

**Community Partnership to End Homelessness Act, S. 1518:
Key Provisions and Changes to Current Law**

| Issue | Current Law / HUD Practice | S. 1518 |
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| <p>Program Consolidation and Creation of New Programs</p> | <p>Continuums of Care (CoCs) now apply for three separate programs under McKinney – Supportive Housing Program, Shelter Plus Care, and Moderate Rehabilitation / SRO.</p> <p>In addition, the Emergency Shelter Grants program is funded from the same pool of money but is distributed separately by formula.</p> | <p>The three programs – Supportive Housing Program, Shelter Plus Care, and Moderate Rehabilitation / SRO would be combined into a single Community Homeless Assistance Program.</p> <p>It combines the Homelessness Prevention and Housing Stability program with the Emergency Shelter Grants program to create a new "Emergency Solutions Program." The Emergency Solutions Program would receive 20 percent of homeless assistance funding. At least 40 percent of that amount would be for homelessness prevention and re-housing activities for people who are homeless, doubled up, living in hotels or motels, or living in other precarious situations.</p> <p>A Rural Housing Stability Assistance Program would be created that does not require a separate appropriation from Congress.</p> |
| <p>Collaborative Applicant</p> | <p>Currently a community develops a CoC Planning Process with one agency often taking the lead in organizing the process and writing the grant. There is no administrative fee for the agency that takes the lead.</p> | <p>Communities would apply in much the same way as they do now through the Continuum of Care process.</p> <p>A community will select a “Collaborative Applicant” - the entity responsible for submitting an application for funding to</p> |

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| | | <p>HUD.</p> <p>For the most part, the duties of the Collaborative Applicant are somewhat similar to current duties. However, there is additional “selection criteria” including the length of stay and recidivism. A community could obtain this information from a HMIS system or would have to collect additional data from the applicants.</p> <p>A Collaborative Applicant, if a legal entity, could receive 3 percent of funds for administrative costs.</p> |
| Unified Funding Agency | Same as above under “Collaborative Applicant” | <p>A community could select a “Unified Funding Agency” which would be the fiduciary agent, therefore receiving funds directly from HUD and then distributing it to other agencies to carry out the grants. A Unified Funding Agency could receive up to 6 percent of funds for administrative costs.</p> |
| Selection Criteria | The selection criteria is based on two things – the pro-rata need and competition. | <p>This would work the same way it works under current practice. Each community would be assigned an initial pro-rata need which is based on a formula. Each community would then also submit an application which would determine the total amount of funding to be received.</p> |
| Authorized Funding Level | HUD’s homeless assistance programs received \$1.442 billion in fy 2007. | <p>Authorized an appropriation of \$2.2 billion for homeless assistance grants and Emergency Solutions Program for fy 2008</p> |

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| | <p>Any funding levels recommended in authorizing legislation (including S 1518) would still have to be ultimately decided through the appropriations process. It does sometimes help, however, to have authorizing legislation dictate an amount.</p> | <p>and “such sums as necessary” for fiscal year (fy) 2009 – 2012.</p> |
| <p>Priority Populations</p> | <p>While most sub-populations of homeless people are eligible for programs under McKinney, there is a slight preference for individuals with disabilities and chronically homeless individuals with disabilities. Only individuals and families with disabilities are eligible for Shelter Plus Care and only chronically homeless individuals are eligible for programs funded by the Samaritan bonus.</p> | <p>Would require HUD to provide bonuses or other incentives for proven strategies that reduce homelessness generally or for a specific population. This would initially include permanent supportive housing for chronically homeless individuals and families and rapid re-housing for homeless families.</p> <p>HUD could add other strategies based on research and after public comment.</p> |
| <p>Permanent Housing for Families</p> | <p>Continuums of Care (CoCs) can develop permanent housing for families through SHP-PH (Supportive Housing Program – Permanent Housing.) Currently, many CoCs only have enough funding available to renew current programs and are unable to develop new programs. Also, HUD has incentivized permanent housing for individuals with disabilities who are chronically homeless with the “Samaritan Bonus Project.”</p> | <p>Would create a “bonus project” likely to be similar to the “Samaritan Bonus Project” for rapid re-housing programs for families. While it would be funded out of the same appropriation as the general homeless assistance funding, the establishment of a “bonus project” would make communities more likely to obtain this funding.</p> <p>The bill defines “rapid re-housing” as “rapid rehousing services, short-term flexible subsidies to overcome barriers to rehousing, support services concentrating on improving incomes to pay rent, coupled with performance measures emphasizing rapid and permanent rehousing”</p> |

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| | | <p>Includes ‘families’ in the current definition of chronic homelessness</p> <p>Adds ‘families with disabilities’ to the requirement that 30 percent of funds must be used for permanent housing for people with disabilities.</p> <p>Adds a requirement that at least 10 percent of total funds must be used for permanent housing for families regardless of disability.</p> <p>Services would be eligible activities.</p> |
| Prevent Homelessness | No funds can currently be used for those at risk of homelessness. | <p>Designates 20 percent of total funding to the new Emergency Solutions Grant Program, and indicates that at least 40 percent of that funding goes to homelessness prevention and re-housing activities.</p> <p>Prevention and stabilization funding could serve people who have incomes below 20 percent of the area median income and who have moved frequently for economic reasons, are doubled up, are about to be evicted, or have to leave their current living situation, live in severely overcrowded housing, or otherwise live in an unstable situations that puts them at risk of homelessness.</p> <p>Eligible activities include short or medium term housing assistance, supportive</p> |

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| | | <p>services, and housing location services or stabilization services including housing search, mediation or outreach to property owners, credit repair, providing security or utility deposits, rental assistance for a final month at a location, assistance with moving costs, or other activities that help people maintain their housing or quickly move to a new location.</p> <p>New prevention activities would include housing relocation or stabilization services for people at risk of homelessness, housing search, mediation, outreach to property owners, legal services, credit repair, security or utility deposits, short or medium term rental assistance, and assistance with moving costs.</p> |
| <p>Assist Doubled-Up Families Who are Precariously Housed</p> | <p>Only individuals and families who meet HUD's definition of homelessness are eligible for McKinney funded activities.</p> | <p>Same as first bullet under "prevent homelessness"</p> <p>Expands the definition of homelessness to include doubled-up households that move continuously and never establish a residence, i.e. "couch surfers".</p> <p>Applicants of the Rural Housing Stability Assistance Program could use funding for those at risk of becoming homeless.</p> <p>Clarifies that emergency homeless shelters may not exclude families with children.</p> |

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| <p>Continues Commitment to Permanent Supportive Housing for Chronically Homeless Individuals</p> | <p>HUD established the “Samaritan Housing Initiative” formerly called the “Permanent Housing Bonus” and changed its focus recently to only serve chronically homeless individuals with disabilities.</p> <p>Through the appropriation process, Congress mandated that 30 percent of total funds would be designated for permanent housing for homeless individuals with disabilities. This provision is better known as the “30 percent set aside” or “30 percent permanent housing set aside.”</p> | <p>Of the two “bonuses or incentives” for “proven strategies that reduce homelessness generally or for a specific population,” it includes permanent supportive housing for chronically homeless individuals, families and unaccompanied youth.</p> <p>Makes the 30 percent set-aside law although it also adds families where an adult head of household has a disability.</p> |
| <p>Increase Competitiveness of Rural Communities</p> | <p>Rural areas often join together and apply as a “Balance of State CoC” to increase their competitiveness.</p> <p>The complexity of the current CoC process has left many rural areas without the capacity to compete effectively.</p> | <p>Applicant in a rural area or a rural state has the option of applying for funds under the Rural Housing Stability Assistance Program and compete only against other rural areas. Eligible funding activities would be expanded to include homelessness prevention including minor rehabilitation and payment of back rent, mortgage, or utilities.</p> <p>Funds could be used to serve those at risk of becoming homeless with the exception that permanent and transitional housing would only be for people who are homeless.</p> <p>Applicants could use up to 20 percent of their grant for capacity building activities including grant writing.</p> |
| <p>Program Renewals – Permanent Housing and Other Programs</p> | <p>There is an unwritten commitment by HUD to renew all programs, including services only programs.</p> <p>Currently Shelter Plus Care renewals are funded for one year at a time non-competitively and through the Section</p> | <p>There is language in the bill which maintains the commitment to renew programs whether a permanent housing or services only program and says that the program will be renewed for one year.</p> |

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| | <p>8 account. Supportive Housing Program – Permanent Housing renewals are funded for 1-3 years as part of the competition. Moderate Rehabilitation / SRO renewals are funded from the same federal account.</p> <p>There is a “hold harmless” clause in the current CoC application which means two things – (1) if your CoC’s renewal burden is higher than its pro rata share, HUD will renew programs even if it has to provide funding above your CoC’s pro rata share, and (2) if your CoC decided not to renew a SHP program in favor of creating a new permanent supportive housing project, your CoC can use the funds it would have received to renew the program for the new project.</p> <p>In addition, while it is difficult to obtain funding for new services projects, HUD renews all current programs before providing money to new programs.</p> | <p>The funding for permanent housing renewals will be provided non-competitively by the Section 8 account. This should free up an individual CoC’s funding for other renewals in addition to new projects.</p> <p>The funding for services activities will be provided by the general McKinney fund.</p> |
| <p>Services</p> | <p>There are programs that provide services funding although HUD has been decreasing its funding for services in favor of funding for housing in the hope that other federal agencies would fill the gap.</p> | <p>Under “operating costs,” the bill adds “coordination of services” as needed to ensure long-term housing stability as an eligible activity.</p> <p>The Emergency Solutions Program provides funding for services concerned with employment, health, education, family support services for homeless youth (new), alcohol and drug abuse prevention or treatment, or mental health treatment (new). It also provides for the following new activities: “housing relocation or stabilization services for individuals and families at risk of homelessness, including housing search, mediation or outreach to property owners,</p> |

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| | | <p>legal services, credit repair, providing security or utility deposits, short- or medium-term rental assistance with moving costs, or other activities.</p> <p>The Emergency Solutions Program funds supportive services and housing relocation or stabilization services to people at risk of homelessness or living doubled-up.</p> <p>The general program allows supportive services to individuals and families who are homeless or have been in the prior 6 months.</p> <p>Services intended to re-house an individual or family (are now eligible, including housing search, mediation or outreach to property owners, credit repair, providing security or utility deposits, rental assistance for a final month at a location, assistance with moving costs, or other activities that (A) are effective at moving homeless individuals and families immediately into housing or (B) may benefit individuals or families who in the prior 6 months have been homeless but are currently residing in permanent housing.</p> |
| <p>“High Performing Community”</p> | <p>Every community applies for the same funding for the same uses no matter if the community is demonstrating results or not.</p> | <p>If a community meets certain benchmarks, including decreasing the lengths of episodes of homelessness and decreasing recidivism, the community could be deemed a “High Performing Community.”</p> |

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| | | A “High Performing Community” would have more flexible use of funds and could use funds for all the activities under the prevention program and provide services to a broader eligibility group. |
| Match | <p>There is a:</p> <ul style="list-style-type: none"> *100 percent cash match for acquisition, rehabilitation and new construction under the Supportive Housing Program (SHP), *33 percent cash match for operating costs under SHP, *25 percent cash match for services costs under SHP, *dollar to dollar match of Shelter Plus Care funding with supportive services which can be cash or in kind. | <p>Any match could be cash or in-kind.</p> <p>Would establish a universal 25 percent match for the homeless assistance and rural programs.</p> <p>It Grandfathers programs that currently have a lower match requirement than would be required going forward.</p> |
| Administrative Fees | <p>The organization writing the grant and taking primary responsibility for organizing the CoC does not receive an administrative fee.</p> <p>Shelter Plus Care providers receive 8%.</p> <p>SHP and SRO administrators receive 5%.</p> | <p>Collaborative Applicants would receive a 3 percent administrative fee; Unified Funding Agencies a 6 percent administrative fee.</p> <p>Individual project sponsors would be eligible for up to 7 percent for administrative fees.</p> <p>Those who receive funding under the Rural component could use up to 20 percent.</p> |
| Timeliness Requirement | <p>HUD has not been consistent with the dates of the NOFA release or award announcements.</p> <p>Permanent supportive housing providers have difficulty with dates by which funding must be expended (9-15 months) due to the unpredictability of the supportive housing pipeline.</p> | <p>HUD would have to release the NOFA no more than 3 months after enactment of appropriations.</p> <p>Awards would be announced no later than 5 months after applications are due. (6 months for the first two years after</p> |

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| | | <p>CPEHA is enacted).</p> <p>Project sponsors would have to meet all requirements for obligation no later than 9 months after an award is announced (24 months for acquisition, construction or rehab) although HUD could grant a waiver.</p> <p>Funds would have to be obligated no later than 45 days after the project sponsor has met requirements for obligation.</p> <p>With regard to permanent supportive housing, the Reed bill maintains the 9-15 month rule (although advocates are supporting 2 year timeframe with a 1 year extension).</p> |
| Veterans | | <p>Creates a staff position to assist with veterans affairs at HUD. Staff will be responsible for ensuring that veterans have access to housing and homelessness programs, coordinate HUD programs related to veterans and acting as a liaison with the Department of Veterans Affairs, other government officials and non governmental organizations.</p> |
| Domestic Violence and HMIS | | <p>The Violence Against Women Act, passed by Congress in 2006, included provisions that prohibit organizations serving victims of domestic violence from submitting any personally identifying information about their clients.</p> |

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| | | <p>Includes a provision that HUD must instruct projects whose primary purpose is to serve survivors of domestic violence, dating violence, sexual assault or stalking that they may not submit personally identifying information for the purpose of the Homeless Management Information System.</p> |
| <p>Definition of Homelessness</p> | <p>Only people who meet HUD’s definition of homelessness are eligible clients.</p> <p>Only individuals can be defined as chronically homeless.</p> | <p>Expands the definition of homelessness to include “couch surfers,” specifically, people who:</p> <ul style="list-style-type: none"> ❖ Are living in someone else’s housing because they do not have the resources to obtain other housing; ❖ Have been notified that the arrangement is short-term; ❖ Have moved either three times in the past year or twice in the past three weeks; and ❖ Are not contributing significantly to the cost of the housing. <p>Modifies the definition of chronic homelessness to include families, unaccompanied minors, and people living in safe havens and in temporary institutional care facilities.</p> |