

# RAPID REHOUSING OPERATIONS MANUAL

Santa Clara County Continuum of Care



County of Santa Clara

**Office of Supportive Housing**

# Table of Contents

<b>1</b>	<b>PURPOSE AND BACKGROUND</b> .....	<b>3</b>
1.1	TARGET POPULATIONS FOR ASSISTANCE .....	3
<b>2</b>	<b>DEFINITIONS</b> .....	<b>3</b>
<b>3</b>	<b>COORDINATED ASSESSMENT SYSTEM REFERRALS</b> .....	<b>4</b>
3.1	MATCHES TO HOUSING OPPORTUNITIES .....	4
3.2	RRH PROVIDER RESPONSIBILITIES .....	5
<b>4</b>	<b>PROGRAM INTAKE</b> .....	<b>6</b>
4.1	PRIVACY AND SAFETY .....	6
4.2	REQUIRED FORMS AND NOTICES.....	7
<b>5</b>	<b>ELIGIBILITY REQUIREMENTS</b> .....	<b>8</b>
<b>6</b>	<b>ELIGIBILITY DOCUMENTATION</b> .....	<b>9</b>
6.1	CATEGORY 1: LITERALLY HOMELESS.....	9
6.2	CATEGORY 4: FLEEING/ATTEMPTING TO FLEE DOMESTIC VIOLENCE .....	10
6.3	TRANSFERS FROM RAPID REHOUSING TO PERMANENT SUPPORTIVE HOUSING.....	11
<b>7</b>	<b>HOUSING FIRST</b> .....	<b>12</b>
<b>8</b>	<b>HOUSING REQUIREMENTS</b> .....	<b>13</b>
8.1	RENT REASONABLENESS REVIEW.....	13
8.2	HOUSING QUALITY STANDARDS .....	14
8.3	SUITABLE UNIT SIZE.....	14
<b>9</b>	<b>LEASE REQUIREMENTS</b> .....	<b>14</b>
9.1	VAWA-MANDATED REQUIREMENTS .....	15
9.1.1	<i>Lease Bifurcation</i> .....	15
<b>10</b>	<b>RENTAL ASSISTANCE</b> .....	<b>15</b>
10.1	MOVE-IN ASSISTANCE .....	16
10.2	UP TO 24 MONTHS OF RENTAL ASSISTANCE .....	16
10.3	VACANCY PAYMENTS.....	16
10.4	PROPERTY DAMAGES.....	16
10.5	BEST PRACTICES.....	17
<b>11</b>	<b>SUPPORTIVE SERVICES</b> .....	<b>17</b>
11.1	USE OF SPDAT .....	19
11.2	BEST PRACTICES.....	20
<b>12</b>	<b>CLIENT TRANSFERS</b> .....	<b>21</b>
12.1	HOUSING CLIENTS OUTSIDE THE CoC’S GEOGRAPHIC AREA.....	21
12.2	EMERGENCY TRANSFER PLAN .....	21
12.2.1	<i>Emergency Transfer Qualifications</i> .....	21
12.2.2	<i>Emergency Transfer Process</i> .....	22
12.2.3	<i>Documentation and Record Keeping</i> .....	23
<b>13</b>	<b>PROGRAM EXIT</b> .....	<b>23</b>
13.1	POLICY FOR PARTICIPANT TERMINATION.....	23
13.1.1	<i>Role of the Case Manager and the OSH Program Manager</i> .....	24

13.1.2	<i>Eviction Proceedings by a Landlord</i> .....	25
13.1.3	<i>Due Process for Participant Appeals of Program Termination</i> .....	25
<b>APPENDIX A – VAWA LEASE ADDENDUM</b> .....		<b>27</b>

# 1 Purpose and Background

Rapid rehousing (RRH) assistance aims to help individuals or families who are homeless move as quickly as possible into permanent housing and achieve stability in that housing through a combination of rental assistance and supportive services. The following standards govern Continuum of Care (CoC) RRH projects in Santa Clara County. Each program may focus or operate a little differently but will align with the overall standards.

## 1.1 Target Populations for Assistance

The Santa Clara County RRH programs target the following populations:

- Veterans
- Youth and families with children
- Individuals and families fleeing domestic violence
- Non-Chronically Homeless individuals
- Chronically Homeless not requiring permanent supportive housing

# 2 Definitions

*Clients* – Individuals or families who reside in rapid rehousing or participate in programs offered by rapid rehousing providers.

*Continuum of Care (CoC)* – The Santa Clara County Continuum of Care carries out the responsibilities required under HUD regulations, set forth at 24 CFR 578 – Continuum of Care Program. The CoC is comprised of a broad group of stakeholders dedicated to ending and preventing homelessness in Santa Clara County. CoC membership is open to all interested parties and includes representatives from organizations within Santa Clara County. The overarching CoC responsibility is to ensure community-wide implementation of efforts to end homelessness and ensuring programmatic and systemic effectiveness of the local Continuum of Care program.

*Domestic violence survivor* – Anyone who has experienced domestic violence, dating violence, sexual assault, stalking, or human trafficking.

*Homeless Management Information System (HMIS)* – A local information technology system designated by the Continuum of Care in order to collect, track, and report uniform information on client needs and services and enhance community-wide service planning and delivery.

*Housing and Urban Development (HUD)* – The United States Department of Housing and Urban Development.

*Office of Supportive Housing (OSH)* – An office within the County of Santa Clara’s Department of Behavioral Health Services. OSH serves as the collaborative applicant for the Santa Clara County Continuum of Care, staffs the Coordinated Assessment Work Group, and serves as the lead agency for implementation of coordinated assessment in Santa Clara County.

*Victim service provider (VSP)* – A private nonprofit organization whose primary mission is to provide services to domestic violence survivors.

### 3 Coordinated Assessment System Referrals

In [Santa Clara County’s Coordinated Assessment system](#), all homeless individuals and families complete a standard triage assessment survey that considers the household’s situation and identifies the best type of housing intervention to address their situation. The standard triage assessment survey used in Santa Clara County is the Vulnerability Index-Service Prioritization Decision Assistance Tool 2.0 (VI-SPDAT) created by OrgCode Consulting and Community Solutions. The VI-SPDAT is integrated into the standard HMIS intake for people experiencing homelessness and conducted at HMIS partner agencies, including shelters, service centers, transitional housing programs, and outreach programs -- anywhere that people experiencing homelessness first encounter our system of care.

RRH programs fill spaces from a community queue of eligible households generated from HMIS. The queue is prioritized based on length of time homeless and VI-SPDAT scores to ensure that we house those with the greatest need first. This coordinated process reduces the need for people to traverse the county seeking assistance at every provider separately.

#### 3.1 Matches to Housing Opportunities

Matches are facilitated by staff of the Santa Clara County Office of Supportive Housing (OSH). When a RRH program has a space available, the designated OSH representative will use the community queue in HMIS and the confidential queue of survivors of domestic violence outside of HMIS to identify the household or individual to be referred by:

1. Filtering the community queue and confidential queue so that each pulls a list of individuals/households that have matched to RRH;
2. Filtering the community queue and confidential queue based on the eligibility criteria of the specific RRH program; and
3. Prioritizing the community queue and confidential queue based on the following prioritization methodology:
  - a. VI-SPDAT Score – Those with the highest score within the RRH range will be served first.
  - b. Risks Score – Among those with the same VI-SPDAT score, individuals/households with the highest Risks sub-score in the VI-SPDAT will be prioritized first.

- c. Length of Time on the Community Queue – Among those with the same VI-SPDAT score and the same Risks score, individuals/households will be served in the order they completed the assessment.

The OSH representative will then make a referral to the RRH program. Referrals from the Community Queue are made in HMIS, whereas referrals from the confidential queue are made via email communication. Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for details.

OSH staff will provide human judgment and discretion in making referrals based upon the prioritization and match-making methodology laid out in this document. Discretion may include taking into account a client's known preferences when making matches, avoiding referrals to programs where an individual/household has had a serious violation in the past, and addressing inconsistencies or concerns in the assessment or eligibility information entered in HMIS. Any match that requires some flexibility outside the methodology described here requires approval from an OSH senior manager.

### 3.2 RRH Provider Responsibilities

When a RRH program receives a referral in HMIS, the provider will follow the following steps:

1. Locate the individual/household: It is expected that the provider will make at least 3-5 reasonable attempts to find the individual/household. In addition to trying the contact information in the person's HMIS account, attempts should include seeking the person out in locations and at other service providers that they are known to frequent. Please see the [Santa Clara County Standard Location Practices](#) for details.
2. All attempts to find the individual/household must be documented in HMIS. Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for details.
3. Verify eligibility: Information in the individual's/household's HMIS account (including the VI-SPDAT) is primarily self-reported. Providers will need to conduct their own program intake and documentation of eligibility.
4. Enter the individual/household into the program in HMIS.

Where the RRH program is accepting a referral and enrolling the individual/household, they should not re-administer the VI-SPDAT. Only in the situation where the referral is denied and the individual/household is going back to the community queue, the RRH program should reassess if the VI-SPDAT has expired or if significant changes have occurred.

A referral from the confidential queue will be located by the agency that completed the assessment with the survivor of domestic violence. This agency will then facilitate a warm hand-off to the housing provider receiving the referral.

If the individual/household cannot be located, the provider will notify the OSH representative who made the match. Together, the OSH staff and the provider will determine if additional attempts should be made. If the individual/household still cannot be located, they will be referred back to the community queue and OSH staff will initiate a new match.

If the individual/household turns out to be ineligible for the program, they will be referred back to the community queue or confidential queue (unless they are deceased or already housed) and OSH staff will initiate a new match. The program should provide information regarding why the individual/household was not eligible and a note will be made (in HMIS for community queue referrals or outside of HMIS for confidential queue referrals). Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for details. Depending on the reason for ineligibility, OSH staff may initiate a review of the client's information and/or request that the client complete an updated assessment (for example, if inaccurate or out of date information on the assessment led OSH to believe the client would be eligible).

## 4 Program Intake

Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for instructions on how to accept a referral and enroll the household into your program in HMIS. Please also see the CoC and ESG RRH Checklists available on the [CoC Toolkit](#) webpage.

### 4.1 Privacy and Safety

#### **Victim service providers**

Victim service providers are prohibited from contributing client-level data into the HMIS. However, these programs must record client level data within a comparable internal database and be able to generate aggregate data for inclusion in reports.

Victim service providers should ask incoming households experiencing homelessness whether they want their HMIS record to be deidentified in HMIS if such a record exists. If deidentification is desired, the victim service provider should have the survivor sign a letter stating the request. The victim service provider must then send the request to the Bitfocus Help Desk. The Help Desk can be reached via email at [sccsupport@bitfocus.com](mailto:sccsupport@bitfocus.com), by phone at 408-596-5866 Ext. 2, or by going to [scc.hmis.cc](http://scc.hmis.cc) and opening a Support Ticket.

## Non-victim service providers

If a non-victim service provider becomes aware that a household being served is fleeing or attempting to flee domestic violence, the provider should:

1. Immediately offer the household a warm referral to a victim service provider; and
2. Check the HMIS to see if there is an existing record for the household and proceed as follows:
  - a. If there is no existing HMIS record for the household, explain the Client Consent Form and offer the household the option to have their information entered into HMIS anonymously. The provider should explain the process for housing referrals if entered anonymously (referral would be processed through the service provider entering the record into HMIS, who would then attempt to locate the client if a referral is made).
  - b. If there is an existing HMIS record for the household that includes the household's identifying information (non-anonymous), offer the household the option to make this existing HMIS profile anonymous. The provider should immediately notify the Bitfocus Help Desk if they change a previously existing profile from non-anonymous to anonymous so that other providers serving the household are notified of this change.
    - i. If the domestic violence survivor is part of a household in HMIS that includes their abuser, offer the survivor the option to remove their identity from the existing household and create a new and separate anonymous client profile. The provider should notify the Bitfocus Help Desk by following the procedure in subsection (b) above.

## 4.2 Required Forms and Notices

All RRH programs funded through the 2017 CoC Program Notice of Funding Availability (NOFA) and all subsequent CoC Program NOFAs must provide each household applying for assistance with a Notice of Occupancy Rights and Certification Form at the following times:

- The household is denied assistance;
- The household is admitted to the program;
- The household receives notification of eviction; and/or
- The household is notified of termination of assistance.



The Notice of Occupancy Rights must include:

1. VAWA protections, including survivor rights of confidentiality and the prohibited bases for denial or termination of assistance or eviction; and
2. Limitations of VAWA protections, including a housing provider's compliance with court orders and right to evict or terminate assistance to tenants for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking.

The Certification Form must be approved by HUD, and provide space for the applicant to state:

1. That they are a survivor of domestic violence, dating violence, sexual assault or stalking;
2. That the incident that is the ground for protection meets the applicable definition for such incident under [24 CFR 5.2003](#); and
3. The name of the individual who committed the violent act, if the name is known and safe to provide.

Please visit the [CoC Forms webpage](#) to access HUD Model Forms (available in various languages).

## 5 Eligibility Requirements

In order to qualify for RRH, households must satisfy the following criteria:

- A. Be the highest priority household available within the target population served by the program, as identified through Coordinated Assessment.
- B. Other eligibility criteria created at the program level.
- C. The individual or household must meet the definition of homeless in the CoC Program Interim Rule, under Category 1 or Category 4, consistent with the program's grant agreement with HUD. Additionally, the individual or household assisted in a CoC-funded RRH program must meet eligibility requirements identified in the NOFA for the grant year in which the program is funded.

It should be noted that if a client has entered multiple RRH programs and not found success with this service model, the provider is encouraged to assess and identify whether RRH is the best approach. Providers should track participant progress by [administering the SPDAT](#) quarterly and analyze (and address, if possible) the factors underlying lack of progress. Please contact OSH if you believe RRH is not the appropriate intervention for a client.

### **Regarding Housing First**

RRH programs will adopt a housing first approach and take all reasonable steps to reduce barriers to housing, including working with landlords to limit the criteria used to exclude applicants or evict participants. Unless required by law or as a condition of a particular source of funding, programs will not screen out or exclude participants based on any of the following:

- Failure to participate in supportive services or make progress on a service plan
- Having too little or no income
- Refusal to participate in drug tests
- Active or history of substance abuse
- Experience of domestic violence (e.g. lack of a protective order, period of separation, etc.)
- Credit or eviction history
- Failure to participate in a probation or parole program
- Lack of high school diploma or General Educational Development (GED)
- Criminal background

### **Regarding Income**

Households must demonstrate at point of program enrollment their ability and/or willingness to increase their income and/or decrease expenses and transition off the subsidy within the specified timeframe.

### **Regarding Other Eligibility Requirements**

RRH targeted toward families with children may assist qualifying families who do not currently have physical custody of their child(ren), if documentation from CPS verifies that housing and/or other services is the only remaining barrier to reunification and if the funding source allows for it, that reunification will occur after housing is obtained, and the household demonstrates compliance with CPS, court orders, etc.

## **6 Eligibility Documentation**

For participants in CoC-funded RRH, documentation must be included in the case file, and/or scanned into the HMIS client record that demonstrates eligibility as follows. For more detailed guidance, please consult the [Eligibility Documentation forms on the CoC website](#).

### **6.1 Category 1: Literally Homeless**

A literally homeless individual or family lacks a fixed, regular, and adequate nighttime residence, meaning they have a primary nighttime residence that is a public or private place not meant for human habitation, they are living in a publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by charitable organizations or federal, state, or local government programs), or they are existing in an institution where they have resided for 90 days or fewer and which they entered directly from an emergency shelter or place not meant for human habitation. Please see the guidance regarding Eligibility for Households Exiting THUs on the [CoC Toolkit](#) webpage.

The following documentation (in order of preference) is required to certify Category 1 homelessness:

1. Third Party Verification (HMIS print-out or written referral/certification by another housing or service provider); or
2. Third Party Verification via written observation by an outreach worker; or
3. Certification by the intake worker whose only encounter with the program applicant is at the current point at which they are seeking assistance; or
4. Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter;

Third-party evidence for Category 1 can be 14 days old counting back from intake. For example, a referral from emergency shelter dated June 1 would be an acceptable form of third-party documentation to verify homeless status through a program entry date of June 15. If the homeless certification does not fall within the 14 days of program entry, intake staff must seek other forms of documentation in order to establish the individual or family's homeless status.

If the provider is using anything other than Third Party Verification, the case file must include documentation of due diligence to obtain third party verification.

## 6.2 Category 4: Fleeing/Attempting to Flee Domestic Violence

Category 4 includes any individual or family who:

1. Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, human trafficking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
2. Has no other residence; and
3. Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.

The following documentation is required to certify Category 4 homelessness:

### **For victim service providers:**

- An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker.

**For non-victim service providers:**

1. Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified by an individual or organization from which the individual or head of household has sought assistance; and
2. Certification by the individual or head of household that no subsequent residence has been identified; and
3. Self-certification or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

### 6.3 Transfers from Rapid Rehousing to Permanent Supportive Housing

While it may be possible to transfer a RRH participant to a PSH program, it generally cannot be done immediately and often PSH spots are not available for the client. The following steps should be followed in this situation:

1. Do not complete a new VI-SPDAT unless there have been significant changes and you do not plan to enroll the client in the RRH program.
2. Enroll the household in the RRH program and work with them to achieve housing stability.
3. Complete chronic homelessness documentation within 45 days of enrollment in the RRH program, including chronic homelessness certification and disability documentation. Please see the [CoC Toolkit](#) webpage for Eligible Certifiers of Disability.
4. Complete the SPDAT assessment every three months to evaluate the household's progress. Extend RRH assistance if needed.
5. At the end of the standard period of the RRH program (six months, nine months, etc.), if the participant has not made progress and may still need PSH, contact the RRH Matchmaker. The Matchmaker will work with the RRH program to determine whether the participant is eligible for and can be placed in a PSH program. If it is determined that the household needs PSH and there is available capacity in an appropriate PSH program, the Matchmakers may be able to make a referral to PSH. However, there may not be any available spots in PSH programs.
6. Extend the RRH assistance as long as needed, up to two years, while the household is attempting to gain housing stability.

Please see the [CoC Toolkit](#) webpage for additional guidance regarding Transferring a Client to Another Program.

## 7 Housing First

The following are recommended as the minimum standard for a housing first approach in all programs:

- Income is not a requirement for program entry or participation.
- Sobriety and treatment compliance are not requirements for program entry or participation.
- Compliance with a service or treatment plan is not a condition of tenancy, and lack of compliance is not grounds for eviction.

Programs are strongly encouraged to align with the following housing first standards:

- During the admission/screening and acceptance process, applicants are considered and accepted without regard for sobriety or use of substances, completion of treatment, and/or participation in supportive services.
- Participants are not required to participate in drug tests as a condition of program entry or participation.
- Accept applicants without high school diplomas or GEDs.
- Accept applicants with poor credit or financial history, low or no income, poor or lack of rental history, criminal record, history of domestic violence (e.g., lack of a protective order, period of separation from abuser, or law enforcement involvement), or behaviors that indicate a lack of “housing readiness.”
- Explicitly state in policies that clients will not be terminated from the program for any of the following reasons: use of alcohol or drugs; failure to participate in supportive services; loss of income or failure to improve income; being a victim of domestic violence; and any other activities not typically covered in lease agreements in the program’s geographic area.
- Provide client-centered service plans and explicitly state in policies that clients will not be terminated from the program for lack of participation or lack of progress with a service plan, or non-compliance with program requirements. RRH programs may require case management as condition of rental assistance.

Programs should aspire to meet the following exemplary housing first standards:

- Provide tenants reasonable flexibility in paying their tenant share of rent on time and offer special payment arrangements for rent arrears, assistance with financial management, including payment plans, or representative payee arrangements.
- Train and assist case managers and service coordinators to actively employ evidence-based practices for client and tenant engagement, such as motivational interviewing and client-centered counseling.

- Utilize a harm reduction model where tenants are engaged in non-judgmental communication regarding drug and alcohol use and are offered education regarding how to avoid risky behaviors and engage in safer practices.
- Provide units that accommodate disabilities, reduce harm, and promote health among tenants. Examples include elevators, stove-tops with automatic shut-offs, wall-mounted emergency pull-cords, ADA wheelchair compliant showers, etc.

## 8 Housing Requirements

RRH programs will endeavor to offer as much client choice as possible regarding type and location of housing. RRH programs will provide a living environment that is safe and accessible, offer supportive services, and encourage maximum independence.

### 8.1 Rent Reasonableness Review

A uniform approach to rent reasonableness across the community reduces barriers to housing for program participants. Providers that are contracted by OSH have the option to adopt the below policy or provide their own rent reasonableness policy for OSH approval. Other providers are encouraged to adopt this policy as well by incorporating it into their existing agency specific policies and procedures.

#### **Rent Reasonableness Standard**

The rent reasonableness standard is designed to ensure that program rents being paid are reasonable in relation to rents being charged for comparable unassisted units in the same market. In order to determine whether a unit meets this standard, a review must be conducted, and several factors must be considered to ensure compliance is documented prior to executing the lease for an assisted unit and anytime unit rent is increased thereafter.

#### **Documenting Rent Reasonableness**

At minimum, no less than three comparable units will be used to complete the rent reasonableness review. It is important to ensure that the comparison you are using is up-to-date as comparable rents change over time due to market fluctuations.

The comparable rents can be checked by using a market study of rents charged for units of different sizes in different locations or by reviewing advertisements for comparable rental units. If advertisements for rental units will be used, the unit listings must be printed and attached to the form that outlines the comparison of the units including, but not limited to information regarding the rent, size, location, amenities, quality, etc. For reference, please see the sample *Rent Reasonableness Checklist and Certification* on the [CoC Forms](#) webpage.

Another acceptable method of documentation is written verification signed by the property owner or management company confirming that they have similar market rate units that are currently rented at comparable rates.

In order to calculate the gross rent for purposes of determining whether it meets the rent reasonableness standard, consider the entire housing cost: rent plus the cost of any utilities that must be paid by the tenant. Utility costs may include gas, electric, water, sewer, and trash. However, telephone, television service and internet service should be excluded. Other fees such as those that are accrued through the failure to pay per the lease should also be excluded.

Once the comparable units are found and an analysis has been completed, only unit rents that are no more than \$100 above the average of the three comparable rents will be considered rent reasonable.

## 8.2 Housing Quality Standards

Housing must meet the applicable Housing Quality Standards (HQS) under 24 CFR 982.401, including compliance with the CoC Lead Based Paint Policy on the [CoC Toolkit](#) webpage. Before any assistance is provided, each unit must be physically inspected to assure that the unit meets HQS. In addition, grantees must inspect all units at least annually during the grant period to ensure that the units continue to meet HQS.

Assistance will not be provided for units that fail to meet HQS, unless the owner corrects any deficiencies with 30 days of the date of the initial inspection and the grantee verifies that all deficiencies have been corrected.

## 8.3 Suitable Unit Size

Housing must have at least one bedroom or living/sleeping room for each two persons. Children of the opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room. If household composition changes during the term of assistance, grantees may relocate the household to a more appropriately-sized unit. The household must still have access to appropriate supportive services.

## 9 Lease Requirements

All participants must have signed leases with landowners. CoC funding requires and best practice encourages that each lease agreement be for a term of at least one year and be automatically renewable (at least month-to-month) upon expiration.

Other funding sources may provide flexibility and allow initial month-to-month leases where they are helpful in engaging landlords and securing housing for participants of short-term RRH programs.

## 9.1 VAWA-Mandated Requirements

Participant leases must include the following provisions in order to comply with the Violence Against Women Act:

- The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other “good cause” for termination of assistance, tenancy or occupancy rights of the victim of abuse.
- The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that abuse.
- The Landlord may request in writing that the victim, or a family member on the victim’s behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

Please see **Error! Reference source not found.** for a sample compliant lease addendum.

### 9.1.1 Lease Bifurcation

Housing providers may bifurcate leases to evict, remove, or terminate assistance to a household member who engages in domestic-violence-related criminal activity without evicting, removing, or terminating assistance to, or otherwise penalizing, a victim of such criminal activity who is also a tenant or lawful occupant.

Tenant-based rental assistance and any utility assistance shall continue for the family member(s) who are not evicted or removed.

## 10 Rental Assistance

Please see the [CoC Toolkit](#) webpage for CoC and ESG Eligible Program Expenses, Federal Requirements Related to Allocation of Shared Costs, and Sample Time and Activity Logs.



## 10.1 Move-In Assistance

Move-In Assistance will be targeted to households who are assessed as able to maintain their unit after the assistance. Move-In Assistance may be provided as one-time assistance or in tandem with Rental Assistance/Rental Subsidies.

Grant funds may be used for security deposits in an amount not to exceed 2 months of rent. An advance payment of the last month's rent may be provided to the landlord, in addition to the security deposit and payment of first month's rent.

## 10.2 Up to 24 Months of Rental Assistance

The structure of RRH assistance is guided by a philosophy that encourages providers to provide the least amount of assistance to individuals and families to ensure their housing stability. Providers, together with the client, determine how long or often to provide a subsidy (unless determined by specific grant requirements, regulations, etc.) while at the same time ensuring that program resources are used as efficiently as possible.

Rental subsidies are provided for a maximum of 24 months based on client income and decline in steps based upon a fixed timeline, determined by the program. Providers may revise the fixed timeline as needed to accommodate the client's circumstances. Initial assistance can be as much as 100% of rent depending on client income. Client will pay a percentage of their income in rent based on the program's assessment of the client's financial and family situation, with rental assistance decreasing monthly over time (schedule to be determined by program).

## 10.3 Vacancy Payments

Programs may use rental assistance funds to provide vacancy payments to landlords participating in the program. Vacancy payments can be provided if the unit is vacated before the end of the lease. In this situation, rental assistance may continue for a maximum of 30 days from the end of the month in which the unit is vacated unless occupied by another eligible person. This policy is intended to allow grantees time to engage another person who is homeless to move into the unit without losing the participation of the landlord.

Please note that programs may also continue to make rental payments on behalf of a program participant that is institutionalized for a brief period, not to exceed 90 days for each occurrence.

## 10.4 Property Damages

Programs may cover up to one month's rent for property damages (in addition to the costs covered by the security deposit), but this is limited to one time per participant.

## 10.5 Best Practices

In addition to the requirements related to receiving RRH resources, the CoC encourages providers to implement best practices when locating and securing housing for applicant families.<sup>1</sup> Best practices include:

1. Rental Assistance Administrators must not issue checks to anyone other than a property owner or property management company. In no situation should a check or payment be made to the household or another party.
2. A Rental Assistance Administrator should verify property ownership by calling the Santa Clara County Tax Assessor. Provide the Assessor with the address of the unit the provider is interested in renting and verify the name of the property owner.
3. A Rental Assistance Administrator should call or meet with the landlord to verify the rental agreement.
4. A Rental Assistance Administrator should mail payment to the property owner and/or property management company. Should the landlord, property owner and/or property management company need the check immediately they may pick it up from the service provider. The household should not pick up or deliver the payment to the property owner and/or property management company.

## 11 Supportive Services

Case Managers must provide intensive case management services throughout each participant's stay in RRH to assist households to successfully retain housing and move off the subsidy and into self-sufficiency. Services may be provided at the program offices, and Case Managers will conduct home visits when appropriate. If the agency is unable to provide a service that a participant needs, the Case Manager must find an organization that is able to offer the particular support and provide the participant with a warm hand-off to ensure connection to this resource. Services provided must be logged in HMIS. Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for details.

Please see the [CoC Toolkit](#) webpage for CoC and ESG Eligible Program Expenses, Federal Requirements Related to Allocation of Shared Costs, and Sample Time and Activity Logs.

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<sup>1</sup> Compiled from *Helping Clients to Help Themselves Through the Housing Process*, Evans, Bobbi Jo, <http://homeless.samhsa.gov/resource/helping-clients-to-help-themselves-through-the-housing-process-49727.aspx> and How to Give a Helping Hand Toward Housing, Evans, Bobbi Jo, <http://homeless.samhsa.gov/resource/How-to-Give-a-Helping-Hand-Toward-Housing-46281.aspx>

Services may include, but are not limited to:

### **Housing Support**

- Intake and assessment
- Rental assistance
- Legal assistance
- Assistance with housing applications
- Information and training regarding tenants' rights and responsibilities
- Education and assistance around landlord-tenants' rights and responsibilities
- Mediation and negotiation with landlords
- A minimum of one monthly face-to-face case management meeting
- A minimum of one quarterly home visit

### **Employment & Education**

Please be aware of the Employment Pathway Initiative, which seeks to pair RRH clients with opportunities for living-wage employment leading to careers in high-growth industries. Please see the program's [Operations Manual](#) for details and instructions on how to get connected.

- Vocational and employment assistance or training and referral
- Supportive employment and referral for employment
- Connection to literacy training, English as a Second Language courses, and GED attainment
- Provision of books, supplies, and instructional materials

### **Socialization & Daily Functions**

- Daily living skills training
- Budgeting and money management skills and training
- Skills and training in maintaining a household
- Eligibility screening for, and assistance applying for and retaining mainstream resources (SSI, CalWORKS, MediCal, veteran's benefits, etc.)
- Interpersonal communication skills
- Transportation, including accompaniment to appointments, home visits
- Child care
- Parenting information and education
- Conflict resolution and crisis intervention
- Helping clients connect to meaningful daily activities
- Social, cultural, or recreational activities
- Opportunities for peer-to-peer education and support
- Support groups and other services to maintain, preserve, and promote independence, including optimal physical, social, and psychological development and functioning

## Wellness

- Service coordination
- Mental health counseling and education
- Substance abuse education and counseling
- Effective use of health care (medical/dental/mental health/psychiatric)
- Preventive health services

## General

- Verification of progress towards achievement of short and long-term client objectives

During the clients' participation in the program, client must meet in person with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability. The project is exempt from this requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) prohibits the recipient carrying out the project from making its housing conditional on the participant's acceptance of services.

Every client must receive an annual assessment of service needs within 30 days of the client's program enrollment anniversary. Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for details.

All clients may receive follow-up services for up to six months after rental assistance ends to ensure stability and assess the effectiveness of RRH programs.

### 11.1 Use of SPDAT

All providers are encouraged to [use the SPDAT](#) as a case management tool to assess clients on entry to a program and on an ongoing basis. To ensure continuity of service and provide the appropriate level of supports to clients, RRH programs are strongly encouraged to administer the SPDAT for all clients and to collect disability documentation within 45 days of intake for clients with long-term disabilities. Please see the [CoC Toolkit](#) webpage for Eligible Certifiers of Disability. The RRH program should re-administer the SPDAT quarterly thereafter. Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for details.

## 11.2 Best Practices

In addition to the requirements related to receiving RRH resources, the CoC encourages providers to implement best practices when locating and securing housing for applicant families.<sup>2</sup> Best practices include:

1. Set Goals – From the start, identify and set goals with the household to determine what they want.
2. Set Expectations – Review the various rules and regulations related to housing – from noise levels to cleanliness to respect for neighbors. Stress the benefits. Differentiate between the household’s wants versus their needs (e.g. studio serves the purpose rather than a one-bedroom).
3. Set Up Support – Have in place counseling and case management during housing process to assist with necessary changes as household transitions into housing (e.g. modifying behaviors that may be viewed negatively in residential settings).
4. Listen to Household – Meet regularly, view apartments together, recognize household’s ability to decide where they want to live. Have household take an active role on the search.
5. Recognize What Landlords Want – Know what landlords are looking for in prospective tenants (tenants who pay on time, maintain property, get along with others).
6. Address Credit, and Criminal History Issues – Educate household on their credit report. Obtain it and review it with household, encourage payment arrangement on utilities to correct discrepancies. Same with criminal history – obtain police records to ensure information is accurate. Identify resources to assist household with cleaning up their criminal record.
7. Work with Landlords – Work closely with landlord to provide simple, straightforward explanations of a household’s credit/criminal history (face-to-face is best). Once household accepted have landlord and household meet. Prepare household for this first impression (e.g. specific questions the landlord may ask). If household not accepted maintain positive attitude and motivation for possible future opportunity.
8. Understand the Purpose of the Security Deposit – Educate the household that the security deposit is a guarantee against damage not unpaid rent. Meet with the landlord and the client to do an inspection and document/photograph any existing damage and include in household’s file.
9. Review the Lease – Review the lease with the household. Emphasize sections on rent, alteration of the apartment, lease violation, rules relating to guests and pets. Identify who is responsible for paying the utilities and any additional charges. Encourage the household to ask questions. Ensure that initial leases are for a term of at least one year, automatically renewable on a month-to-month basis, and terminable only for cause.

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<sup>2</sup> Compiled from *Helping Clients to Help Themselves Through the Housing Process*, Evans, Bobbi Jo, <http://homeless.samhsa.gov/resource/helping-clients-to-help-themselves-through-the-housing-process-49727.aspx> and *How to Give a Helping Hand Toward Housing*, Evans, Bobbi Jo, <http://homeless.samhsa.gov/resource/How-to-Give-a-Helping-Hand-Toward-Housing-46281.aspx>

10. Anticipate Challenges – Provide and identify support for household who may be experiencing a major transition and adjustments in routines now that they are housed.

## 12 Client Transfers

### 12.1 Housing Clients Outside the CoC's Geographic Area

Up to 50 percent of units receiving CoC-funded rental assistance through a RRH program at any given point in time may be located outside the CoC's geographic area. Clients may choose housing outside the CoC's geographic area if the following conditions are met:

1. The client's decision to choose housing outside the CoC's geographic area is made in consultation between the client and program.
2. The program is required to comply with CoC requirements, including:
  - Ensuring housing meets safety and quality standards,
  - Carrying out environmental reviews if necessary,
  - Calculating the client's income for determining rent contributions,
  - Conducting an annual assessment of the client's service needs,
  - Making support services available for the duration of the client's participation in the program, and ensuring these services are in compliance with all State and local licensing codes, and
  - Providing monthly case management.
3. The participant remains in the HMIS of the CoC in which the participant is enrolled.

Discretion lies with the client. The program may decline a client's request if – and only if – it is unable to comply with all CoC requirements in the geographic area where the housing selected by the client is located. If the client believes the program could have reasonably accommodated the request, the client may contact the CoC or HUD directly. The receiving CoC (i.e., that with jurisdiction over the geographic area to which the client seeks to move) is not involved in the decision.

### 12.2 Emergency Transfer Plan

#### 12.2.1 Emergency Transfer Qualifications

A client qualifies for an emergency transfer if:

1. The client is a survivor of domestic violence, dating violence, sexual assault or stalking;
2. The client expressly requests the transfer; *and*

3. Either:

- A. The client reasonably believes there is a threat of imminent harm from further violence if the client remains in the same dwelling unit; or
- B. If the client is a survivor of sexual assault, the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.

### 12.2.2 Emergency Transfer Process

A client may submit an emergency transfer request directly to program staff. The program must communicate with the Rapid Rehousing Manager to inform them that an emergency transfer request has been made and whether the request is for an internal transfer (a transfer where the client would not be categorized as a new applicant), external transfer, or both. A client may seek an internal and external emergency transfer at the same time if a safe unit is not immediately available. The program will take reasonable steps to support them in securing a new safe unit as soon as possible and a transfer may not be necessary.

Programs will ensure strict confidentiality measures are in place to prevent disclosure of the location of the client's new unit to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the client.

Where a family separates as part of the emergency transfer, the family member(s) receiving the emergency transfer will retain the rental assistance when possible. The program will work with the CoC and the household to support an effective transfer in situations where the program is not a good fit for the family member(s) receiving the emergency transfer.

#### **Internal Transfer**

Where the client requests an internal emergency transfer, the program should take steps to immediately transfer the client to a safe unit if a unit is available. Requests for internal emergency transfers should receive at least the same priority as the program provides to other types of transfer requests.

If a safe unit is not immediately available, program staff will inform the client that a unit is not immediately available and explain the options to:

1. Wait for a safe unit to become available for an internal transfer,
2. Request an external emergency transfer, and/or
3. Pursue both an internal and external transfer at the same time in order to transfer to the next available safe unit in the CoC.

## External Transfer

If a client requests an external emergency transfer, the client has priority over all other applicants for CoC-funded housing assistance, provided the household meets all eligibility criteria required by HUD and the program. After the agency communicates the client's emergency transfer request to the Rapid Rehousing Manager, the Manager will facilitate referral of the participant to the next available appropriate unit through the Coordinated Assessment System. The household retains their original homeless status for purposes of the transfer. Please see the [CoC Toolkit](#) webpage for additional guidance regarding Transferring a Client to Another Program.

### 12.2.3 Documentation and Record Keeping

To request an emergency transfer, the client should submit a written request to program staff, certifying that they meet the emergency transfer qualification requirements. The program may – but is not required to – request additional documentation of the occurrence for which the client is requesting an emergency transfer. No other documentation is required.

Programs must retain records of all emergency transfer requests and their outcomes for a period of 5 years following the grant year of the program in which the household was a participant and report them to HUD annually.

## 13 Program Exit

Please see the HMIS RRH Workflow (available by request from OSH Program Manager Jessica Orozco) for instructions on recording clients' program exits.

### 13.1 Policy for Participant Termination

The recipient or subrecipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination under this section does not bar the recipient or subrecipient from providing further assistance at a later date to the same individual or family.

Recipients or subrecipients that are providing permanent supportive housing for hard-to-house populations of homeless persons must exercise judgment and examine all circumstances in determining whether termination is appropriate. **HUD has determined that a participant's assistance should be terminated only in the most severe cases.** The termination process is designed to allow due process to the participant who can appeal the termination decision. The program participant must receive a written copy of the program rules and the termination due process before the participant begins to receive assistance. If a participant is already enrolled in a program, a written copy of the rules and termination due process must be provided during the annual recertification process.



### *13.1.1 Role of the Case Manager and the OSH Program Manager*

The case manager will assist the participant to avoid jeopardizing their housing placement and participation in the CoC Program. The case manager will inform the participant when his or her behaviors may lead to termination from the program and will develop a written behavioral contract with the participant to resolve the issues that may result in program termination and consequent eviction from the housing unit. The case manager's supervisor will facilitate a meeting with the participant and case manager to review the behavioral contract, explain the consequences of continued non-compliance with program and/or occupancy agreements, with the ultimate consequence being termination of rental assistance for violations of program requirements and/or eviction from the premises by the landlord for occupancy agreement violations. This delineation of roles between the case manager's supervisor and the case manager will assist in protecting the established working relationship between the case manager and the participant. If the case manager believes a participant is in jeopardy of eviction or termination of rental assistance, the case manager must notify the Office of Supportive Housing PSH or RRH Program Manager in writing as soon as possible.

If the participant refuses to enter into a behavioral contract and the program and/or occupancy agreement violations persist, the case manager may recommend the participant's termination from the program to the Office of Supportive Housing. The case manager must provide written documentation supporting the reasons for program termination and include the behavioral contract noting the degree of implementation and results. If the participant refuses to engage in developing a behavioral agreement, the case manager must state this information in their report to OSH.

Violations that may result in program termination include:

1. Refusal to provide documentation or signature required for program eligibility (e.g. annual recertification);
2. Abandonment of the unit without notice to the program staff for more than 30 consecutive days. Please note that this does not include instances in which program staff are notified of time-limited vacancy from the unit, however, the length of time away from the unit will be dependent upon the specific requirements of the program funding source.
3. Violent or threatening behavior, or other behavior that seriously threatens the health and safety of the participant, family members in the household, or other tenants;
4. Violent or threatening behavior towards the case manager, other program staff, landlord, property manager, other tenants; and
5. Legal eviction by a landlord constituting extreme violation of occupancy requirements.

**In situations where the participant or family is involved in violent or criminal activity that endangers the safety of the participant, family members in the household, or the safety of other tenants, the participant may be required to leave the housing unit immediately. In this**

instance, if it is safe to do so, the case manager will assist the participant with locating other housing arrangements or services.

If the violent or threatening behavior is directed towards the case manager, other program staff, landlord, property manager, or other tenants, the recipient or subrecipient will terminate the client from the program.

The OSH Program Manager may transfer the client to another RRH or PSH program, if appropriate and if doing so is not likely to put the participant, household members, program staff, or tenants at risk of harm.

### 13.1.2 Eviction Proceedings by a Landlord

If a landlord initiates eviction proceedings against a participant in the absence of a program termination notice, the landlord must follow California State laws regarding the eviction of the participant. The participant must inform the case manager of the eviction proceedings and provide a copy of the landlord's eviction letter and all court summons and eviction notices. The case manager must send a copy to the Office of Supportive Housing PSH or RRH Program Manager. Legal eviction by a landlord may constitute extreme violation of occupancy requirements and subjects the participant to possible termination from the program if the reasons for eviction constitute program violations stated above.

### 13.1.3 Due Process for Participant Appeals of Program Termination

The recipient or subrecipient must make a request to terminate the participant from the program along with supporting documentation to the OSH Program Manager for approval before taking adverse action such as terminating a participant from the CoC Program. OSH may approve the termination request, request additional information, or direct the recipient or subrecipient to explore alternatives to program termination.

There are two levels of due process for participant appeals.

#### *1) Participant Appeal to the Recipient/Subrecipient*

If the OSH Program Manager approves the request to begin termination proceedings, the subrecipient must provide a written letter to the participant informing the participant of the termination decision along with the reasons for termination, and the date of termination from the program that will result in ending the rental subsidy and/or eviction from the unit if the landlord is a sponsor agency. The letter must provide 30-day notice for termination. The letter must also include a description of the appeal process including the deadline date for the appeal, the person to be contacted to schedule an appeal hearing, and an appeal form to be completed by the participant if applicable. The recipient or subrecipient must specify whether supportive services will continue during the 30-day period.

## *2) Participant Appeal to the Continuum of Care*

If the participant's appeal to the recipient/subrecipient results in the termination being upheld, the participant has the right to appeal to the CoC, whose decision is binding. The appeal must be submitted in writing to the CoC Quality Improvement Manager. The participant can also request that the recipient/subrecipient deliver their appeal request directly to the CoC Quality Improvement Manager on their behalf. Upon receipt of the appeal request, the CoC manager must convene an appeals panel within ten (10) business days to render a final decision. The appeals panel must consist of the CoC Quality Improvement Manager (or his/her designee) and at least two CoC members who were not involved in the first level appeal process (from agencies other than the recipient/subrecipient). The participant must attend the appeal hearing and be provided a means of transportation to the hearing if requested by the participant. The participant must be given the opportunity to present their reasons for remaining in the CoC program. Failure on the part of the participant to attend will automatically uphold the termination decision unless the participant has made good faith efforts to contact the CoC prior to the appeals hearing stating the reasons for not being able to attend. The recipient/subrecipient that determined the first level of termination is required to attend the appeal hearing.

## Appendix A – VAWA Lease Addendum

### LEASE ADDENDUM

#### VIOLENCE AGAINST WOMEN AND JUSTICE DEPARTMENT REAUTHORIZATION ACT OF 2005

TENANT	LANDLORD	UNIT NO. & ADDRESS
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This lease addendum adds the following paragraphs to the Lease between the above referenced Tenant and Landlord.

#### **Purpose of the Addendum**

The lease for the above referenced unit is being amended to include the provisions of the Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA).

#### **Conflicts with Other Provisions of the Lease**

In case of any conflict between the provisions of this Addendum and other sections of the Lease, the provisions of this Addendum shall prevail.

#### **Term of the Lease Addendum**

The effective date of this Lease Addendum is \_\_\_\_\_. This Lease Addendum shall continue to be in effect until the Lease is terminated.

#### **VAWA Protections**

1. The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other “good cause” for termination of assistance, tenancy or occupancy rights of the victim of abuse.
2. The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that abuse.
3. The Landlord may request in writing that the victim, or a family member on the victim’s behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

\_\_\_\_\_  
Tenant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Landlord

\_\_\_\_\_  
Date