

OPENING DOORS THROUGH MULTIFAMILY HOUSING

Toolkit for Implementing a Homeless Preference

U.S. Department of Housing and Urban Development
Office of Multifamily Housing Programs



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Introduction

While homelessness has decreased over the past 5 years, most significantly among veterans and the chronically homeless, there were still over 570,000 individuals experiencing homelessness on a given night in 2014, according to the United States Interagency Council on Homelessness (USICH). Multiple strategies contributed to the decline in homelessness and new strategies are required to continue with the goal of ending homelessness. "[Opening Doors: A Federal Strategic Plan to Prevent and End Homelessness](#)," as amended in June 2015, added new strategies to meet that goal, specifically:

- Encourage collaboration among public housing agencies (PHAs), multifamily housing owners, and homeless services to increase mainstream housing opportunities for people experiencing homelessness.
- Promote guidance on how public housing agencies and multifamily housing owners can adopt admissions preferences and coordinate with homeless services organizations that can make referrals, assist with applications and lease-up, and provide supportive services.

The United States Department of Housing and Urban Development (HUD), in coordination with USICH, is committed to helping communities engage and integrate mainstream housing resources into their efforts to end homelessness. Mainstream housing resources include any type of housing that is not specifically funded through dedicated homeless programs. Housing choice vouchers, public housing, private multifamily housing units, and other affordable housing resources are an integral part of national efforts to prevent and end homelessness.

Many communities are working with their local PHAs to target programs like Housing Choice Vouchers and public housing units to help achieve their local goals. Reaching out to multifamily property owners is another step in engaging the local community.

OPENING DOORS THROUGH MULTIFAMILY HOUSING: Toolkit for Implementing a Homeless Preference

This toolkit contains step-by-step guidance that a community can use in bringing service providers and multifamily property owners together to serve the needs of those who are homeless or leaving homelessness. The primary user is likely to be continuums of care (CoCs) that include many community stakeholders invested in addressing the housing and service needs of those experiencing homelessness.

The planning and implementation process includes seven steps for working together to provide more housing opportunities for individuals and families experiencing homelessness:

1. Create a multifamily planning and implementation team.
2. Examine and understand the community needs and multifamily resources.
3. Identify and engage service providers.
4. Engage multifamily property owners.
5. Formalize agreements between service providers and owners.
6. Support owners' implementation of a homeless preference.
7. Refine the process.

The toolkit draws on the experiences of 10 communities that HUD funded to pilot its 2012 initiative called Dedicating Opportunities to End Homelessness (DOEH) – part of HUD's Opening Doors initiative. Although the DOEH funding has ended, other communities can benefit from the lessons learned and strengthen their own efforts to prevent and end homelessness.



Many communities are already working with HUD-assisted property owners to include preferences for individuals and families who are homeless.

What is Opening Doors?

[Opening Doors](#) is a Federal strategic plan to prevent and end homelessness, developed in 2010 and amended in 2015. The Plan provides a framework for Federal agencies and state and local partners to work together to meet specific goals to end homelessness. The roadmap delineates specific themes, objectives, and strategies to meet the following goals:

- Prevent and end homelessness among veterans in 2015.
- Finish the job of ending chronic homelessness in 2017.
- Prevent and end homelessness for families, youth, and children in 2020.
- Set a path to ending all types of homelessness.

Specific objectives include the following:

- Increasing leadership, collaboration, and civic engagement, with a focus on providing and promoting collaborative leadership at all levels of government and across all sectors.
- Strengthening the capacity of public and private organizations by increasing knowledge about collaboration and successful interventions to prevent and end homelessness.
- Increasing access to stable and affordable housing and permanent supportive housing.
- Increasing economic security, by expanding opportunities for meaningful and sustainable employment, and improving access to mainstream programs and services to reduce financial vulnerability to homelessness.
- Improving health and stability, by linking health care with homeless assistance programs and housing, advancing stability for unaccompanied youth experiencing homelessness and youth aging out of systems such as foster care and juvenile justice, and advancing health and housing stability for people experiencing homelessness who have frequent contact with hospitals and criminal justice systems.
- Transforming homeless services to crisis response systems that prevent homelessness and rapidly return people who experience homelessness to stable housing.

The objective to increase access to stable and affordable housing includes the strategy to improve access to Federally-funded housing by eliminating administrative barriers and encouraging prioritization of people experiencing homelessness or who are most at risk of being homeless. HUD's "Opening Doors Through Multifamily Housing" initiative is one such effort to meet this objective.

HUD's Multifamily Housing Programs

HUD's Federal Housing Administration (FHA) Office of Multifamily Housing Programs is responsible for the overall development and administration of HUD's privately-owned multifamily housing programs. The Office of the Deputy Assistant Secretary for Multifamily Housing includes the Office of Asset Management and Portfolio Oversight (OAMPO), Office of Recapitalization (formerly Affordable Housing Preservation), and Office of Multifamily Production. OAMPO supports nonprofit and for-profit property owners in the provision of affordable housing through project-based rental assistance (PBRA) programs and housing financed with FHA insured mortgages. This toolkit refers to these resources collectively as the "multifamily resources." HUD's [multifamily regional centers and satellite offices](#) are responsible for the day-to-day monitoring of these programs.



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 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). The Notice clarifies Multifamily Housing regulations at 24 CFR §5.655(c)(1) - (c)(5) to allow for owners to adopt, with HUD approval, admissions preferences not specified in that part. The Notice explains that multifamily owners may adopt a preference for households experiencing homelessness for admission into their housing developments. 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.

In September 2012, HUD and the United States Interagency Council on Homelessness (USICH) engaged 10 local communities to participate in the Dedicating Opportunities to End Homelessness (DOEH) initiative. DOEH was a place-based strategy piloted in the 10 communities with the goal of leveraging additional commitments of mainstream resources, including housing choice vouchers and HUD-assisted housing units, to support each community’s local plans to end homelessness. One of its goals was to obtain the adoption of a homeless preference by multifamily property owners and to integrate that new resource into the local communities’ efforts to end homelessness.

This toolkit highlights the knowledge and experience gained from the efforts of these 10 pilot communities. It offers guidance to help communities across the nation take similar steps. Leadership for a local multifamily housing initiative targeting homelessness is likely to come from a continuum of care (CoC). A CoC, as defined by HUD in the [CoC Program interim rule](#) at 24 CFR Part 578. 3, is the group organized to carry out the responsibilities required under the CoC Program for a defined geographic area. Program entities represent a broad group of stakeholders, including representatives of organizations from nonprofit homeless providers, victim service providers, faith based organizations, government agencies, businesses, advocates, PHAs, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, and organizations that serve homeless and formerly homeless veterans, individuals, and families.

The CoC Program interim rule (see 24 CFR Part 578) requires CoCs to establish and operate a centralized or coordinated assessment system (commonly referred to as “coordinated entry”). This coordinated entry system provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. In structuring a multifamily initiative, each community will need to adjust for its own particular situation, but the ultimate goal should be to create a resource and referral system that is integrated into the broader system of coordinated intake, assessment, and housing placement.

What is in this Toolkit?

"Opening Doors Through Multifamily Housing: Toolkit for Implementing a Homeless Preference" provides guidance to implement a multifamily housing initiative in a community that is looking for ways to increase access to multifamily resources through adoption of a homeless preference.

In most communities, the continuum of care will be best positioned to provide leadership on this effort, with support coming from HUD field office staff. Where the continuum of care does not have capacity to lead the effort, leadership could also come from service providers with housing expertise or relationships with property

"I love it. It's warm, comfortable,
and my baby has a home. "

Johnesha – one of the first families
housed in a New Lease unit in
Boston, MA (from New Lease for
Homeless Families:
<http://www.newleasehousing.org/the-families/>)



owners or from a philanthropic partner and convener such as the United Way. In some cases, owners themselves may be recruited to provide the leadership needed to implement the preference across multiple properties.

The toolkit offers a framework for working with multifamily property owners to adopt a homeless preference. The planning and implementation described here will likely be an ongoing process of refinement, and success may depend on the team assembled, the resources in a community, and the willingness of the multifamily property owners to participate.

Earlier efforts in the 10 communities that piloted a homeless preference indicate seven basic steps in the implementation of this initiative:

- Step 1: Create a multifamily planning and implementation team.
- Step 2: Examine and understand the community needs and multifamily resources.
- Step 3: Identify and engage service providers.
- Step 4: Engage multifamily property owners.
- Step 5: Formalize agreements between service providers and owners.
- Step 6: Support owners' implementation of a homeless preference.
- Step 7: Refine the process.

Throughout the toolkit, look for "Emerging Good Practices" that highlight the experiences of the pilot communities in overcoming identified barriers and challenges. These emerging practices reflect practical steps communities are taking to bring mainstream housing resources into the effort to end homelessness.



Step 1: Create a Multifamily Planning and Implementation Team

The first step is to assemble your multifamily planning and implementation team. An effective initiative requires strong core leadership to drive the process, organize meetings, bring in stakeholders, understand the community's opportunities and goals, and make critical decisions about the initiative's priorities.

At the outset it is important that you establish a team lead. In its multifamily pilot program supporting implementation of a homeless preference, HUD designated an “administrative lead” in each pilot member jurisdiction. While HUD will no longer provide an administrative lead beyond the pilot, HUD continues to be a resource for the implementation strategies.

Identify Your Team Members

In most communities, the continuum of care (CoC) will be best positioned to provide leadership, and in any case, the CoC is an essential player in the initiative. Not all CoCs, however, have a strong identity or staffing infrastructure or plan. In the absence of (or in addition to) CoC representation, the team should include one or more community partners who have an understanding of homelessness in the community and are knowledgeable about the needs of people experiencing homelessness and about the resources available to meet their housing and service needs. Communities may need to look to an agency with the capacity to spearhead the initiative.

Keep in mind that the goal is not to create a separate system for housing placements but to make the multifamily resources available to a CoC-based coordinated entry system for households experiencing homelessness. Some CoCs will want the leadership of the multifamily initiative to proceed relatively independently, “delivering” multifamily resources when they are available. Other CoCs may be more directly involved in the recruitment and structuring of resources. Your team members should be sensitive to these nuances and be intentional in your decisions affecting the existing coordinated entry process in your community.

Additional members of the team could include leaders from large housing and service provider organizations, local coalitions of homeless providers, state or local officials in the fields of homelessness, affordable housing or community development, or nonprofit service organizations involved in homelessness. It is also valuable to include someone who has established relationships with multifamily property owners in the community, as they can be a key asset in reaching out to multifamily property owners. The USICH regional coordinator assigned to the region may be able to assist in identifying additional community partners. Please see [USICH.gov](https://www.usich.gov) for information on contacting regional coordinators. The appropriate community partners will vary across communities depending on leadership in the local efforts to prevent and end homelessness.

When reaching out to potential members of the team, inform them of the initiative's goals and outline their roles and responsibilities. Obtain a commitment to represent the goals of the initiative and a willingness to actively participate to ensure success.

Some communities may already have multi-stakeholder coordinating bodies that are well placed and willing to take on a multifamily housing initiative.



Reach out as necessary to other stakeholders. Once you have established the leadership team that will drive the effort, you may want to seek additional representation:

- State and local governments, including community development agencies, housing finance agencies
- Relevant local private lenders/equity investors
- Multifamily property owners
- Public housing authorities
- Human service providers
- Veteran organizations
- Philanthropic partners

Particularly for HUD Multifamily housing, funding matters. Sources could include HUD, private lenders, and tax credit investors, and it is important to bring them to the table, too. Private lenders/investors may be helpful in providing guidance on what type of agreement they would want to see between project owners and service providers. Their input may help to alleviate concerns about tenant stability and project income projections. Additionally, having buy-in from the lender/investor community will be helpful for efforts to include the preference in future projects.

Develop a Plan of Action and Timeline

Once you have identified members of your team, the next step is to organize a kick-off meeting. Important topics to cover in the first meeting include the following:

- Goals of the initiative
- Review of local data and goals for ending homelessness
- Structure of the team
- Clarification of roles
- Procedures for adding new members
- Development of a meeting schedule

The goals of subsequent meetings are to develop a timeline and plan of action. The team needs to build support and enthusiasm around the initiative, and create an outreach and engagement plan that outlines communication with multifamily property owners and other community members.

Key topics and tasks for subsequent meetings include:

- Reviewing tasks to accomplish
- Assigning tasks to members of the team
- Establishing a timeline
- Developing an operational plan

EMERGING GOOD PRACTICE: Local Capacity Identification

Challenge:

Identifying who can do the work of planning for and implementing the preference

Response:

Los Angeles identified a local city-based staff member of a technical assistance provider agency to carry out time intensive tasks associated with outreach to one owner. The availability of this capacity, although time limited, proved essential in convincing an owner to adopt the preference and form a key partnership with a veterans service provider. For many cities, finding a local community partner to commit such time and energy to tasks would be impactful.



Your operational plan will outline outreach and follow-up activities. The plan becomes the framework for the activities of the team. If your local CoC has a strategic plan that already incorporates specific goals around accessing affordable mainstream housing resources, then this could be used as the basis for your operational plan.

A strong operational plan addresses ongoing outreach and communication with owners and other stakeholders, assesses performance measurement, and identifies ways to share success stories and processes for ongoing improvement.

The team also will manage administrative tasks (e. g., setting up meetings and distributing meeting minutes) as well as engage and reach out to multifamily owners. A sample table of tasks, assignments, and due dates is provided in Attachment D: Roles and Responsibilities for the Multifamily Planning and Implementation Team.

Resources

[Attachment B: Sample Invitation to Team Members Initial Meeting](#)

[Attachment C: Overview of Opening Doors: A Federal Strategic Plan to Prevent and End Homelessness](#)

[Attachment D: Roles and Responsibilities for Multifamily Planning and Implementation Team](#)

Step 2: Examine and Understand the Community Needs and Multifamily Resources

Most communities have detailed plans to end homelessness. Those plans examine in depth the needs of the community and possible solutions. Most plans, however, have been developed without the particular opportunities of multifamily resources. By re-examining the needs and solutions through the particular lens of multifamily resources, new opportunities may emerge.

To make effective use of the opportunities that a multifamily housing initiative presents, you should have a good working knowledge of the following factors:

- The profile of homelessness in the community and the available housing solutions
- The nature and scale of available multifamily resources and the populations they are (or are not) well suited to serve
- The types of services available to help people experiencing homelessness obtain and maintain housing
- Other existing landlord recruitment efforts underway within the community with which you may want to coordinate

The following sections address some key questions and suggest potential resources.

Who is Experiencing Homelessness in Your Community?

Everyone on your team should understand the state of homelessness in your community. CoC members may be in the best position to explain the impact of increasing available housing units on efforts to end homelessness. Contact information for CoCs is available on the HUD Exchange on the [About Grantees](#) webpage. Attachment E: Homelessness Data Slide Format gives an example of the type of information available about people experiencing homelessness and unmet housing needs. Communities can also access the Annual Homeless



Assessment Reports (AHARs), population reports, and housing inventory count reports on the [AHAR Reports, Guides, Tools, and Webinars](#) webpage.

There are multiple resources available to address unmet needs. A community's annual CoC funding application submitted to HUD outlines needs. USICH has released the [Supportive Housing Opportunities Planner](#) tool which helps communities identify the specific set of strategies (such as prioritizing existing turnover units and creating new supportive housing) to achieve the goal of ending homelessness. The Veterans Administration (VA) has developed a [gaps analysis tool](#) to assist communities in ending homelessness among veterans.

What HUD-Assisted Multifamily Housing is Available in Your Community?

This initiative focuses on accessing multifamily resources. The first question, therefore, is what do those resources look like in your community? This can drive which populations a community prioritizes for placement in these resources.

HUD's Office of Multifamily Housing is one resource you can turn to for lists of subsidized Multifamily housing, including properties assisted by the Section 8 PBRA, 202, 811, 236, and 221(d)(3) programs. Once you have identified the resources, you can target potential housing partners (e.g., local housing finance agency or community development agency).

Your research and analysis should include the following tasks:

- Review the universe of local multifamily property owners.
- Highlight multifamily housing developments that could be targeted through this effort (including those with low vacancy rates or high turnover rates). Factors such as the number of bedrooms and location of available units may affect vacancy rates within a particular development. For example, studios and one-bedroom units in a development may have much higher vacancy rates than two-plus bedroom units in the same development.
- Conduct an analysis of the group of units that can accommodate specific populations. Look at multiple bedroom sizes for families, accessible units for persons with physical disabilities, and the proximity to services, transit, and job opportunities. Make sure the affordability of units is matched with the financial needs of potential residents.
- Identify multifamily housing developments that already have a service coordinator, if the populations served in those projects align with the needs of the community.

You now have a list of multifamily property owners to contact about considering the preference at the conclusion of this research and analysis process. With the help of other community partners and information based on the available data and the existing relationships between multifamily property owners and members of your team, you can assemble a short list of owners who have a high likelihood of adopting a homeless preference. It can be strategically beneficial to focus initially on owners who are leaders in the multifamily housing field or who are active participants in mission-based initiatives. They can be brought on as champions to assist with further recruitment and to serve as part of the leadership team that is coordinating the initiative. One of the pilot communities, for example, had early buy-in from owners who provided leadership and financing to advance the model.



Who Should You Target? Who Does Your Community Have the Capacity to Serve?

Identifying the target population for the multifamily housing initiative is a key piece of the planning. The multifamily resources in your community may target certain populations (elderly or persons with disabilities). Certain housing developments may have certain rent or income requirements that make them appropriate for some but not all homeless populations. Similarly, determine if your local multifamily resources provide supportive services. If they do not, pairing with existing supportive service providers may be necessary.

It is important that you align the various multifamily resources with the homeless populations that would potentially utilize them and determine in what order to pursue these opportunities. It is generally the CoC that takes responsibility for matching specific populations with owners who use a homeless preference. This is done through the coordinated entry process.

The process of selecting a preference population may not always be driven by the greatest need in the community. Sometimes it is based on those owners with the greatest willingness to participate. For instance, an owner may be a veteran who wants to participate to meet the needs of homeless veterans.

Factors to consider in selecting a target population come not only from analysis of the data but also from the realities experienced by multifamily property owners. Consider the following factors when determining the target population(s):

- **Unit sizes in existing properties.** Available unit sizes should match the needs of the population. For example, a large number of two- and three-bedroom units could make way for a preference for serving homeless families.
- **Locally identified priority populations.** If the community has previously identified target populations such as veterans or families, the multifamily housing initiative could benefit from existing resources or efforts.
- **Broad community support.** Communities may back a target preference for a specific subpopulation based on real or perceived benefits, such as helping to provide housing to veterans.
- **Need for flexibility.** Selecting a broader definition of homeless provides greater flexibility for communities that have multiple or evolving priorities.
- **Availability of area service providers.** Since service provision plays a role in the success of the project, ensure that there are sufficient providers in the CoC with capacity to expand services. Service providers may only serve a specific geographic area due to funding restrictions or capacity issues.
- **Scale.** Consider the number of owners and properties involved, number of referral agencies, and geographic scope.



Step 3: Identify and Engage Service Providers

At the same time you are analyzing the market and identifying potential multifamily property owners, you can begin to identify service provider partners. In most communities, substantial funding for the service providers will come through or be coordinated with the CoC. In many communities the CoC is already trying to link service providers with landlords. HUD requires CoCs to create coordinated entry systems that guide the flow of households to housing.

The planning and decisions regarding new partnerships between service providers and property owners should generally be coordinated through the CoC. As this coordination is taking place, you should integrate your multifamily housing initiative into a CoC's ongoing operation.

Assess Available Services

The multifamily housing initiative can take different forms in its engagement of service providers. You may engage one entity to provide services or you may “match” providers with owners. The model you select depends on the service provider pool, the multifamily property owners' interests, and the other needs and priorities of the CoC. Owners and/or designated property managers may want a central point of contact for the services component. They prefer making a call to an intermediary who can coordinate case management and emergency responses among multiple providers.

Begin by assessing the services currently available in your community with the help of your CoC and community partners. Identify the service providers and locations, as well as the services provided and hours of operation. Be sure to include the following:

- Onsite service providers currently working within multifamily properties
- Service providers experienced in working with the homeless population identified in the owners' preference
- Well-resourced service/housing providers with case management funding
- Existing 24/7 crisis centers or 211/311 services

As you are assessing the services available, please note that homeless housing and service providers may have limitations on funds. Some funds are committed to specific housing developments and some agencies may not provide any post-housing case management. The source of services and funding may be influenced by the population being served. Consider these other potential sources of service providers:

- CoC grant recipients that can provide case management to residents once they have moved into housing. This is a cohort of providers well positioned to participate as their funding may allow for the provision of case management after a permanent housing placement.
- Local and state government services or Temporary Assistance for Needy Families (TANF) case management providers

EMERGING GOOD PRACTICE: Initial Focus on Section 202 Properties

Challenge:

Where to find services

Response:

Chicago, with other cities following its example, phased in the homeless preference by first targeting Section 202 (Supportive Housing for the Elderly) properties. The mission-driven nature of the Section 202 owners, coupled with the availability of onsite support services in these properties, made these properties a natural match for the homeless preference.



- Medicaid-reimbursed providers that can support either targeted case management or offsite psychiatric services
- Supportive Services for Veteran Families (SSVF) or other veterans service organizations, and
- Philanthropic or foundation commitment

When compiling your list of service providers, consider the following factors:

- The provider must be able to use existing resources or generate new resource commitments to provide these services.
- Initial service commitments may be time-limited (e.g., the first 12 months of a participant's tenancy). Continuing to find ways to leverage services past any time limitations will be important to owners.
- Geographic limitations established by funding sources may influence availability of services.

Conduct Outreach and Engage Service Providers

The next step for service provision is to actively recruit those partners. It is important to connect the goals and benefits of the multifamily housing initiative to the community's goals of ending homelessness. Service providers must also be able to work with the multifamily property owners to achieve those goals.

The service providers should understand the process of housing placements and stabilization from the owners' perspective, as well as the range of resources available to the tenants to maintain that housing. This may include a discussion with service providers about the needs of owners in serving this population, providing written agreements with service providers and establishing open lines of communication with owners, property managers, and service providers in ensuring stable tenancies.

Prior to their conversations with owners/managers, it may be helpful to prepare service providers for the focus on stability and income generation that owners may voice. In addition to owners, the property managers and property management companies should be part of conversations with service providers because they (rather than owners, at least in larger properties) will most likely be the entity dealing with service providers directly.

Clarify the scope of services needed for successful placement and maintenance of housing. As service needs are identified, ensure that the potential resident's needs and available services are aligned. For example, a unified agreement between service providers and owners in Massachusetts involved the owners in the development of the scope of services.

The CoC plays a critical role in identifying, organizing, and aligning service providers' capabilities with the level of support requested by the property owner and needed by the tenants.

Step 4: Engage Multifamily Property Owners

Once you have gained a good understanding of local needs, identified community priorities, assessed the availability of local service providers, and gathered information on your community's multifamily resources, it is time to begin outreach to multifamily property owners. The outreach can be wide ranging, including all available owners who might be interested, or targeted to specific owners identified in the analysis in Step 2.

Resources

Attachment G: List of Owner, Professional, and Related Organizations to Help with Owner Outreach



Attachment H: Sample Outreach Letter to Owners and Property Managers

Attachment I: Benefits to Owners Flyer

Attachment J: Frequently Asked Questions (FAQs)

Attachment K: Owner Outreach Tracking Tool

EMERGING GOOD PRACTICE: Boundary Spanner Capacity

Challenge:

Who can do the work of planning for and implementing the preference?

Response:

Fresno, drawing on commitments from municipal and private resources, recently created local capacity for a "Boundary Spanner" role to facilitate myriad community engagement and organizing tasks related to local planning to end homelessness. Once this newly created position is filled, the Boundary Spanner will be a natural leader of the multifamily initiative in Fresno and will, by extension, increase the effectiveness of the time and effort invested by HUD, CoC partners, and the initiative's community partners.

Educate Multifamily Property Owners about Homelessness

Service providers engaged in this initiative will have some experience serving homeless people. The same is not necessarily true of multifamily property owners.

It is important that your outreach efforts lay a foundation for ongoing engagement with the multifamily property owners, such that they can get answers to their questions and obtain support and solutions for problems. Providing a means for ongoing communication and relationship building is also essential to meet ongoing recruitment needs.

Broad outreach can take place locally as well as through state or local professional organizations. The types of organizations that may be helpful to approach include the local chapter of the National Affordable Housing Management Association (NAHMA) or an affiliate of the Building Owners and Managers Association International (BOMA). For other potential partner agencies, see Attachment G: List of Owner, Professional, and Related Organizations to Help with Owner Outreach.

Contact these organizations and explore options for how you can inform or engage the organization's members.

- Invite the potential partner to one of your multifamily initiative meetings.
- Ask to speak and present during one of the state or local partners' meetings or conferences.
- Ask a multifamily owner on your implementation team, or owners who were early adopters of the preference to lead the presentation.
- Ask to host an information table during a state or local partner's meeting or conference.
- Meet with the owner in another setting such as at a HUD meeting or other gathering.

Regardless of the setting, find opportunities to speak to multifamily property owners about the benefits of adopting a homeless preference. They may agree to participate for a variety of reasons. Some owners may be interested because they are mission-driven and want to be a part of the solution to end homelessness. Other owners will be motivated by a list of qualified applicants, the availability of services to address and resolve



problems, or the financial benefits of reduced turnover and vacancy rates. Owners should know what services may be available to them and to their residents.

EMERGING GOOD PRACTICE: Outreach via Owner Industry Organizations

Challenge:

How to outreach to owners effectively

Response:

Fresno, with Phoenix following its example, commenced owner outreach to a local affiliate called the Affordable Housing Management Association (AHMA) as its first outlet. After educating AHMA representatives about the multifamily initiative, Fresno's core planning group presented the preference to the AHMA Board of Directors. Similarly, Phoenix's initiative lead prepared a presentation on the preference for their local AHMA conference. Other cities have explored additional property owner associations as outlets for owner outreach. Chicago, for example, reached out to its consortium of local expiring use properties known as Preservation Compact. For some of these cities, these presentations are used as a tool to help convince non-HUD assisted owners to consider a preference.

Conduct Targeted Outreach to Owners

Targeted outreach to owners starts by identifying available properties and owners. Begin to contact owners directly. Attachment H provides a sample outreach letter to owners. Attachment I is an accompanying document that identifies benefits to owners. The goal of the initial letter is to arrange an in-person meeting where a member of your team can explain the homeless preference and highlight the benefits of adopting the preference. The initial meeting should provide the CoC's information about homelessness in the community.

TIP: Tailor Attachment I Benefits to Owners to address specific or unique circumstances in your community.

You may also find it helpful to use the frequently asked questions (FAQs) in Attachment J, which address common concerns raised by owners. You can adapt the FAQs to include information specific to your local multifamily initiative. While the FAQs can accompany the outreach letter, they may make a better handout for the in-person meeting.

Outreach to individual owners requires tracking and follow-up, regardless of whether preliminary contact with an owner resulted from a marketing event or through an initial outreach letter. [Attachment K: Owner Outreach Tracking Tool](#) contains a sample tool to record contacts and progress. A team member should be assigned the task of maintaining the tracking tool.

EMERGING GOOD PRACTICE: Core Team Hosted Owner Outreach

Challenge:

How to convince owners to participate especially if broad outreach isn't yielding results

Response:

Philadelphia, with other cities following its example, developed an approach to owner outreach whereby the core team hosted individual owners at the local HUD field office for extended educational meetings about the preference. The core team prepared for each meeting by anticipating each owner's questions and concerns. This individualized approach and time intensity of the sessions with individual owners proved effective in persuading owners to adopt the preference. If applicable, consider having other city leaders attend, too.



Establish Protocols to Address Challenges

Your plan should support the owners' continued participation. Appropriate protocols and procedures will enable owners to ask for help when problems with tenants or service providers arise. To many owners, quick response to a problem tenant is a critical factor in feeling confident that participating in the initiative is a good decision. The following list includes some possible approaches to addressing challenges:

- Encourage participation from a property's service coordinator.
- Engage CoC and Emergency Solutions Grant (ESG) service providers, the local United Way, community action groups, or other community agencies that provide services and/or cash assistance to tenants behind on rent or work with residents exhibiting behaviors that put housing at risk.
- Specify in a memorandum of understanding (MOU) that the owner will communicate with the service provider as soon as a problem begins to surface, rather than waiting for it to escalate. As defined within the scope of the MOU, service providers could provide guidance to the owner/manager on how to deal with an observable behavior that could result in eviction. The service provider may have resources for additional support including rent support or behavioral interventions if needed. (This would involve households accessing housing through a homeless preference to sign a release of information allowing the service provider and property owner to communicate during the application period as well as during the tenancy, with reasonable limits providing residents the right to revoke the release. See Attachment L: Sample Memorandum of Understanding (MOU) Between Service Provider and Owner).
- Consider creating a risk mitigation pool of funds that owners can access when they have experienced impact due to longer than usual vacancy periods or greater than normal wear and tear or damage to the unit.

Keep in mind, particularly in larger properties or multi-property ownership setups, it is the property managers and professional management companies that run the day-to-day operations of multifamily properties. Daily operations include tenant selection, financial management, advertising, vacancy rate management, tenant problems/evictions, and connections to service providers.

Owners may, in many cases, be shell entities made up of general partners that may or may not be local entities with a vested interest in the community. They could be out-of-state entities with little to no day-to-day knowledge of the property but may have signoff rights on any changes to management policies (such as a Tenant Selection Plan (TSP), an Affirmative Fair Housing Marketing Plan (AFHMP), or an MOU with a service provider). These protocols (and possible time delays in reviewing them) should be factored into outreach plans.

Step 5: Formalize Agreements Between Service Providers and Owners

Once you have identified and matched service providers and owners, the relationship should be formalized in an agreement or MOU that includes a statement of services available. (See Attachment L: Sample Memorandum of Understanding (MOU) Between Service Provider and Owner.)

The Coalition for the Homeless in Houston Texas developed a memorandum of understanding between property owners and the Coalition with detailed roles and responsibilities for each party including roles during referral, placement, and for housing retention.



Define Roles and Responsibilities

The key parties in the MOU may include the following:

- Referral agency – provides referrals for the adopted definition of homeless and provides appropriate back-up documentation of homeless or disability status, if appropriate; may be the coordinated entry referring agency
- Service provider – can offer services to the referred applicant (may or may not be the same as the referral agency)
- Community resource – can address specific resident issues and is available to answer questions from the multifamily property owner
- Owner – implements preference to house target population (This should include any legal entities required to sign off on such agreements on behalf of the owner.)
- Property manager – may implement actual preference and tenant selection process, and facilitate communication with service providers when appropriate.

The key components of an MOU might include the following:

- Roles and responsibilities of the service provider
- Roles and responsibilities of the owner
- Services available to residents and how they are provided.

Items related to implementation of a homeless preference may be a part of the MOU:

- Description of the preference
- Preference rate (See Step 6.)
- Waiting list procedures

Establish the Referral Process

The service provider and owner work together to provide a clear outline of what each needs from the other to ensure a smooth process of referral and placement. The owner may provide a description of the property and its amenities as well as a list of information an applicant must provide for admission. See Attachment O: Sample Referral Cover Sheets.

MOUs cover the current situation within the community. Integration of this initiative into the CoC's coordinated entry system is dependent on the current implementation of the CoC's coordinated entry processes. If possible, the referrals to the owner should be handled through the coordinated entry system (directly or through a system-approved special process).

Eventually, the multifamily initiative should transition to the CoC's coordinated entry system. As a result, the MOU should be very clear about future transition plans. If the multifamily initiative creates a strong ethos of one-on-one provider-owner connections, it could create a problematic barrier to the eventual adoption of coordinated entry. Be careful to avoid creating this problem.

The key players, roles and responsibilities, services provided, descriptions of the preference, and the referral process will vary according to local circumstances. For this reason, it is recommended that you establish a formal agreement.



Once the service provider and owner sign the MOU, the next step is to move toward implementation of the preference.

Resource

Attachment L: Sample Memorandum of Understanding (MOU) Between Service Provider and Owner

Step 6: Support Owners' Implementation of a Homeless Preference

Implementation of a homeless preference is the responsibility of multifamily property owners and any designated property managers. However, CoCs' and service providers' support is essential in facilitating the process. Agencies can serve as a resource to answer questions, provide guidance, and strengthen partnerships. Communication is the key.

All multifamily property owners are encouraged to amend their TSPs to include a homeless preference. A TSP amendment is not required if a property does not have a waiting list, but it will help to have the TSP amendment in place if owners anticipate a waiting list in the future. If a property does not have a waiting list, the owner/manager may admit homeless individuals or families immediately. For properties that currently have a waiting list, the TSP amendment must be approved by HUD before implementing a homeless preference.

To implement a homeless preference, the owner is responsible for the following:

- Designating a homeless preference
- Determining the preference rate (e.g., admit every third or fourth person)
- Developing the waiting list protocol

The owner submits this information to HUD as an amendment to the TSP. After HUD approves the amendment, the owner can begin to implement the preference.

A common concern among owners is whether implementing a preference is a direct violation of fair housing laws. See FAQs (Attachment J) which address that concern.

Resources

Attachment M: Sample Tenant Selection Plan (TSP) Amendment

Attachment N: Sample Letter to Current Waiting List Participant

Attachment O: Sample Referral Cover Sheets

Owner Designates the Homeless Preference

Multifamily housing owners identify the homeless population for their properties based on HUD's McKinney-Vento Homeless Assistance Act [as amended by the HEARTH Act] definition of homeless, found in CoC Program interim rule [24 CFR Part 578.3](#) or a broader or narrower definition based on community needs. If owners want to use a different definition, HUD must first approve that definition. Attachment F provides sections of the HUD regulatory definition as well as other possibilities.



TIP: Although the owner can request a specific definition of homeless, the preference must comply with civil rights requirements and cannot exclude protected classes (such as families).

Owner Determines a Limited Preference Rate

Opening Doors Through Multifamily Housing is designed to increase access to mainstream housing resources. The ultimate goal is to make a maximum number of units available for households exiting homelessness. The owner decides the preference rate for the housing project. But your team's leadership should encourage and facilitate dedication of the highest number of units to respond to the need. Some owners may choose to consider the homeless preference list first when filling a vacancy, while others may set a cap on the number of units that will be filled under the preference. Owners are able to use any ratio or cap they choose as long as it is specified in their TSP amendment. HUD refers to a specified rate or fixed number of units as a "limited preference." It is always the owner's choice to amend the TSP.

Examples of preference rates are as follows:

- Every other available unit could be filled by a household meeting the preference.
- The owner can use the preference to admit every third or fourth person.
- Owners may move from the original waiting list to the homeless preference list for each vacancy.
- Owners designate a specific number of households and fill that commitment sequentially.

Owner Sets the Structure for Implementation and the Waiting List Protocols

TIP: Owners make the final decision regarding waiting list management. However, your team members may offer ideas on how to design and implement the preference.

HUD strongly encourages the use of the CoC's existing coordinated entry system for referrals and documentation of eligibility under the preference criteria. Because many multifamily property owners are not part of a community's existing homeless services and housing placement system, there may be resistance to using a centralized waiting list. If a community has a coordinated entry system, the community, including the CoC, must decide whether or not to make exceptions to the system to accommodate multifamily property owners.

Owner Submits the TSP Amendment to HUD for Approval

The owner prepares a TSP amendment to incorporate the designated homeless preference and the waiting list protocol. The owner submits the TSP amendment to the account manager or housing project manager at the local HUD field office (see Attachment M: Sample Tenant Selection Plan (TSP) Amendment). If applicable, the owner includes the revised Affirmative Fair Housing Marketing Plan (AFHMP). See Attachment J: Frequently Asked Questions for explanation of circumstances that require a modification to the AFHMP.

Other regulatory agencies that monitor the housing project or subsidy may also be required to approve the TSP before submitting to HUD. Examples of such agencies are public housing agencies or state housing agencies. Those approvals should be obtained by the owner before the submission to HUD.



The TSP amendment must cover the following areas:

- Definition of homeless selected for preference
- Tenant selection process. This can be done through referrals from the specified service provider or an alternative selection process which the owner specifies in the TSP amendment.
- Waiting list protocol. The owner must explain the process to notify households currently on the waiting list as well as specify the way vacancies are to be filled.

The owner may also need to amend the AFHMP; if so, the amended AFHMP should accompany the TSP submission to HUD.

Owner Notifies Households on the Waiting List

Once HUD approves the TSP amendment, the households on the waiting list must be notified that there is now a homeless preference. Households on the waiting list must be provided the opportunity to demonstrate that they meet the preference criteria.

While waiting for official HUD approval of the homeless preference, the owner can review the applicant waiting list and draft a letter for current applicants. A sample letter is included as Attachment N: Sample Letter to Applicants on Current Waiting List.

Your Role in the Referral Process

Your team may serve a coordinating role with the owner and the referring service provider in order to ensure that the referring agency has all the necessary documents. These include the application package, required applicant identification documents, and a list of documents required to verify household income and assets. The referring agency should also have the property's listing information such as the amenities, photos, floor plans, and website (if available) to be shared. See Attachment O: Sample Referral Cover Sheets.

Referring agencies should make every effort to identify qualified potential residents prior to requests from the owner. The referring agency should identify and mitigate any barriers to housing placement prior to referral, such as housing history or credit or criminal record. This will facilitate and expedite the referral and placement process. Attachment O: Sample Referral Cover Sheets includes a document checklist which identifies the screening documents that can be collected as part of the referral process. Your team may want to create training materials and protocols on the referral process. These can serve as guidance for both property staff and service providers.

"They've all been good tenants."
"We've had homeless individuals move into our apartments. They've all been good tenants and they're still here. They are so happy to have a place to call home. We look forward to having more move in. We're glad to be part of this joint effort to address homelessness in Chicago."

Garisandra Martin-Haynes, Assistant Property Manager
T. E. Brown Senior Apartments

EMERGING GOOD PRACTICE: Referral Pipeline Advance Planning

Challenge:

How to set up a referral system so that owners feel supported

Response:

Massachusetts stakeholders involved with planning for adoption of a homeless preference invested considerable time into structuring an efficient mechanism for providing owners with referrals of households experiencing homelessness to fill vacant units designated for the preference. This proactive effort prepared Massachusetts with a system such that, once the preference was fully adopted, owners were satisfied with the fast pace at which vacant units were filled.



Step 7: Refine the Process

The implementation of a homeless preference in a community's HUD-assisted multifamily projects is not a one-time action. It is a continuous process of revisiting Steps 2 through 6 to gather information about the needs in your community; conducting outreach and recruitment of owners and service providers; establishing partnerships between owners and service providers, and working with owners to successfully implement their preferences. This makes it especially critical that you have a long-term operational plan in mind.

Review your Operational Plan

You should periodically review and refine the operational plan that you created in Step 1. Update your benchmarks and set new goals as the plan unfolds.

Communicate Regularly with Owners

After launching this initiative, continue to communicate actively with the multifamily property owners and managers. Collect and share success stories and best practices. Stay informed of challenges and concerns. Often one owner will be willing to talk to other owners about their experience and be a peer leader. An engaged owner can play a key role in the success of the initiative by speaking to other owners about their positive experience. On the other hand, an unhappy owner can affect the ability to recruit additional partners. To facilitate communication and owner feedback, consider scheduling in-person meetings with individual owners. You may also want to organize group meetings with participating owners, where you can respond to emails and surveys that request feedback on the ongoing implementation processes.

Monitor Performance

Continuously monitor performance. Develop performance measures and analyze results. Tenant housing retention (i.e., length of time residents remain in their units) is a good example of a useful performance measure.

Determine if there are multifamily housing properties with higher or lower retention rates and consider the causes. There could be a service provider who is under-performing or a certain subpopulation of the tenants who are not remaining in their units over a given period of time.

Develop a continuous improvement process so the community learns from each other.

Share your Success Stories

Share the successes of the initiative with the CoC, service providers, housing owners, government officials, and the community.

- Take the time to appreciate the owners at public events.
- Celebrate the stable housing of formerly homeless families or individuals.
- Reach out to media sources, including local newspapers or television stations, to share individual success stories.
- Highlight the role of owners and related partners such as investors or lenders. You'll want to encourage these partners to participate in additional projects.



- Invite industry group leaders and state, local, and Federal government leaders to participate in recognition events.
- Acknowledge the hard work of the service providers and congratulate the multifamily planning and implementation team for work well done.



Attachments

| | |
|---------------|---|
| Attachment A: | Notice H 2013-21"Implementation and approval of owner-adopted admissions preferences for individuals or families experiencing homelessness" |
| Attachment B: | Sample Invitation to Team Members for Initial Meeting |
| Attachment C: | Overview of Opening Doors: A Federal Strategic Plan to Prevent and End Homelessness (to be included with email, Attachment B) |
| Attachment D: | Roles and Responsibilities for the Multifamily Planning and Implementation Team |
| Attachment E: | Homelessness Data Slide Format |
| Attachment F: | Sample Preference Selection Form |
| Attachment G: | List of Owner, Professional, and Related Organizations to Help with Owner Outreach |
| Attachment H: | Sample Outreach Letter to Owners |
| Attachment I: | Benefits to Owners Flyer |
| Attachment J: | Frequently Asked Questions (FAQs) |
| Attachment K: | Owner Outreach Tracking Tool |
| Attachment L: | Sample MOU Between Service Provider and Owner |
| Attachment M: | Sample Tenant Selection Plan Amendment |
| Attachment N: | Sample Letter to Applicants on Current Waiting List |
| Attachment O: | Sample Referral Cover Sheets |



Attachment A

Notice H 2013-21 "Implementation and approval of owner-adopted admissions preferences for individuals or families experiencing homelessness"



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

ASSISTANT SECRETARY FOR HOUSING-
FEDERAL HOUSING COMMISSIONER

Special Attention of:

Multifamily Hub Directors
Multifamily Program Center Directors
Rural Housing Services (RHS) Directors
Supervisory Housing Project Managers
Housing Project Managers
Contract Administrators
Multifamily Owners and Management Agents

NOTICE: H 2013-21

Issued: July 25, 2013

Expires: This notice remains in effect
until amended, revoked, or
superseded.

Subject: Implementation and approval of owner-adopted admissions preferences for individuals or families experiencing homelessness

- I. **Purpose:** This Notice provides guidance to HUD field offices, contract administrators, and property owners on the circumstances under which owners of assisted properties may adopt admissions preferences. This notice clarifies 24 CFR §5.655(c)(1) - (c)(5) to allow for owners to adopt, with HUD approval, admissions preferences not specified there, in particular, preferences to house homeless families.
- II. **Background:** The Office of Multifamily Housing Programs (Multifamily Housing) had strictly interpreted 24 CFR §5.655(c)(1) - (c)(5) *Section 8 project-based assistance programs: Owner preferences in selection for a project or unit*, to mean that owners were limited in adopting preferences in the selection of residents to those preferences specifically cited in the regulation. That interpretation did not allow for an owner to adopt a preference for homeless families, as owners could not adopt preferences outside of 5.655(c)(1) – (c)(5). However, in consultation with the Office of General Counsel, Multifamily Housing has revisited this issue and has broadened its interpretation to allow that silence within the provision does not preclude owners from adopting preferences outside of those cited.
- III. **Applicability:** All Multifamily rental assistance programs.
- IV. **Definition of Homeless:** The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) revised the definition of homeless for HUD's

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homeless assistance programs, and on December 5, 2011, HUD published its final rule implementing this definition. HUD will use this definition to track the number of homeless persons served in its programs starting in September 2013, after changes to the HUD form 50059 have been completed.

The definition of homeless under the HEARTH Act, however, does not prohibit an owner from establishing an alternative definition of homeless for the purpose of a waiting list preference based on local need. Owners may elect to adopt a more narrow definition specific to the homeless needs in their community or a broader version that would serve more of the population. Because of the specificity of this definition, owners must go to the HUD field office for approval. Owners are reminded that any preference must comply with civil rights requirements.

- V. **Implementing a Homeless Preference:** Multifamily Housing owners can significantly increase program access for individuals and families experiencing homelessness by establishing an owner-adopted preference in admissions policies. Owners must consider the following when adopting an admissions preference.
- a. **Eligibility and Requirements.** Preferences affect only the order in which applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible, and they do not change an owner's right to adopt and enforce tenant screening criteria. In addition, owners must inform all applicants about available preferences and give all applicants an opportunity to show that they qualify for available preferences including all applicants currently on a waiting list.
 - b. **Tenant Selection Plan and Affirmative Fair Housing Marketing Plan.** All owner adopted preferences must be included in the Tenant Selection Plan (TSP) and, if required, the Affirmative Fair Housing Marketing Plan for the associated property including any referral policy in the preference, if applicable. In addition, for preferences other than those specifically cited at 24 CFR §5.655(c), owner-adopted preferences must be approved by the local HUD office to confirm conformance with applicable regulatory and statutory requirements. Owners may remove their owner-adopted preference at any time without HUD approval. Any changes in preferences, however, must be updated in the owner's TSP.
 - c. **Using a Homelessness Definition.** Owners may create a preference for homeless families using the HUD definition of homelessness or a definition that better suits the property in question. The definition cannot exclude any protected classes, e.g., the definition cannot exclude families with children.
 - d. **Limiting preferences to people referred by a partnering organization.** Owners may create a preference or limited preference specifically for individuals or families who are referred by a partnering homeless service organization or consortium of organizations (for example, an organization that refers people



transitioning out of a shelter or temporary housing program). When partnering with a referring agency, an owner may elect to place the preference on the entire property or accept a referral for a defined percentage of units. No units may be set-aside or held off-line, but owners can fill vacancies by alternating selections from the existing project waiting lists with referrals from their partnering organization of eligible applicants who meet the preference criteria. For instance, in filling the next four vacancies, an owner may select three applicants for occupancy from the property waiting list followed by one applicant referred by the partnering organization. To allow for maximum flexibility, HUD is not prescribing the ratio of admissions. **Note:** Although a partnering organization may refer applicants, owners must screen those applicants in the required manner as they would for any other applicants on the waiting list. In addition, the source of referrals cannot be limited to an agency, organization, or consortia that exclusively provide services restricted to people with specific disabilities or diagnoses. Referrals also cannot be limited to an agency, organization, or consortia that deny services to members of any Federally protected class under fair housing laws, *i.e.*, race, color, religion, national origin, sex, disability, or familial status.

- e. **Use of Alternating Selection.** Even if not partnering with a referral agency, owners may fill vacancies in the property by alternating their selections of non-homeless applicants on the waiting list with applicants who meet the criteria for the preference. This method of selection of residents must be clearly defined in the Tenant Selection Plan.
- f. **Identifying preference-qualified applicants currently on the project's waiting list.** When adopting a new preference, owners must notify all applicants on the current waiting list to determine if any are eligible under the preference (24 CFR §5.655(c)). The owner must specify on any public notice of a waiting list opening that current waiting list applicants may qualify for the preference. The notice must also include any other information new applicants and current applicants on the waiting list will need to know about how to successfully apply and establish their preference status, including any partnering agencies with whom the owner may be working to receive referrals or determine preference eligibility.
- g. **Verifying preference eligibility.** If an owner adopts a preference or limited preference for individuals or families experiencing homelessness, the owner may require the individual or family to provide documentation to prove that they qualify for the preference, or may rely on a partnering homeless service organization to verify that the individual or family qualifies for the preference. When an owner establishes a partnership for referrals from a homeless service organization, he/she may allow the partnering organization to verify the individual's or family's preference qualification before the individual or family is referred to the owner.



- h. **Property Designations.** If the owner has a property designation of elderly or disabled on all or some of HUD assisted units, this designation remains in effect despite the adoption of the new preference. For example, if the property is 100 percent elderly, then the homeless preference would not supersede this designation. Any qualified applicants benefiting from the homeless preference would need to meet both criteria, i.e. homeless and elderly. If the property has 10 units properly designated for individuals with disabilities, then an owner could not fill any of the 10 units with persons who met the criteria for the homeless preference unless they also met the eligibility requirements of the units.
- i. **Ensuring Fair Housing compliance.** When adopting a preference or limited preference for people experiencing homelessness, an owner must ensure that the preference would not have the purpose or effect of excluding other eligible families from the program on the basis of race, color, national origin, religion, sex, disability, or familial status, or would create or perpetuate segregation. An owner must comply with all fair housing and civil rights law in the adoption of a homeless preference and the opening of the waiting list to homeless families that qualify for the preference. For example, an owner adopting a homeless preference cannot deny access to families with children. The owner must also ensure that programs or activities are administered in the most integrated setting appropriate to the needs of qualified individuals with disabilities. The owner should analyze demographic data of the waiting list population and of the population in the community and compare this to the demographic characteristics of those who would qualify for the preference to ensure that the preference does not create a disparate impact on a particular protected class from accessing the program. In addition, the owner must fully document his/her marketing practices in the Affirmative Fair Housing Marketing Plan if the owner chooses to market the preference. This HUD-approved plan can include referrals from shelters and other organizations that serve the homeless, but should be designed specifically for the community in which the property is located.

For more guidance on the Affirmative Fair Housing Marketing Plan, please reference the HUD Handbook 4350.3 REV-1, Chapter 4.

Submission and Approval of Preference Requests: Owners must receive HUD approval in order to adopt an admissions preference not specified under 24 CFR §5.655(c)(1) - (c)(5). Owners must submit a written request to their local HUD Field Office specifying the type of preference with a full description of the preference and how it will be implemented. Criteria set forth in this Notice including a description of the notification process for those on the waiting list, tenant selection process and any changes to the AFHMP must also be included. HUD will approve an owner-adopted preference if it does not result in discrimination, violate civil rights or equal opportunity requirements, or conflict with statutory, regulatory, or program requirements. Subsequent occupancy reviews will ensure that the property has updated its Tenant Selection Plan and, if required, the Affirmative Fair Housing Marketing



Plan. Please see Chapter 4 of HUD Handbook 4350.3 for more details about the submission and approval of preference requests.

VII. Admissions Policies Regarding Criminal Activity and Substance Use/Abuse: Under federal laws and HUD regulations, there are certain policies for admission to a housing program which are mandatory for all Multifamily property owners, and others which the owners have authority/discretion to adopt, but are not required.

Owners must establish standards that prohibit admission of:

1. Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity. The owner may, but is not required to, consider two exceptions to this provision:
 - a. The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
 - b. The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household)
2. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents;
3. Any household member who is subject to a state sex offender lifetime registration requirement; and
4. Any household member if there is reasonable cause to believe that member's behavior from abuse or pattern of abuse of alcohol may interfere with the health, safety, and rights to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

Owners may also establish additional screening criteria, as outlined in HUD Handbook 4350.3. However, owners should bear in mind the length of their waiting lists and the cost to applicants for screening when considering additional criteria. In addition, some of these criteria can be a barrier for vulnerable populations, including people who are homeless, to accessing the programs. For example, an owner may have strict policies related to criminal backgrounds, and previous rental housing history which can have the effect of screening out the most vulnerable people experiencing homelessness who are more likely to have past convictions, past evictions, or previous debts, due to a variety of reasons, including mental illness and substance use disorders.

An owner wishing to serve more people experiencing homelessness should consider reviewing his/her discretionary admission policies to determine if any changes can be made to remove barriers. It is important to note that all discretionary admission (and program termination) policies must be applied to all applicants uniformly. In other words, an owner cannot have a certain set of admission/termination policies that apply specifically to a certain



population, such as the homeless population, which are different from the admission/termination policies for all other applicants.

VIII. Consideration of Circumstances Regarding Admissions and Terminations/Evictions:

An owner cannot establish separate admissions/termination policies for a certain population, such as the homeless population, which are different from the admissions/termination policies than for all other applicants.

In the event of receipt of unfavorable information about an applicant, consideration may be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). Consideration may also be given to factors which might indicate a reasonable probability of favorable future conduct, including: evidence of rehabilitation, and applicant's willingness to participate in social services.

IX. Service Provider as a Resource in Continued Occupancy: Service providers are important resources in ensuring that persons and families experiencing homelessness admitted to the property (and those in the property but at risk of homelessness) are provided the services necessary to remain stably housed and compliant with program requirements.

HUD field offices, contract administrators, and owners should establish working relationships or consider service agreements with the service providers to ensure that all parties stay committed to the family through their participation in the program.

X. Information Contact: Inquiries about this Notice should be directed to Yvette Viviani at Yvette.M.Viviani@hud.gov or Jonathan Kinsey at David.J.Kinsey@hud.gov.

Carol J. Galante
Assistant Secretary for Housing -
Federal Housing Commissioner

Information Collection

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2502-0204. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to a collection of information unless the collection displays a currently valid OMB control number.



Attachment B

Sample Invitation to Team Members for Initial Meeting

On behalf of [note any local entity, such as a Continuum of Care (CoC) or other planning body that is issuing the invitation], we would like to invite you to participate in the launch of “Opening Doors Through Multifamily Housing: A Homeless Preference Initiative.” The initiative is designed to help [INSERT COMMUNITY NAME] identify opportunities to more strategically target affordable housing to achieve our goal of ending homelessness. This will include identification and outreach to multifamily housing owners and property managers, coordination with service providers, and implementation of a homeless preference in identified properties. Your leadership and participation are essential to identifying commitments and strengthening strategies to end homelessness.

Community leaders have the local expertise to make significant progress to end homelessness in [INSERT COMMUNITY NAME]. We are interested in continuing our success by increasing the resources for permanent, stable housing that allows households to exit homelessness. One such resource is to partner with multifamily housing owners and property managers to implement a homeless preference for those properties. The U.S. Department of Housing and Urban Development (HUD) and the United States Interagency Council on Homelessness (USICH) have piloted this initiative in 10 communities and will continue to support each community’s initiatives, through the provision of data and technical assistance. The federal partners want to integrate this effort into existing local plans to end homelessness.

We would like to invite you and other key community partners to a kick-off meeting to launch this effort. Additionally, we request your participation on our leadership team. Attached to this email is a brief discussion of the initiative.

Please join us as an active, strategic, and engaged partner. Together, we can fulfill the promise that all Americans have a safe and stable place to call home.

Sincerely,

[NAME], Lead



Attachment C

Overview of Opening Doors: A Federal Strategic Plan to Prevent and End Homelessness

Presented to the Office of the President and Congress on June 22, 2010, Opening Doors is the nation's first comprehensive Federal strategy to prevent and end homelessness. The Plan includes 10 objectives, five themes, and 66 strategies that guide the nation toward accomplishing all four goals of the Plan. Opening Doors serves as a roadmap for coordinated, joint action among the 19 member agencies that make up the United States Interagency Council on Homelessness (USICH), along with local and state partners in the public and private sectors.

In June of 2015, Opening Doors was amended to reaffirm the strategies that continue to prove effective in preventing and ending homelessness and add additional strategies that we have learned in the last 5 years are critical to success.* The 2015 Amendment encompasses much of the original plan but with some additions and clarifications that further strengthen its value as a living blueprint for action.

The Plan puts us on a path to end veteran homelessness by 2015, chronic homelessness by 2017, and homelessness among children, families, and youth by 2020. Opening Doors presents objectives and themes that build upon the lesson that mainstream housing, health, education, and human service programs must be fully coordinated to prevent and end homelessness. These include the following:

- Increasing leadership, collaboration, and civic engagement, with a focus on providing and promoting collaborative leadership at all levels of government and across all sectors, and strengthening the capacity of public and private organizations by increasing knowledge about collaboration and successful interventions to prevent and end homelessness
- Increasing access to stable and affordable housing, by providing affordable housing and permanent supportive housing
- Increasing economic security, by improving access to education and increasing meaningful and sustainable employment and improving access to mainstream programs and services to reduce financial vulnerability to homelessness
- Improving health and stability, by linking health care with homeless assistance programs and housing, advancing stability for unaccompanied youth experiencing homelessness and youth aging out of systems such as foster care and juvenile justice, and improving discharge planning for people who have frequent contact with hospitals and criminal justice systems
- Retooling the homeless response system, by transforming homeless services to crisis response systems that prevent homelessness and rapidly return people who experience homelessness to stable housing

The HEARTH Act, enacted by Congress in May 2009, mandated that the USICH produce a "national strategic plan" to end homelessness and present the plan to Congress and the President. Beginning in January 2010, USICH held regional stakeholder meetings, organized Federal working groups focused on specific populations, solicited public comment through an interactive website, and engaged experts from across the country to develop an action plan to solve homelessness for veterans, adults, families, youth, and children. The result of that mandate and engagement of all stakeholders is Opening Doors.



The issuance of the 2015 Amendment to Opening Doors represents the second time that the Plan has been amended since its original release in 2010. The Plan was first amended in 2012 to include additional information and strategies around youth homelessness. The 2015 Amendment further updates the Plan in several areas. In large part due to a lack of Congressional support for the expansion of permanent supportive housing, we will not finish the job of ending chronic homelessness in 2015. The 2015 Amendment adjusts the timeline on that goal to 2017. This timeline assumes that Congress will support the President’s FY 2016 Budget, which includes increased funding to support the new permanent supportive housing needed to end chronic homelessness. The 2015 Amendment includes content to support the retooling of homeless programs into crisis response systems. It clarifies the role of Medicaid in covering services that support housing stability, and emphasizes the strategic use of data.

In developing the 2015 Amendment, it was affirmed that Opening Doors is still the right plan, with the right goals and objectives. Changes to the Plan in 2015 reflect the progress we have made because of its implementation, further strengthening our strategies based on what we know works to end homelessness.

*On July 20, 2015, an updated file was issued to include clarification on our definition of unaccompanied youth and other minor editorial updates.

For more information on Opening Doors, please see the United States Interagency Council on Homelessness website, www.USICH.gov.



Attachment D

Roles and Responsibilities for the Multifamily Planning and Implementation Team

| TASK/ACTION | RESPONSIBLE PARTY | DUE DATE | STATUS |
|---|-------------------|----------|--------|
| Select members of core leadership team | | | |
| Convene meetings | | | |
| Record minutes | | | |
| Develop long-term operational plan | | | |
| Identify owners | | | |
| Analyze data on multifamily properties and owners | | | |
| Conduct outreach to individual owners | | | |
| Conduct outreach at industry events | | | |
| Identify service providers | | | |
| Formalize relationship with owners | | | |
| Formalize relationship with service providers | | | |
| Assist owners with HUD packet | | | |
| Manage public relations | | | |
| Monitor activities | | | |
| Revise plan as needed | | | |



Attachment E

Homelessness Data Slide Format

Information for each Continuum of Care is available on the [HUD Exchange, About Grantees](#) page. Go to "View Organization by Program" and select "CoC: Continuum of Care Program". Select your state and CoC. Scroll to the bottom for reports to find the PIT and HIC data.

Our Continuum of Care conducts a count of the people experiencing homelessness on one night in January to try to understand who is experiencing homelessness in our community.

On any given night in our community:

- *{insert PIT unsheltered count}* are living on the streets or other places not meant for human habitation.
- *{insert PIT emergency shelter count for individuals and total persons in families}* are living in emergency shelters.
- While we have *{insert number of permanent supportive housing units from Housing Inventory Chart}* units of Permanent Supportive Housing, there are still *{insert total number of homeless counted from PIT}* men, women, and children in our community without a permanent home.
- In our one day count, we learned that: *{Insert from PIT}*
 - X% are families with children
 - X% are single adults with a disability
 - X% are veterans
 - X% are unaccompanied youth
 - X% have income but are unable to afford to rent



Attachment F

Sample Preference Selection Form

Preference Selection Form

Please select as many as applicable. May select “all” or “other” with definition:

HUD’s definition of homeless is found in HUD’s regulations at 24 CFR Part 578.3. HUD encourages owners to target groups in paragraphs (1) and (4) of that definition. Owners can, however, adopt a broader or narrower 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 designated 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 (please specify): _____



Attachment G

List of Owner, Professional, and Related Organizations to Help with Owner Outreach

Building Owners and Managers Association International's mission is to advance a vibrant commercial real estate industry through advocacy, influence, and knowledge.

<http://www.boma.org/about/findyourlocalboma/Pages/default.aspx>

Council of Large Public Housing Authorities (CLPHA) supports the nation's largest and most affordable innovative housing authorities by advocating for the resources they need to solve local housing challenges and create communities of opportunity. <http://www.clpha.org/memberdirectory>

HOME Participating Jurisdictions (PJs) and Community Development Block Grant (CDBG) grantees such as cities, counties, and states (may overlap with State Housing Finance Agencies noted below) contribute funding to HUD multifamily housing projects. These government agencies make good partners for continuums of care (CoCs). The HUD Exchange has a HOME and CDBG directory:

<https://www.hudexchange.info/grantees>

Institute of Real Estate Management (IREM) is an international community of real estate managers dedicated to ethical business practices, maximizing the value of investment real estate, and promoting superior management through education and information sharing. IREM has chapter organizations that may be helpful partners. <http://www.irem.org/about-irem/chapters/find-a-chapter>

National Affordable Housing Management Association (NAHMA) has state/regional affiliates among its membership that involve both HUD multifamily owners as well as managers.

<http://www.nahma.org/membership/ahma-directory/>

National Apartment Association's mission is to serve the interests of multifamily housing owners, managers, developers, and suppliers and maintain a high level of professionalism in the multifamily housing industry to better serve the rental housing needs of the public. <http://www.naahq.org/join/find-an-affiliate-in-your-area>

The National Association of Housing and Redevelopment Officials (NAHRO) is the leading housing and community development advocate for the provision of adequate and housing and strong, viable communities for all Americans—particularly those with low- and moderate-incomes. NAHRO primarily represents Public Housing Authority (PHA) staff, but is also a good resource for non-PHA multifamily projects. <http://www.nahro.org/nahro-region-chapter>

National Leased Housing Association (NLHA) is a national organization representing all participants (developers, investors, property managers, owners, etc.), private and public, in the affordable multifamily housing rental industry. <http://www.hudnlha.com>

National Multifamily Housing Council is a trade association representing apartment owners, managers, developers, lenders and service providers. <http://www.nmhc.org>



State Housing Finance Agencies (HFAs) have contributed funding to HUD multifamily housing projects. HFAs may have their own preferences for projects which might overlap with homeless preferences. This makes the connection between continuum of care (CoC) members and the HFA an ideal partnership. National Council of State Housing Agencies (NCSHA) has an HFA directory: <http://www.ncsha.org/housing-help>



Attachment H

Sample Outreach Letter to Owners and Property Managers

[DATE]
[NAME]
[OWNER ADDRESS]
[CITY, STATE ZIP]

Dear [Owner / Property Manager]:

We are reaching out to HUD-assisted multifamily property owners and property managers regarding a special opportunity available in our community. The “Opening Doors Through Multifamily Housing: A Homeless Preference Initiative” is an effort to help communities identify opportunities to more strategically target mainstream affordable housing to achieve our goal of ending homelessness. Our community is one of many nationally working on this initiative.

The U.S. Department of Housing and Urban Development (HUD) has issued an admission preference for homeless families and individuals (Notice H 2013-21 “Implementation and approval of owner-adopted admissions preferences for individuals or families experiencing homelessness”). To assist in this effort, HUD is working with communities facing significant challenges with homelessness to implement this preference. You can act right away if you have no waiting list. If there are applicants who are currently on your property’s waiting list, you can choose to rent to homeless individuals and families before other applicants with an amended tenant selection plan.

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 while at the same time filling vacant units. There are resources available within the community to assist you in implementing the preference. Committed community partner agencies are available to support you in locating potential residents who are homeless and in helping to maintain their successful tenancies.

We would like to schedule a meeting with you to discuss this important opportunity. We look forward to meeting with you.

Sincerely,

[SIGNATURE OF COC/ADMINISTRATIVE LEAD COMMUNITY REPRESENTATIVE]
[PRINTED NAME OF SIGNATOR]
[TITLE]
[ORGANIZATION NAME]



Attachment I

Benefits to Owners Flyer



Does your property have a high vacancy rate or cash flow problems?

Would you like to address these problems and take part in an effort to prevent and end homelessness in your community?

Why Should I Adopt a Preference for Homeless Households in My HUD-Assisted Multifamily Property?

- **Receive referrals and completed applications** from a coordinated system of service providers.
- **Lower your vacancy rates** with a consistent referral source.
- **Facilitate resident stability with the support of committed community service providers.**
- **Choose a preference rate that fits your community.** Owners have flexibility in choosing the preference rate (e.g., fill every third vacancy with an applicant who is currently homeless).
- **Join with other property owners for greater impact.**
- **Be part of community efforts to end and prevent homelessness.** Accelerate the success of our local plan by increasing access to affordable housing.

Realize the benefits! Protect your bottom line!

Become a part of a community-wide effort!

Contact:

NAME

PHONE and EMAIL



Attachment J

Frequently Asked Questions (FAQs)

[NOTE: These FAQs may be tailored to local circumstances, provided that they comply with the requirements of Housing Notice 2013-21 "Implementation and Approval of Owner-Adopted Admissions Preferences for Individuals or Families Experiencing Homelessness."]

1. What is HUD Multifamily Housing?

HUD Multifamily Housing is privately-owned housing that receives HUD rental subsidy or mortgage insurance. It includes affordable and market-rate housing for individuals, families, elders, and people with disabilities. The properties have multiple units and the apartments range in size from studios to multiple bedrooms. In subsidized units, the resident's rent contribution is 30 percent of adjusted monthly income and project-based rental assistance covers the balance of the rent to the owner.

2. What is Opening Doors?

Opening Doors: Federal Strategic Plan to Prevent and End Homelessness (Opening Doors) was released by the Obama Administration in 2010 and amended in 2015. The Plan provides a framework for Federal agencies and state and local partners to work together to meet specific goals to end homelessness. The roadmap delineates specific themes, objectives, and strategies to meet the following goals:

- Prevent and end homelessness among veterans by 2015.
- Finish the job of ending chronic homelessness by 2017.
- Prevent and end homelessness for families, youth, and children by 2020.
- Set a path to ending all types of homelessness.

3. What is the homeless admissions preference in HUD Multifamily Housing?

HUD's Office of Multifamily Housing encourages the use of the homeless admissions preference to enable HUD multifamily housing to be a contributing resource towards the goals of "Opening Doors."

The homeless preference is an optional admissions preference that multifamily housing owners may use to allow homeless families or individuals to move more quickly to the top of a property's waiting list.

4. Where does HUD provide guidance on implementing the homeless admissions preference?

Guidance for the preference can be found in Housing Notice 2013-21, "Implementation and Approval of Owner-Adopted Admissions Preferences for Individuals or Families Experiencing Homelessness" and in "Opening Doors Through Multifamily Housing: Homeless Preference Initiative Implementation Toolkit." The Notice can be found here: <http://portal.hud.gov/hudportal/documents/huddoc?id=13-21hsgn.pdf>

5. Are owners required to adopt a homeless admissions preference in their HUD multifamily properties?

While HUD strongly encourages owners to adopt a homeless admissions preference, doing so is voluntary.



6. Why would multifamily property owners want to adopt the homeless admissions preference?

Many property owners want to contribute to local efforts to address homelessness, and the preference provides a concrete way to do so. In addition, the preference can be met with referrals to fill vacant units from agencies working in the homeless community. In other cases, some owners adopt the preference to advance their mission and highlight themselves as leaders in the affordable housing community.

7. What contribution can the multifamily homeless admissions preference make on local efforts to end homelessness?

In many communities, the greatest barrier to ending homelessness is the ability to locate affordable housing. By teaming with a local continuum of care (CoC), a multifamily owner can ensure that units are prioritized for those who need them the most. The homeless preference allows local communities to reach their goals of ending homelessness by targeting mainstream affordable housing to homeless households most in need of the subsidy.

8. Do property owners have flexibility on how to apply the preference at their properties?

Yes. The homeless admissions preference itself is optional. In addition, owners have flexibility in determining the move-in rate of homeless households (e.g., 1 out of 5 vacancies filled by a homeless person, 4 out of 10 vacancies, etc.). Owners also have discretion on the subpopulations they wish to target (e.g., homeless veterans or homeless families). In choosing a subpopulation, owners must not consciously or inadvertently exclude members of protected classes (on basis of race, color, religion, sex, handicap, familial status, and national origin) or discriminate in the provision of HUD-assisted housing on the basis of sexual orientation or gender identity. Owners may remove their owner-adopted preference at any time without HUD approval. Any changes in preferences, however, must be updated in the owner's TSP amendment and submitted to HUD for approval.

9. What supports are in place through the multifamily homeless preference to ensure successful tenancies?

Multifamily property owners and/or managers should work with local service providers to ensure that each tenant admitted through the multifamily homeless preference will have access to and be supported by appropriate services for the duration of their tenancy or as long as such services are needed. Owners and/or managers and service providers should establish sustained, open lines of communication to ensure that problems are addressed as soon as they arise. These relationships and commitments to provide services may be formalized through a memorandum of understanding (MOU) or a contract between service providers and property owners/managers.

10. Must the property owner use the definition of homeless as prescribed in HUD regulations at 24 CFR Part 578.3?

No, but owners are encouraged to target groups listed in paragraphs (1) and (4) of that definition. If owners use the HUD definition, tenants will be counted as homeless on the form HUD-50059. The HUD-50059 only tracks multifamily housing tenants who were previously homeless based on HUD's definition of homeless.

However, owners can also establish an alternative definition of homeless based on local need. Owners may elect to adopt a more narrow definition specific to the homeless needs in their community or a broader version that would serve more of the population. For example, an owner may wish to target a subpopulation of homeless households like homeless veterans, households experiencing chronic homelessness, or homeless families.

Owners are reminded that any preference must comply with civil rights requirements.



11. If an owner establishes a more restrictive or more expansive definition of homeless, must HUD approve the definition?

Yes. If the owner uses a definition of homeless other than that provided in HUD regulations, the owner must include the definition in the amendment to the property's TSP prior to submitting to HUD for approval.

12. Must an owner who is contemplating adopting an admissions preference for homeless individuals and families obtain HUD approval prior to implementation?

Yes. All multifamily property owners are encouraged to amend their TSPs to include a homeless preference. A TSP amendment is not required if a property does not have a waiting list, but it will help to have the TSP amendment in place if owners anticipate a waiting list in the future. If a property does not have a waiting list, the owner/manager may admit homeless individuals or families at any time. For properties that currently have a waiting list, the TSP amendment must be approved by HUD before implementing a homeless preference.

13. Where can property owners find local service provider partners that can supply referrals and supportive services?

Property owners should reach out to their local continuum of care (CoC), which coordinates the provision of housing and services to homeless individuals and families. The CoC can help owners work with local service providers for referrals and support services. To find your local CoC point of contact, go to <https://www.hudexchange.info/grantees/?granteesaction=main.searchresults&programid=3>

As CoCs further develop their coordinated entry processes, HUD encourages owners to engage with their local CoC to arrange for referrals through that process.

14. Do the owners have to use a specific homeless services agency for the referral process?

No. While owners may partner with any homeless service organization, including more than one or a consortium of organizations, HUD encourages owners to work with the CoC's coordinated entry process. Owners may establish or limit the preference to people referred by one or more of the partner organizations, as long as the resulting preference does not exclude members of a protected class, (e.g. households with particular disabilities are not served by the partner organization(s) and so do not have access to the preference).

15. If I adopt a homeless admissions preference, am I required to update my Affirmative Fair Housing Marketing Plan (AFHMP)?

An owner has two options:

- Update to the AFHMP not required: If an owner chooses to partner with one or more homeless service organizations for referrals for the preference and the owner does not plan to broadly market the preference, then an update to the AFHMP is not required.
- Update to the AFHMP required: If an owner plans to broadly market the preference and doing so will significantly change the current marketing plan, then the owner must update and submit the AFHMP along with the revised Tenant Selection Plan to the local HUD field office. The AFHMP will be forwarded to HUD's Office of Fair Housing and Equal Opportunity for final review and approval.



16. Must an owner amend a property’s Tenant Selection Plan (TSP) prior to receiving referrals if the property currently has no waiting list?

No. If the property has no waiting list, the owner can immediately fill any vacancies with referrals from homeless service organizations. However, once all of the property’s units are occupied, the owner must amend the property’s TSP and submit to HUD for approval.

17. If an owner intends to adopt the preference, must the owner notify applicants on the waiting list?

Yes. In accordance with Housing Notice 2013-21 and HUD regulations at 24 CFR §5.655(c), if the owner is intending to adopt the preference, “owners must notify all applicants on the current waiting list to determine if any are eligible under the preference. The owner must specify on any public notice of a waiting list opening that current waiting list applicants may qualify for the preference.” In addition, the owner must include in its notification any information that new and current applicants need to know in order to successfully establish their eligibility for preference status.

18. Is the owner required to screen preference applicants for eligibility?

Yes. While a partnering organization refers applicants through coordinated entry, owners must screen all applicants as they would any other applicant on the waiting list.

19. Must the owner verify preference eligibility?

Yes. The owner may choose from two options:

- The owner may ask for some documentation or certification from the homeless person/family that demonstrates that it meets the preference.
- The owner may rely upon the referral from a service provider to document eligibility.

Regardless of the methodology chosen, it must be implemented consistently. A benefit of using the CoC coordinated entry process is that it provides specific documentation of homelessness.

20. What fair housing provisions must an owner consider when adopting a preference or limited preference for people experiencing homelessness?

As stated in HUD Notice H 2013-21, when an owner chooses to adopt a preference or limited preference, “an owner must ensure that the preference would not have the purpose or effect of excluding other eligible families from the program on the basis of race, color, national origin, religion, sex, disability, or familial status, or would create or perpetuate segregation.”

When partnering with homeless service organizations, as stated in the Notice, “the source of referrals cannot be limited to an agency, organization, or consortia that exclusively provides services restricted to people with specific disabilities or diagnoses. Referrals also cannot be limited to an agency, organization or consortia that denies services to members of any federally protected class under fair housing laws, i.e., race, color, religion, national origin, sex, disability, or familial status.”

For example, if a Multifamily owner chooses to exclusively partner with a homeless service provider that limits its services to persons with severe mental illness, which is still allowed for some older homeless service projects, then the preference would effectively be limited to persons with severe mental illness. This situation would be a violation of the Fair Housing Act because it would have the effect of excluding persons with other categories of disabilities who would otherwise benefit from the housing.



On the other hand, an owner of a Section 811 property designated for people with chronic mental illness could appropriately partner exclusively with a homeless service provider that limits its services to persons with severe mental illness. This is because the occupancy of the 811 property is limited only to people who are chronically mentally ill. In this situation, however, the provider must affirmatively market their services to everyone who is in a protected class and is also chronically mentally ill.

The owner should also analyze demographic data of the waiting list population and of the population in the community and compare this to the demographic characteristics of those who would qualify for the preference to ensure that the preference does not create a disparate impact on a particular protected class from accessing the program. For example, if the local demographics show men and women in equal proportions, and a Multifamily property owner chooses to partner with an organization that only serves men in its facilities, then the preference could create a disparate impact on women. Local demographic information on homeless persons and families can be found in local Point in Time (PIT) counts at <https://www.hudexchange.info/manage-a-program/coc-homeless-populations-and-subpopulations-reports>.

21. What are some ways that owners may remove barriers to accepting people experiencing homelessness?

As explained in Housing Notice 2013-21, there are certain mandatory admissions policies to which owners of HUD-assisted multifamily properties must adhere and there are others that owners may choose to adopt. For instance, an owner may have a policy that prohibits applicants with a criminal background from occupying the property. But many people experiencing homelessness have a criminal record and so this record could present a significant barrier to obtaining stable housing. In this situation, HUD strongly encourages multifamily property owners to adopt policies that limit the types of convictions that would prohibit applicants from obtaining housing. By changing the policy to specify certain types of convictions (such as violent crime) and implementing the new policy consistently, the owner can then admit people experiencing homelessness who are more likely to have certain types of past convictions.

22. May an owner establish a separate set of admissions criteria for the homeless population?

No. The admissions/termination policies must be the same for all applicants to the property. However, establishing a homeless preference presents an opportunity to reassess the property's admissions/termination policies and to identify and implement policies that more effectively help tenants maintain stable housing.

23. Can a multifamily property owner offer apartments to homeless families and individuals immediately?

If a property does not have a waiting list, vacancies can be filled immediately with an eligible homeless family or individual. This can be an effective strategy to house homeless households quickly and help owners fill vacancies. Once all units are occupied and there are no more vacancies, the owner must amend the property's TSP in order to use the homeless preference.

24. How can a local community that wants to use the homeless admissions preference as part of their plan to address homelessness get started?

Communities that have already implemented the homeless preference have had the best success when they brought together their local HUD Multifamily housing staff, CoC leadership, and interested owners to plan for the launch of the homeless preference.



25. What are the administrative steps a property owner needs to take to adopt the homeless preference?

Owners must amend and submit their property's TSP to the local HUD office for approval.

Owners must review their property's Affirmative Fair Housing Marketing Plan (AFHMP) to determine what changes might be needed.

Once an owner has received approval from the local HUD office, the owner must notify applicants on the current waiting list about the new preference and provide information on preference eligibility.

26. Where can property owners, continuums of care (CoCs), and other interested parties go to get more information about the HUD Multifamily homeless preference?

Housing Notice H 2013-21 and the Opening Doors Through Multifamily Housing: Homeless Preference Initiative Implementation Toolkit provide technical guidance and recommended strategies for how local teams can promote and implement the homeless preference to help end homelessness in their communities.



Attachment L

Sample Memorandum of Understanding (MOU) Between Service Provider and Owner/Property Manager

I. Background

The [PROPERTY NAME] has a preference for people experiencing homelessness. The chosen definition of homeless (as specified on the attached Homeless Preference Form), includes: [DEFINITION].

II. Purpose

The purpose of this memorandum of understanding is to explain the roles and responsibilities of [PROPERTY OWNER/MANAGEMENT COMPANY] and [SERVICE PROVIDER] in the provision of referrals and/or services at [PROPERTY NAME].

III. Roles and Responsibilities

[The SERVICE PROVIDER] is responsible for the following:

- Conduct outreach and identify potential referral applicants within [XX] days of notification from owner of an available housing unit.
- Provide the owner with a referral package for each referred household, including the housing application, identification documentation, income and asset documentation, verification of homelessness, and verification of disability if applicable.
- Provide services (see next section) to the referred residents at residents' request.
- Provide resources for owner/property manager to address issues comprising housing stability.

[The OWNER/PROPERTY MANAGER] is responsible for the following:

- Provide the service provider the name and contact information of applicable property management staff and ensure that such staff are aware of the provisions of this MOU and their responsibilities hereunder.
- Provide service provider with timely notification of a vacancy.
- Provide service provider with written copies of property rules and standard lease (including qualifying lease violations and eviction procedures), to which each tenant must adhere.
- Promptly address and resolve any deficiencies in applications.
- Make an eligibility determination within [XX] days.
- Contact the service provider immediately if referred resident is having any challenges or if resident is in violation of lease or other documented property rules within privacy laws.



IV. Services to be Provided

[The SERVICE PROVIDER] will provide the available services if requested by referred tenants in [PROPERTY NAME]: [Include the following items in description of services.]

- Service activities (case management, referrals, landlord mediation, tenancy preservation)
- Length of time of the services
- Frequency and method of service provider contact with families
- Any special capacities or expertise provider has (e.g., workforce development relationships, mental health counseling, etc.)
- Communication plans between all parties during tenancy issues
- Coordination between service providers and onsite resident service coordinators to further support housed families
- Payment for services is covered by the service provider. Owner is not responsible for payment of services.
- When services are not provided onsite, tenant transportation to and from services will be provided by the service provider (or tenant). Owner is not responsible for providing tenant transportation to services.

The services will be provided for:

- [insert number/frequency] home/office/phone visits with families
- Communication plans during tenancy issues
- Data/reporting duties to track family outcomes

V. Period of MOU and Amendments

The period of this memorandum of understanding begins upon the date of the signatures in the section below through [END DATE]. Amendments to this written agreement may be made throughout the period of the MOU if mutually agreed upon.

VI. Signatures

Owner/Agent/Property
Manager Signature:

Date:

Print Name:

Title:

Role:



Service Provider Signature:

Date:

Print Name:

Title:

Role:



Attachment M

Sample Tenant Selection Plan (TSP) Amendment

Suggested Model Language for Adopted Admissions Preferences for Homeless Individuals and Families

[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:

1. It will be effective [insert date] _____ and/or when approved by HUD.
2. 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).
3. 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.
4. 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.

5. 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.
6. This preference can be amended as needed and/or removed with proper notification of such to all affected parties, including written notification to HUD.



Attachment N

Sample Letter to Applicants on Current Waiting List

(Sent within 30 days of owner-adopted preference)

[DATE]
[NAME OF APPLICANT]
[ADDRESS OF APPLICANT]
[CITY, STATE ZIP]

Dear Waiting List Applicant:

We have recently changed our tenant selection policies and this could affect your place on the waiting list for [PROPERTY NAME]. We have decided to join our community's efforts to increase housing available for persons exiting homelessness by participating in the "Opening Doors Through Multifamily Housing" initiative. To support these efforts, we have adopted a preference for certain homeless persons or families and want to make you aware of that preference. The tenant selection policy will be changing to reflect a preference for the following populations:

[INSERT SELECTED DEFINITION OF HOMELESS]

In order to demonstrate your eligibility for this preference, please provide [what and to whom]. [Owner must provide an explanation of how an applicant can demonstrate eligibility for the preference.]

If you think your household qualifies for any of the above preferences, please let us know immediately as this could affect the timing on an available apartment for rent. Please contact us by email or phone:

[PROPERTY NAME]
[ADDRESS]
[PHONE NUMBER]
[EMAIL]

Thank you in advance for your cooperation.

[SIGNATURE OF OWNER]
[PRINTED NAME OF SIGNATOR]
[TITLE]
[ORGANIZATION NAME]



Attachment O

Sample Referral Cover Sheets

| | |
|-----------------------------|-------|
| Contact Information | |
| Property Name | _____ |
| Property Address | _____ |
| | _____ |
| Phone Number | _____ |
| Email Address | _____ |
| <hr/> | |
| Applicant Name | _____ |
| Applicant Address | _____ |
| | _____ |
| Phone Number | _____ |
| Email Address | _____ |
| Bedroom Size Applying For | _____ |
| <hr/> | |
| Referring Case Manager Name | _____ |
| Referring Agency Name | _____ |
| Referring Agency Address | _____ |
| | _____ |
| Phone Number | _____ |
| Email Address | _____ |



Documentation Checklist

Owner: Please find the following items for potential lease at [Property Name].

[Check those that apply to this referral package].

Please contact _____ [name of case manager and name of referring agency] at _____ with questions or concerns.

- Application for Tenancy
- Rental History
- Income and Asset Documentation
- Driver's License/Identification Card/Other
- Documentation of Homelessness
- Other:

Service Provider signature

Date