Homeless Preference in Multifamily Housing

A homeless preference in HUD-assisted multifamily housing can increase access to available housing units for people experiencing homelessness including post disaster.

WHAT IS A HOMELESS PREFERENCE IN MULTIFAMILY HOUSING?

The multifamily homeless preference is an optional, owner-adopted preference that applies to HUD-assisted multifamily housing with project-based Section 8 or PRAC rental subsidy. The homeless preference impacts the order in which applicants are selected from the wait list, allowing families and individuals experiencing homelessness to move quickly to the top of the list. The property eligibility and screening criteria remain the same after a homeless preference has been adopted. In the past, affordable multifamily housing was generally filled through waiting lists of income-qualified households without regard to whether such households were homeless or in the process of leaving homelessness. In July 2013, HUD issued a notice[1] to allow for owners to adopt, with HUD approval, admissions preferences for households experiencing homelessness. Owners are given wide latitude in tailoring preferences both with regard to who is served and what percentage of units or vacancies are subject to the preference.

HOW COULD WE IMPLEMENT A HOMELESS PREFERENCE AFTER A DISASTER?

Grantees should work directly with local HUD office to take the steps below and expedite approval of a change in the tenant selection plan.

- **Identify and engage HUD-assisted multifamily housing owners and property managers.** Communities will want to leverage established relationships with landlords but also identify new landlord participants through active outreach. The local HUD office will have a list of HUD-assisted

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[1] Notice H 2013-21 "Implementation and approval of owner-adopted admissions preferences for individuals or families experiencing homelessness" (see Attachment A: Notice H 2013-21).

multifamily housing in your area. Participate in community meetings, make calls, and contact associations. See the sample outreach email to support your outreach calls and meetings.

- **Work with CoCs to identify service providers.** Owners and property managers may be more interested in housing this population if you can provide supportive services through existing providers.

- **Modify the tenant selection plan.** If the property currently has a waiting list, the owner must modify the tenant selection plan. Decisions to be made include the population that will benefit from the preference, as well as the preference rate. Post disaster, it may be appropriate to fill the next X number of vacancies with people experiencing homelessness displaced by the disaster. See Suggested Model Language for template.

- **Assist owners/property managers with HUD submission.** Owners will need to submit the plan to HUD for approval and begin necessary steps to identify potential preference applicants. They will need to review the affirmative fair housing marketing plan for any changes that might be needed. Once the amended tenant selection plan is approved by HUD, the owner/property manager needs to notify everyone on the waiting list if one exists.

- **Identify eligible households.** Work directly with the Continuum of Care. The coordinated entry process should have identified individuals and households waiting for housing placement.

- **Assist households with the application process.** Consistent with a housing first approach, reduce the barriers for the persons experiencing homelessness. Assist them in completing applications and in working with landlords to minimize requirements such as a driver's license or credit rating.

MORE ON HOMELESS PREFERENCE IN MULTIFAMILY HOUSING

HUD has resources available for property owners and managers as well as a toolkit that provides templates to assist in implementation. The HUD Notice, "Implementation and approval of owner-adopted admissions preferences for individuals or families experiencing homelessness" is also available online.

Suggested Model Language for Adopted Admissions Preferences for Individuals and Families Experiencing Homelessness

[Name of owner/ corporation] is adding a homeless admissions preference to all of its HUD-assisted housing in accordance with Housing Notice 2013-21 "Implementation and Approval of Owner-Adopted Admissions Preferences for Individuals or Families Experiencing Homelessness." This amendment establishes an admissions preference for individuals and/or families who meet HUD's definition of homeless as provided in HUD regulations at 24 CFR Part 578.

Please select as many as applicable. May select "all' or "other" with definition:

◯ Paragraph 1 of the definition of homeless:

An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised publicly or privately operated shelter designed to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, State, or local government programs for low-income individuals); or

(iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

◯ Paragraph 4 of the definition of homeless:

Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing.

◯ Homeless veterans

◯ Homeless families with children

◯ All

◯ Other_____

This admissions preference will include the following:

It will be effective [insert date] _____ and/or when approved by HUD.

The current waiting list for each property will be maintained consistent with HUD Handbook 4350.3 "Occupancy Requirements of Subsidized Multifamily Housing Programs" guidelines and the property's Affirmative Fair Housing Marketing Plan (AFHMP).

Current persons on the waiting list will be notified of the new admissions preference and will be instructed on the necessary procedure to qualify. They will be granted a first right to an available unit under the preference should they meet the above definition of homeless. Notice to persons on the waiting list will be done by mail thirty (30) days prior to adoption of the preference.

Upon unit turnover, one in every _____ vacancies will be offered to a person who meets the criteria of the admissions preference and who is on the existing waiting list or who is referred to the respective property by an organization that refers people transitioning out of a shelter or temporary housing program. OR Upon unit turnover, _____ vacancies will be offered to a person/household who meets the criteria of the admissions preference and who is on the existing waiting list or who is referred to the respective property by an organization that refers people transitioning out of a shelter or temporary housing program. These vacancies will be filled sequentially.

Referrals for available units will be accepted from _____ [insert organization names; owner/management choice], pursuant to paragraph V (d) of Housing Notice 2013-21. All applicants must comply with current admissions requirements at the specific property, including income, age, and criminal/credit screening criteria. Applicants who are denied will be provided with the basis of the denial in writing and notified of their right to request a meeting to dispute the rejection.

This preference can be amended as needed and/or removed with proper notification of such to all affected parties, including written notification to HUD.

Sample Landlord Outreach Email for Homeless Preference (Post Disaster)

Dear _(Contact from apartment association, landlord group, or housing coalition),_

Following the effects of _(named storm/disaster event)_, our community is in need of safe, secure, and affordable housing to assist our friends and neighbors who were displaced by _(named storm/disaster event)_ and are experiencing homelessness. Our community is providing financial support and case management to tenants who face barriers to housing. As a landlord, you can support this effort by granting admission preference to individuals and families experiencing homelessness. While it can feel like a risk to rent to a tenant with barriers to housing, the financial support and case management services provided by our community's supportive housing program ensure that tenants and landlords alike are supported by our participating agencies.

Benefits. Landlords find the following benefits from program participation:

- Easier intake. A coordinated system of service providers help to complete tenant applications.
- Tenant management. Partner agencies support tenants and reduce turnover.
- Lower vacancy rates. Consistent referrals and lower tenant turnover reduce vacancies.

How it works. The Homeless Preference in multifamily housing works as follows:

- Individuals and families who are experiencing homelessness are referred to coordinated entry for assessment of their housing needs and are referred to an agency.
- The agency works with the individual or family to identify a unit that meets their needs.
- The agency supports the individual or family in meeting the landlord's screening and eligibility requirements.
- While rental assistance support is not necessarily part of the Homeless Preference, there may be resources available to assist in housing placement and with security deposits and first month's rent.
- Supportive services and case management ensure that the household remains stable in housing.

(For more information the U.S. Department of Housing and Urban Development (HUD) has issued a notice on admission preference for families and individuals experiencing homelessness - _Notice H 2013-21 "Implementation and approval of owner adopted admissions preferences for individuals or families experiencing homelessness"._)

How you can help. You can act right away if you have no waiting list. If there are applicants currently on your property's waiting list, you can amend your tenant selection plan to allow rental to individuals and families experiencing homelessness before other applicants. Committed community partner agencies are available to support you in locating potential residents who are homeless and in helping to maintain their successful tenancies.

Ending homelessness is an important part of our community's Consolidated Plan that addresses affordable housing and community development. The adoption of preferences is not mandatory, but using this preference is an opportunity for owners of HUD-assisted multifamily properties to be a part of our community's goals to prevent and end homelessness as we rebuild post disaster. There are resources available within the community to assist you in implementing the preference.

Since (_20xx_), our Continuum of Care has reduced homelessness by _(##/xx%),_ and we could not have made this progress without the support and collaboration of valued landlord partners in the community. During this time of crisis, finding safe and secure housing for our most vulnerable citizens is of paramount importance. Please consider instituting a homeless preference in your multifamily housing to help _(city/county/ jurisdiction)_ rebuild.

Please contact [_____] if you have any questions.

Sincerely,