

Get the Facts: HOPWA and COVID-19 Response



HOUSING STABILITY AND HOMELESSNESS PREVENTION IN THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM

The risks of housing instability and homelessness due to loss of employment, reduction in wages, late rent, mortgage, and/or utility payments are rising as the COVID-19 pandemic continues. HOPWA policies and procedures must set the tone and expectation that housing stability and preventing homelessness are top priorities. It is important to ensure that households remain housed and maintain good credit for future housing options and employment opportunities. Homelessness prevention efforts can reduce household stress and conflict, maintain strong communities, and help build collaborative relationships with landlords.

Housing stability and homelessness prevention involve more than the provision of rent, mortgage, and/or utility assistance; homelessness prevention comprises a whole series of strategies. HOPWA program staff must frequently and consistently engage with HOPWA-eligible households through actively assessing and identifying the type of assistance needed to support each household's current living situation, as each living situation is different. While there are eligible households receiving HOPWA-funded rental assistance, others may be receiving non-HOPWA rental assistance or no rental assistance at all.

In this resource, you will find examples describing how HOPWA program staff can support housing stability and prevent homelessness for each of the living situations noted above, such as timely identification of households whose housing stability may be at risk. You will also find examples of how you can assess and reduce any housing-related or other debts owed by assisting households in navigating and applying for additional resources to fill gaps in household budgets. In addition, you will find information on how to use HOPWA funding for homelessness prevention activities, information on what to include in HOPWA housing stability policies and procedures, and finally a few important reminders.

1. For households receiving HOPWA-funded rental assistance:

- Ensure that during annual recertifications, the amount of and types of income received by each household member is correct.
 - For example, ensure that income received due to COVID-19, such as Federal Unemployment Insurance and/or Economic Stimulus payments are excluded.
 - For those whose income fluctuates regularly due to COVID-19 and related situations ensure processes are in place to recalculate income more frequently if needed.

- Ensure that Federally mandated income exclusions are **not** included in annual income.
 - Educate households about the types of income included in and excluded from annual income: [Exhibit 5-1: Income Inclusions and Exclusions](#)
- Educate and frequently remind assisted households about policies and procedures regarding interim recertifications.
- Ensure all interim recertifications are quickly processed and as frequently as needed – particularly for loss of and/or reduction in annual income and other factors affecting the assisted household’s rent portion
- Ensure the correct utility allowance amount is applied as part of calculating portions of rent, for assisted households responsible for some or all utilities supplied to the unit.
- Ensure that the household composition is assessed for income allowances/deductions (e.g., elderly/disabled, medical expenses, disability assistance expenses, childcare expenses, and dependent deduction).
- Review and remove assistance limitations from locally imposed program policies and procedures that do not align with HOPWA regulatory requirements and/or guidance.
 - For example, HOPWA TBRA is a **permanent** housing program and **does not** have a time limitation.

Charge HOPWA program staff’s time related to homeless prevention activities and other costs to:

- Tenant-Based Rental Assistance (TBRA), Master Leasing, Facility-Based Housing (transitional or permanent), per the type of HOPWA rental assistance the household receives and your approved HOPWA activities and costs.

2. For households receiving non-HOPWA rental assistance:

- Ensure you have information about the rental assistance that the household receives, such as the type of assistance, under which program the assistance is funded, and contact information for the rental assistance program. This includes establishing relationships with the non-HOPWA housing staff assigned to your clients who can address any questions, comments, or concerns.
 - Determine if the non-HOPWA rental assistance includes limits on the length or amount of assistance.
 - Assist households with identifying and applying for alternative resources and types of assistance.
- Ensure you have information about and, if concerns exist, check the accuracy of:
 - The household’s portion of the rent by ensuring any federally mandated income exclusions are not included in annual income.
 - Types of income, such as hourly and seasonal employment, that may be sensitive to COVID-19 and related situations, is correct.
 - Educate households about the types of income that may be included in and excluded from annual income: [Exhibit 5-1: Income Inclusions and Exclusions](#)
 - Ensure that the household composition has been assessed for income allowances/deductions (e.g., elderly/disabled, medical expenses, disability assistance expenses, childcare expenses, and dependent deduction).
 - Ensure the correct utility allowance amount is applied as part of calculating portions of rent, as applicable.

- Explain to, and assist the household with, completing the rental assistance program's interim recertification process.

Charge HOPWA program staff's time related to homeless prevention activities and other costs to:

- Supportive Services (case management, life skills, etc.) or Housing Information Services (counseling, housing search, information sharing, referral services to help locate, acquire, and maintain housing) as applicable per your approved HOPWA activities and costs.

3. For households not receiving any rental assistance:

- Determine the type of assistance the household needs to maintain housing stability and prevent homelessness.
 - This includes, but is not limited to, assessing the household's type of housing situation (e.g., homeowner or renter), amount of rent, and possibly any past-due housing costs, as well as the amount and types of other everyday expenses.
- Determine if, and what types of, HOPWA assistance may support those expenses/costs to ensure consistent and timely mortgage, rent, and/or utility payments.
 - Examples include, though are not limited to:
 - HOPWA rental/housing assistance – Short-Term Rent, Mortgage, and Utility (STRMU) Assistance, TBRA, or Facility-Based Housing
 - Supportive Services – Nutrition and/or transportation (e.g., assistance with food/groceries, gas, or rideshare services)
 - Non-HOPWA – local and/or state-funded rental assistance programs, other federally funded rental assistance programs

Charge HOPWA program staff's time related to homeless prevention activities and other costs to:

- STRMU, TBRA, Facility-Based Housing, Supportive Services, or Housing Information Services, as applicable per your approved HOPWA activities and costs

4. For all households – receiving any or no rental assistance:

- Organize regular and consistent engagement with your HOPWA eligible households to determine the status of their current housing and income situation.
- Offer and provide case management/life skills to assist clients with addressing financial and non-financial issues that lead to housing instability.
- Provide information to HOPWA-eligible households about local and state resources (e.g., rent, mortgage and/or utility assistance, food, transportation, other supportive services).
 - Assist HOPWA-eligible households in navigating how to apply for those resources.
- Offer and assist with creating an easy-to-follow household budget.
 - Identify reoccurring expenses, both fixed and variable.
 - Provide education on ways to lower out-of-pocket utility, grocery, utility and other similar costs.
- Offer and assist household communication with landlords, mortgage, and utility companies.
 - Explore alternative payment options (e.g., payment plans).

- Educate households in the applicability of any Federal, state, and local eviction moratoriums in place.
- Refer households to or assist households with contacting local legal assistance organizations should they receive a Notice to Vacate or notice of eviction proceedings. Intentionally design your HOPWA program, with HUD approval, to include as part of its portfolio Supportive Services – Legal Assistance awarded to local legal assistance organizations.

Charge HOPWA program staff's time related to homeless prevention activities and other costs to:

- Supportive Services (case management, life skills, etc.) or Housing Information Services (counseling, housing search, information sharing, referral services to help locate, acquire, and maintain housing) as applicable per your approved HOPWA activities and costs.

5. Top Priorities – HOPWA Grantee and Project Sponsor Policies and Procedures:

HOPWA policies and procedures must set the tone and expectation that housing stability and homelessness prevention are top priorities. Policies and procedures should describe HOPWA program staff's roles, including:

- Any specialized knowledge or training that is required, such as an understanding of all available local, state, and federal rental assistance and supportive services resources and knowledge and experience with navigating and applying for those resources.
- A description of required functions and processes related to determining annual income and calculating portions of rent, especially interims.
- A description of client contact and engagement expectations, including contact and engagement documentation requirements; and
- How staff time spent on housing stability and homelessness prevention efforts and other related costs will be billed to each grant and each approved HOPWA activity.

Another top priority includes reviewing and strengthening current policies and procedures regarding termination of HOPWA assistance to ensure that termination occurs **only as a last resort**. HOPWA regulations at 574.310(e)(2)(i) specify that assistance must be terminated only in the most severe cases. More information and guidance regarding client termination requirements and eviction prevention activities can be found in the 2017 HOPWA Institute presentation titled [Client Termination as a Last Resort](#).

Policy and procedure language developed on this topic should, as a top priority, give particular care and consideration to avoid exiting a household into instability and homelessness. This is important when considering circumstances under which termination may occur. For example, be mindful that court-ordered evictions do not equal termination of HOPWA assistance, even for HOPWA-funded facility-based housing. A court-ordered eviction is part of the legal process to remove someone from a unit, and in all HOPWA-assisted housing, court-ordered evictions and termination of assistance are separate actions. Under these circumstances, a HOPWA-eligible household is still eligible for supportive services, or another form of HOPWA rental assistance – the court-ordered eviction, in and of itself, is not a reason to terminate someone from the HOPWA program entirely.

Important Reminders and Resources

- STRMU cannot be provided to anyone who is receiving another type of HOPWA or non-HOPWA rental assistance.
- HOPWA-eligible individuals and their families are not required to provide a late payment notice, Notice to Vacate, or evidence of impending court-ordered eviction to qualify for STRMU.
- Federal, state, and/or local eviction moratoriums do not affect eligibility for HOPWA assistance.

This resource is prepared by technical assistance providers and intended to help Grantees and Project Sponsors understand guidance related to the HOPWA Program and COVID-19. The contents of this document, except when based on statutory or regulatory authority or law, do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.