

# Chronic Homelessness Overview

Antonio Giarratano, Shalom House, Inc

Statewide Subsidy Manager

DHHS PSHP Central Administrative Agency

November 15, 2023

# Chronic Homelessness Defined

- ▶ People who are chronically homeless have experienced homelessness for at least a year – or repeatedly – while struggling with a disabling condition such as a serious mental illness, substance use disorder, or physical disability.
- ▶ People experiencing chronic homelessness typically have complex and long- term health conditions, such as mental illness, substance use disorders, physical disabilities, or other medical conditions.
- ▶ Once they become homeless — regardless of what immediately caused them to lose their housing — it is difficult for them to get back into housing and they can face long or repeated episodes of homelessness.

# HUD's Final Rule on Defining "Chronically Homeless"

- ▶ The Final Rule on Defining "Chronically Homeless" went into effect for the **Continuum of Care (CoC) Program** on January 4, 2016 and HUD expected Permanent Supportive Housing (PSH) providers to begin using it for all new admissions as of January 16, 2016.
- ▶ As of January 16, 2016, any CoC PSH projects required to serve persons that are chronically homeless (either dedicated or prioritized) may only accept new program participants that meet this definition.

# To Be Considered Chronically Homeless...

## Individual's must meet three requirements:

- ▶ **Literally Homeless (category 1):** Is currently homeless and lives in a place not meant for human habitation, a safe haven, in an emergency shelter, a motel paid for by an agency/charity, or in an institutional care facility for fewer than 90 days and homeless the night prior to entry.
- ▶ **Duration of Homelessness:** at least 12 continuous months or at least 4 separate occasions (or breaks) in the last three years totaling 12 months.
  - ▶ Transitional Housing does not count towards the 12 months of homeless history.
- ▶ **Has a Diagnosed Disability**

# What is a Break in Homelessness?

## **What is a break?**

A break separating two occasions of homelessness is defined as at least seven consecutive nights in any non-qualifying location(s), such as a friend's or family member's home, a hotel paid for by the individual, transitional housing, etc.

## **Documenting breaks**

Breaks in homelessness may be documented entirely based on a self-report by the program applicant, but intake workers must be cautious about self-reports when they know corroborating third-party evidence exists and can be obtained.

## Breaks Continued...

### **Stays in institutional care facilities**

A stay in an institutional care facility – such as a jail, a substance abuse or mental health treatment facility, a hospital, or another similar facility – does not constitute a break in homelessness and counts towards documenting 12 months of homelessness if:

1. The duration of the stay was fewer than 90 days; AND
2. The person entered the facility from:
  - A place not meant for human habitation,
  - A safe haven, or
  - An emergency shelter

## Breaks Continued...

### **Stays in transitional housing**

A stay of fewer than seven nights in transitional housing does not constitute a break and does not impact 12 continuous months or mark the end of a distinct episode of homelessness.

A stay of seven nights or more in transitional housing is a break in homelessness.

*If followed by a stay in emergency shelter, safe haven, or a place not meant for human habitation, such a stay in transitional housing can create a break in homelessness that can help an applicant get to the required minimum of four episodes if their homelessness is not established over the course of one consecutive year.*

# How is Disability Defined?

In the [Defining “Chronically Homeless” Final Rule \(2015\)](#) disability is defined as one or more of the following:

- Physical, mental or emotional impairment, including impairment caused by alcohol or drug abuse, post-traumatic stress disorder, brain injury or a chronic physical illness that:
  1. Is expected to be long-continuing or of indefinite duration; **and**
  2. Substantially impedes the person’s ability to live independently; **and**
  3. Could be improved by more suitable housing.



# What is Considered a Disability?

- ▶ Examples include, but are not limited to:
  - ▶ Substance Use Disorder
  - ▶ Serious Mental Illness
  - ▶ Developmental Disability
  - ▶ Post-traumatic Stress Disorder
  - ▶ Cognitive Impairments Resulting From a Brain Injury
  - ▶ Chronic Physical Illness or Disability



# Documentation

# Homeless Documentation Order of Priority:

## **Order of Priority for Collecting Eligibility Documentation**

HUD has established an “Order of Priority” for documenting literal homelessness. This order of priority establishes guidelines for how program staff should prioritize different forms of documentation, with attempts to collect higher-priority documentation before moving on to lower- priority documentation.

*Reasonable efforts should be made to follow the order of priority established by HUD. The order of priority is as follows:*

- 1. Third Party Verification** – Intake staff should make a reasonable effort to obtain third party documentation for current literal homelessness and for all 12 months showing chronic homelessness. For months that cannot be covered by third party documentation, the effort to do so should be recorded as due diligence.
- 2. Intake Worker Observation** – Where applicable, intake worker observation should take priority over self-certification of literal homelessness.
- 3. Self-Certification** – For any month that the applicant must document literal homelessness because third-party verification or intake-worker observation is not available, the applicant must provide self-certification of their living situation during that month.

## Self-Certification vs. Third Party Verification:

- ▶ 100% of households served can use self-certification for 3 of their 12 months;
- ▶ 75% of households served need to use 3rd party for 9 months of their 12 months; and
- ▶ 25% of households served can use self-certification as documentation for any and all months.
- ▶ All self-certifications must be accompanied by notes from the intake worker that demonstrate the provider has exercised due diligence to obtain a higher level of documentation.

## Examples of third-party Documentation:

- ▶ An individual record of a stay in an emergency shelter, a safe haven, or from a street outreach contact from an HMIS, or comparable database used by victim service or legal service providers;
- ▶ A written observation by an outreach or intake worker of encounters with the individual or head of household that includes a description of the conditions where the individual or head of household was living or is currently living, where they were located, and the day(s) of the encounter;
- ▶ A written observation by a community member that has observed where the individual or head of household was living or is currently living and the date/date range; and
- ▶ A written referral by another housing or service provider.

## Pop Quiz!

A healthcare professional is working monthly with a client who reports they have been sleeping outside. The professional has witnessed that this person is experiencing homelessness, noticing their shopping cart outside filled with belongings during every visit and they have also recognized the client on the streets.

- ▶ Can the healthcare professional provide third-party verification for three months of homelessness if they saw the client the last three months (once a month) without seeing them in their actual camp site?

Yes or No?

# YES!

- ▶ The healthcare professional can provide a written or oral statement detailing that to the best of their knowledge and based on their professional judgment, the individual or head of household had been residing in a place not meant for human habitation at the time of the office visit.
- ▶ The written or oral statement must include the dates in which the healthcare professional met with the individual or head of household and why they believe the person was residing in a place not meant for human habitation.

# Written 3<sup>rd</sup> Party Documentation...

## Agency Letterhead

June 1, 2023

To whom it may concern,

I have been working with Jane Doe since last summer, and I know she has been homeless the entire time I have been working with her. I can certify that I have witnessed Jane sleeping in a place not meant for habitation for the months of March, April, and May of 2023.

I am an outreach worker in the PATH program out of Kennebec Behavioral Health, and I encountered Jane sleeping in her tent on 3/15/2023, 3/25/2023, 4/12/2023, and 5/3/2023. From speaking with Jane and her family, I am not aware of any times that she has not been sleeping in her tent.

Her tent is located just off Route 3 in South China, ME. I am verifying 3 months of homelessness for Jane and her family.

Thank you,

*James T. Kirk*

James T. Kirk

PATH, Outreach Worker

Augusta, ME

207-873-1234

## Needs to Include:

- ▶ The role of the service provider;
- ▶ Where the client was/is homeless;
- ▶ Dated timeframe (including actual dates or months with the year, this is needed to create homeless history);
- ▶ Include workers name, title, agency, date and signature; and
- ▶ Included on an agency letterhead.



# Written 3<sup>rd</sup> Party Documentation...(cont.)

How can encounters with clients by outreach or intake worker be considered 3rd party documentation?

- ▶ **Current occasion:**

Outreach or intake worker must have physically observed where household is living.

- ▶ **Prior months & occasions:**

Can document past encounters with client that had been residing in a location.

If not in the actual place where client was residing, worker must state why they believe (based on their judgement) that the client was sleeping in one of the permitted locations.

- ▶ **One day of an encounter** can count for an entire month of documentation, as long as there is no other evidence of a break in homelessness.

E.g. If the client has an HMIS program history of staying in a transitional housing unit for 2 weeks during the same month, or has an exit from a shelter to a hospitalization, this cannot be counted as the entire month.

# Self-Certification of Homelessness

If the client does not have 12 months homeless verified by a third party at project entry, they can fill out a self-certification form for all months missing upon intake. This form needs to be witnessed/signed by the intake worker.

- ▶ **The intake worker will then have 180 days to collect third party documentation for homeless history.**
- ▶ Documentation of due diligence (or third party attempts) needs to be recorded within the clients file (including attempts during initial intake, and responses or lack of responses from the attempts).
- ▶ Only 9 out of 12 months have to be recorded using third party documentation.
- ▶ 25% of people in the project can have 100% self-certification of homelessness.
- ▶ Documentation of due diligence is required for all 12 months of 3<sup>rd</sup> party verification and needs to be recorded even if they have 9 months certified.

# Self-Certification of Homelessness

- ▶ Breaks in homelessness can be 100% documented by self- certification.
  - ▶ Breaks **NEED** to be documented and included within the client homeless history verification packet.
  - ▶ Self-certification form has a space for staff to document due diligence to collect third party verification.
- ▶ Self-certification form available on the Shalom House, Inc website:  
<https://www.shalomhouseinc.org/forms/Homeless-Self-Certification.pdf>

# Disability Verification Documentation...

- ▶ Documentation of a disability is acceptable in the following forms:
  1. Written verification of the disability from a professional licensed by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently
  2. Written verification from the Social Security Administration
  3. The receipt of a disability check (e.g., Social Security Disability Insurance check or Veteran Disability Compensation)
  4. Written observation(s) from intake staff of a qualifying disability.
- ▶ Disability Verification Form is included in the program application.

**Please Note:** *For Intake staff verification, disability MUST be confirmed within forty-five (45) days of submission of application by providing one of the 3 above methods (#'s 1-3). If disability verification is not provided within forty-five (45) days of submission, the voucher will be withdrawn, and any rental assistance will be ceased.*

# Documentation Importance

- ▶ If we accept clients into the project and house them:
  - ▶ without third party disability verification, the agency only has 45 days to collect this documentation or they will be deemed ineligible for the project.
  - ▶ Do not have the required third party homeless documentation within 180 days, the client would be deemed ineligible for the project.
- ▶ This would mean that the client would have to be exited from the housing program.

# Questions?

Additional Resources:

- ▶ [HUD Exchange: Defining “Chronically Homeless” Final Rule Webinar](#)
- ▶ [HUD Exchange Chronic Homelessness Resources](#)
- ▶ <https://www.hudexchange.info/homelessness-assistance/coc-esg-virtual-binders/coc-esg-homeless-eligibility/coc-and-esg-homeless-eligibility-overview/>

DHHS COC Permanent Supportive Housing Program – Central Administrative Agency Contact

**Antonio Giarratano, Statewide Subsidy Manager – Shalom House, Inc**

**207-874-1080, ext 7275**

[agiarratano@shalomhouseinc.org](mailto:agiarratano@shalomhouseinc.org)

DHHS COC Permanent Supportive Housing Program

**Virginia Dill, Housing Manager– DHHS, Office of Behavioral Health**

**207-215-6143**

[virginia.dill@maine.gov](mailto:virginia.dill@maine.gov)