

Documenting Eligibility— Chronic Homelessness

Overview

- Definition
- Eligibility
- Documentation Requirements
- Tips and Tricks

Definition

Homeless Definition

Final Rule defining “homeless” became effective January 4, 2012

Separate final rule defining “chronically homeless” went into effect in 2016.

Whom a project can serve depends on the housing/services it provides, the year it was funded, and the operating grant year

Who is Chronically Homeless?

A homeless individual:

- With a disability;
- Who lives in a place not meant for human habitation, safe haven, or emergency shelter; **AND**
- Has been homeless:
 - **Continuously for at least 12 months OR**
 - On at least 4 separate occasions in the last 3 years, as long as the **combined occasions equal at least 12 months.**

[\(Chronic Homelessness Documentation Checklist\)](#)

Defining Disability for Chronic Homelessness

McKinney-Vento Act requires that the individual or family head of household currently have:

- Developmental disability;
- HIV/AIDS; **OR**
- Physical, mental, or emotional impairment that:
 - Is expected to be of long-continuing or indefinite duration **AND**
 - Impedes their ability to live independently.

12 Months—2 Options

Length of Homelessness: Cumulative 12 Months

For chronically homeless persons experiencing **one continuous year of homelessness**, this part of the definition has not changed.

For chronically homeless persons experiencing 4 or more occasions of homelessness over a period of 3 years, ***the cumulative total of the occasions must be 12 months or more.***

Identifying Episodes of Homelessness

A break in homelessness is any period of 7+ consecutive nights in a non-qualifying location

- **Examples:** staying with friends or family, a hotel paid by the individual, transitional housing, etc.

A stay in an institutional care facility does not constitute a break in homelessness if:

- Stay was fewer than 90 days; **AND**
- Client was homeless and living in a place not meant for human habitation, safe haven, or emergency shelter immediately prior.

Chronically Homeless from Institution

Chronically homeless also means an individual who:

Has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility;

For fewer than 90 days; **AND**

Met all of the necessary criteria before entering that facility.

Chronically Homeless Families

Chronically homeless also means a family:

- With an adult head of household
 - If there is no adult in the family, a minor head of household
- Who meets all the criteria for chronic homelessness

Chronically Homeless Families

This includes a family whose composition has fluctuated while the head of household has been homeless.

Who is the head of household?

- If there are multiple adults, the family can determine which individual is the head of household.
- Same if there are multiple minors in a household with no adults.

Families and HUD's Equal Access Rule

Chronically homeless families include:

Any group of persons presenting for assistance together

Where the head of household meets all of the criteria for chronic homelessness

Regardless of marital status, actual or perceived sexual orientation, or gender identity

With or without children

Irrespective of age or relationship

Children who are temporarily in foster care

Putting it All Together

Chronically homeless means:

- A homeless individual or head of household with a disability;
- Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; **AND**
- Has been homeless for at least 12 months OR on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal 12 months.

REMEMBER:

- Breaks in homelessness must be for 7 or more nights
- Institutional stays of fewer than 90 days are counted as time homeless; stays of 90 days or more constitute a break.

DedicatedPlus

- Households who met the definition of chronic homelessness but then resided in transitional housing because there were no other options available at the time
- People experiencing chronic homelessness who, after finally moving into permanent housing, were not able to make an initial permanent housing situation work and ended up back on the streets
- People who had been residing on the streets for years but recently had a stay in an institution that lasted more than 90 days, were discharged to the streets or shelter,
- Residing and has resided in a place not meant for human habitation, a safe haven, or emergency shelter for at least 12 months in the last three years, but has not done so on four separate occasions; or
- Receiving assistance through a Department of Veterans Affairs (VA)-funded homeless assistance program and met one of the above criteria at initial intake to the VA's homeless assistance system.

Documentation of Chronic Homelessness & Recordkeeping Requirements

Recordkeeping Requirements

To ensure documentation of chronically homeless status:

Projects must maintain and follow **written intake procedures**;

The procedures must require **documentation at intake**, including of disability; and

The procedures must establish the **order of priority for obtaining evidence**.

Order of Priority

- Written intake procedures must follow HUD's order of priority for obtaining evidence:

1. Third-party documentation

2. Intake worker observations

3. Certifications from the homeless individual

Documentation Must Include:



1. Documentation of current homeless status

2. Documentation of history of homelessness

3. Documentation of a disability

Documentation Forms on CoC Website

Program Management

- Addendum for CoC Lease Requirements
- Environmental Review for CEST Activities
- Environmental Review for Exempt/CENST (Categorically Excluded Not Subject To) Activities
- HUD Model DV Certification Form
- HUD Model Notice of Occupancy Rights Form
- Rent Reasonableness Checklist and Certification
- Rent Reasonableness Checklist and Certification - User Guide
- RRH to PSH Transfer Request Form

Eligibility Verification

- Homelessness Documentation Checklist
- Chronic Homelessness Documentation Checklist
- Form A - Homelessness Certification
- Form B - Observation of Living Conditions
- Form C - Certification Based on Provider Judgement
- Form D - Verification of Disability
- Form E - Homelessness Self-Declaration
- Form F - Certification Based on Intake Conversation

PR-VI-SPDAT

- PR-VI-SPDAT for Single Adults
- PR-VI-SPDAT for Families with Children

SPDAT

- Service Prioritization Decision Assistance Tool (SPDAT)
- Family Service Prioritization Decision Assistance Tool (F-SPDAT)
- Youth Service Prioritization Decision Assistance Tool (Y-SPDAT)

VI-SPDAT

- VI-SPDAT for Single Adults
- VI-SPDAT for Families with Children
- VI-SPDAT for Transition Age Youth
- VI-SPDAT for Justice Discharges

Source: <https://www.sccgov.org/sites/osh/continuumofcare/cocforms/pages/home.aspx>

Current Homeless Status



Current Homeless Status

Documentation that the individual lives in a place not meant for human habitation, safe haven, or emergency shelter:

HMIS (or comparable database) record(s);

Written certification by another housing or service provider (Form A);

Written physical observation of where the individual was or is currently living by staff and written record of reasonable efforts to obtain HMIS record and written referral (Form B); **OR**

Certification by individual or head of household seeking assistance and written record of reasonable efforts to obtain HMIS record and written referral (Form E).

History of Homelessness

Preferred Documentation of History of Homelessness

Third-party documentation of consecutive or cumulative 12 months of homelessness:

HMIS (or comparable database) record(s);

Written referral by another housing or service provider (Form A);

Written physical observation by community member of conditions where household is living (Form B);

Written (or oral, but recorded in writing) certification by housing or service provider in their professional capacity (Form C); **OR**

Written physical observation by staff of conditions where household is living **OR** certification by staff of encounter with client prior to intake (Form B or C).

Last-Resort Documentation of History of Homelessness

Second-party documentation of consecutive or cumulative 12 months of homelessness (Form F):

- Written certification by staff based on professional judgment at intake **AND**
- Written record of reasonable efforts to obtain HMIS record and written referral.

First-party documentation of consecutive or cumulative 12 months of homelessness (Form E):

- Certification by individual or head of household seeking assistance providing specific months residing in place not meant for human habitation, emergency shelter, or safe haven **AND**
- Written record of reasonable efforts to obtain HMIS record and written referral.

History of Homelessness

- If you have **third-party documentation** of homelessness on one day of a month → You can consider the individual homeless for the **entire calendar month**.
- **Unless** there is evidence that the individual spent at least 7 consecutive nights in any place other than a place not meant for human habitation, etc.
 - E.g., HMIS record that the individual was in transitional housing for 7 or more nights in that month

Limits on Second- and Self-Certification

For most chronically homeless clients, no more than 3 months of homelessness may be documented using second-party or self-certification.

Exception: up to 25% of chronically homeless individuals and families in a project during an operating year can be documented second-party or self-certification for up to the full 12 months.

- This limitation does not apply to documentation of breaks in homelessness, which can be documented entirely based on self-certification.

Housing/Service Provider Certifications

“Other housing or service providers” includes a member of law enforcement, a healthcare professional, an educator, or another person that has encountered the individual or head of household while in their official capacity and not simply as a member of the community.

If the other provider is not able to provide a written certification, the intake worker may document a conversation with the other provider.

This is third-party documentation for the specific month(s) in which they encountered the individual or head of household.

Housing/Service Provider Certifications: *Forms*

If describing the location they encountered the client

- Observation of Living Conditions (Form B)

If they didn't observe the living situation

- Certification Based on Professional Judgement (Form C)

ES providers

- Homelessness Certification (Form A)

Community Member Certifications

Observation of someone in the community regardless of relationship with the household that has physically observed where the residence of the individual or head of household.

If the community member is unwilling to provide a written observation, staff may document their conversation with the community member.

The community member must indicate which specific months they physically observed the individual or head of household residing in a place not meant for human habitation.

The intake worker must use their professional judgment to determine if the source is reliable.

Community Member Certifications: *Form*

Observation of Living Conditions (Form B)

INFORMATION REQUESTED

(to be completed by the person who observed Applicant's place of residence)

For each location in which you observed the Applicant living, complete all information requested.

Location (address, name of public space, street name, landmark, etc):	Description of living conditions observed (sleeping in a car, in a tent, in the open, etc):	Approximate date observed:
Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.

Program Staff Encounters with Client

Third-party

- Written account of prior encounter at and observation of place of residence (Form B) **OR**
- Written account of each month when encounter(s) in other settings occurred and conversations which led staff to believe, to the best of their knowledge and based on their professional judgment, that the individual or head of household was homeless (Form C)

Second-party

- Written account of staff's encounter with individual at current point in which they are seeking assistance and conversations which led staff to believe, to the best of their knowledge and based on their professional judgment, that the individual or head of household was homeless during the months in which staff did not personally encounter them (Form F)

Program Staff Encounters with Client: *Forms*

If describing a living situation you observed:

- Observation of Living Conditions (Form B)

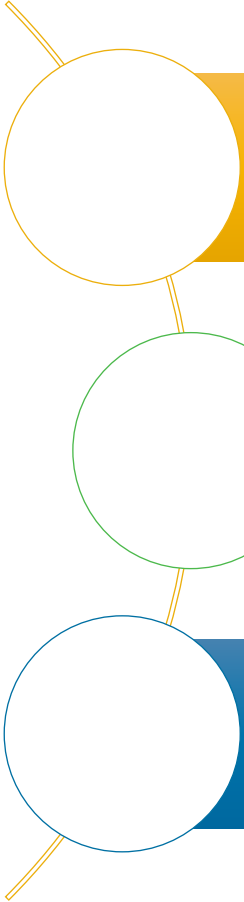
If documenting previous conversations with client

- Certification Based on Professional Judgement (Form C)

If documenting based only on an intake conversation:

- Second-Party Certification of Homelessness by Agency's Intake Worker in Their Professional Capacity Based Only on Intake Conversation (Form F)

First-Party Documentation (Self-Cert)



A certification by the individual seeking assistance counts as evidence of homelessness, where other evidence cannot be obtained.

Provide specific time period(s) that the individual reports they had been residing in a place not meant for human habitation, emergency shelter, or safe haven.

The intake worker must document all steps taken to obtain third-party documentation.

First-Party Documentation (Self-Cert): *Form*

Client Self-Declaration of Homelessness (Form E)

Client Self-Declaration of Homelessness (Form E)

Instructions: If third-party documentation is not available, individuals or households may self-certify their current homeless status. Please initial the line below next to your current living situation and provide the details requested.

Applicant Name: _____

My current living situation is:

_____ **Place not meant for human habitation** (e.g. such as cars, parks, sidewalks)

Location and Dates: _____

First-Party Documentation (Self-Cert): *Form*

Client Self-Declaration of Homelessness (Form E)

Staff Supplement to Self-Declaration of Homelessness

I understand that third-party verification is the preferred method of certifying homelessness for an individual or household who is applying for assistance. I understand self-declaration is only permitted when I have attempted to but cannot obtain third party verification.

Documentation of attempt(s) made for third-party verification:

Documenting Stays in Institutions

Documentation of stays in institutional care facilities fewer than 90 days included in the total of at least 12 months of homelessness must include two types of evidence:

Evidence of eligibility immediately prior to the individual's stay in the institutional care facility **AND**

Evidence related to the length of stay in the institutional facility

Documenting Stays in Institutions, Cont.

- To document length of stay in an institution:
 - Discharge paperwork including start and end dates; **OR**
 - Written or oral referral from appropriate official/case manager of the institutional care facility stating the start and end dates of the individual's stay; **OR**
 - **Where the above evidence cannot be obtained:**
 - A written record of the intake worker's due diligence in attempting to obtain it; **AND**
 - A certification by the individual that they exited the facility where they resided for fewer than 90 days.

Stays in Transitional Housing

Fewer than 7 nights in transitional housing is not a break

7 nights or more in transitional housing is a break

- **Exception:** Veterans are assessed for chronic homelessness at intake and maintain chronic homeless status even if they enter VA-funded transitional housing

Documenting Breaks

Each break in homelessness of 7+ consecutive nights between distinct episodes of homelessness must also be documented:

HMIS (or comparable database) record(s);

A written referral by another housing or service provider;
OR

Written observation(s) by an outreach worker of the conditions where the individual was living.

Where the foregoing evidence cannot be obtained, a certification by the individual seeking assistance.

Disability

Documenting a Disability

Written verification from a professional licensed by the state to diagnose/treat the disability

Written verification from the Social Security Administration

Receipt of a federal disability check (e.g., Social Security Disability Insurance or Veteran Disability Compensation)

Intake staff-recorded observation of disability that, no later than 45 days from the application for assistance, is confirmed and accompanied by at least one other acceptable piece of evidence

Other documentation approved by HUD

Documenting a Disability

Written verification from a professional licensed by the state to diagnose/ treat the disability must include:

- A diagnosis of **HIV/AIDS**; OR
- A diagnosis of a **Developmental Disability** (as defined in the CoC Program Interim Rule)
- A diagnosis of a **disabling condition**, with a certification that the disability:
 - Is expected to be long-continuing or of indefinite duration **AND**
 - Substantially impedes the individual's ability to live independently.

Documentation & Recordkeeping Wrap-Up

Documentation for Families

If a family is chronically homeless under the chronically homeless definition, the documentation requirements apply to:

The adult head of household
OR

If there is no adult in the family,
a minor head of household.

Key Takeaways

One Day by 3rd Party = One Calendar Month

- Except where the month includes clear evidence of break

Break = 7 or more consecutive nights

- Not living in a ES or a place not meant for human habitation
- Document breaks with self report – but check HMIS!

Document occasions of homelessness with best evidence

Key Takeaways

Where you cannot get best (3rd party) homelessness evidence,

- Document all attempts, BUT ...
- Up to 3 months can be self-certified
- For 25% of clients, up to 12 months can be self certified
- This applies to homeless occasions, not breaks

Retain all records for 5 years from end of grant

Documentation Tips & Tricks



Documentation Tips:

Timing

- Document where the individual was living at all times
 - Include occasions of homelessness and breaks
 - Breaks may be documented entirely based on a self-report by the individual seeking assistance
- Individual must have a disability at the time of project entry
- Make sure you've covered current homeless status



Documentation Tips:

Details and Organization are Key

Keep all case files easy-to-read and user-friendly, so that any reviewer can navigate them quickly.

Include as much detail as possible with each piece of evidence you include in the individual's case file.

Tell a complete story.

Watch out for details that undercut your evidence! Document your efforts to resolve conflicting details that could undercut the evidence you're relying on.

Documentation Tips:

Remember HUD's Order of Priority

1. Third-party documentation

2. Intake worker observations

3. Certifications from the homeless individual

What if Documentation is Not Compliant?

While circumstances may vary, programs should take immediate action to address issues:

Discuss how to handle the issue with the SCC Office of Supportive Housing;

Develop a plan to bring the program into compliance;

Remedy documentation for as many active clients as possible; **AND**

Communicate with your Field Office regarding the issue and steps you are taking to address and prevent reoccurrence.

What if a Current Client is Ineligible?

Take immediate action, with steps that may include, in addition to those on the previous slide:

Work with the household and CoC to come up with an alternate plan to transition out of the program; **AND**

Ensure documentation is as accurate and complete as possible.

Thank you!

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