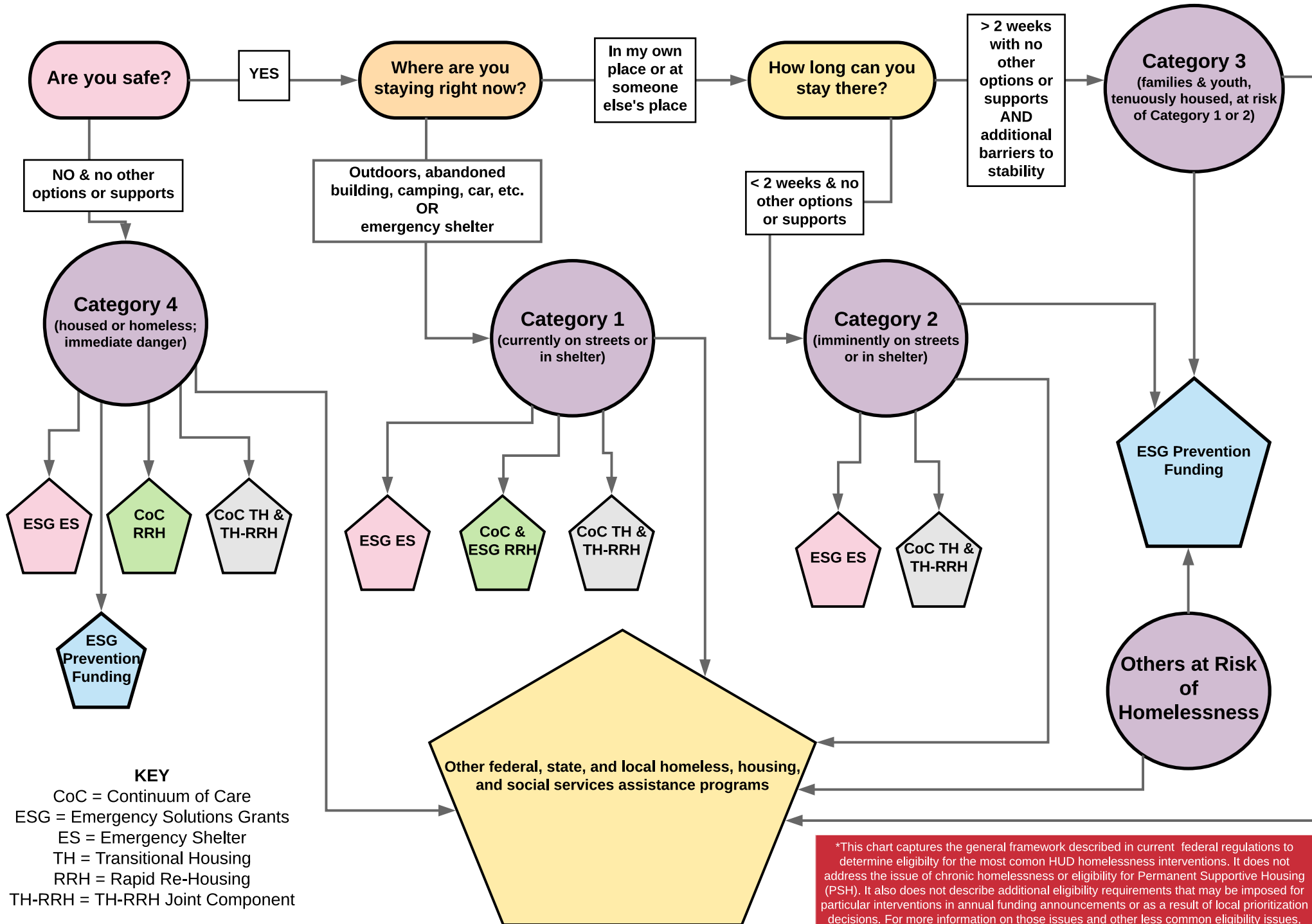


# Simple Chart for Determining Eligibility for HUD Homeless Assistance Programs

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



\*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 (June 2018)

1. While eligibility for different HUD homeless interventions is generally defined by statute and regulation, modifications of eligibility may be set annually in the Notice of Funding Availability (NOFA) for the [HUD CoC program](#). This flowchart includes recent CoC eligibility criteria as of the [FY2017 NOFA](#). 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, often on-site and 24/7, case management services. While PSH should be targeted to those experiencing chronic homelessness (see below), it is not currently required to be so targeted by statute or regulation. For purposes of this flowchart, PSH generally falls into the same eligibility “buckets” as RRH, though minimally, 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.

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 one year or at least four different times, totaling to one year, 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 new [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 rare situations be eligible for PSH if they entered TH directly from the streets.

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 paid for 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. Families and youth in **category 3** *may* be eligible for some of the interventions usually reserved for other categories.

This expanded category 3 eligibility applies in the limited circumstance where a local CoC has demonstrated that using funding for those interventions for families and youth in category 3 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.) To date, no CoC has been approved for this exception.

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 who are defined as homeless by other federal statutes (**category 3**) 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](#).)