

Homelessness Prevention (HP) Screening Toolkit (v.1 Sept. 2020)

Overview

The Department of Community and Economic Development requires all ESG grantees to establish eligibility and targeting strategies for screening applicant households for homelessness prevention assistance. This eligibility screening and targeting is documented using a standardized homelessness prevention (HP) screening form, which is based off of an approved eligibility criteria and targeting threshold score and has been used historically for SSVF HP programs with demonstrated success. The purpose of the screening tool is to target ESG-HP resources to those who are most at-risk of becoming homeless. Furthermore, the eligibility criteria and targeting threshold score serve as a tool for prioritizing households eligible for homelessness prevention services when capacity for providing such is limited and also supports grantees in determining the intensity of homelessness prevention services that an eligible household may receive.

This toolkit describes the process for a CoC-wide homelessness prevention targeting strategy and provides instructions on how to complete each form. The following materials are included in the Homelessness Prevention Screening Toolkit and will assist grantees in implementing an effective homelessness prevention component of the ESG Program:

Homelessness Prevention (HP) Screening Form

This form is required to be completed by ESG grantee staff when screening households for eligibility of homelessness prevention assistance. Once an eligibility determination is made, grantees must maintain the signed form within the applicant household's case file. The HP Screening Form consists of two stages that will guide grantees and household applicants through the process of determining program eligibility, imminent risk of literal homelessness, and the intensity of homelessness prevention service that may be provided to that eligible household. The form requires a high volume of information, most of which is provided during the initial discussions between applicant households and screening/intake coordinators. Please ensure that the staff person responsible for completing this form has a strong understanding of the approved eligibility criteria and targeting threshold score, as well as the purpose of each screening stage. Grantees have the option of using a form-fillable PDF document that, once completed, can be printed and stored in the client case file. Alternatively, grantees may print the form and manually complete each section.

Companion Guide to the ESG Homelessness Prevention Screening Form

There is also a companion guide to assist grantee staff in completing the screening form and for understanding the two stages of screening. The questions are intended to be a starting point for staff to guide an in-depth discussion with household applicants around program eligibility and targeting criteria. A critical component of eligibility for homelessness prevention services is whether an applicant household is at risk of literal homelessness, which the companion guide describes in detail.

Grantees may access this toolkit and the accompanying forms on the Western PA CoC website.

<https://pennsylvaniacoc.org/westerncoc/>

Homelessness Prevention (HP) Screening Form (v.1 Sept 2020)

COMPANION GUIDE

The **Homelessness Prevention (HP) Screening Form** is designed to help staff assess, document, and determine whether a household applying for homelessness prevention assistance:

- Meets the criteria for ESG Program eligibility
 - "At Risk of Homelessness" as defined at 24 CFR 576.2, or
 - "Homeless" as defined in paragraphs (2), (3) or (4) of the definition at 24 CFR
- AND;** 576.2.
- Meets the established threshold targeting score (**15+**) that prioritizes those most at risk of becoming literally homeless, in the event there are not sufficient resources to assist all eligible households.

This companion guide describes the two stages of screening required for all persons applying for ESG homelessness prevention assistance. Grantees are required to implement the newest version of the **Homelessness Prevention (HP) Screening Form** (version 1) within their grant program, no later than November 1, 2020. The screening form must be completed by grantee staff for each applicant household, using information obtained from the head of household. Questions included on the form are intended to be a starting point for a discussion between program staff and the applicant household regarding program eligibility and targeting criteria for homelessness prevention assistance.

SCREENING FOR STAGE 1: ESG HOMELESSNESS PREVENTION ELIGIBILITY

To be eligible for ESG homelessness prevention assistance, a household must be screened for and meet each of the eligibility conditions described below.

Condition 1. Very Low-Income Status: Applicant household gross annual income must be less than 30% of area median income based on the income limits most recently published at:
<http://www.huduser.org/portal/datasets/il.html>.

Condition 2. At-Risk - Category 1c or Homeless - Category 2, 3 or 4:

- "At Risk of Homelessness" as defined at 24 CFR 576.2, or
- "Homeless" as defined in paragraphs (2), (3) or (4) of the definition at 24 CFR 576.2.

Determining Eligibility: It is recommended grantees utilize Appendix A to help further understand the eligibility requirements. ESG is not an eviction prevention program. It is intended to prevent households from losing all housing and ending up in emergency shelter or on the street. Some households who apply for ESG Homelessness Prevention assistance may be losing their housing, but they have another safe and appropriate housing option – including temporary options – where they can stay while they work to obtain their own housing. Or, an applicant may have another resource they can use to maintain current housing or obtain new housing. Such applicants would not be considered at imminent risk of literal homelessness.

Sections 3A through 3C of the screening form include questions to aid in determining whether a household meets the definition for At Risk - Category 1c or Homeless - Category 2, 3 or 4 and is within the appropriate window of losing their housing, 21 and 14 days respectively (excluding Category 3), when applying for assistance and is, therefore, eligible for ESG homelessness prevention services. Staff should use these questions as a starting point and ask additional questions to better understand an applicant's current circumstances and options. ESG staff should seek to determine whether the household has safe, viable, immediate housing options and resources to keep them from becoming literally homeless.

- **3A: Housing Loss.** This section explores whether a household has a place to stay tonight and whether they must in fact leave their current housing arrangement. Staff should explore whether the household could avoid literal homelessness by negotiating directly with their landlord. Staff should also seek to determine if the household is in immediate need of assistance to ensure they have a safe and appropriate place to stay in the near term.

Note (Homeless Category 4 - Fleeing): ESG funds are being used to provide services to households fleeing domestic violence (Category 4). An individual or family that qualifies as homeless under Category 4 but does not live in an emergency shelter nor other place described in paragraph (1) of the 'homeless' definition may be eligible for ESG homelessness prevention assistance. A HH fleeing DV is eligible for ESG prevention if the following two qualifications are met: first, they meet the definition of Category 4 homeless and, second, the income of the fleeing adult(s) in the HH is not greater than 30% AMI (ESG) or 50% AMI (ESG-CV). ESG RRH should only be used if that household is also currently meeting the Category 1 definition of literal homelessness, while all others should be served through prevention, if otherwise eligible.

- **3B: Other Housing Options & Resources.** This section explores whether the household has other friends, family or close support networks that could assist them in avoiding literal homelessness. ESG staff should engage in a conversation with the household regarding potential support and use this information to determine whether the household has other housing options and resources available to them. Staff should be particularly mindful of any inappropriate, unsafe, or otherwise unhealthy relationships the household is reluctant or refuses to pursue and not assume such options are viable to prevent the household's homelessness.
- **3C: Financial Resources.** This section explores whether the household has financial resources to pay for their immediate housing costs. This may include their own resources, community resources, or financial assistance they are eligible for and is available in time to prevent literal homelessness. This section should still be discussed for planning purposes even if the primary reason for the household losing their current housing is not related to financial need.

Understanding Stage 1 ESG HP Eligibility Disposition:

Households who do not meet Stage 1 eligibility requirements should be identified as **"NOT ELIGIBLE"** on the form and offered information and referral, including a "warm hand off" referral, to other assistance as needed and desired. The household should also be recorded under the "screened but not enrolled" applicants that grantees track outside of the HMIS reporting requirements for ESG households.

A household that meets all of the ESG eligibility conditions listed in Stage 1 should be identified as **"ELIGIBLE"** on the form and qualifies for, at a minimum, ESG "Light Touch" homelessness prevention services, which are interventions other than temporary financial assistance. These households should next be screened for Stage 2 Targeting.

STAGE 2: TARGETING

All applicants who meet Stage 1 eligibility must then be screened using the targeting conditions and threshold point system described in Stage 2. Points have been assigned to factors based on research and practical experience. Stage 2 screening provides grantees with a standardized tool for determining how to prioritize eligible households for ESG Homelessness Prevention assistance based on: 1) urgency of the applicant's current housing situation, and; 2) other barriers and vulnerabilities that may impact their ability to quickly secure housing and resolve literal homelessness independently, if they are not assisted and become literally homeless. Stage 2 screening is critical when an ESG Program does not have sufficient resources or capacity to provide homelessness prevention services to every household that meets Stage 1 eligibility and could become literally homeless. The targeting threshold score for ESG HP is 15+.

Understanding Stage 2 Targeting Disposition:

Households that meet Stage 1 eligibility and score at or above the approved threshold score should be identified as **"Meets Targeting Threshold"** in Stage 2. Households that have met both Stage 1 and Stage 2 requirements may receive the full range of ESG homelessness prevention services, including any temporary financial assistance (TFA). These households should be enrolled in the ESG program and tracked within HMIS. It is important to note that HUD expects grantees to use a progressive approach to the delivery of services. This means that even if a household passes both the Stage 1 eligibility and Stage 2 targeting requirements of a given ESG program, this does not necessarily mean that TFA should automatically be offered. Grantees should aim to provide the least intensive and costly intervention possible and only use more intensive services or the provision of TFA when absolutely necessary to prevent a household from becoming literally homeless.

Households who meet Stage 1 eligibility requirements but do not score at or above the established targeting threshold score should be identified as **"Does Not Meet Targeting Threshold"** in Stage 2. These households may receive only "Light Touch" ESG services (i.e. 30 days case management), which do not include TFA. These households should be enrolled in the ESG program and tracked within HMIS.

CERTIFYING THE ESG HP SCREENING

Information recorded in the screening form must be supported by additional documentation (e.g., proof of income). Forms must be signed and dated by the head of household, by the authorized ESG staff person completing the form, and by an ESG program supervisor. The completed form and additional documentation must be kept in the program participant's case file. The form is available in a PDF fillable document, which may be completed electronically, printed, and maintained within the program participant's case file. However, the form may also be printed and completed manually by the ESG program staff.

Homelessness Prevention (HP) Screening Form (v.1 Sept 2020)

SCREENING DATE (e.g., 10/01/2015)

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APPLICANT HEAD OF HOUSEHOLD

First Name

Last Name

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OTHER HOUSEHOLD MEMBERS (attach an additional page as needed)

STAGE 1: ELIGIBILITY FOR ESG HP

Eligibility Condition 1. Very Low-Income Status

<i>Household size (all adults/children):</i>	
<i>Total Annual Gross Income from All Sources:</i>	\$
<i>30% (ESG) or 50%(ESG-CV) of Area Median Income for Household:</i>	\$

ESG STAFF DISPOSITION:

Is gross annual household income less than 30% or 50% Area Median Income for household size (grantee may use 30% for both ESG and ESG-CV)? YES NO

IF "NO", STOP: APPLICANT NOT CURRENTLY ELIGIBLE.

Documentation obtained? YES NO

Eligibility Condition 2. At Risk - Category 1c or Homeless - Category 2, 3 or 4

3A: Housing Loss Assessment

Next, we need to know some details about your current housing situation so we can understand how best to assist you.

Can you tell me about the place you stayed last night? Is this the primary place you stay or is there somewhere else you normally stay? If there's somewhere else you normally stay, can you tell me about that place?

Identify the primary place where applicant is staying (check only one):

- Hotel or motel paid for without emergency shelter voucher
- Staying or living in a family member's room, apartment or house
- Staying or living in a friend's room, apartment or house
- Rental by client, no ongoing housing subsidy
- Rental by client, with HUD VASH subsidy
- Rental by client, with other ongoing housing subsidy
- Permanent housing for formerly homeless persons (e.g., CoC Program funded unit)
- Owned by client, no ongoing housing subsidy
- Owned by client, with ongoing housing subsidy
- Hospital or other residential non-psychiatric medical facility*
- Long-term care facility or nursing home*
- Jail or prison*
- Residential project or halfway house with no homeless criteria*
- Psychiatric hospital or other psychiatric facility*
- Substance abuse treatment facility or detox center*
- Other (describe): _____

*If staying in institution, determine if stay there is 90 days or less and if previously stayed in emergency shelter, Safe Haven, or on the street. Such individuals are considered literally homeless and should instead be screened for ESG RRH assistance.

[**Staff Note:** Applicants staying in emergency shelter, including hotel/motel paid for with emergency shelter voucher, a Safe Haven, transitional housing, or in a place not meant for habitation (e.g., a vehicle, an abandoned building, bus/train/subway station/airport or anywhere outside) are considered literally homeless and should be screened/referred for ESG RRH assistance.]

Do you have to leave this place (or the place you normally stay)?

YES

NO

N/A

[**Staff Note:** Briefly describe reasons why applicant has to leave current place they are staying and obtain copy of any written documentation.]

If yes, what's causing you to have to leave? How long can you continue to stay there?

Identify why the applicant must leave the primary place they are staying (check only one):

- Court-ordered eviction notice to vacate rental unit
- Formal written notice from landlord to vacate rental unit (e.g., 30 day Notice to Quit)
- Written or verbal notice from family, friend or host to leave doubled-up housing
- Exiting an institution or system of care (e.g., hospital, jail, treatment facility, etc.)
- Insufficient resources to continue to pay for hotel or motel
- Fleeing or attempting to flee domestic violence, sexual assault, dating violence, stalking, or human trafficking
- Other (describe): _____

[Staff Note: Applicants who have only received a verbal notice from landlord and applicants who are only behind on utilities and have not received a formal written eviction notice are not eligible for ESG HP assistance. Homeless Category 3 and 4 are exempt from the requirement of needing a formal written eviction notice.]

By what date must the applicant leave the primary place they are staying: ____/____/_____

[Staff Note: Must be within 21 days (At Risk definition) or 14 days (Homeless definition) OR meet the Homeless - Category 3 or 4 definition to be eligible for ESG HP assistance.]

Have you tried asking for an extension on your rent payment or otherwise negotiating a way to stay in your current housing? YES NO N/A

If yes, what was the result of the conversation? If no, is this an option for you?

May I contact your current [landlord, host family/friend, other] to see if we can negotiate a solution so you can continue to stay there OR stay there while you find another place to live? YES NO N/A

ESG STAFF DISPOSITION:

Does the applicant meet the "At Risk of Homelessness" as defined at 24 CFR 576.2, or "Homeless" as defined in paragraphs (2), (3) or (4) of the definition at 24 CFR 576.2? YES NO

IF "NO", STOP: APPLICANT NOT CURRENTLY ELIGIBLE.

Documentation obtained? YES NO

3B: Other Housing Options & Resources

We would like to know if you have any other safe and appropriate place to stay – either permanently OR while you look for other housing. We would also like to know if you have family, friends or others you know that may be able to help you financially.

[Staff Note: Discuss and record below a summary related to each of the following potential housing options and sources of assistance: 1) family members or relatives; 2) close or trusted friends; and 3) faith-based group or network applicant associates with. Where appropriate, ask if a potential housing option can be contacted by you to help secure housing. Attach additional notes as necessary.]

Do you have a safe, appropriate place where you could live if you lose your current home? Let's talk about different types of options and whether any of these might be available to you as a safe, appropriate place to live, either permanently or while you seek other housing on your own. Let's start with family members and relatives...

If you're unsure if relatives, friends or others could help OR if there are any people or groups you have NOT contacted for help but you think might be willing to assist you...

Would you be willing to contact them OR may I contact them to find out if they can provide you with a place to stay, financial help, or other assistance to keep you from becoming homeless? This might include family, trusted friends or other groups (faith-based, social, etc.) that might be able to help.

YES NO NOT SURE

If YES, who should be contacted?

Name	Relationship to you	Phone number or email

ESG STAFF DISPOSITION: Briefly summarize efforts and discussion related to other possible housing options and resources and whether applicant lacks other safe/appropriate housing options (either permanent or one they can access while seeking other housing) and resources sufficient to avoid literal homelessness.

Does applicant have other safe/appropriate housing options and/or resources sufficient to avoid literal homelessness? YES NO

IF "YES", STOP: APPLICANT NOT CURRENTLY ELIGIBLE.

3C: Financial Resources

We would like to find out if you have any funds or if there is other assistance immediately available to you and that you could access to help you keep your current housing or immediately find other housing.

Approximately how much money would you need to pay immediately in order to keep your housing OR obtain other housing?

\$ _____

Do you have any funds or other assistance immediately available to you and that you could access to help you keep your current housing or immediately find other housing?

Approximately how much money do you currently have available in savings, assets or other accounts?

\$ _____

Do you have enough money to pay for your current housing costs, including any rent or utility arrears?

YES NO NOT SURE

Are there other community resources you've applied for, such as other eviction prevention programs, emergency financial assistance programs, utility assistance programs, or other local emergency assistance programs?

YES NO NOT SURE

If you have no other financial resources and are unsure if there are other community resources that could help, we may be able to refer you to other resources that would be more appropriate than ESG.

Can we help provide information about other resources? YES NO

If YES, identify each resource:

Resource	Potential Assistance Available	Disposition (e.g., information & referral provided; contacted and not available; etc.)

ESG STAFF DISPOSITION: Briefly summarize efforts and discussion related to financial resources and whether other (non-ESG) financial resources are available to avoid literal homelessness. If they will lose housing *regardless* of their own financial resources or other financial assistance, explain.

Does applicant have enough financial resources to avoid literal homelessness?

YES NO N/A (Housing loss occurring regardless of financial resources)

IF "YES", STOP: APPLICANT NOT CURRENTLY ELIGIBLE.

Stage 1: Eligibility Disposition

ELIGIBLE: Meets all eligibility requirements above

YES, CONTINUE TO STAGE 2

NOT ELIGIBLE: Does not meet one or more eligibility requirements

NO, STOP (reference HP Screening Form Instructions for next steps)

HOMELESS PREVENTION TARGETING MATRIX

TARGETING CRITERIA Use the following criteria to identify if the eligible applicant household is also a priority for ESG homelessness prevention assistance. Check each condition that is true for the applicant.	Check if Applicable	Point Value	TOTAL POINTS
URGENCY OF HOUSING SITUATION (May indicate more urgent need for homelessness prevention assistance)			
Referred by Coordinated Entry or a homeless assistance provider to prevent the household from entering an emergency shelter or transitional housing or from staying in a place not meant for human habitation.	<input type="checkbox"/>	5	
Current housing loss expected within... (select only one)			
0-6 days	<input type="checkbox"/>	5	
7-13 days	<input type="checkbox"/>	4	
14-21 days	<input type="checkbox"/>	3	
POTENTIAL BARRIERS AND VULNERABILITIES (May impact ability to quickly secure housing and resolve literal homelessness independently <u>if</u> household is not assisted and becomes literally homeless)			
<u>Current</u> household income is \$0 (i.e., not employed, not receiving cash benefits, no other current income)	<input type="checkbox"/>	5	
<u>Annual</u> Household Gross Income Amount (select only one)			
0-14% of Area Median Income (AMI) for household size	<input type="checkbox"/>	4	
15-30% of AMI for household size	<input type="checkbox"/>	3	
Sudden and significant decrease in cash income (employment and/or cash benefits) AND/OR unavoidable increase in non-discretionary expenses (e.g., rent or medical expenses) in the past 6 months	<input type="checkbox"/>	3	
Major change in household composition (e.g., death of family member, separation/divorce from adult partner, birth of new child) in the past 12 months	<input type="checkbox"/>	3	
Rental evictions within the past 7 years (select only one) [Staff Note: Only include formal eviction actions (i.e., Notice to Quit) taken by a landlord due to lease non-compliance and that ultimately resulted in loss of rental housing.]			
4 or more prior rental evictions	<input type="checkbox"/>	5	
2-3 prior rental evictions	<input type="checkbox"/>	4	
1 prior rental eviction	<input type="checkbox"/>	3	
Currently at risk of losing a tenant-based housing subsidy or housing in a subsidized building or unit	<input type="checkbox"/>	3	

History of Literal Homelessness (street/shelter/transitional housing) (select only one)			
4 or more times or total of at least 12 months in past three years	<input type="checkbox"/>	5	
2-3 times in past three years	<input type="checkbox"/>	4	
1 time in past three years	<input type="checkbox"/>	3	
Head of household with disabling condition (physical health, mental health, substance use) that directly affects ability to secure/maintain housing	<input type="checkbox"/>	3	
Criminal record for arson, drug dealing or manufacture, or felony offense against persons or property	<input type="checkbox"/>	4	
Registered sex offender	<input type="checkbox"/>	5	
At least one dependent child under age 6	<input type="checkbox"/>	3	
Single parent with minor child(ren)	<input type="checkbox"/>	3	
Household size of 5 or more requiring at least 3 bedrooms (due to age/gender mix)	<input type="checkbox"/>	3	
POLICY PRIORITIES			
Any Veteran in household <i>*Note: Please refer eligible veterans to SSVF first</i>	<input type="checkbox"/>	3	
Need to leave your home due to someone making you feel unsafe and/or current housing needs due to safety concerns	<input type="checkbox"/>	3	
Youth head of household (Age 24 or under head of household)		3	
TOTAL POINTS			

Targeting Disposition	
Meets Targeting Threshold Targeting Threshold Score ≥ 15	Does Not Meet Targeting Threshold Targeting Threshold Score < 15
Assistance Recommendations 15-25 Points: Short-term Assistance 26+ Points: Medium Term Assistance	Provide case management, referrals for other assistance, etc. Reevaluate household eligibility if there is a significant change.

Applicant Certification

By signing below I certify that the information provided above is correct, so far as I know and understand, and that I do not have other housing options or sufficient resources or support networks (e.g., family, friends, faith-based or other social networks) immediately available to prevent my household from becoming literally homeless.

HoH Name: _____

HoH Signature: _____

Date: _____

Staff Certification

By signing below I certify that I have worked with the household to identify housing resources and solutions and believe, based on the information presented, that the household is eligible for ESG services and will become literally homeless unless ESG assistance is provided. Further, I certify that all supporting documentation required for ESG enrollment has been obtained and verified and is contained in the participant's case file.

ESG Staff Name: _____

ESG Staff Signature: _____

Date: _____

Supervisor Approval

ESG Staff Signature: _____

Date: _____

APPENDIX A

COVID-19

Homeless System Response: ESG Homelessness Prevention Eligibility During Eviction Moratoria

This document reviews the eligibility criteria for COVID-19 Emergency Solutions Grants Program (ESG-CV) Homelessness Prevention (HP) assistance provided to households facing an eviction action.

When a leaseholder faces eviction initiated by a property owner or landlord, that household may qualify for HP assistance under either:

- Category 1, Risk Factor (c) of the definition of "At Risk of Homelessness" (At Risk—Category 1c); or
- Category 2 of the definition of "Homelessness" (Homeless—Category 2).

The Coronavirus Aid, Relief, and Economic Security (CARES) Act moratorium on evictions and other eviction moratoria implemented by states impact a household's ability to qualify for HP assistance under these criteria. In addition to explaining the differences between the documentation requirements for At Risk—Category 1c versus Homeless—Category 2, this document identifies how the Federal CARES Act Eviction Moratorium and other state eviction moratoria affect a household's ability to qualify for ESG HP assistance based on a landlord-initiated eviction action.

IMPORTANT NOTE

There are other situations, beyond those involving a landlord-initiated eviction action, when a household may qualify for HP assistance under At Risk—Category 1c or Homeless—Category 2.

For example: an individual who is not on the lease is being forced to move out of a unit by the leaseholder within a 14-day or 21-day time period. That individual could qualify for HP assistance despite an eviction moratorium being in effect.

Here are additional resources that explain other ways that households may qualify for ESG HP eligibility on the HUD Exchange:

- [Criteria for Definition of At Risk of Homelessness](#)
- [At Risk Status and Income: Recordkeeping Requirements Webinar for ESG Grantees](#)
- [Homeless Status: Recordkeeping Requirements Webinar](#)
- [Determining Homeless and At-Risk Status, Income and Disability Webinar](#)
- [Understanding Program Participant Eligibility for ESG Rapid Re-Housing and Homelessness Prevention Components](#)

Summary of ESG Homelessness Prevention (HP) Eligibility Criteria

There are many situations when a household may qualify for ESG HP assistance that are not impacted by an eviction moratorium. This section summarizes all ESG HP eligibility criteria. Both initial and continuing eligibility for ESG HP assistance are based on 1) Housing status; 2) Household income; and 3) Need for assistance.

Housing Status:

To be eligible for Homelessness Prevention assistance, an individual or family must be either:

- "At Risk of Homelessness" as defined at 24 CFR 576.2, or
- "Homeless" as defined in paragraphs (2), (3), or (4) of the definition at 24 CFR 576.2.

Household Income:

- Normally, under the ESG program, individuals and families must have an annual household income below 30 percent of the average median family income (AMI) for the area, as calculated by HUD (see "Income Limits Data"). However, under ESG-CV, individuals and families may have an income up to 50 percent AMI for the area.
- To determine the annual income of an individual or family, the recipient or subrecipient must use the standard for calculating annual income under 24 CFR 5.609.

Need for Assistance:

The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant:

- Regain stability in their current permanent housing; or
- Move into other permanent housing and achieve stability in that housing.

The sections below provide more detail about eligibility criteria under the definitions of "Homeless" and "At Risk of Homelessness."

"HOMELESS" DEFINITION

An individual or family is eligible if the household:

HAS AN INCOME NO GREATER THAN 30% AMI (annual ESG) or 50% AMI (ESG-CV)

For more information on the income limits in your community, please see: https://www.huduser.gov/portal/datasets/il/il2020/select_Geography.odn

AND

MEETS ANY ONE OF THE FOLLOWING CATEGORIES OF THE "HOMELESS" DEFINITION

CATEGORY 2		CATEGORY 3		CATEGORY 4
<p>The household will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> • The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; and • No subsequent residence has been identified; and • 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. 	OR	<p>The household consists of unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify under this definition, but who:</p> <ul style="list-style-type: none"> • Are defined as homeless under other Federal definitions¹; and • 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; and • 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 • 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 child 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	<p>The individual or family member is:</p> <ul style="list-style-type: none"> • Fleeting or 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; and • Has no other residence; and • Lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing.

¹ Other Federal definitions of "homeless" referenced above for Homeless-Category 3 are: 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).

Category 2 of the “Homeless” definition encompasses households that are at imminent risk of homelessness. In addition to situations where a household could lose its residence due to a landlord-initiated eviction action, individuals and families not on a lease could also meet Category 2 of the “Homeless” definition when asked to leave a residence with no other place to go or resources or support networks available to obtain other permanent housing.

Category 3 of the “Homeless” definition applies to unaccompanied youth under 25 or families with children and youth who do not otherwise meet HUD’s definition of “homeless” but who meet the “homeless” definition under one of the federal statutes identified above. Additionally, the household must have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the last 60 days. They must also have moved two or more times during the last 60 days and can be expected to continue in such status for an extended period of time because of a chronic disability, chronic physical or mental health condition, substance use, history 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.

Category 4 of the “Homeless” definition applies to individuals or families fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence, who have no other place to go or resources or support networks available to obtain other permanent housing.

“AT RISK OF HOMELESSNESS” DEFINITION

An individual or family is eligible if the household:

HAS AN INCOME NO GREATER THAN 30% AMI (annual ESG) or 50% AMI (ESG-CV)

For more information on the income limits in your community, please see:
https://www.huduser.gov/portal/datasets/il/il2020/select_Geography.odn

AND

LACKS SUFFICIENT RESOURCES OR SUPPORT NETWORKS

The household does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the “Homeless” definition.

AND

MEETS ANY ONE OF THE FOLLOWING RISK FACTORS

The household:

- Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance;
- Is living in the home of another because of economic hardship;
- Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
- Lives in a hotel or motel and the cost is not paid for by charitable organizations or by federal, state or local government programs for low-income individuals;
- Lives in an SRO or efficiency apartment unit in which there reside more than two persons, or lives in a larger housing unit in which there reside more than one-and-a-half persons per room;
- Is exiting a publicly funded institution or system of care; or
- Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient’s approved Con Plan.

An individual or family is eligible to receive ESG HP assistance if the household meets all three of the elements above. In addition to meeting the income requirements and not having the resources and support networks needed to prevent them from moving to an emergency shelter or place that is not designed for or ordinarily used as a regular sleeping accommodation for human beings (e.g., cars, parks, abandoned buildings, bus or train stations, airports, or camping grounds), the household must meet **one** of the “At Risk” conditions listed above, which include situations such as: frequent moves, living in the home of another due to economic hardship, living in overcrowded situations, and exiting a publicly funded institution.

The next section will take a closer look at the “At Risk” condition involving a household that has been notified that their right to occupy their current housing or living situation will be terminated with 21 days. While the scope of this document focuses on households on a legally binding lease that have received notice from a landlord that their tenancy rights are being terminated, this “At Risk” condition can also be met by a household not on a legally binding lease that has been notified they will have to leave their current living situation within 21 days.

Taking a Closer Look: At Risk—Category 1c and Homeless—Category 2

At Risk—Category 1c (when a household has a legally binding lease)

In this situation, a household’s right to occupy housing will be terminated within 21 days, although the household will not necessarily be required to physically vacate the unit within 21 days. To qualify under At Risk—Category 1c, the household must also meet the income requirements and lack the resources and support networks needed to prevent them from becoming literally homeless as outlined below:

Eligibility Criteria	Documentation Requirements
<p>Household income no greater than:</p> <ul style="list-style-type: none"> • 50% AMI (ESG-CV) • 30% AMI (ESG) 	<p>Access the Income Limit data for your community at:</p> <ul style="list-style-type: none"> • HUD’s FY 2020 Income Limits Documentation System; or • HUD’s Income Calculator <p><u>Do not</u> include stimulus assistance or Federal Pandemic Unemployment Compensation Program payments in income calculations. See FAQs for Public Housing Agencies (OC6 and OC7).</p>
<p>Household lacks sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or place not designated or ordinarily used as a regular sleeping accommodation for human beings (e.g., cars, abandoned buildings, train stations, etc.).</p>	<ul style="list-style-type: none"> • Self-certification that: <ul style="list-style-type: none"> ◦ The program participant has insufficient financial resources and support networks immediately available to attain housing stability; and ◦ The program participant meets one or more of the conditions under paragraph (1)(iii) of the definition of “At Risk of Homelessness” in 24 CFR 576.2. • The most reliable evidence available to show that the program participant does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or place not designated or ordinarily used as a regular sleeping accommodation for human beings.
<p>Household has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance.</p>	<p>See below for information about documenting Risk Factor (c) of At Risk—Category 1c when a household has a legally binding lease.</p>

Documenting Risk Factor (c) of the “At Risk of Homelessness” Definition When the Household Has a Legally Binding Lease

To substantiate that the household has been notified that their right to occupy their current housing will be terminated within 21 days, the documentation should include written notification from the landlord, property owner, or other entity with the authority to terminate tenancy that their rights as a tenant will terminate within 21 days. Documentation does not need to be the equivalent of a court-ordered eviction action. If the landlord notification provides a way for the tenant to remedy the situation and avoid eviction (e.g., paying the overdue rent balance), documentation must also substantiate that the applicant cannot meet the terms of avoiding eviction. Where source documents and third-party verification are unobtainable, a written statement by intake

staff describing the efforts taken to obtain the required evidence would be considered acceptable evidence. Intake worker notes should demonstrate that they have exercised due diligence in attempting to obtain a higher level of documentation.

Homeless—Category 2 (when a household has a legally binding lease)

In this situation, the household must physically vacate the unit within 14 days as a result of a court-ordered eviction, Notice to Quit, Notice to Terminate under state law, or another notice equivalent to an eviction action under applicable state law. In order to qualify for Homeless—Category 2, the household cannot have a subsequent residence identified, must lack the resources or support networks needed to obtain other permanent housing, and must also meet the income requirements as outlined below:

Eligibility Criteria	Documentation Requirements
Household income no greater than: <ul style="list-style-type: none"> • 50% AMI (ESG-CV) • 30% AMI (ESG) 	Access the Income Limit data for your community at: <ul style="list-style-type: none"> • HUD’s FY 2020 Income Limits Documentation System; or • HUD’s Income Calculator* Do not include stimulus assistance or Federal Pandemic Unemployment Compensation Program payments in income calculations. See FAQs for Public Housing Agencies (OC6 and OC7).
Household lacks the resources or support networks needed to obtain other permanent housing.	Document with a self-certification or other written documentation that the household lacks the resources and support networks needed to obtain other permanent housing.
No subsequent residence has been identified.	Document with a self-certification that no subsequent residence has been identified.
<u>Residence will be lost</u> within 14 days of the date of application for homeless assistance.	See below for information about documenting Criterion (i) of Homeless—Category 2 when a household has a legally binding lease.

*HUD’s Income Calculator has been updated to include 50% AMI data as of July 1, 2020.

Documenting Criterion (i) of Homeless—Category 2 When the Household Has a Legally Binding Lease

To substantiate that the household’s unit will be lost within 14 days, the documentation must include one of the following:

- A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance; **or**
- Notice equivalent to an eviction action under applicable state law; **or**
- Notice to Quit; **or**
- Notice to Terminate under state law.

A Notice to Quit or a Notice to Terminate issued under state law does not need to be equivalent to a court-ordered eviction action. However, if there is no reasonable expectation that a household will lose their residence within 14 days as a result of the issuance of a Notice to Quit, Notice to Terminate, or demand notice, then the criteria of Category 2 are not met. Where source documents and third-party verification are unobtainable, a written statement by intake staff describing the efforts taken to obtain the required evidence would be considered

acceptable evidence. Intake worker notes should demonstrate that they have exercised due diligence in attempting to obtain a higher level of documentation.

Impact of Eviction Moratoria

CARES Act Eviction Moratorium

The CARES Act Eviction Moratorium protects most people whose housing is paid for through the ESG and Continuum of Care (CoC) Program. Section 4024(b) prohibits recipients and landlords receiving ESG and CoC Program funding from evicting people for nonpayment of rent during the 120-day period from the enactment of the CARES Act.

Accordingly, landlords of covered dwellings are prohibited from each of the following:

1. Filing new eviction actions between March 27, 2020 and July 24, 2020 for nonpayment of rent or nonpayment of other charges or fees;
2. Requiring a tenant to vacate the dwelling between March 27, 2020 and July 24, 2020 for nonpayment of rent or nonpayment of other charges or fees;
3. Charging fees, penalties, or other charges (including assessing or allowing charges to accrue) between March 27, 2020 and July 24, 2020 based on the tenant's nonpayment of rent; and
4. Issuing a notice to vacate for nonpayment of rent or other charges that provides less than 30 days' advance notice to the tenant or is received by the tenant between March 27, 2020 and July 24, 2020.

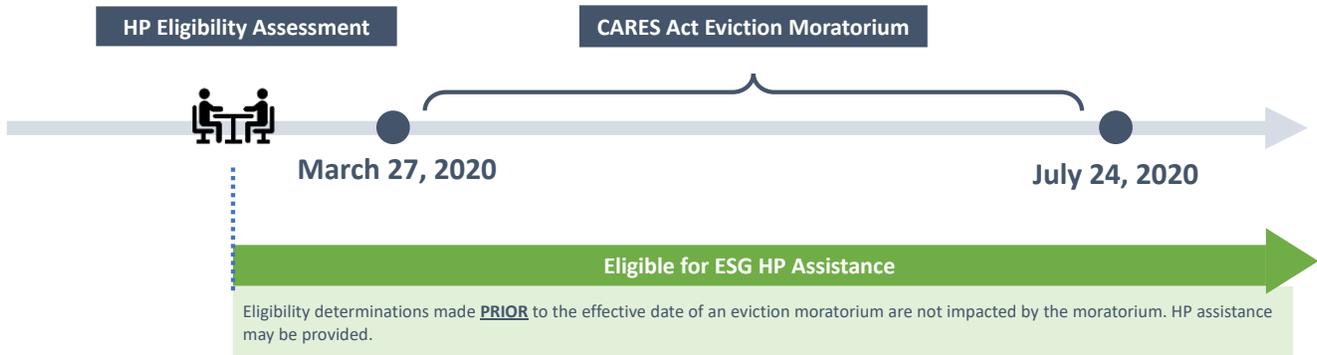
The moratorium does not waive the requirement for tenants to pay their rent. HUD strongly encourages recipients to work with those they serve to avoid evictions for rent owed after the moratorium ends. The Eviction Moratorium found in Section 4024(b) of the CARES Act only applies with respect to nonpayment of rent or nonpayment of other charges. The moratorium does not prevent lessors from filing for evictions for other violations of the lease or occupancy agreement or for nonpayment of rent prior to March 27, 2020. Therefore, recipients and landlords may still undertake an eviction action against a tenant based on the terms of the leases, as long as the eviction is unrelated to nonpayment of rent. However, please be sure to review the requirements related to termination of assistance in [24 CFR 578.91](#) of the CoC Program regulations and [24 CFR 576.402](#) of the ESG Program regulations. All recipients of CoC and ESG Program funding should do all they can to keep the people they serve from being evicted.

ESG or CoC Program participants who receive an eviction notice for nonpayment of rent should reach out to their case manager as soon as possible. The recipient or program participant can inform the landlord that the eviction is against the law if it applies to nonpayment of rent between March 27, 2020 and July 24, 2020 and that no fees and penalties related to nonpayment of rent can be charged. If a landlord proceeds with an eviction in violation of the eviction moratorium, the household would qualify for ESG HP assistance. In such situations, providers are encouraged to pursue other options first, such as explaining the terms of the applicable eviction moratorium to the landlord, enlisting legal services, and contacting the local HUD Field Office prior to providing financial assistance or rental assistance. For more information on how the Eviction Moratorium impacts the ESG and CoC Programs, please review the following HUD guidance: [How Does the Federal CARES Act Eviction Moratorium Impact the ESG and CoC Programs?](#)

Other State or Local Eviction Moratoria

Consult with state and local officials as to whether they have enacted a moratorium on evictions during the emergency. Be sure to identify the time period when the moratorium is in effect and be aware of any upcoming extensions. Also be aware of the applicability of the moratorium; for example, identify whether the moratorium applies only for nonpayment of rent or for other lease violations as well. Just as with the CARES Act Eviction Moratorium, state eviction moratoria also impact eligibility for ESG HP.

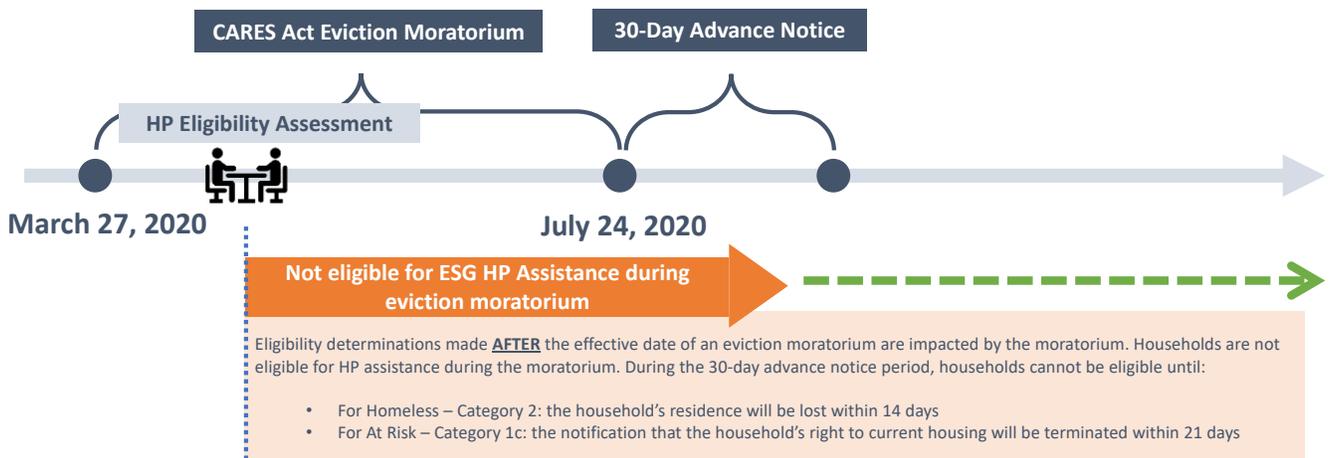
Impact of CARES Act Eviction Moratorium on HP Eligibility – Scenario 1



ESG HP Eligibility Determination Completed PRIOR to an Eviction Moratorium Taking Effect

Eligibility for ESG HP assistance depends on whether a household's intake and evaluation process occurred before or after a federal or state eviction moratorium took effect and whether the terms of the moratorium are applicable to the program participant's situation. If a household was determined to be eligible for ESG HP assistance before the moratorium took effect, the moratorium would not affect the household's eligibility determination. However, HUD encourages recipients/subrecipients to assess each program participant and assign an appropriate level of service intervention. In determining what additional supports to provide, the intake worker should consider all resources and support networks available to the household. Based on this assessment, the intake worker may determine that the household does not need rental assistance until the moratorium on eviction ends and then, at that point, the intake staff may re-evaluate the household's needs to take into account any recent changes to the household's circumstances prior to providing assistance.

Impact of CARES Act Eviction Moratorium on HP Eligibility – Scenario 2



ESG HP Eligibility Determination Completed AFTER an Eviction Moratorium Taking Effect

If the federal or state eviction moratorium is applicable to the program participant's situation (e.g., nonpayment of rent) and took effect prior to a determination of eligibility for ESG HP assistance, then the moratorium must be considered in the evaluation. This means that the household would not meet the eligibility requirements of ESG HP assistance until either: a) 21 days prior to the termination of a tenant's right to occupy the unit; or b) 14 days before a court-ordered eviction notice takes effect. Additionally, consider the moratorium as an eviction prevention support when determining a participant's resources and support networks available to retain housing.

Case managers need to use their judgment and consider changing circumstances such as a moratorium extension. Under all circumstances, a case manager should work with the household on their plan to retain permanent housing after the ESG assistance ends and to connect them to mainstream and other resources.

In cases where a household is ineligible for ESG HP assistance during an eviction moratorium, there are steps that providers may take to assist an individual or family to regain housing stability:

- Use problem-solving techniques.
- Identify other funding that can provide assistance. Review [Five Things to Consider When Investing ESG in Homelessness Prevention](#) for tips to help communities develop and implement a prevention strategy that effectively and efficiently uses resources for prevention.
- Start collecting documentation to prepare for the end of the moratorium in case the household later becomes eligible, and continue to problem solve.

Other Considerations: Prioritization & Written Standards

Prioritization

HUD strongly encourages each jurisdiction to focus as much of its ESG HP funding as possible on prioritizing those with the greatest need of assistance, which could mean targeting HP assistance on those households that are more likely to be evicted without ESG assistance.

Written Standards

In addition to complying with ESG Program regulations, ESG HP providers must also comply with their recipient's written standards. The ESG written standards include policies and procedures for determining and prioritizing which eligible families and individuals will receive HP assistance. The recipient may choose to modify HP prioritization to better target those in need of the most assistance due to the COVID-19 pandemic.