



New Mexico Coalition to End Homelessness

Standards for Administering Albuquerque and New Mexico Balance of State Continuum of Care (CoC) Transitional Housing

Updated July 2018

NMCEH is required to establish policies and procedures for determining and prioritizing which eligible individuals and families will receive Transitional Housing (TH) assistance. TH 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 homeless as defined in the HEARTH Homeless Definition Final Rule¹.
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 TH 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.

Transitional Housing projects should prioritize households with a VI-SPDAT score of at least 4. Transitional Housing is usually the most appropriate intervention for individual that score between a 4 and 7 and families that score between a 4 and 8., If an individual or family receives a score greater than 7 or 8, respectively, they

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

may be more appropriately assisted with permanent supportive housing and it is acceptable to direct a household to permanent supportive housing instead of providing Transitional Housing when it is deemed that this will better meet the needs of that household. However, Transitional Housing programs may also serve an individual who scores higher than a 7 or a family who scores higher than an 8 if they feel that household could benefit from Transitional 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, Transitional Housing programs should identify individuals who scored a 7 or families who scored an 8 and work down the list from there.

Projects are allowed to accept 20% of their clients from those with a VI/SPDAT score below 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 rehousing 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

The maximum length of stay in transitional housing is 24 months and the maximum length of assistance under a rapid rehousing program is also 24 months. Programs may initially approve homeless households for a shorter length of assistance based on the estimated time for the household to be able to pay rent on their own, and grant extensions as needed.

B. Client Rent and Occupancy Charges

All clients enrolled in transitional housing programs may be required to pay an occupancy charge or rent. If rent or occupancy charges are imposed they may not exceed the highest of:

- a) 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);
- (b) 10 percent of the family's monthly income; or

(c) 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.

6. Continuum of Care Common Application

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

A. When to Use the CoC Common Application

All CoC housing programs will use the Continuum of Care Common Application to determine whether a household is eligible for their program. When a CoC housing program has an opening, the program should identify the highest priority household in the Coordinated Entry System (CES), using the prioritization system described in these Common Standards.

The head of household for the identified household should then complete the Common Application, if it has not already been completed. The CoC housing program staff, CES staff or any other service provider (regardless of whether the provider receives CoC funding) may assist the applicant with completing the Common Application. The CoC housing program should not have multiple applicants complete a Common Application in advance of an opening in order to create a waitlist of potential participants.

All CoC housing programs are strongly encouraged to contact CES staff directly for a referral when they have an opening as this is the most efficient way to utilize the prioritized CES list. CES will provide a referral as soon as possible. The referral will include any documentation the CES staff has completed or collected up to that point. Such documentation may include a completed Common Application and documentation of current or prior episodes of homelessness. The housing program is responsible for completing all remaining required documentation, and for reviewing all documentation (including that provided by CES) to ensure it is accurate and complete.

B. Using the CoC Common Application to Determine Eligibility

CoC housing programs will determine eligibility based solely on the information in the CoC Common Application and on the accompanying HUD required documentation that verifies homelessness, chronic homelessness (if applicable) and disability (if applicable). CoC housing programs may not supplement the CoC Common Application with additional questions or another application to determine eligibility for specific CoC housing programs. CoC housing programs may not require applicants to provide additional documentation, beyond HUD's documentation requirements, as part of the eligibility determination process. HUD only requires documentation of homelessness, chronic homelessness (if applicable) and disability (if applicable).

CoC housing program staff have the primary responsibility to collect HUD required documentation of homelessness, chronic homelessness (if applicable) and disability (if applicable) to verify the information reported in the Common Application. Applicants are expected to assist in collecting documentation when

possible, but CoC programs are responsible for determining and providing the level of support needed in this task.

Once a CoC program determines that an applicant is eligible, the applicant should be admitted into the program and assisted in locating and securing housing as quickly as possible. Program staff may collect additional information and documentation needed to determine appropriate housing options, including income, rental history and criminal background history. Once the housing process has begun, the CoC program may continue to meet with and assess the participant in order to assist the participant with identifying goals and desired supports and services.

A CoC housing program may find an applicant ineligible for the following reasons:

- 1) The applicant does not meet HUD requirements for the CoC Housing Program, as described in Section 1 of the Common Standards.
- 2) The applicant does not meet the CoC housing program's specific eligibility requirements as stated in the most recent CoC Project Application.
- 3) The applicant is not permitted to participate in services provided by this agency due to a history of dangerous or threatening behavior to agency staff.
- 4) The applicant does not respond to the CoC housing programs after several attempts have been made to reach the applicant using all contact methods listed on the applicant's application.

C. Next Steps for CoC Common Application Once Eligibility Determination is Made

Intake staff are responsible for completing all boxes on the "For Internal Use Only" page of the application. If the applicant is determined eligible and admitted into the program, the "For Internal Use Only" page of the

application must be submitted to NMCEH CES System staff within 48 hours of an eligibility determination.

If the applicant is denied entry to the program, the reason must be clearly recorded in this section "For Internal Use Only" page of the application. The applicant's completed CoC Common Application should be submitted to the CES within 48 hours of an eligibility determination (unless the CES already has a copy of the applicant's completed application, in which case only the "For Internal Use Only" needs to be submitted). CES staff will follow-up with any denied applicants regarding other housing options.

D. Domestic Violence Providers

CoC housing programs that specifically serve survivors of domestic violence will use the CoC Common Application. Domestic violence providers will keep hard copies of the completed CoC Common Application in the applicant's file. The completed application will not be shared with the CES or with other housing providers unless the applicants gives explicit permission to do so.

E. Effective Date

This policy becomes effective 45 days from the adoption of this language in the Common Standards.

7. 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.

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.

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-resource-center>.

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