




Determining & Documenting Homeless & Disability Status

June 05, 2012








Context of Presentation

- Based on webinars delivered as part of the Ready, Set, Go! SNAPS e-learning Tuesdays
 - *Determining Homeless and At-Risk Status, Income, and Disability*
 - *Homeless Status: Recordkeeping Requirements*
- Recording available on [Homelessness Resource Exchange](#)

2








Asking Questions

- Questions are welcome!
 - This is an interactive session
- After the training, can also submit questions to HUD's [Virtual Help Desk](#)
 - Program/System: CoC Policy
 - Topic: Homeless Definition
 - Sub-topic: Homeless Definition



3




 **Contents of Training**

- Homeless Definition: Categories 1-4
- Homeless Recordkeeping
 - Policies & Procedures
 - Preferred Order for Documentation
 - Standards for Documentation
 - Examples of Acceptable Documentation
- Disability Definition
- Disability Recordkeeping

4



 


 **Objectives**

Participants will be able to:

- Understand and apply the criteria established under each homeless definition category
- Understand and apply the criteria under the disability definition
- Understand HUD's requirement to develop local policies and procedures for recordkeeping
- Incorporate and use HUD's hierarchy for documentation in these local policies and procedures

5



 


 **Objectives cont'd**

Participants will be able to:

- Adopt and use documentation standards to ensure compliant records
- Identify acceptable documentation for each homeless definition category
- Understand how to train intake staff on HUD's homeless definition and appropriate recordkeeping



6





Determining & Documenting Homeless & Disability Status


7







1 Definition of Homeless






1 Applicability of Requirements

- Projects funded under the Emergency Solutions Grants program
- New and Renewal projects funded in FY 2011 CoC Competition for:
 - Supportive Housing Program (SHP)
 - Shelter Plus Care (S+C) program
- All future CoC Program new/renewal projects





 **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

Slides refer to these as Homeless-Category 1, Homeless-Category 2, Homeless-Category 3 and Homeless-Category 4.

10

 Definition of Homeless 



 **Homeless Category 1 Criteria**


An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

1.1 Sleeping in a place not designed for or ordinarily used as a regular sleeping accommodation, including

- A car
- A park
- An abandoned building
- A bus or train station
- An airport
- A camping ground

11

 Definition of Homeless 



 **Homeless Category 1 Criteria (cont.)**


An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning (cont):

1.2 Living in a shelter designated to provide temporary living arrangements, including

- Congregate shelters
- Transitional housing
- Hotels and motels paid for by charitable organizations or federal/state/local government programs

12

 Definition of Homeless 



 **Homeless Category 1 Criteria**


An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning (cont.):

1.3 Exiting an institution (e.g., jail, hospital)

- 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.

13



 Definition of Homeless 


 **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

14



 Definition of Homeless 


 **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...



15


 Definition of Homeless 

 **Homeless Category 3 Criteria (cont.)**

- 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

16



 Definition of Homeless 


 **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.

17



 Definition of Homeless 


 **Quiz**

1. Mark will be discharged from jail after 4 months. He has no housing options/resources. He meets the criteria for Category 1.

True	False
------	-------

18



 Definition of Homeless 


 **Quiz**

2. Jamie is fleeing dating violence and has no resources/support networks identified. Jamie is homeless under which category?



A. Category 1
B. Category 2
C. Category 3
D. Category 4


19

 Definition of Homeless 





2 Homeless Recordkeeping Requirements
Policies and Procedures


 

 **2 Overview of Requirements**

- Require recipients to develop and use local policies & procedures for recordkeeping
- Specify preferred order for documentation
- Specify that documents must be sufficient to demonstrate compliance
- Provide examples of acceptable documentation by Homeless Category

21



 


 **Policies & Procedures**

Written policies and procedures must:

- Require intake staff to document:
 - At intake/screening for eligibility
 - For ALL persons seeking assistance
 - Evidence relied upon to establish and verify Homeless status
- Be consistent with recordkeeping requirements & reflect HUD's preferred order

22



 Homeless Recordkeeping Requirements 


 **Preferred Order for Documentation**

HUD's preferred order:

1. Third Party
 - Written, including already available documents
 - Oral
2. Intake Staff Observations
3. Self-Certification

23



 Homeless Recordkeeping Requirements 


 **Exceptions to Preferred Order**

Listed in Homeless Final Rule:

- Type of assistance provided
 - emergency shelter
 - street outreach
 - victim services
- To protect the safety of individuals/families fleeing or attempting to flee DV



24


 Homeless Recordkeeping Requirements 

 **Tips for Policies & Procedures**

- Adopt checklists that reflect preferred order
- Incorporate guidance & examples on exceptions to preferred order
- Have staff check for existing documentation first
 - E.g., HMIS records or discharge paperwork
- Create forms for tracking & documenting due diligence

25



 Homeless Recordkeeping Requirements 


 **Quiz**

3. True/False: Emergency shelters must obtain 3rd party documentation of homelessness before accommodating persons seeking shelter.

True	False
------	-------



26


 Homeless Recordkeeping Requirements 

 **Standards for Documentation**

- Adopt standards in policies and procedures
 - Strategy for addressing requirement that records must be sufficient
- General examples include
 - Clearly identifies entity/party providing verification
 - Pertinent to and identifies individual/family
 - Pertinent to the condition/criteria
- Specific examples for each type of documentation to follow

27



 Homeless Recordkeeping Requirements 


 **Standards for Third Party –Written**

Written Letters/Referrals

- Official communication on letterhead or template
- Signed and dated (as appropriate)
- Additional standards depend on the specific criteria/condition of the Homeless Definition Category being used

28

 Homeless Recordkeeping Requirements 



 **Standards for Third Party –Oral**


Recorded Oral Statements

- By intake staff
- Of 3rd party providing verification
- Signed and dated by intake staff as true and complete

** Recommend standardized form for program
– Create clearly labeled sections for including relevant details and certifications

29

 Homeless Recordkeeping Requirements 



 **Standards for Intake Staff Observations**

Recorded Intake Staff Observations

- Intake staff notes on their observations and assessments
- Signed and dated by intake staff as true and complete

** Recommend standardized form for program
– Create clearly labeled sections for including relevant details and certifications

30

 Homeless Recordkeeping Requirements 


 **Standards for Self-Certification**

Individual/Head of Household Statement

- Written statements certified (signed and dated) as true and complete
 - Regulations specify when oral statements can be used
- If self-certification must be verified:
 - Confirmation that certification was verified OR
 - Documented due diligence
 - Signed and dated

** Recommend standardized form for program 31



 Homeless Recordkeeping Requirements 


 **Standards for Due Diligence**

Recorded Intake Staff Efforts (Due Diligence)

- Describe efforts to obtain third party documentation
 - May include phone logs, email correspondence, copies of certified letters etc.
- Details of outcome, including obstacles
- Signed and dated by intake staff as true and complete

** Recommend standardized form for program 32



 Homeless Recordkeeping Requirements 


 **Quiz**

4. True/False: Third Party Oral Statements recorded by Intake Staff must be certified as true and complete by Intake Staff.

True	False
------	-------



33


 Homeless Recordkeeping Requirements 



3 Homeless Recordkeeping Requirements

Examples of Acceptable Documentation







3 Examples of Acceptable Documentation


- By Homeless Definition Categories:
 - **Category 1:** Literally Homeless
 - **Category 2:** Imminent Risk of Homelessness
 - **Category 3:** Homeless Under Other Federal Statute
 - **Category 4:** Fleeing/Attempting to Flee DV

35



Homeless Recordkeeping Requirements






Category 1: Literally Homeless


If Unsheltered Homeless


- HUD's preferred order applies
 - Exception for providing emergency shelter, street outreach services, domestic violence
- Third Party –Written examples:
 - HMIS street outreach service record
 - Homeless Certification/Written Referral from local law enforcement or emergency medical service agencies

36





Homeless Recordkeeping Requirements




 **HMIS Records**

- Standards for system:
 - Retains auditable history of all entries
 - Prevents overrides or changes to dates entries are made
- Standard for verifying homeless status:
 - Dates of stay/services should be concurrent with application for assistance.

37



 Homeless Recordkeeping Requirements 


 **Certifications of Homelessness**

- Standards for Homeless Certifications:
 - Confirm homeless status
 - Document any applicable criteria
- General standards for written letters/referrals:
 - Official communication
 - Signed and dated by appropriate third party representative

** Recommend standardized form for program

38



 Homeless Recordkeeping Requirements 


 **Category 1: Literally Homeless**

If In Shelter

- HUD's preferred order applies
- Third Party –Written examples
 - HMIS shelter stay record
 - Homeless Certification/Written Referral from shelter

39



 Homeless Recordkeeping Requirements 


 **Category 1: Literally Homeless**

If Exiting An Institution
Condition: Unsheltered OR in emergency shelter prior to entry

- HUD's preferred order applies
- Third Party –Written records available may include
 - HMIS shelter stay/street outreach service record
 - Homeless Certification/Written Referral

40



 Homeless Recordkeeping Requirements 


 **Category 1: Literally Homeless**

If Exiting An Institution (cont'd)
Condition: Length of stay is 90 days or less

- Appropriate documentation in preferred order:
 - Third Party –Written
 - Discharge paperwork
 - Written Referral
 - Third Party –Oral
 - Self-Certification & Due Diligence
- Documentation standard: must specify entry/exit dates or duration of stay

41



 Homeless Recordkeeping Requirements 


 **Quiz**

5. True/False: An HMIS record of shelter stay has the same weight as written, signed, and dated verification on shelter letterhead.

True	False
------	-------

42



 Homeless Recordkeeping Requirements 


 **Category 2:
Imminent Risk of Homelessness**

3 Conditions:

- 1) Housing Loss within 14 days
 - Documentation requirements vary by condition and type of housing
- 2) No subsequent residence
- 3) Lack of resources and support networks to obtain other housing

43

 Homeless Recordkeeping Requirements 



 **Category 2:
Imminent Risk of Homelessness**


Housing loss within 14 days

If tenants/homeowners

- Appropriate documentation in preferred order:
 - Third Party –Written:
 - Court order to leave OR
 - Other equivalent notice under State law

44

 Homeless Recordkeeping Requirements 

 **Category 2:
Imminent Risk of Homelessness**

Housing loss within 14 days (cont'd)



If in hotel/motel: lack of financial resources


- Self-Certification, supported by other documentation when practical

If in other housing situation (i.e., doubled-up)

- Self-certification, supported by
 - Third Party Verification OR
 - Due Diligence

45

 Homeless Recordkeeping Requirements 

 **Category 2:
Imminent Risk of Homelessness**



No subsequent residence


- Self-Certification, supported by other documentation when practical

Lack of resources & support networks to obtain other housing

- Self-Certification, supported by other documentation when practical



** Recommend standardized assessment form


 Homeless Recordkeeping Requirements  46

 **Category 3:
Homeless Under Other Federal Statute**

Defined as Homeless under applicable Federal Statues



- Third Party –Written only
- Must be from agency administering Federal program
- May be in the form of
 - Homeless certification OR
 - Letter from provider


 Homeless Recordkeeping Requirements  47

 **Category 3:
Homeless Under Other Federal Statute**

No lease, ownership interest, occupancy agreement in permanent housing during preceding 60 days

- Third Party –Written
 - HMIS service/stay record
 - Homeless Certification/Written Referral from housing provider
 - Written statement from a tenant/homeowner
- Third Party –Oral
- Self-Certification



 Homeless Recordkeeping Requirements  48


 **Category 3:
Homeless Under Other Federal Statute**

**Persistent Instability
(2 or more moves during preceding 60 days)**

- Self-Certification, supported by
 - Third Party –Written
 - Third Party –Oral OR
 - Due Diligence to obtain third-party verification
 - *Third party verification not required for move prompted by flight from DV*

49

 Homeless Recordkeeping Requirements 



 **Category 3:
Homeless Under Other Federal Statute**


Expected to retain status for extended period due to special needs or 2 or more employment barriers

If special needs:

- Third Party --Written
 - Written diagnosis from professional licensed by state to diagnose and treat condition OR
 - Intake observation confirmed by written diagnosis from licensed professional within 45 days.

50

 Homeless Recordkeeping Requirements 



 **Category 3:
Homeless Under Other Federal Statute**


Expected to retain status for extended period due to special needs or 2 or more employment barriers

If 2 or more employment barriers:

- Third Party –Written
 - Employment records;
 - Department of corrections records;
 - Literacy, English proficiency tests; or
 - Other reasonable documentation
- Third Party –Oral

51



 Homeless Recordkeeping Requirements 


 **Quiz**

6. What type of documentation is used to confirm that an unaccompanied youth is Homeless under applicable Federal Statutes?

A. Third Party -Written
B. Third Party -Oral
C. Intake Observation
D. Self-Certification
E. All of the above

52

 Homeless Recordkeeping Requirements 



 **Category 4:
Fleeing/Attempting to Flee DV**


3 Conditions:

- 1) Flight/Attempt to Flee DV
- 2) No subsequent residence
- 3) Lack of resource to obtain other housing

- Self-Certification requirements vary by type of provider determining Homeless status

53



 Homeless Recordkeeping Requirements 


 **Category 4:
Fleeing/Attempting to Flee DV**

If Victim Service Provider:

- Self-certification of all three conditions
 - Signed and dated by individual/head of household OR
 - Oral statement recorded by intake staff, signed and dated as true and complete by intake staff

54



 Homeless Recordkeeping Requirements 


 **Category 4:
Fleeing/Attempting to Flee DV**

If Non-Victim Service Provider:

- Self-certification of fleeing/attempt to flee DV by individual/head of household AND, **if no threat to safety**, supported by
 - Third Party written referral source from whom assistance was sought for DV, OR
 - Intake worker observation
 - Need only contain minimum amount of information necessary
 - Confirm household is fleeing/attempting to flee DV

55

 Homeless Recordkeeping Requirements 



 **Category 4:
Fleeing/Attempting to Flee DV**


If Non-Victim Service Provider:

- Self-certification of no subsequent residence, resources or support networks

** Recommend standardized form

56



 Homeless Recordkeeping Requirements 

 **Quiz**

7. True/False: Only victim services providers can issue written certification of flight from or attempt to flee domestic violence.

True	False
------	-------


57

 Homeless Recordkeeping Requirements 



4 Definition of Disability








4 Overview of Disability Definition

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

59








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

60

Definition of Disability






 **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 indefinitely

AND

61



 


 **Developmental Disability continued**

- 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



62


 

 **Developmental Disability continued**

- 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



63


 

 **Developmental Disability continued**

- 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.



64


 



 **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).

65



 **5** **Disability Recordkeeping Requirements**


 

 **5 Documenting Disability Status**

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



67




 **Documenting Disability Status, continued**



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


68



 **Answers to Quiz Questions**

69





 **Answers and Explanations for Quiz**


- **Quiz 1:** (True/False) Mark will be discharged from jail after 4 months. He has no housing options/resources. He meets the criteria for Category 1.

FALSE. Mark does not meet the definition for literally homeless because to be literally homeless one cannot have spent more than 90 days in an institution. Mark's stay of 4 months (about 120 days) exceeds the 90 day limit.
- **Quiz 2:** Jamie is fleeing dating violence and has no resources/support networks identified. Jamie is homeless under which category?

(D) CATEGORY 4. Category 4 of the definition of homeless includes individuals and families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, and stalking who have no other housing or resources or support networks identified.

70



 **Answers and Explanations for Quiz**


- **Quiz 3:** (True/False) Emergency shelters must obtain 3rd party documentation of homelessness before accommodating persons seeking shelter.

FALSE. Although 3rd party written documentation is preferred, HUD recognizes that there are circumstances where it cannot be obtained. The interim rule specifically states that the lack of third party documentation should not prevent a person from being admitted to emergency shelter or receiving street outreach services.
- **Quiz 4:** (True/False) Third Party Oral Statements recorded by Intake Staff must be certified as true and complete by Intake Staff.

TRUE. The intake staff recording the oral statement must certify the recording is a true and complete reflection of the oral statement provided by the third party.

71



 **Answers and Explanations for Quiz**


- **Quiz 5:** (True/False): An HMIS record of shelter stay has the same weight as written, signed, and dated verification on shelter letterhead.

TRUE. HMIS records are a form of already available documentation and have the same weight as a written verification of stay.
- **Quiz 6:** What type of documentation is used to confirm that an unaccompanied youth is Homeless under applicable Federal Statutes?

(A) THIRD PARTY –WRITTEN. The only form of documentation that can be used to confirm Homeless Status under another Federal Statute is written verification provided by the agency administering the Federal program.

72

 **Answers and Explanations for Quiz**

- **Quiz 7: (True/False)** Only victim services providers can issue written certification of flight or attempt to flee domestic violence.

FALSE. DV certification can be issued by an organization from whom the individual or Head of Household has sought assistance related to domestic violence, dating violence, sexual assault or stalking. This may include housing service providers, social workers, law enforcement, legal assistance, health care provider or pastoral counselor.

73

