

HOMELESS ELIGIBILITY

RESOURCES

CONSULT THE CoC RULE

CoC Program Interim Rule

– 578. 3 Definitions:

<https://www.govinfo.gov/content/pkg/CFR-2017-title24-vol3/xml/CFR-2017-title24-vol3-part578.xml#seqnum578>

RESOURCES

ON THE HUD EXCHANGE

Criteria and Recordkeeping Requirements for Definition of Homelessness:

<https://www.hudexchange.info/resource/1974/criteria-and-recordkeeping-requirements-for-definition-of-homeless/>

Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009:

<https://www.hudexchange.info/resource/1715/mckinney-vento-homeless-assistance-act-amended-by-hearth-act-of-2009/>

Determining and Documenting Homeless Status:

<https://www.hudexchange.info/trainings/courses/recording-and-documenting-homeless-status/>

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

SUMMARY

People who receive housing and/or services from a CoC Program-funded project must meet homeless and other eligibility requirements (e.g. person has a disability for permanent supportive housing projects) as defined in:

- The CoC Program Interim Rule,
- The Grant Agreement which incorporates the Notice of Funding Availability (NOFA) and the project application requirements, and
- Any other applicable regulations or requirements that the CoC has incorporated into its written standards for prioritizing assistance.

Carefully review the [resources in the sidebar](#) for details.

HOMELESS STATUS

The homeless definition for CoC Program-funded grants has four categories of homelessness. The eligible homeless category (ies) for each project is determined by the project's approved program component. The CoC Program NOFA and individual project applications may impose additional restrictions. The four categories are:

- **Category 1** – Literally Homeless
- **Category 2** – Imminent Risk of Homelessness
- **Category 3** – Homeless under other Federal Statutes (To-date no CoCs have been approved to serve Category 3)
- **Category 4** – Fleeing/Attempting to Flee DV

CATEGORY 1 – LITERALLY HOMELESS

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

- Has a primary nighttime residence that is a public or private place not meant for human habitation (such as a car, park, abandoned building, bus or train station, airport, or camping ground); OR
- Is living in a 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, and local government programs); OR
- Is exiting an institution where he or she has 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.

CATEGORY 2 – IMMINENT RISK OF HOMELESSNESS

Individual or family who will imminently lose their primary nighttime residence:

- Residence will be lost within 14 days of the date of application for homeless assistance; AND
- No subsequent residence has been identified; AND
- The individual or family lacks the resources or support networks needed to obtain other permanent housing.

CATEGORY 3 – HOMELESS UNDER OTHER FEDERAL STATUTES

To-date no CoCs have been approved to serve Category 3.

Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under the homeless definition, but who:

- Are defined as homeless under the other listed federal statutes; AND
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; AND
- Have experienced persistent instability as measured by two moves or more during the 60 days prior to the homeless assistance application; AND
- Can be expected to continue in such status for an extended period of time due to special needs or barriers including:
 - Chronic disabilities,
 - Chronic physical health or mental health conditions,
 - Substance addiction,
 - Histories of domestic violence or childhood abuse (including neglect),
 - The presence of a child or youth with a disability.
- Two or more barriers to employment which include:
 - Lack of a high school degree or General Education Development (GED),
 - Illiteracy,
 - Low English proficiency,
 - A history of incarcerations or detention for criminal activity,
 - A history of unstable employment.

CATEGORY 4 – FLEEING/ATTEMPTING TO FLEE DOMESTIC VIOLENCE

Individual or family who:

- Is fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against them in their primary nighttime residence or has made them afraid to return to their primary nighttime residence; AND
- Has no other residence; AND
- Lacks the resources or support networks to obtain other permanent housing.

CoC PROGRAM NOFA CRITERIA

CoC Program NOFAs have imposed additional limitations for projects. Recipients and subrecipients need to be familiar with the NOFA applicable to their grant. Examples include:

- New Permanent Supportive Housing (PSH) projects have been required to dedicate all beds to particular populations (e.g., people experiencing chronic homelessness) depending on the NOFA details. Also, see [one pager on Dedicated Beds & DedicatedPLUS](#).
- Non-dedicated PSH beds may only take people from Transitional Housing when they originally come from the streets or emergency shelters (except if fleeing domestic violence).
- Rapid Re-Housing projects may have been required to serve only one subpopulation (e.g. only households with children).