

## **HUD –MCKINNEY-VENTO ACT DEFINITION OF HOMELESSNESS**

### **Eligible persons**

Basically, a homeless person is someone who is living on the street or in an emergency shelter, or who would be living on the street or in an emergency shelter without the SHP assistance. A person is considered homeless only when he/she resides in one of the places described below:

In places not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings (on the street).

In an emergency shelter.

In transitional or supportive housing for homeless persons who originally came from the streets or emergency shelters.

In any of the above places but is spending a short time (up to 30 consecutive days) in a hospital or other institution.

Is being evicted within a week from a private dwelling unit and no subsequent residence has been identified and the person lacks the resources and support networks needed to obtain housing.

Is being discharged within a week from an institution, such as a mental health or substance abuse treatment facility or a jail/prison, in which the person has been a resident for more than 30 consecutive days and no subsequent residence has been identified and the person lacks the resources and support networks needed to obtain housing.

Is fleeing a domestic violence housing situation and no subsequent residence has been identified and the person lacks the resources and support networks needed to obtain housing.

### **Ineligible persons**

Persons who are not homeless may not receive assistance under SHP. Examples of people who are not homeless are those who are:

In housing, even though they are paying an excessive amount for their housing, the housing is substandard and in need of repair, or the housing is crowded.

Incarcerated, but upon discharge the person is eligible if no subsequent residence has been identified and the person lacks the resources and support networks needed to obtain housing.

Living with relatives or friends.

Living in a Board and Care, Adult Congregate Living Facility, or similar place.

Being discharged from an institution which is required to provide or arrange housing upon release.

Wards of the State, although youth in foster care may receive needed supportive services which supplements, but does not substitute for, the state's assistance.

### **Demonstrating participant eligibility at application**

When applying for SHP funds it is imperative that the project narrative demonstrates that the proposed population to be served is homeless. This can be done by clearly indicating where the proposed population will be residing prior to acceptance in the project, and by clearly describing an outreach and engagement plan which will bring the proposed population into the project.

### **Demonstrating compliance during project implementation**

Grantees must maintain adequate documentation to demonstrate the eligibility of persons served by SHP funds.

Persons living on the street

Supportive services only projects provide services -- such as outreach, food, health care, clothing -- to persons who reside on the streets. In most cases, it is not feasible to require the homeless persons to document that they reside on the street. It is sufficient for the grantee's staff to certify that the persons served, indeed, reside on the street. The outreach or service worker should sign and date a general certification verifying that services are going to homeless persons and indicating where the persons reside.

Persons coming from living on the street

The grantee should obtain information to indicate that a participant is coming from the street. This may include names of other organizations or outreach workers who have assisted them in the recent past who might provide documentation.

If you are unable to verify that the person is coming from residing on the street, have the participant prepare or you prepare a written statement about the participant's previous living place and have the participant sign the statement and date it. Merely obtaining a self-certification is not adequate.

If the participant was referred by an outreach worker or social service agency, you must obtain written verification from the referring organization regarding where the

person has been residing. This verification should be on agency letterhead, signed and dated.

Persons coming from an emergency shelter for homeless persons

The grantee should have written verification from the emergency shelter staff that the participant has been residing at the emergency shelter for homeless persons. The verification should be on agency letterhead, signed and dated.

Persons coming from transitional housing for homeless persons

The grantee should have written verification from the transitional housing facility staff that the participant has been residing in the transitional housing. The verification should be on agency letterhead, signed and dated.

The grantee should also have written verification that the participant was living on the streets or in an emergency shelter prior to living in the transitional housing facility (see above for required documentation) or was discharged from an institution or evicted prior to living in the transitional housing facility and would have been homeless if not for the transitional housing (see below for required documentation).

Persons from a short-term stay (up to 30 consecutive days) in an institution

The grantee should have written verification from the institution's staff that the participant has been residing in the institution for 30 days or less. The verification should be signed and dated.

The grantee also should have written verification that the participant was residing on the street or in an emergency shelter prior to the short-term stay in the institution. See above for guidance.

Persons being evicted from a private dwelling

The grantee must have evidence of the formal eviction proceedings indicating that the participant was being evicted within the week before receiving SHP assistance.

If the person's family is evicting him/her, a statement describing the reason for eviction should be signed by the family member and dated. In other cases where there is no formal eviction process, persons are considered evicted when they are forced out of the dwelling unit by circumstances beyond their control. In those instances, the grantee must obtain a signed and dated statement from the participant describing the situation. The grantee must make efforts to confirm that these circumstances are true and have written verification describing the efforts and attesting to their validity. The verification should be signed and dated.

The grantee must also have information on the income of the participant and what efforts were made to obtain housing and why, without the SHP assistance, the participant would be living on the street or in an emergency shelter.

Persons being discharged from an institution

The grantee must have evidence from the institution's staff that the participant was being discharged within the week before receiving SHP assistance. The grantee must also have information on the income of the participant and what efforts were made to obtain housing and why, without the SHP assistance, the participant would be living on the street or in an emergency shelter.

#### Fleeing domestic violence

The grantee must have written verification from the participant that he/she is fleeing a domestic violence situation. If the participant is unable to prepare the verification, prepare a written statement about the participant's previous living situation and have the participant sign the statement and date it.

#### **Demonstrating eligibility for the permanent housing component**

The permanent housing for persons with disabilities component may only accept homeless persons with a disability. The grantee must have written verification from a qualified source that the person has a disability.