



Written Standards for the New York Coalition on the Continuum of Care's (NYC CCoC) Provision of Rapid Re-housing Assistance

September 2014

In accordance with HUD regulations 24 CFR Part 578 governing rapid re-housing under the Continuum of Care Program, the New York City Coalition on the Continuum of Care (NYC CCoC) has developed the following written standards for the provision of rapid re-housing (RRH) assistance. These standards will apply to all projects that receive NYC CCoC rapid re-housing assistance.

The goal of these standards is to synthesize the key elements of the HUD regulations governing rapid re-housing with the processes and priorities of the NYC CCoC. All RRH must comply with the regulations in full. They can be found at: <https://www.onecpd.info/resources/documents/CoCProgramInterimRule.pdf>. NYC CCoC RRH programs receiving funding through a competitive process may also be subject to additional criteria as set forth by that process.

NYC CCoC rapid re-housing funds are designed to provide the services necessary to help homeless persons quickly regain stability in permanent housing after experiencing homelessness. In line with the HUD's national homelessness policy as outlined in *Opening Doors: Federal Strategic Plan to Prevent and End Homelessness*, federal programs aimed at ending homelessness have shifted towards providing stable, permanent housing opportunities for the homeless and at-risk homeless and less towards transitional housing.

The contents of these standards are as follows:

- Eligible Applicants
- Eligible Program Participants
- Standards for Amount of Rental Assistance
- Standards for Duration of Assistance
- Standards for Type of Assistance
- Policies & Procedures for Assessing & Prioritizing Participants
- Coordinating Intake & Assessment
- Case Management Services
- Inspections
- Rental Subsidy Administration
- Data Collection and Evaluation
- Security & Confidentiality Policies
- Terminations, Complaints, Appeals & Grievance Procedures
- Standards for Re-evaluation

Eligible Applicants

Only not for profit organizations are eligible to apply. In addition to being a not for profit, applicants must meet all of the HUD applicant eligibility criteria defined under the NOFA under which they are applying. Eligible applicants must also meet the following criteria:

1. If currently a recipient of HUD NYC CCoC funds, the applicants must be in good standing with HUD and the NYC CCoC. This is defined as not having any significant unresolved monitoring findings.
2. Have experience in providing housing and/or services to people who are currently or formerly homeless.
3. Participate in or commit to participate in the NYC CCoC Homeless Management Information System (HMIS).¹

Eligible Program Participants

NYC CCoC rapid re-housing program participants must meet the following minimum standards:

1. Meet HUD's Category 1 definition of homelessness:

Individuals and families who lack a fixed, regular, and adequate nighttime residence:

- 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, etc.
- 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
- 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.

For information on HUD's other homeless categories, eligible for other CoC funds, visit:

www.onecpd.info/resources/documents/HEARTH_HomelessDefinition_FinalRule.pdf

2. Have a maximum combined income (earned and from benefits) of 50% of the Area Median Income. However, providers may consider significant garnishments or recoupment in determining that financial appropriateness of each potential participant and on a case-by-case basis allow a participant whose income is above 50% Area Median income. Providers will be required to show that the average of their RRH participants' income was at or below 50% AMI.
3. Meet all participant eligibility criteria as defined in the NOFA under which the program was funded.

¹ Providers that serve survivors of Domestic Violence only have to meet the basic HUD HMIS requirements for DV programs.- (i.e collect all of the data elements an HMIS collects, however victim service providers are directed to store that data in a comparable database and report on aggregate level and not client level specific data).

The NYC CCoC has the discretion to specify additional eligibility criteria if voted in by the Steering Committee.

Standards for Amount of Rental Assistance

Providers shall determine the type, maximum amount and duration of housing stabilization and/or relocation services for individuals and families who are in need of rapid re-housing assistance through the initial evaluation, re-evaluation and ongoing case management processes. Standards for determining the share of rent and utilities costs that each program participant must pay, if any, will be based on the following guidelines:

1. The maximum amount of rent that a participant will pay can be up to 100% of the rental amount.
2. The maximum percentage of income paid by participants towards rent at program completion shall be no more than 50%. However, in certain circumstances, on a case-by-case basis, there may be participants who rental share may exceed 50% of the rent based on their financial circumstances. In general, the goal should be that participants pay generally no more than 50% of their income in rent.
3. Providers may provide up to 100% of the cost of rent in rental assistance to participants. However to maximize the number of households that can be served with rapid re-housing resources, it is expected that providers will provide the level of need based on the goal of providing only what is necessary for each household to be stably housed for the long term.
4. Rental assistance cannot be provided for a unit unless the rent for that unit is at or below the Fair Market Rent limit, established by HUD. A complete listing of Fair Market Rents for New York counties can be found at: <http://www.huduser.org/portal/datasets/fmr.html>
5. The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units.

For more details see sections 578.37 and 578.51 of the HUD CoC rapid re-housing and rental assistance guidelines.

Standards for Duration of Assistance

Providers may provide a program participant with up to 24 months of rental assistance.

Participants may be eligible for rapid re-housing assistance for multiple instances based on their need. However, if a participant needs assistance more than once, the participant will be subject to a re-assessment process for a different level of service intervention.

There must be a lease between the landlord and the tenant and the lease must be for at least one-year, renewable for at least one year and terminable only for cause.

Standards for Type of Assistance

Providers may use funds for rental assistance costs and eligible services, including the following: security deposits (up to 2 months), first month's rent and/or last month's rent, eligible supportive services, repairs for property damage, one-time moving costs and one-time utility deposits.

Policies & Procedures for Assessing & Prioritizing Participants

The key to the success of any program is a screening and assessment process that thoroughly explores a family's or individual's situation and pinpoints their unique housing and service needs. Based upon the assessment, families and individuals should be referred to the kinds of housing and services most appropriate to their situations and need.

Coordinating Intake & Assessment

Providers must demonstrate an ability to outreach to NYC CCoC eligible RRH participants and to prioritize applicants who meet the criteria for HUD Homeless Category 1. Providers may also utilize New York City's coordinated assessment system as an additional resource to help match individuals and families with the most appropriate assistance. Additional coordination or centralization of referrals may be required (e.g. if required by a NYC CCoC RRH Request for Proposals).

Case Management Services

Providers must assist each program participant, as needed, to obtain appropriate supportive services, including assistance in obtaining permanent housing, medical treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; housing stability case management; and other Federal, State, local, or private assistance available to assist the program participant in obtaining housing stability including but not limited to:

- Supplemental Nutrition Assistance Program
- Social Security Disability Insurance (SSDI)
- Federal-State Unemployment Insurance Program
- Medicaid
- Veteran's Benefits
- Veteran's Disability Benefits
- Women, Infants and Children (WIC)
- Supplemental Security Income (SSI)
- Child and Adult Care Food Program, and
- Other mainstream resources such as housing, health, social services, employment, education services and youth programs that an individual or family may be eligible to receive

RRH program participants are required by HUD regulations to meet with a case manager not less than once per month. Providers may also provide case management services for up to six months after rental assistance stops.

Inspections

NYC CCoC funded rapid re-housing units must meet the HUD Housing Quality (HQS) Standards under 24 CFR part 578.37(a)(1)(ii). However, in instances, when allowed, providers may apply for waivers and exemptions, to use HUD Habitability standards when the use of HQS standards would result in the loss of an affordable housing unit.² Providers may utilize their own staff to perform HQS inspections.

² For ESG funded RRH programs, HUD only requires following the HUD Habitability Standards.

Rental Subsidy Administration

The administering of RRH rental assistance must comply with the HUD regulations. Guidance is forthcoming.

Data Collection & Evaluation

All providers receiving rapid re-housing assistance must work with the NYC CCoC to track key data elements for analyzing the success of the program including the use of HMIS data.

Security & Confidentiality Policies

The address or location of any housing or rental units funded under rapid re-housing of any program participant, including youth, individuals living with HIV/AIDS, victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing will not be made public, except as provided under a preexisting privacy policy of the provider and consistent with state and local laws regarding privacy and obligations of confidentiality with written authorization of the person responsible for the operation of the rental unit.

Terminations, Complaints, Appeals & Grievance Procedures

All providers with rapid re-housing programs shall be required to have a termination and grievance policy. Policies must allow an applicant to formally dispute an agency decision on *eligibility to receive assistance*. The policy must include the method that an applicant would be made aware of the provider's grievance procedure and the formal process for review and resolution of the grievance.

If a program participant violates program requirements, the provider may terminate the assistance in accordance with a formal process established by the provider. All providers must have policies that allow a program participant to formally dispute a provider decision to *terminate assistance*. The policy must include the method that a written notice would be provided containing clear statement of reason(s) for termination; a review of the decision in which the program participants is given the opportunity to present information before someone other than the person who made the termination decision; and a prompt written notice of the final decision to the program participant.

Standards for Re-Evaluation

In accordance with HUD regulations, recipients and sub-recipients must conduct regular re-evaluations, at least annually, of program participants receiving RRH assistance.

To continue to receive CoC-RRH assistance, a program participant's re-evaluation must demonstrate eligibility based on:

- Lack of resources and support networks. The program participant's household must continue to lack sufficient resources and support networks to retain housing without ESG or CoC program assistance.
- Need. The recipient or sub-recipient must determine the amount and type of assistance that the individual or family will need to (re)gain stability in permanent housing.