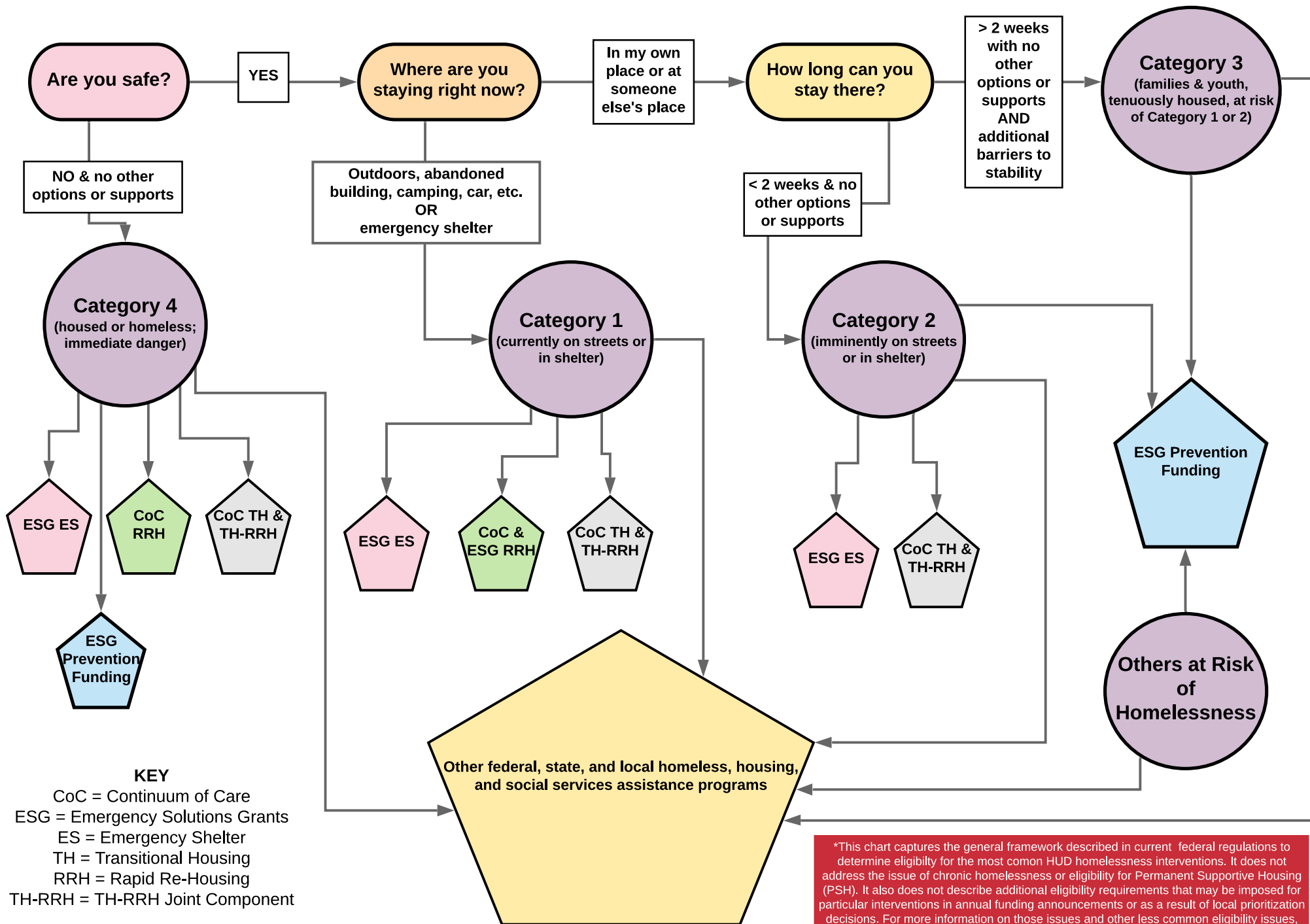


# Simple Chart for Determining Eligibility for HUD Homeless Assistance Programs

**\*Do Not Use This Chart Without the Accompanying Appendix\***



**KEY**

- CoC = Continuum of Care
- ESG = Emergency Solutions Grants
- ES = Emergency Shelter
- TH = Transitional Housing
- RRH = Rapid Re-Housing
- TH-RRH = TH-RRH Joint Component

\*This chart captures the general framework described in current federal regulations to determine eligibility for the most common HUD homelessness interventions. It does not address the issue of chronic homelessness or eligibility for Permanent Supportive Housing (PSH). It also does not describe additional eligibility requirements that may be imposed for particular interventions in annual funding announcements or as a result of local prioritization decisions. For more information on those issues and other less common eligibility issues, please see Appendix 1.\*

## APPENDIX 1. NAEH HUD Homelessness Eligibility Flowchart (July 2019)

1. While eligibility for different HUD homeless interventions is generally defined by statute and regulation, **modifications to eligibility may be set annually** in the Notice of Funding Availability (NOFA) for the [HUD CoC program](#). Additionally, because local CoCs have the authority and flexibility to narrow eligibility according to community needs, further restrictions may be placed on eligibility at the local level than are listed on this chart. This chart is only meant to describe the **general eligibility criteria** for homeless assistance funding from HUD based on the McKinney-Vento (as amended by the [HEARTH Act](#)) statute and regulations ([42 USC 11301 et seq.](#), [24 CFR Part 576](#), and [24 CFR Part 578](#)). **Always consult the most recent CoC NOFA and the most recent local and state eligibility requirements for the most accurate eligibility determination for clients in your program and community.**

2. **Permanent Supportive Housing (PSH)** is an intensive intervention that includes a permanent housing subsidy and extensive case management services. While PSH should be targeted to persons that have the longest histories of homelessness and most severe needs, particularly persons experiencing chronic homelessness (see below), it is not currently required to be so targeted by statute or regulation. For purposes of this flowchart, eligibility for PSH is more limited than that for RRH, and the **presence of a disability is required**. As above, always consult the most recent CoC NOFA and state and local rules to determine PSH eligibility.

CoC-funded PSH includes Dedicated PSH, non-Dedicated PSH, and DedicatedPLUS PSH:

- a. **Dedicated PSH** is PSH that is dedicated for use by chronically homeless individuals and families.
- b. **Non-Dedicated PSH** is PSH that is not dedicated for use by chronically homeless individuals and families.
- c. **DedicatedPLUS PSH** is PSH that is dedicated to serve individuals and families who at intake meet one of the following categories:
  - i. experiencing chronic homelessness as defined at [24 CFR 578.3](#);
  - ii. residing in transitional housing (TH) project that will be eliminated and meets the definition of chronically homeless in effect at the time in which they entered that TH project;
  - iii. residing in a place not meant for human habitation, emergency shelter, or Safe Haven and had been admitted and enrolled in a permanent housing project within the last year but were unable to maintain a housing placement and met the definition of chronic homeless as defined at 24 CFR 578.3 prior to entering the project;
  - iv. residing in TH funded by a [TH-RRH joint component](#) project and were experiencing chronic homelessness as defined at 24 CFR 578.3;
  - v. residing and has resided in a place not meant for human habitation, Safe Haven, or emergency shelter for at least 12 months in the last three years, but has not done so on four separate occasions and the individual or head of household meet the definition of “homeless individual with a disability”; **or**
  - vi. receiving assistance through a Department of Veterans Affairs (VA)-funded homeless assistance program and met one of the above criteria at initial intake to the VA's homeless assistance system.

3. A person experiencing **chronic homelessness** is [currently defined](#) as a homeless person who:

- a. has a disability, **and**
  - i. is literally homeless (outdoors, in places not meant for human habitation, etc., or in emergency shelters, and
  - ii. has been so continuously for twelve months or at least four different times, totaling to twelve months, over the past three years;
- b. has been in an institutional setting (including jails or mental health treatment facilities) for fewer than 90 days and who met the above criteria before entering; **or**
- c. is part of a family where the head of household meets the above criteria.

4. It is important to understand the **distinction** between the different categories of eligibility and which of those categories is the focus of annual [point-in-time \(PIT\) counts](#).

First, because an attempt to complete a census of all people who are *eligible* for HUD homeless assistance (people in *all* categories) would likely be impossible - and prohibitively burdensome and expensive for local communities, Congress **only** requires that communities count people who are in **category 1** for the PIT count.

However, a more comprehensive data source, the [Homeless Management Information System](#) (HMIS), provides annual data of people from *all* categories of eligibility who interact with the homelessness system.

Another important **distinction** to be aware of is that people already in **emergency shelters** are included in **category 1** for purposes of accessing listed emergency shelter, rapid re-housing, and transitional housing options. These people are **also** counted as “literally homeless” (but sheltered) during PIT counts.

People in **transitional housing** (TH) are also, like those in **category 1** (including those in emergency shelters), considered “literally homeless” (but sheltered). However, this designation for people in TH is primarily **only** applicable for counting purposes. With few exceptions (like the [TH-RRH joint component](#)) people in transitional housing are generally *not* considered as category 1 for purposes of *eligibility* for most other HUD homeless assistance interventions. They **may**, however, in some situations be eligible for PSH if they entered TH directly from the streets. They **may** also be eligible to move from TH into some RRH or TH-RRH projects if the TH they’re in is **being eliminated**.

**5.** Several living situations are considered **unsafe** for purposes of **category 4 eligibility**. The most common of these is someone fleeing or attempting to flee domestic or interpersonal violence (DV/IPV). It is important to note, especially for addressing youth homelessness, that people who are being [trafficked or sexually exploited](#) (including engaging in “survival sex” or [trading sex for a place to stay](#)) are *also* considered to be living in unsafe situations and are eligible under category 4.

**6.** Providers and communities should be aware that **ESG RRH** is restricted to people in **category 1**. This restriction includes people who would normally be eligible for all other forms of assistance under category 4. In other words, people who are in unsafe circumstances must also be staying outside or other places not fit for human habitation or in emergency shelter to be eligible for ESG RRH. (However, people in category 4 in any living situation are eligible for **CoC RRH**.)

**7.** People **living in motels** may be included in **any** eligibility category. If people are living in motels for which at least 51% of the cost is being paid by homelessness or social service providers or local or state government agencies, they are considered as (and counted as, during PIT counts) being in emergency shelter, and therefore in **category 1**. If people are living in motels that they are paying for themselves, they may be in either **category 2 or 3** depending on how long they can pay for their stays.

**8. Category 3** includes **families and unaccompanied youth** who are:

- i. defined as homeless under other federal statutes and **not already included in other HUD eligibility categories**,
- ii. have not had a lease, ownership, or occupancy agreement in permanent housing in the **past 60 days**,
- iii. have experienced **persistent instability** (2 or more moves in the past 60 days), **and**
- iv. can be **expected to continue the above instability** because of various **barriers**, including chronic disabilities, chronic physical or behavioral issues, histories of domestic violence or child abuse and neglect, or two or more barriers to employment. (See HUD’s [final rule](#) for a complete list of barriers.)

**9.** To date, **no CoC has been approved for an exception to serve families and youth in category 3**; however, they *may* be eligible for some of the interventions usually reserved for other categories under the following conditions.

Expanded eligibility to serve families and youth in category 3 applies only in the limited circumstance where a local CoC has demonstrated that using funding for those families and youth is of an **equal or greater priority** in their community. This means establishing that using CoC funds usually reserved for families and youth who are unsafe or whose housing crises are most imminent would be **equally or more cost effective** in meeting the performance goals and objectives that the CoC has set. Those goals and objectives include, among other things, **reducing** both the **number** of people experiencing homelessness and the **length of time** they remain homeless. If a CoC has made such a demonstration, HUD may approve its use of 10% of the funds that are normally restricted to people in categories 1, 2, and 4 to serve families and youth in category 3. (See [42 USC 11386a\(b\)\(1\)\(A\)-\(B\)](#) and [24 CFR 578.89](#) for further information about this limited option.)

This limitation does *not* apply to CoCs where the rate of homelessness, as calculated in the most recent PIT count, is less than **one-tenth of 1 percent** of the total population. (See [42 USC 11382\(j\)\(2\)](#) and [24 CFR 578.89](#).) To date, no CoC has achieved this low rate of homelessness.

**10.** In addition to people experiencing homelessness in the four categories described in the flowchart, **ESG prevention funds** can also be used to assist individuals or families who are at risk of homelessness. The “**at risk of homelessness**” category includes individuals, families with children, and unaccompanied youth. “At risk of homelessness” requires that people at risk:

- have income below 30% AMI,
- don’t have enough immediate resources to achieve housing stability, **AND**
  1. have moved frequently for economic reasons,
  2. are living with someone else due to economic hardship,
  3. have been notified that their current housing or living situation will end,
  4. live in a motel (that they are paying for themselves),
  5. live in a severely overcrowded situation,
  6. are exiting institutions, **OR**
  7. live in some other housing with characteristics associated with instability or increased risk of homelessness.

It should be noted that families with children and unaccompanied youth in **category 3** (defined as homeless by other federal statutes and not already included in other HUD eligibility categories) are also considered “at risk of homelessness” and are eligible for interventions funded by ESG prevention resources. (For further information about the use of ESG prevention funding for people at risk of homelessness, see [42 USC 11360\(1\)](#) and [24 CFR 576.2](#).)