and/or sexual violence may encounter the HOPWA program because:
 - A housing survivor may be eligible for the program because s/he has AIDS/HIV, has a partner who has AIDS/HIV and resides with that individual, or another member of the family, such as a child, has AIDS/HIV.
 - VAWA protections are available to survivors who are eligible and applying for this housing and/or reside in HOPWA-assisted housing.

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How Does HOPWA Work?

- Who Is Involved/Roles:
 - Congress authorizes the program, sets standards, and appropriates funds.
 - HUD oversees the program, issues rules and guidance, contracts with and monitors grantees that are primarily local and/or state Departments of Housing and Community Development (DHCD), and allocates the funds.
 - HOPWA funds may be use for TBRA, PBRA, Master Lease, Community Residences, Shared Housing and Short Term Rental and Mortgage and Utility (STRUM) payments
 - The Grantees or the Program Sponsors set many of the rules within HUD guidelines
 - Because HOPWA housing may take many forms, important details re: each form of housing may be beyond the scope of this overview

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What Rules Apply to HOPWA?

- Layers of legal authorities:
 - Federal statutes and HUD regulations published in Code of Federal Regulations (CFR)
 - Other administrative guidance, such as HOPWA Rental Assistance Guidebook and the Housing Choice Voucher Guidebook, see attached HOPWA Overview
 - Locally developed contracts with housing providers, tenant leases and client participation agreements
 - For a local or state DHCD to receive HOPWA funds the program must be addressed in the Consolidated Plan of the jurisdiction.

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How Can I Find HOPWA housing?

- Determine if HOPWA funds are available in your jurisdiction, go to <https://www.onecpd.info/grantees/>
- Ask the local or state DHCD
- Review the ConPlan and other reports of the DHCD

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HOPWA Eligibility & Admission: Basics

- Household is eligible if a member of household has AIDS/HIV and household income is less than 80% of area median income (AMI)
- Project sponsor or grantee may establish preferences and may screen; but because services are required, the screening may be less stringent than for other housing programs
- Most project sponsors have a waiting list
- Poll Question

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HOPWA: Rent

- Rent setting will depend upon the housing type (TBRA, PBRA, Master Lease, Shared and STRUM)
- TBRA rent is set in a similar manner as HCV rent. Must include reasonable allowance for utilities. Assistance cannot exceed "rent standard" and overall rent must be reasonable.
- Most tenants for all HOPWA housing types pay 30% of adjusted income, except for STRUM
- Adjusted income for all housing types, except STRUM: Generally the same definition as for HCV program.
- Income recertification for all housing types: Annually; interim for changes in tenant income, status or circumstances (?)

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Termination of HOPWA Assistance

- Participants may be terminated if the participant violates program requirements or conditions of occupancy. Grantees must ensure that supportive services are provided, so that a participant's assistance is terminated only in the most severe case.
- If the participant is terminated, he or she must be given “due process of law”, which at a minimum includes notice, a right to a hearing before a person other than the person or a subordinate who made or approved the termination decision and prompt notification of the final decision

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Eviction from HOPWA Housing

- HOPWA Guidebook provides guidance to protect tenants from arbitrary eviction
- Lease should allow landlord to evict only for
 - Serious or repeated violation of the lease
 - Violations of applicable Federal, state or local law
 - Other good cause
- Advocates should review tenant lease and client participation agreement, if there is one, to determine tenant protections
- Poll Question

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Public Process to Influence HOPWA Policies

- Most HOPWA program funding is subject to a grantees ConPlan process
- To complete the process, grantees must have a Citizen Participation Plan that details a strategy to “provide for and encourage” public involvement in the entire ConPlan process
- Advocates could use this process to improve or address problems in the implementation of HOPWA programs locally.

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McKinney-Vento Homelessness Programs – Goals for Today

- Basic overview of McKinney-Vento & the HEARTH Act
- Definitions
- Emergency Solutions Grant (ESG) Program
- Continuum of Care (COC) Program
- Coordinated Entry & Rapid Re-Housing
- Rights of Survivors
- Recommendations

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McKinney-Vento Act

- First significant federal legislative response to homelessness
- Signed into law in July 1987
- 15 programs providing services to people experiencing homelessness

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HEARTH Act

- Passed May 2009 – HFSTH included the Homeless Emergency Assistance and Rapid Transitioning Act (HEARTH Act)
- First significant reauthorization of McKinney-Vento

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HEARTH Act

- Purpose
 - ✓ Consolidate homeless assistance programs
 - ✓ Codify the continuum of care (CoC) planning process
 - ✓ Ensure that families that become homeless return to permanent housing within 30 days

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HEARTH Act

- Expands definitions
 - ✓ At-risk of homelessness
 - ✓ Chronically Homeless
- Providers who serve survivors of domestic violence, dating violence, sexual assault, or stalking must keep personally identifying information confidential

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Definitions

- The definition of “homeless” includes an individual or family that:
 - ✓ Lacks fixed, regular, and adequate nighttime residence;
 - ✓ Occupies a primary nighttime residence in public or private place not designed for regular sleeping accommodation for human beings
 - ✓ Lives in a supervised publicly or privately operated temporary shelter
 - ✓ Resides in a shelter or place not meant for human habitation who is existing in an institution where she temporarily resided
- Includes any individual or family that is fleeing, or attempting to flee domestic violence, sexual assault, stalking or other dangerous/life-threatening condition

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Definitions

- At-Risk of Homelessness
 - ✓ Individual or family with income below 30% AMI
 - ✓ Insufficient resources immediately available
 - ✓ Includes all families with children and youth defined as homeless under federal law
- Chronically Homeless
 - ✓ Individual or family who is homeless or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter
 - ✓ Has been homeless continuously for at least 1 year (or at least 4 times within the last 3 years)
 - ✓ Individual currently living in an institutional setting and has lived there for less than 90 days

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Emergency Solutions Grant

- Renamed the Emergency Shelter Grants program
- Requires coordination with CoC
- Requires participation in HMIS
- Distributed to states, cities, counties
- Focus on homelessness prevention for individuals at risk of homelessness
- Rapid re-housing for currently homeless

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ESG: The Basics

- Administration
 - ✓ For homeless and at-risk households
 - ✓ 60 % of grant must be used for prevention/rapid re-housing
 - ✓ 7.5% of grant can be used for administrative expenses
- Programs
 - ✓ Must participate in coordinated assessment
 - ✓ Participants must receive case management services
 - ✓ Street Outreach, Emergency Shelter, Homeless Prevention, Rapid Re-housing, HMIS
- The System
 - ✓ Must coordinate with CoC
 - ✓ Must participate in HMIS
 - ✓ Must target prevention to those below 30% of AMI

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CoC (Continuum of Care)

- Community-wide commitment to ending homelessness
- Rehouse people while minimizing trauma
- Access to mainstream services
- Optimize self-sufficiency
- Competitive Funding

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CoC: The Basics

- Program
 - ✓ Replaces old programs (Shelter Plus Care; Supportive Housing Program; SRO)
 - ✓ Single Continuum of Care
 - ✓ Flexibility for mixing and matching eligible activities
 - ✓ Re-housing services
 - ✓ Up to 10% for admin costs
- The System
 - ✓ Prioritization standards
 - ✓ CoC board
 - ✓ System-wide performance goals
 - ✓ Coordinated assessment process

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Coordinated Entry & Assessment

- Each system uses the same intake and assessment tool
- Response to the difficulty uncoordinated intake systems cause
- Coordinated intake and program admissions ensures more effective provision of services
- Different models
 - ✓ Centralized v. Decentralized
- Assessment
 - ✓ Prevention/Referrals
 - ✓ Rapid Re-Housing
 - ✓ Intensive Interventions

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Rapid Re-Housing Program

- Provide financial assistance to individuals and families
 - Short-term or med-term rental assistance
 - Housing relocation assistance
 - Stabilization services
- Preventative program
 - Keep individuals from becoming homeless
 - Help return to stable housing

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Survivor Considerations

- Location: safe, private, ER accommodations?
- Assessment: screening for DV, certification procedures
- Staff: training on the dynamics of DV, use strength-based approach
- Outcomes: are DV service providers working with housing assistance providers?

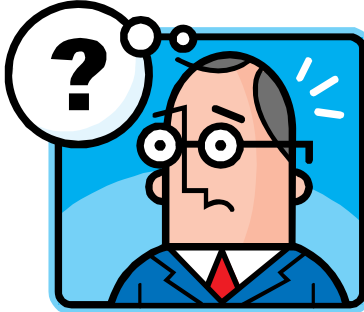
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Recommendations

- Long-term housing as part of DV advocacy
- Training around housing issues
- Get a seat at the table with local housing authority, landlords, etc.
- Form creative partnerships
- 10- year Plan to End Homelessness

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Q & A Session



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Contact Information

Lisa M. Coleman
Staff Attorney, Domestic Violence and Education Programs
National Law Center on Homelessness & Poverty
lcoleman@nlchp.org
202-638-2535 ext. 118
www.nlchp.org

Karlo Ng
Staff Attorney
National Housing Law Project
kng@nhlp.org
415-546-7000 ext. 3117
www.nhlp.org/OVWgrantees

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