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.

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.
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.

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
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.

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
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

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 (?)
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.

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
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.

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
McKinney-Vento Act

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

HEARTH Act

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

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
Definitions

• The definition of “homeless” includes an individual or family that:
  - Lacks fixed, regular, and adequate nighttime residence;
  - Occupies a primary nighttime residence is 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 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

 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
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

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
CoC (Continuum of Care)

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

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
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

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
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?

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
Q & A Session

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