



New Mexico Coalition to End Homelessness

Standards for Administering New Mexico Balance of State Continuum of Care (CoC) Rapid Re-Housing Assistance

Updated July 2019

NMCEH is required to establish policies and procedures for determining and prioritizing which eligible individuals and families will receive Rapid Re-Housing assistance (RRH). RRH should be targeted to households that need temporary housing assistance and services in order to maintain housing and have fewer barriers to housing and employment than people who need permanent supportive housing.

Use of the common standards of entry and the Coordinated Entry System are requirements under the Continuum of Care (CoC) program. The CoC Impartial and Independent Review Committees will evaluate whether CoC programs have adhered to the standards and fully utilized the Coordinated Entry System, along with other evaluation criteria, when making annual renewal determinations.

1. Eligibility Requirements

1. Must meet HUD's definition of homelessness as defined in the HEARTH Homeless Definition Final Rule.¹
2. Must meet any additional criteria stipulated in the CoC Notice of Funding Availability for the grant year under which the program is operating.

2. Prioritization

Albuquerque and Balance of State CoC Rapid Re-Housing programs must use the statewide Coordinated Entry System (CES) to identify which individual or family they will house when they have an opening. The CES uses the VI-SPDAT (Vulnerability Index – Service Prioritization Decision Assistance Tool) as its common assessment tool. The VI-SPDAT helps determine the vulnerability of a homeless household and which type of supportive housing would best meet their needs. Based on a household's answers to the VI-SPDAT, the household receives a vulnerability score between 0-17 for individuals and 0-23 for families. The score includes duration of homelessness, physical health, behavioral health, and other factors to come up with an overall assessment of vulnerability. Each household's VI-SPDAT is entered in the Homeless Management Information System (HMIS), which calculates the score. All agencies that participate in the CES are able to view in HMIS the homeless households that have completed the VI-SPDAT and are part of the CES.

Rapid Re-Housing Projects should prioritize households with a VI-SPDAT score of at least 4. Rapid Re-Housing is usually the most appropriate intervention for individuals that score between a 4 and 7 and for

¹ <https://www.hudexchange.info/resource/1928/hearth-defining-homeless-final-rule/>

families that score between a 4 and 8., If an individual or family receives a score higher than 7 or 8, respectively, they may be more appropriately assisted with permanent supportive housing and it is acceptable to direct a household to permanent supportive housing instead of providing rapid Re-Housing when it is deemed that this will better meet the needs of that household. However, Rapid Re-Housing programs may also serve an individual who scores higher than a 7 or a family that scores higher than an 8 if they feel that household could benefit from Rapid Re-Housing.

The CES will rank homeless households in priority order according to their VI-SPDAT score. The higher the VI-SPDAT score, the higher the priority for the person or family to be placed into housing. In general, Rapid Re-Housing programs should identify an individual who scored a 7 or a family that scored an 8 and work down the list from there.

Projects are allowed to accept 20% of their clients with a VI-SPDAT score lower than 4 where other factors justify placing these clients into housing and still be considered to be in full compliance with CES. In this case, agency staff must write a letter explaining the reason that the household has been given priority and the agency must maintain written documentation on file.

Special procedures for Domestic Violence agencies

1. DV agencies with HUD funded programs are required to participate in CES, but are not required to enter any data into HMIS. DV agencies should do the VI/SPDAT on paper for any potential transitional housing or rapid Re-Housing clients and compute the VI/SPDAT score manually.

3. Participation in Coordinated Entry System

All programs that receive CoC funding are required to participate in the Coordinated Entry System (CES). In addition to filling housing openings through the CES, all CoC agencies are also required to conduct VI-SPDATs with household individuals and families that are seeking supportive housing. The overall share of VI-SPDATs that each CoC program is expected to conduct will be worked out at the local level.

4. Documentation of Homeless Status

Homelessness must be documented as required under the Homeless Definition Final Rule. This can be found at: <https://www.hudexchange.info/resource/1928/hearth-defining-homeless-final-rule/>

5. Operation

A. Length of Stay

Projects are encouraged to take an active role in setting an initial participation period of 6-24 months. In doing so, they should take into account the local housing market, the local functioning of the coordinated entry system, average client needs, etc. In many communities, an initial participation period of 6-12 months will likely be a typical practice. The maximum length of assistance under a rapid Re-Housing program is 24 months. If projects set an initial participation period of less than 24 months, they may grant extensions to households that turn out to require additional assistance, up to the overall maximum of 24 months.

B. Client Rent

Stabilization period

Projects may adopt a 'stabilization period' policy in which they pay 100% of rent through the first three full months that households receive rental assistance. If a project decides to adopt this policy, its written

policies and procedures must be updated to reflect that fact. Furthermore, this policy must apply to all entering households. In other words, projects may not provide this additional support to only some households.

For projects that adopt a stabilization period policy, household rental contributions after the third full month of rental assistance must follow the standard rental calculation below. For projects that do not adopt a stabilization policy, household rental contributions for all months must follow the standard rental calculation below.

Standard rental calculation

The household rental contribution shall be the highest of:

1. 30 percent of the family's monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child-care expenses);
2. 10 percent of the family's monthly income; or
3. If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family's actual housing costs) is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated for housing costs.

C. Fair Market Rent and Rent Reasonableness Standards

The rent paid must be reasonable in relation to rents being charged for comparable units, taking into account the location, size, type, quality, amenities, facilities, and management services. Rents may exceed HUD fair market rents, as long as the rent is reasonable in relation to rents being charged for comparable units.

D. Reevaluation and Case Management

Projects shall assist households at least every six months in generating an up to date picture of household income, financial stability, and progress on a housing stability plan. This process, which must be documented in client files, is intended to help both households and projects stay on track in moving households towards their goals.

E. Child School Enrollment

In order to ensure that all children of school age are receiving the education benefits to which they are entitled, projects must complete a 'Child School Enrollment Form' at intake and then again each August for every school aged child in the project. To comply with this requirement, projects may use the 'Child School Enrollment Form' template posted on NMCEH's website, or they may develop their own form or forms to document all items contained in the template.

6. Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

This section of the Common Standards has also been adopted by the NM Balance of State Continuum of Care, and only applies to Balance of State Continuum of Care projects.

A. Emergency Transfers

Each CoC project is concerned about the safety of its participants, and such concern extends to participants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),¹ each CoC project allows participants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the participant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.² The ability of each CoC project to honor such request for participants currently receiving assistance, however, may depend upon a preliminary determination that the participant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether the CoC project has another dwelling unit that is available and is safe to offer the participant for temporary or more permanent occupancy.

This plan identifies participants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to participants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that all Continuum of Care projects are in compliance with VAWA.

B. Eligibility for Emergency Transfers

A participant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the participant reasonably believes that there is a threat of imminent harm from further violence if the participant remains within the same unit. If the participant is a victim of sexual assault, the participant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A participant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan. Participants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

C. Emergency Transfer Request Documentation

To request an emergency transfer, the participant shall submit a written request for transfer to the CoC project's management office. The CoC project will provide reasonable accommodations to this policy for individuals with disabilities. The participant's written request for an emergency transfer should include either:

1. A statement expressing that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under the CoC project's program; OR
2. A statement that the participant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant's request for an emergency transfer.

D. Confidentiality

The CoC project will keep confidential any information that the participant submits in requesting an emergency transfer, and information about the emergency transfer, unless the participant gives the CoC project written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the participant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the participant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about the CoC project's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

E. Emergency Transfer Timing and Availability

The CoC project cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The CoC project will, however, act as quickly as possible to move a participant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a participant reasonably believes a proposed transfer would not be safe, the participant may request a transfer to a different unit. If a unit is available, the transferred participant must agree to abide by the terms and conditions that govern occupancy in the unit to which the participant has been transferred.

The CoC project may be unable to transfer a participant to a particular unit if the participant has not or cannot establish eligibility for that unit. If the CoC project has no safe and available units for which a participant who needs an emergency is eligible, the CoC project will assist the participant in identifying other housing providers who may have safe and available units to which the participant could move. At the participant's request, the CoC project will also assist participants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan. If the participant needs to move out of the local area, the CoC project will reach out to the New Mexico Coalition to End Homelessness for assistance in identifying units in other communities.

F. Safety and Security of Participants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the participant is urged to take all reasonable precautions to be safe. Participants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Participants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Participants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resourcecenter>.

G. Attachment: New Mexico organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking

Approved by the NMCEH Members on July 19, 2019

¹ Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

² Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.