



New York State Balance of State Continuum of Care

Permanent Supportive Housing Standards Manual

Contents

| | |
|--|---|
| Overview..... | 2 |
| Program Referral | 2 |
| Program Eligibility | 2 |
| Intake and Assessment..... | 4 |
| Housing Search and Placement..... | 4 |
| Financial Assistance | 5 |
| Housing Stabilization and Sustainability Supports..... | 6 |
| Program Changes..... | 6 |
| Discharge from Program | 6 |
| Program Participant File Maintenance..... | 7 |
| Documentation of Homelessness | 7 |
| Documentation of Disabling Condition..... | 8 |

Overview

Permanent Supportive Housing (PSH) is permanent housing assistance (e.g., long-term leasing or rental assistance) and supportive services that are provided to assist households achieve housing stability.

Housing Focus

Homelessness is a housing problem and should be treated as such. Having a housing focus recognizes the individual's or family's immediate barriers to obtaining and keeping housing and then finds ways to eliminate or compensate for those barriers. Non-housing related matters are addressed if and when the program participant chooses.

Housing First

The program participant will be assisted in obtaining permanent housing as quickly as possible and will be connected to resources necessary to sustain that housing. Permanent housing is the immediate goal. If there are skills that the participant needs to sustain housing, those skills are addressed and learned while the participant is residing in their own housing.

Choice and Respect

Families and individuals are empowered to make their own choices about housing and services and respond to the consequences of those choices.

Program Referral

The Permanent Supportive Housing program will work with the CoC's Coordinated Entry (CE) team to receive appropriate referrals that coincide with vulnerability assessment scores. Program vacancies must be filled from the CE prioritization list. Potential program participants should only be referred to a PSH program if they meet the appropriate eligibility requirements.

Program Eligibility

Programs should prioritize chronically homeless individuals for vacancies. An individual is defined as chronically homeless if a homeless individual has a disabling condition as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)) who:

1. Lives in a place not meant for human habitation, a safe haven or an emergency shelter, **AND**
2. Has been homeless continuously for at least 12 months or on at least four separate occasions in the last three years. Combined occasions must equal at least 12 months and each break in homelessness separating the occasions included at least seven consecutive nights of not living as described previously. Stays in institutional care facilities for fewer than 90 days will constitute a break in homelessness, but such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering an institutional care facility.

The Coordinated Entry team should only make a referral to a PSH program if a household is eligible, however if a household is referred and screened but determined to be ineligible, the household will be notified in writing of the assessment results and the reason for ineligibility. A determination of ineligible status is recorded as well as the reasons of the determination.

Reasons for an ineligible determination may include:

- Program participant/household is not in an eligible homeless situation.
- Program participant/household refused further participation or moved out of geographic area.
- Program participant/household unresponsive to multiple communication attempts.
- Program participant/household resolved crisis without assistance.
- Program participant/household does not have a documented disability.

Documented Disabling Condition

Upon initial evaluation, PSH participants must have a documented disability. A disabling condition 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 illness that:
 - a. Is expected to be long-continuing or of indefinite duration; **and**
 - b. Substantially impedes the person's ability to live independently; **and**
 - c. Could be improved by more suitable housing.

Homeless Definition

At initial evaluation, PSH participants must be homeless under one of the following categories:

- A. Category One: Literally homeless. Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - a. Has a primary nighttime residence that is a public or private place not meant for human habitation, **OR**
 - b. Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs), **OR**
 - c. Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.
- B. Category Four: Fleeing/attempting to flee domestic violence. Any individual or family who:
 - a. Is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, **AND**
 - b. Has no other residence, **AND**
 - c. Lacks the resources or support networks to obtain other permanent housing.

Intake and Assessment

Upon admission into the program, Program Staff will enter the household into HMIS with the “Project Start Date” or admission date. Once the household has found a unit and moved in, the HMIS record must be updated with the appropriate “Move-In Date.” PSH Program Staff will complete the following with the program participant/household upon intake:

- Documentation of Homelessness
- Identification Information
- Income Verification
- Program Agreement
- Rent Calculation Worksheet (update as needed)
- HMIS Intake (or comparable database) and Consent
- Balance of State Release of Information
- Agency Releases of Information (landlord, income, medical, substance use, mental health, etc.) (update annually or as needed)
- Housing Stability Plan (optional)

Housing Search and Placement

PSH Program Staff will work with the program participant/household to identify housing options in the community suitable to the program participant’s needs. When a unit is selected, the following must be completed:

- HUD Housing Quality Standards (HQS) Inspection Checklist
- Rental Agreement or Lease
- Lead-Based Paint Disclosure Form

Inspection

An on-site inspection of the unit is required anytime a program participant is receiving financial assistance or case management. Payment will not be provided for units that fail the inspection, unless the deficiencies are corrected within 30 days from the date of the initial inspection and the case manager verifies that all deficiencies have been corrected. Inspections must be conducted annually. PSH Program Staff are required to take HUD’s online Lead-Based Paint Training Course. PSH Program Staff should strive to establish and maintain relationships with landlords in the community who provide safe and affordable housing.

Lead Based Paint Disclosure

Before a lease is signed, programs must ensure that landlords are aware of the lead-based paint requirements. Refer to the “Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards” found in the sample document section of this document. Programs must ensure landlords provide an EPA-approved information pamphlet on identifying and controlling lead-based paint hazards (“Protect Your Family from Lead In Your Home”) to program participants. Landlords must retain a copy of the disclosures for at least three years from the date the lease begins. More information can be found at <https://www.epa.gov/>.

Fair Market Rent and Rent Reasonableness

Program should make every effort to find an apartment at or below Fair Market Rent (FMR). For programs that follow a Rental Assistance model, the amount of CoC Program funds used for rental assistance may exceed the current FMR for the unit size and location, as long as the contract rent is reasonable. If the rent exceeds FMR, a Rent Reasonableness assessment must be done. Rent reasonableness requires that the rent charged for a unit is similar to rent charged for comparable units in the same geographic area. Programs that follow a Leasing model must utilize units at or below FMR. HUD calculates the FMR per unit size in a geographic area. The most up to date FMRs can be found at <https://www.huduser.gov/portal/datasets/fmr.html>.

Financial Assistance

Rental assistance is provided on a long-term basis with no maximum amount of assistance or time limit. Participants are required to contribute no more than 30% of their income towards rent, not to exceed the full contract rent. The remaining rental amount will be subsidized by the Permanent Supportive Housing program. Rental contributions will be consistently applied to all program participants. All payments will be issued directly to a third party (landlord, utility company, etc.) and not to the program participant/household. Copies of payment must be retained in the participant's program file.

| | Eligible Expenses |
|--|---|
| Leasing Costs | <ul style="list-style-type: none"> • Rent for the unit or structure • Security deposits (up to 2 month's rent*) • First and last* month's rent • Staff/related costs to carry out leasing activities (such as conducting Housing Quality Standards), making landlord payments, etc. • Payments on unoccupied units while identifying a new program participant |
| Rental Assistance Costs | <ul style="list-style-type: none"> • Rental assistance (no time limit) • Property damage • Security deposits (up to 2 month's rent*) • Rent above Fair Market Rent but that is rent reasonable • Tenant-based rental assistance • Project-based rental assistance • Sponsor-based rental assistance |
| Service/Supportive Services Costs | <ul style="list-style-type: none"> • Annual assessment of services • Moving costs • Case management • Childcare • Education services • Employment assistance and job training • Food • Housing search and counseling services • Legal services • Life skills training • Mental health services • Outpatient health services • Outreach services • Substance abuse treatment services • Transportation services • Utility deposits |

**Per NYS law, landlords can only require first month's rent and one month security deposit at move-in.*

Housing Stabilization and Sustainability Supports

At intake, PSH Program Staff and the program participant/household will develop a Rent Calculation Worksheet. The rent calculation worksheet determines the potential amount of financial assistance and support needed. A Housing Stability plan and/or a Budget Worksheet can also be created at any time, including at intake, and could include:

- Developing housing and financial goals including prioritization and timeframe.
- Securing and coordinating services and assistance in obtaining public benefits.
- Providing referrals to entities such as substance use or mental health counseling, food banks, financial literacy courses, educational or vocational services, credit repair, legal assistance, etc.
- Monitoring and evaluating participant progress.

As a general guideline, PSH program staff will meet with participants on the following basis, but no less than once per month:

- While participant is searching for housing: 1-2 times per week.
- Initially housed: 2-4 times per month.
- Once stably housed: once per month.
- If crisis or significant changes occur with participant: weekly.

Case Notes

All PSH activities and encounters will be documented in case notes in the program participant's case file. Case notes can be created in HMIS or a comparable database.

Program Changes

If circumstances change for the program participant/household such as household size or composition, domestic violence in the household, program participant finds alternate housing, etc., the program participant should inform program staff as soon as they are able. Program should make every effort to accommodate changes to the household. Additionally, a change in circumstances should not result in discharge unless the change in circumstance results in program ineligibility.

Discharge from Program

Reasons for program participant discharge may include:

- Program Participant(s) no longer in need of assistance.
- Program Participant(s) moved to a different level of care (treatment facility, hospital, etc.).
- Program Participant(s) voluntarily withdrew from program or moved to a geographic area where ongoing case management is not feasible.
- Program Participant(s) unresponsive to multiple communication attempts, such as both written and verbal attempts for three consecutive months.

When a program participant is discharged from the program, the following must be completed:

- Case Closure letter to program participant and landlord
- Case Closure Aftercare Plan (optional)
- HMIS Exit

Grievance Procedure for Program Termination

Program participants have the right to appeal the agency's decision to terminate rental assistance through the Permanent Supportive Housing Program. The program participant must appeal the decision in writing or verbally within 30 calendar days of the date of the case closure letter. If a request is made verbally, program participants must speak with program staff to confirm that the request has been received.

Program Participant File Maintenance

Program participant case files will be maintained for all households referred to and admitted to the program. All documentation related to program participant services shall be maintained in files as described below and in a secure location.

Income and Identification Verification

PSH Program Staff are required to verify identification and income of program participants at the time of intake. Copies of the following verifications are to be included in the case file:

- Proof of social security numbers and documentation of birth dates for the lease holder(s)
- For income verification, any or all of the following as applicable for the lease holder(s):
 - Most recent paystubs (one month)
 - Public Assistance Budget
 - SSI/SSDI Award Letter
 - Unemployment compensation
 - Child support
 - Other sources of income
 - Tax returns

Other Required Documentation

- Documentation of Homelessness
- Documentation of Disabling Condition
- Rent Calculation Worksheet
- Documentation of Rent Reasonableness (for Rental Assistance programs if unit is above FMR)
- Program Agreement
- Balance of State CoC Release of Information
- Agency Releases of Information (landlord, income, medical, substance use, mental health, etc.) (update annually or as needed)
- HUD Housing Quality Standards (HQS) Inspection Checklist
- Rental Agreement or Lease
- Lead-Based Paint Disclosure Form
- Case Notes (can be housed in HMIS or comparable database)

Documentation of Homelessness

For individuals who are literally homeless the following is required:

- Written referral by another housing or service provider; **OR**
- Written observation by the outreach worker; **OR**
- Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter.

For individuals who are exiting an institution, one of the forms of evidence above **AND**

- Discharge paperwork or written/oral referral; **OR**
- Written record of intake worker's due diligence to obtain above evidence **AND** certification by individual that they exited an institution.

For individual who are fleeing or attempting to flee domestic violence the following is required.

For victim service providers:

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

- Written record of intake worker's due diligence to obtain above evidence **AND** certification by individual that they exited an institution.

For non-victim service providers:

- An oral statement by the individual or head of household seeking assistance that states 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; **AND**
- Certification by the individual or head of household that no subsequent residence has been identified; **AND**
- Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

HUD recordkeeping requirements can be found on the HUD Exchange at <https://www.hudexchange.info/resource/1974/criteria-and-recordkeeping-requirements-for-definition-of-homeless/>

Documentation of Disabling Condition

To be considered chronically homeless, an individual must be homeless and have a documented disability. An individual or head of household's qualifying disability must be documented by one of the following:

- 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, **OR**
- Written verification from the Social Security Administration, **OR**
- The receipt of a disability check (e.g., Social Security Disability Insurance check or Veteran Disability Compensation), **OR**
- Intake staff-recorded observation of disability **AND**, no later than 45 days from the application for assistance, is confirmed **AND** accompanied by evidence above, **OR**
- Other documentation approved by HUD.

Further, acceptable evidence of a disability for an individual with HIV/AIDS would include written verification from a professional licensed by the state to diagnose and treat HIV/AIDS. There would **not** be an expectation that the licensed professional would also certify that the condition is expected to be of long-continuing or indefinite duration and substantially impede the individual's ability to live independently.

HUD recordkeeping requirements for disabling conditions can be found on the HUD Exchange at <https://www.hudexchange.info/faqs/programs/continuum-of-care-coc-program/program-requirements/definition-of-chronic-homelessness/how-must-an-individual-or-head-of-households-qualifying-disability/>