

# Social Determinants of Health Legal Series – Housing

# Objective

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- Welcome and Introductions
- Complete poll on HOPWA, Housing and Legal Services
- HOPWA and homeless prevention presented by Kim Naeseth
- Q&A session
- Closing – the final installment of the Social Determinants of Health Legal Series

# Welcome and Introductions

# Social Determinants of Health Team

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For more information regarding Social Determinants of Health programming at NASTAD please feel free to contact us.

## Poll Questions



The screenshot shows the AhaSlides website homepage. At the top, there is a navigation bar with the AhaSlides logo on the left and links for FEATURES, TEMPLATES, BLOG, PRICING, and RESOURCES in the center. On the right side of the navigation bar, there is a 'GO TO APP' button and a language selector set to 'EN'. Above the navigation bar, there is a search bar with the text 'Are you a participant?' and a 'JOIN' button. The main content area features a large heading: 'Add Polls & Quizzes to Your Live Presentations'. Below the heading is a subheading: 'Engage any audience with Word Clouds, Live Polls, Quizzes, Q&A, Brainstorming tools and more.' A prominent blue button labeled 'SIGN UP FOR FREE' is centered below the subheading. In the bottom right corner, there is a chat bubble with the text 'Welcome to AhaSlides We're ready to help!' and a chat icon.

- Go [www.ahaslides.com](https://www.ahaslides.com)
- Enter code: YJXQ2

# **HOPWA and Homeless Prevention**

Kim Naeseth

November 16, 2022

# Agenda

HOPWA Overview

STRMU Overview

PHP Overview

TBRA Overview

Best Practices

Resources

# HOPWA Overview



# Statutory Purpose and Federal Response/Program Origin

“To provide states & localities with resources & incentives to devise long-term comprehensive strategies for meeting the housing needs of persons with acquired immunodeficiency syndrome & families of such persons....” (AIDS Housing Opportunity Act of 1990 - 42 U.S.C. 12901)

- Established by the AIDS Housing Opportunity Act of 1990 (42 U.S.C. 12901)
- HOPWA regulations finalized in 1992 (24CFR Part 574)
- Administered by the HUD Office of Community Planning & Development, Office of HIV/AIDS Housing
- Monitored by HUD State & Local Field Offices

# Housing and Health Outcomes

- The connection between Housing and Health has been a major research focus in the HIV care field for many years.
- Research shows that as many as **70%** of all PLWHA experience homelessness or housing instability in their lifetime.

PLWHA  
who are  
homeless  
are *less  
likely* to

- Report good or excellent health
- Take HIV medication
- Adhere
- Have CD4 > 200
- Have undetectable viral load

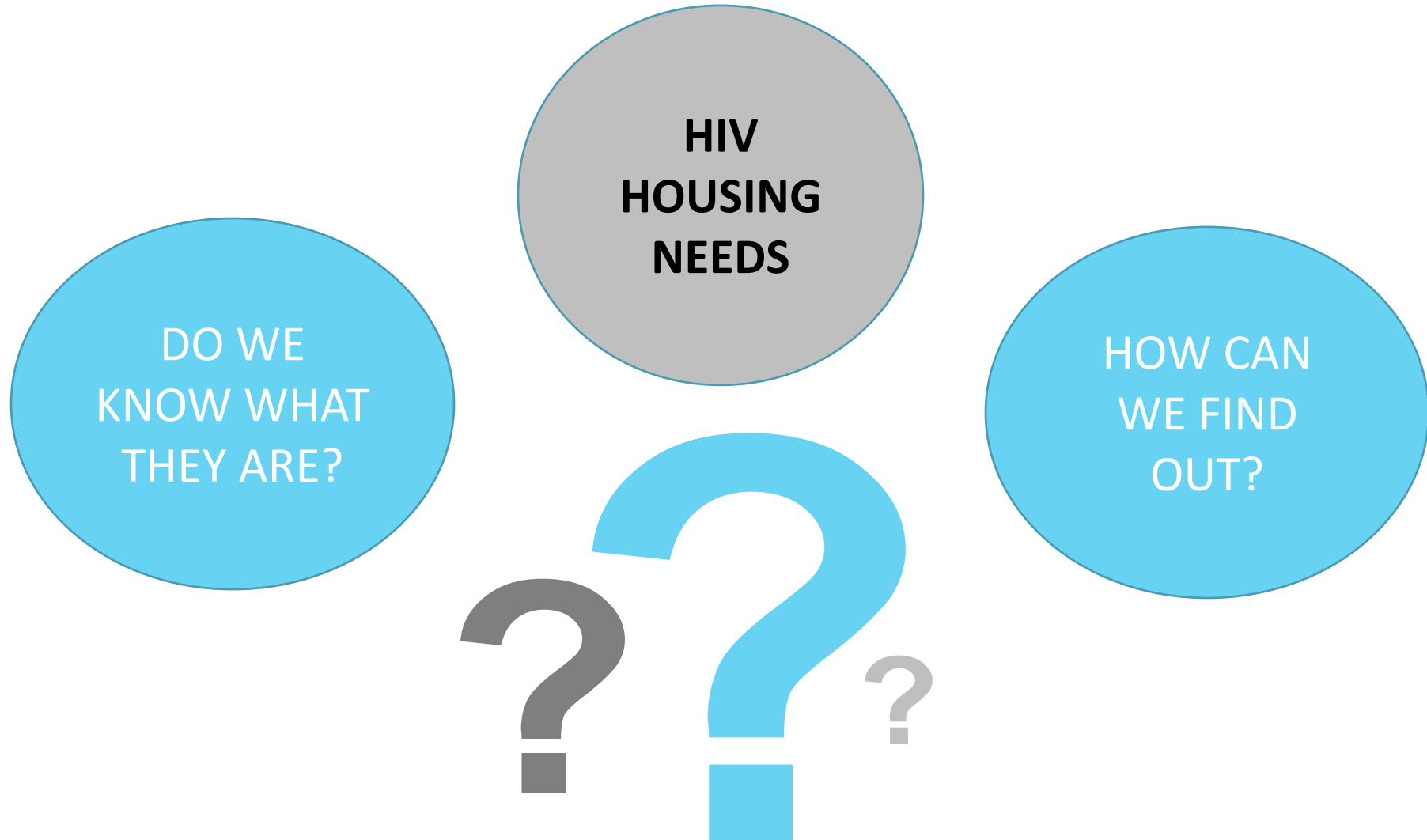
# What is HOPWA Rental Assistance?

- A program that works should:
  - Give housing options that fit your **community's need**
  - Have a **deliberate design**...not just filling voucher slots
  - Be administered by **HUD's rules**
  - **Operate** in a clear and effective manner

# Community Need



# HIV/AIDS Housing Needs







# HIV/AIDS Housing Needs

- Use your data. Use your knowledge.




- Important issues to consider:
  - Housing Cost Burden
  - Affordability Gap
  - Availability & accessibility of affordable units
  - Average client household income
  - Geography

# Set Your HOPWA Housing Priorities

## Housing

-  TBRA and Master Leasing
-  Emergency Shelter and Short-term Housing.
-  Facility-Based PSH
-  STRMU

## Services

- Housing Case Management 
- Employment Programs 
- Legal Assistance 
- Permanent Housing Placement/Resource ID 

# Eligible HOPWA Activities

24 CFR 574.300(b)

- **Direct Housing Assistance**
- **Supportive Services**
- Resource Identification
- Housing Information Services
- Administrative Expenses
- Technical Assistance



# Direct Housing Assistance

1. Facility-based  
Housing Development,  
Acquisition, Rehab,  
Conversion and/or  
Leasing

2. Facility-Based  
Housing Operations'  
Costs (incl. PBRA)

3. Tenant-Based Rental  
Assistance (TBRA)

4. Short-Term  
Supported Housing  
(Emergency Shelter)

5. Short-Term Rent,  
Mortgage & Utility  
(STRMU) Assistance

6. Permanent Housing  
Placement

# **Short-Term Rent, Mortgage, and Utility (STRMU) Payments**

# Short-Term Rent, Mortgage, & Utility Assistance (STRMU)

- Time-limited, needs-based housing & utility assistance designed to prevent homelessness & increase housing stability
  - Assistance is provided to help homeowners & renters remain in their current place of residence
  - Designed as a short-term intervention. Other types of assistance (rental assistance or residency in community facility) should be used for clients with ongoing needs

# STRMU Overview

- HOPWA STRMU is designed to prevent the homelessness of low-income persons with HIV/AIDS.
- STRMU assistance is short-term and is limited to 21 weeks in a 52-week period
  - CARES Act funds permitted up to 24 months
  - Charlotte has not applied for the Waiver through March 2023 that permits HOPWA funds up to 52 weeks
  - The goal is that recipients will be stabilized through the STRMU assistance and able to remain in their current dwelling.
- STRMU payments cannot be made if other federal, state, or local resources are paying for housing

# STRMU Overview

- STRMU can temporarily cover a set amount up to 100% of an overdue and ongoing rent, mortgage, or utility payment.
- STRMU must be accompanied by a housing stability plan to assist the household with remaining stable after receiving assistance.

# Additional STRMU Provisions

- Assistance must be paid to a third party (i.e. mortgage, landlord, utility company); No cash payments may be made.
- Amount of assistance may vary depending on funds available, tenant needs, and program guidelines. (Caps may be applied by the grantee based on community needs and funds available.)

# Mobile Homes and Trailers

Can be assisted under STRMU in limited circumstances:

- Must be attached to earth, connected to permanent utilities, & compliant with local guidelines for mobile homes
- Mobile homes/trailers with wheels and capable of relocating are considered personal property by HUD and not eligible

# STRMU Policies and Procedures

- Eligibility – Income level, financial circumstances, etc.
- Documentation required (proof of occupancy, etc.)
- Program caps and limitations
- Policy on client contribution (not required, but should be addressed in P and P)



# STRMU Policies and Procedures

- Housing stability plan defined
  - Form/format of plan
  - Who is responsible for follow-up tasks
  - Client expectations for following plan
- Assistance calculation methods
  - Determining the start of 52 weeks
  - Methods and sample calculations can be found in the STRMU Guide:  
<https://www.hudexchange.info/resource/4843/hopwa-short-term-rent-mortgage-and-utility-assistance/>

# STRMU Monitoring

Key Monitoring Elements:

- Client eligibility
- Eligibility of expenses
- Documentation of need
- Time limits on assistance
- Housing needs assessments and plans

# Documenting Need

- Late or default notice is not required, but can be one form of documentation
- Possible documentation: monthly bills, income, assessment of need by CM after review of financial forecast, budget, employment, or HIV/AIDS health-related condition.

# Not Covered by STRMU

- First month's rent or security deposit
  - HOPWA Permanent Housing Placement (PHP) may be used for these
- Personal items (grooming, clothing, home and personal furnishings, care for pets)
- Vehicle maintenance and repairs
- Financial assistance/consumer credit or entertainment activities
- Phone services (basic phone service and long distance – in rural areas – may be covered as supportive service when needed to access necessary services)

# **Permanent Housing Placement (PHP)**

# Permanent Housing Placement

- Provides assistance to households moving into permanent housing
- **Application fees** charged by landlords or management companies
- **Credit check expenses** required by landlords or management companies
- **One-time utility connection fees** paid directly to the utility company
- **Security deposits** required for lease approval and occupancy
  - Cannot exceed two month's rent total
- **First/last month's rent** for households not receiving other federal, state, or local housing assistance such as HOPWA TBRA or Section 8
- **Rent or utility arrears** when past rent debt is documented as a barrier to obtaining permanent housing or establishing utility services in a new unit
- **Mediation services** related to tenant and/or landlord issues that may arise during the leasing-up process
- **An initial payment for Rental Insurance** is allowable under PHP, including payment for the first month of coverage or payment for multiple months that are covered by the first payment
  - Housing costs cannot exceed 2 months of rent value
  - May be used for subsidized housing

# Supportive Services

# Supportive Services

- Promote housing stability, reduce homelessness risk
  - Eligibility Assessment & Housing Resources
  - Case Management/Housing Case Management
  - Drug, Alcohol & Mental Health Treatment & Counseling
  - Day Care
  - Personal Assistance
  - Nutritional Services
  - Intensive Care (when required)
  - Assistance in Other Federal/State/Local Benefits & Services
  - Transportation
  - Limited Healthcare Costs (Under HUD Guidance)



# **Tenant-based Rental Assistance (TBRA)**

# Overview of TBRA

## Defining TBRA:

- Subsidy for the tenant to secure affordable unit in the private rental housing market
  - Housing unit chosen by the tenant, within program guidelines
- An ongoing monthly subsidy – pays the difference between total rent and the tenant's contribution
- Permanent housing

# TBRA Process Steps- Example

## Consumer Application and Assessment

### Application Reviewed by Sponsor

- ✓ Eligibility – Based on Income/HIV Status
- ✓ Eligibility – Based on Special Program Focus, if applicable, i.e., Program Targets Chronically Homeless

### Tenant Selection

- ✓ Based on Tenant Selection Plan
- ✓ Or, Placement on Waiting List

### Client Housing Search

Clients Given Information on:

- ✓ Occupancy Standards – Limits on Unit Size
- ✓ Habitability Checklist
- ✓ Limits on Rental/Utility Amounts
- ✓ Other Program Guidelines

# Move-In Procedures-Example

- ✓ Initial Client Screening of Unit
- ✓ Client Application to Landlord to Rent Unit
- ✓ Review of Unsigned Lease by Program Staff
- ✓ Confirm Rent Reasonableness
- ✓ Confirm Occupancy Standards
- ✓ Review for Housing Quality Standards
- ✓ Signing of Landlord Participation Agreement and Receipt of IRS W-9 Form
- ✓ Move-In Authorization Given to Client
- ✓ Lease Signed by Client
- ✓ Final Calculation of Client Rent, Subsidy Amount
- ✓ Account Setup
- ✓ Authorization of Move-In Costs – If Applicable

**Confidentiality: No-Name Letterhead and Other Safeguards**

**TBRA: Operations  
and  
Policies and Procedures**

# Rental Assistance Policies/Procedures

**Basic written policies/procedures for a rental assistance program may include:**

- Program Eligibility
- Tenant Selection/Occupancy Standards
- Client Participation Agreement
- Grievance Procedures
- Housing Search Process
- Move-In Procedures
- Emergency Procedures
- Termination of Assistance and Eviction
- Surviving Family Members
- Shared Housing
- Referral and Wait List Management

# Working with Landlords

- Engagement:
  - Learn about the existing units in your service area.
  - Contact the landlords and property managers and introduce yourselves/your agency.
  - Do additional proactive outreach (landlord associations, newspapers, knocking on doors)
  - Be patient & persistent
  - Recognize that they are business owners and that renting housing is their livelihood
  - Focus on how you can be helpful and respond to their needs
  - Know fair housing law

# Working with Landlords

- Understand landlord priorities:
  - Rent payments
  - Apartment maintenance
  - Peaceful community
  - Keeping units filled
  - Assistance with problem tenants
- Provide appropriate program education (while maintaining confidentiality):
  - Available services
  - Knowledge of tenancy expectations
  - Positive experiences with other landlords



# Best Practices

- Housing First
- Harm Reduction
- Client Centered Care
- Trauma Informed Care
- Motivational Interviewing

# Resources

# HOPWA Resources

HOPWA Statute (42 U.S.C. 12901) & Regulations (24 CFR 574)

<https://www.hudexchange.info/programs/hopwa/hopwa-law-regulations-and-notices/>

HOPWA Rental Assistance Guidebook

<https://www.hudexchange.info/resource/2818/hopwa-rental-assistance-guidebook/>

HOPWA Financial Management Guide and Training

<https://www.hudexchange.info/trainings/courses/hud-hopwa-financial-management-online-training/>

HOPWA Grantee Oversight Guide

<https://www.hudexchange.info/resource/1003/hopwa-grantee-oversight-resource-guide/>

HOPWA Confidentiality Guide

<https://www.hudexchange.info/programs/hopwa/guides/>

# HOPWA Resources

HOPWA Confidentiality Guide

<https://files.hudexchange.info/resources/documents/HOPWA-Confidentiality-User-Guide.pdf>

HOPWA Short-term Rent, Mortgage and Utility (STRMU) Guide

<https://www.hudexchange.info/resource/4843/hopwa-short-term-rent-mortgage-and-utility-assistance/>

HOPWA Consolidated Annual Performance & Evaluation Report (CAPER) Form

<https://www.hudexchange.info/resource/1011/hopwa-caper-form-hud-40110-d/>

HOPWA Frequently Asked Questions

[https://www.hud.gov/program\\_offices/comm\\_planning/hopwa/faqs](https://www.hud.gov/program_offices/comm_planning/hopwa/faqs)

HOPWA Ask-A-Question

<https://www.hudexchange.info/get-assistance/my-question/>

Program Guidance and Training Resources

<https://www.hudexchange.info/get-assistance/>

# Other Resources

Housing First

<https://endhomelessness.org/resource/housing-first/>

Harm Reduction

<https://harmreduction.org/about-us/principles-of-harm-reduction/>

Motivational Interviewing

<https://case.edu/socialwork/centerforebp/practices/motivational-interviewing/motivational-interviewing-resources>

Trauma Informed Care

<https://socialwork.buffalo.edu/social-research/institutes-centers/institute-on-trauma-and-trauma-informed-care/what-is-trauma-informed-care.html>

# Other Resources

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# Q & A





# Upcoming from the Social Determinants of Health Legal Series

Date: Youth and  
Adolescence –  
Date January 2023



