

Definitions and Concepts for FY16 NOFA

Definitions can be found at 24 CFR 578.3. You've no doubt read these before, so I've highlighted below those that may be of greatest interest. P. 15 of NOFA

Chronically homeless.

(1) An individual who:

(i) Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and

(ii) Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years; and

(iii) Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 ([42 U.S.C. 15002](#))), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;

(2) 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 criteria in paragraph (1) of this definition, before entering that facility; or

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

Collaborative applicant means the eligible applicant that has been designated by the Continuum of Care to apply for a grant for Continuum of Care planning funds under this part on behalf of the Continuum.

Homeless:

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised 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, or local government programs for low-income individuals); or

(iii) An individual who is exiting an institution where he or she 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;

(2) An individual or family who will imminently lose their primary nighttime residence, provided that:

(i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

(ii) No subsequent residence has been identified; and

(iii) The individual or family lacks the resources or support networks, *e.g.*, family, friends, faith-based or other social networks, needed to obtain other permanent housing;

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, 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;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, *e.g.*, family, friends, and faith-based or other social networks, to obtain other permanent housing.

Homeless Management Information System (HMIS) means the information system designated by the Continuum of Care to comply with the HMIS requirements prescribed by HUD.

Housing First. A model of housing assistance that prioritizes rapid placement and stabilization in permanent housing that does not have service participation requirements or preconditions (such as sobriety or a minimum income threshold). Transitional housing and supportive service only projects can be considered to be using a housing first model for the purposes of this NOFA if they operate with low-barriers, work to quickly move people into permanent housing, do not

require participation in supportive services, and, for transitional housing projects, do not require any preconditions for moving into the transitional housing (e.g., sobriety or minimum income threshold). Additional information regarding Housing First is in Section II.A.7 of this NOFA.

Permanent housing means community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid rehousing. To be permanent housing, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause.

Permanent supportive housing means permanent housing in which supportive services are provided to assist homeless persons with a disability to live independently.

Transitional housing means housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended.

Definitions and Concepts Pertinent to the FY16 NOFA, Again, I've highlighted those that are likely to be of greatest interest. p. 15

Beds Dedicated to Chronically Homeless Individuals and Families. A permanent supportive housing bed that is dedicated specifically for use by chronically homeless individuals and families within a CoC's geographic area, as reported in the CoC's Housing Inventory Count (HIC) and the FY 2015 permanent housing project applications. When a program participant exits the project, the bed must be filled by another chronically homeless participant unless there are no chronically homeless persons located within the CoC's geographic area. This concept only applies to permanent supportive housing projects.

Definition of Homelessness and Human Trafficking. HUD wishes to clarify that persons who are fleeing or attempting to flee human trafficking may qualify as homeless under paragraph 4 of the "homeless" definition at 24 CFR 578.3; and, therefore may be eligible for certain forms of homeless assistance under the CoC Program, subject to other restrictions that may apply. HUD considers human trafficking, including sex trafficking, to be "other dangerous or life threatening conditions that relate to violence against the individual or family member" under paragraph 4 of the definition of "homeless" at 24 CFR 578.3. Where an individual or family is fleeing, or is attempting to flee human trafficking, that has either taken place within the individuals or family's primary night-time residence or has made the individual or family afraid to return to their primary night-time residence; and the individual or family has no other residence; and the individual or family lacks the resources or support networks to obtain other permanent housing; HUD would consider that individual or family to qualify as "homeless" under paragraph 4 of the definition.

Housing First. A model of housing assistance that prioritizes rapid placement and stabilization in permanent housing that does not have service participation requirements or preconditions (such as sobriety or a minimum income threshold). Transitional housing and

supportive service only projects can be considered to be using a Housing First model for the purposes of this NOFA if they operate with low-barriers, work to quickly move people into permanent housing, do not require participation in supportive services, and, for transitional housing projects, do not require any preconditions for moving into the transitional housing (e.g., sobriety or minimum income threshold). Additional information regarding Housing First is in Section II.A.7. of this NOFA.

Non-Dedicated Permanent Supportive Housing Beds. Permanent supportive housing beds within a CoC's geographic area that are not currently dedicated specifically for use by chronically homeless individuals and families.

Permanent Housing Bonus. The Permanent Housing Bonus is available to all CoCs to apply for funding to create new permanent supportive housing projects that will exclusively serve chronically homeless individuals and families or rapid rehousing projects that will serve individuals, including unaccompanied youth, and families coming directly from the streets or emergency shelters or persons fleeing domestic violence or other persons who qualify under paragraph (4) of the definition of homeless; however, these program participants must meet all other criteria for this type of housing (i.e., individuals and households with children who enter directly from the streets or emergency shelter). A CoC is eligible to apply for up to 5 percent of its FPRN and may apply for more than one permanent housing bonus project. New projects created through a permanent housing bonus must meet the project eligibility and threshold requirements established by HUD in Sections V.G.2.b and V.G.2.c of this NOFA.

Rapid Rehousing is a type of permanent housing meeting the requirements of 24 CFR 578.37(a)(1)(ii) that provides temporary assistance (i.e., rental assistance and/or supportive services) to program participants in a unit that the program participant retains after the assistance ends. HUD has imposed the requirement that rapid rehousing include, at a minimum, monthly case management meetings with program participants (except where prohibited by the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA)) and allows for a full range of supportive services to be provided for up to 6 months after the rental assistance stops. Program participants receiving rapid rehousing may receive any of the supportive services set forth in § 578.53 during their participation in the program.

Reallocation. Reallocation is when a CoC shifts funds in whole or part from existing eligible renewal projects to create one or more new projects without decreasing the CoC's ARD. New projects created through reallocation must meet the requirements set forth in Section II.B.3. of this NOFA and the project eligibility and project quality thresholds established by HUD in Sections V.G.2.b. and V.G.2.c. of this NOFA. In the FY 2016 CoC Program Competition, CoCs may use reallocation to create new permanent supportive housing that will serve chronically homeless individuals and families, including unaccompanied youth and rapid rehousing to serve homeless individuals and families, including unaccompanied youth, coming directly from the streets or emergency shelters or fleeing domestic violence situations or other persons who meet the criteria of paragraph (4) of the definition of

homelessness, dedicated HMIS, and SSO for a centralized or coordinated assessment system. The FY 2016 HUD Appropriations Act requires that, in order for a CoC to receive funding for a new project, other than through reallocation, the CoC must demonstrate that all project applications are evaluated and ranked based on the degree to which they improve the CoC's system performance. Further, FY 2016 CoC Program funding must prioritize those CoCs that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects as demonstrated through the CoC's local selection process.