

## **SHELTER PLUS CARE PROGRAM**

### **STATEMENT OF POLICIES AND OBJECTIVES**

#### **INTRODUCTION**

The **Shelter Plus Care** program (S+C) was authorized by title IV, subtitle F, of the Stewart B. McKinney Homeless Assistance Act (the McKinney Act) (42 U.S.C. 11403-11407b). S+C is designed to link rental assistance to supportive services for hard-to-serve homeless persons with disabilities (primarily those who are seriously mentally ill; have chronic problems with alcohol, drugs, or both; or have acquired immunodeficiency syndrome (AIDS) and related diseases) and their families. The program provides grants to be used for rental assistance for permanent housing for homeless persons with disabilities. Rental assistance grants must be matched in the aggregate by supportive services that are equal in value to the amount of rental assistance and appropriate to the needs of the population to be served. Recipients are chosen on a competitive basis nationwide. The Missoula Housing Authority has been a grant recipient since 1994. [24 CFR 582.1] The program was amended by the HEARTH act and is now permanent supportive housing governed by 24 CFR 578.

Administration of the Shelter Plus Care Program and the functions and responsibilities of the Missoula Housing Authority (MHA) staff shall be in compliance with the MHA's Personnel Policy and the Department of Housing and Urban Development's (HUD) Shelter Plus Care Regulations as well as all Federal, State and local Fair Housing Laws and Regulations.

#### **A. Mission**

The Mission of the Missoula Housing Authority is to provide decent, safe, affordable housing, and to foster among the residents we serve, self-sufficiency, economic independence, upward mobility, and a sense of participation in the economic and political system. (adopted 5/30/96)

#### **B. LOCAL GOALS**

**Goal I: Operate existing housing programs for residents, program participants, and applicants in an efficient, effective, and equitable manner.**

#### **MHA's GUIDING PRINCIPLES**

\*☐MHA rental housing will serve populations that the private market cannot provide for, primarily, elderly, disabled, and smaller households.

\*☐MHA will seek to expand the Section 8 program, Shelter +Care program, and other assistance programs.

**Goal VI: Foster the self-sufficiency and financial independence of MHA residents and program participants.**

### **C. PURPOSE OF THE PLAN**

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in the Agency Plan. Specifically, this Administrative Plan details the ways in which the Shelter Plus Care Tenant-based Rental Assistance Program differs from the Section 8 Housing Choice Voucher Program. Any policies not detailed in this plan will be subject to the Section 8 Housing Choice Voucher Program Administrative Plan.

The MHA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence. The MHA will revise this Administrative Plan as needed to comply with changes in HUD regulations. The original Plan and any changes must be approved by the Board of Commissioners of the agency, the pertinent sections included in the Agency Plan, and a copy provided to HUD.

This Administrative Plan is a supporting document to the MHA Agency Plan, and is available for public review as required by CFR 24 Part 903.

Applicable regulations include:

24 CFR Part 578: Continuum of Care Program

### **D. FAIR HOUSING POLICY** [24 CFR 578.93]

It is the policy of the Housing Authority to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The MHA shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Shelter Plus Care Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, handicap or disability or sexual orientation.

In addition to the nondiscrimination and equal opportunity requirements set forth in 24 CFR part 5, recipients serving a designated population of homeless persons must, within the designated population, comply with the prohibitions against discrimination against handicapped individuals under section 503 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 41 CFR chapter 60-741.

### **E. FAMILY OUTREACH** [24 CFR 578.93]

Outreach to the homeless with disabilities, with subsequent referral, is a core element of service delivery. Outreach to the homeless in Missoula is not restricted to one or two agencies. Participating agencies of Missoula's At Risk Housing Collaborative (ARHC) each have specific missions relative to service to the homeless. Once contact is made, assessment and referral is made to appropriate service agencies. The specific agency then takes case management responsibility for the client, assesses client needs and capacities, and as appropriate, assists the client in making application to the Missoula Housing Authority for Shelter Plus Care Tenant Based Rental Assistance. MHA requires program recipients to maintain a relationship in receipt of case management services with a sponsoring agency.

The current membership of ARHC group consists of the over 25 agencies that address all aspects of homelessness including, but not limited to, medical care, housing, food, shelters, mental health, detox, AIDS, development disabilities, job training, credit counseling, supportive services, and others. Because the organization is voluntary, its membership can fluctuate, however, traditionally it includes the following groups: Casey Family Programs, Early Head Start, Region 11 Human Resource Council, Missoula City-County Health Department, Missoula Food Bank, Missoula Housing Authority, Montana Office of Public Assistance, Missoula Office of Planning and Grants, Partnership Health Center, Poverello Center and Joseph Residence, Salvation Army, Woman Opportunity and Resource Development, Western Montana Mental Health Center, YWCA, WORC, SHARE House, Turning Point, Missoula AIDS Council, Project AWARE, Missoula Aging Services, Stepping Stones, Missoula Indian Center, Summit Independent Living Center, Hellgate School District #4, WEEL, homeWord, Job Service and others.

**F. Match** [24 CFR 578.73]

The match required will be provided by the supportive services agencies that sponsor individual participants.

**G. Representation.** [24CFR 578.75]

MHA will provide for the consultation and participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policy-making entity of the recipient, to the extent that the entity considers and makes policies and decisions regarding any housing assisted under this part or services for the participants. Participation by such an individual who also is a participant under the program does not constitute a conflict of interest.

**ELIGIBILITY FOR ADMISSION**

[24 CFR Part 578]

**INTRODUCTION**

This Chapter defines both HUD and the MHA's criteria for admission and denial of admission to the program where it differs from the MHA Section 8 program. The policy of the MHA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The MHA staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter or the Section 8 Housing Choice Voucher Administration Plan. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the MHA pertaining to their eligibility.

**A. ELIGIBILITY FACTORS** [24 CFR Part 578.3, 578.37]

To be eligible for participation, an applicant must meet HUD's criteria, as well as any additional criteria established by the MHA. The eligibility criteria are:

The population to be served: hard-to-house homeless persons with disabilities, targeting those who are seriously mentally ill; have chronic problems with alcohol, drugs, or both; or have AIDS and related diseases

Eligible person means a homeless person with disabilities (primarily persons who are seriously mentally ill; have chronic problems with alcohol, drugs, or both; or have AIDS and related diseases) and, if also homeless, the family of such a person.

Person with disabilities means a household composed of one or more persons at least one of whom is an adult who has a disability.

(1) A person shall be considered to have a disability if such person has a physical, mental, or emotional impairment which is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently; and is of such a nature that such ability could be improved by more suitable housing conditions.

(2) A person will also be considered to have a disability if he or she has a developmental disability, which is a severe, chronic disability that--

(i) Is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) Is manifested before the person attains age 22;

(iii) Is likely to continue indefinitely;

(iv) Results in substantial functional limitations in three or more of the following areas of major life activity:

(A) Self-care;

(B) Receptive and expressive language;

(C) Learning;

(D) Mobility;

(E) Self-direction;

(F) Capacity for independent living; and

(G) Economic self-sufficiency; and

(v) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated.

(3) Notwithstanding the preceding provisions of this definition, the term person with disabilities includes, two or more persons with disabilities living together, one or more such persons living with another person who is determined to be important to their care or well-being, and the surviving member or members of any household described in the first sentence of this definition who were living, in a unit assisted under this part, with the deceased member of the household at the time of his or her death. (In any event, with respect to the surviving member or members of a household, the right to rental assistance under this part will terminate at the end of the grant period under which the deceased member was a participant.)

In order to reduce barriers, neither background checks nor credit checks are required for the applicant. However, any other household members will follow all the procedures for Section 8, including background checks and landlord approval.

Reasons for denial of admission are addressed in the "Denial or Termination of Assistance" chapter. These reasons for denial constitute additional admission criteria.

The Family's initial eligibility for placement on the waiting list will be made in accordance with the eligibility factors.

Portability: Because of the special nature of the grant funding, Shelter Plus Care vouchers are not portable and can only be used within MHA's jurisdiction.

**D. OTHER CRITERIA FOR ADMISSIONS** [24 CFR 578.37 1 i]

MHA may adopt priorities or targeted populations to serve as needed or desired based on ongoing HUD or local policy priorities, funding opportunities or best practices.

MHA may maintain a waiting list similar to Section 8 or may utilize other intake systems available such as a coordinated entry and assessment system.

Mandatory denial or termination of assistance. Applicants or participants are subject to the same mandatory denial or termination of assistance outlined in the Section 8 Administrative Plan, except that a participant who has been terminated from assistance by a PHA may be considered for resuming assistance.

Limitations on assistance. [CFR 24 Part 578.87]

Maintenance of effort. No assistance received under this part (or any State or local government funds used to supplement this assistance) may be used to replace funds provided under any State or local government assistance programs previously used, or designated for use, to assist persons with disabilities, homeless persons, or homeless persons with disabilities. Also the housing may not be currently receiving Federal funding for rental assistance or operating costs under other HUD programs.

**REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION**

**A. RENT LIMITATIONS** [24 CFR 578.51 g]

HUD will only provide assistance for a unit for which the rent is reasonable. MHA will determine whether the rent charged for the unit receiving rental assistance is reasonable in relation to rents being charged for comparable unassisted units, taking into account the location, size, type, quality, amenities, facilities, and management and maintenance of each unit, as well as not in excess of rents currently being charged by the same owner for comparable unassisted units.

**B. CONTRACT EXECUTION PROCESS** [24 CFR [578.51(1)]

The MHA prepares the Shelter Plus Care Housing Assistance Contract (or “Occupancy agreement”) and lease for execution. The family and the owner will execute the lease agreement, and the owner and the MHA will execute the HAP contract. In addition the tenant must sign the Shelter Plus Care client contract. Copies of the documents will be furnished to the parties who signed the respective documents. The PHA will retain a copy of all signed documents.

Participants must enter into an occupancy agreement for a term of at least one year. The occupancy agreement must be automatically renewable upon expiration, except on prior notice by either party.

**OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS**

**A. RENT TO OWNER IN THE SHELTER PLUS CARE PROGRAM**

The rent to owner is limited only by rent reasonableness. The MHA must demonstrate that the rent to owner is reasonable in comparison to rent for other comparable unassisted units.

**B. PAYMENT STANDARDS FOR THE SHELTERPLUS CARE PROGRAM**

No Payment Standard is used to calculate the housing assistance payment for a Shelter Plus Care family.

**OTHER PROVISIONS**

**A. SECURITY DEPOSITS** [24 CFR 578.51 a 2]

Rental assistance may include security deposits on units in an amount up two month’s rent. Shelter Plus Care participants may also participate in the EAP.

**B. Terminations** [24 CFR 578.91]

Participants are subject to the same family obligations and grounds for termination as in Section 8. MHA may terminate assistance to a participant who violates program requirements or conditions of occupancy. However, MHA must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination, so that a participant's assistance is terminated only in the most severe cases. MHA is not prohibited from resuming assistance to a participant whose assistance has been terminated.

MHA must follow the same due process for termination and denial as provided for in Section 8 Voucher Program.

**C. Family Self-sufficiency (FSS) Program**

Due to the source of grant funding, Shelter Plus Care participants are not eligible for the FSS program.

**D. Other Procedures**

The procedures for unit inspections, rent calculation and rent determination and program integrity will follow the Section 8 administrative plan.

New

**E. Absence Policy [578.51 i]**

If the entire family is absent from the unit for more than seven days, they must notify MHA. If they are absent for more than 30 days, their assistance will end, unless they are in an institution for up to 90 days.

If they exit the program, they are eligible for re-admission based on the admission criteria and depending on funding.