

Qualifying Populations to be Served through HOME-ARP

HOME-ARP identifies qualifying populations intended to be served through the program. The program provides flexibility to the City of Gary to establish preferences from amongst the identified qualifying populations. Below is an overview of the qualifying populations eligible for assistance under the HOME-ARP program, as well as an overview of the process the City of Gary must use if they choose to establish preferences for serving one or more of the qualifying populations.

HOME-ARP Qualifying Populations

The populations who can benefit from HOME-ARP funding are more expansive than the populations that a Continuum of Care (CoC) can serve under annual HUD allocations. For example, individuals who are living in the home of someone else (sometimes known as “couch surfing”) are not considered homeless for purposes of HUD-funded CoC activities. However, under the HOME-ARP program, people couch surfing would qualify to receive assistance and/or services.

The HOME-ARP qualifying populations include:¹

- People experiencing homelessness.
- People at risk of homelessness.
- People fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.
- Other populations where providing supportive services or assistance would prevent the family’s homelessness or would serve those with the greatest risk of housing instability (including veterans and families that include a veteran family member that meet one of the other preceding criteria.)

People experiencing homelessness

There are three categories of households that comprise “people experiencing homelessness” under the HOME-ARP program:

1. **An individual or family who lacks a fixed, regular, and adequate nighttime residence.** This includes people who:
 - Live in a place not meant for human habitation (e.g., in a car, in the park, on the streets, in an encampment);
 - Live in shelters; or
 - Are transitioning from an institutional stay of **90 days** or less and who experienced homelessness immediately prior to institutionalization.

¹ For individuals and families who are eligible based on financial eligibility, income calculations are based on annual income.

2. **People at imminent risk of losing housing.** These are individuals or families
 - Whose primary nighttime residence will be lost within **14 days** of the date of application for homeless assistance.
 - They have identified no subsequent residence.
 - They lack the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing.
3. **Unaccompanied youth (aged to 25 years) and/or families with children or youth** (who do not otherwise qualify under other populations). To meet the eligibility criteria:
 - They have not had a lease or agreement for permanent housing at any time during the **60 days** prior to request for assistance.
 - They have experienced persistent instability (e.g., two moves or more during the **60 days** prior to their request for assistance).
 - They can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, history of domestic violence or childhood abuse, the presence of a child or youth with a disability, or two or more barriers to employment (which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment).

At risk of homelessness

People at risk of homelessness under the HOME-ARP program are individuals and families:

- Individuals or families whose annual income is below 30% of the area median income (AMI);
- Who do not have sufficient resources or support networks; and
- Who meet one of the following criteria:
 - Have moved because of economic reasons two or more times during the **60 days** prior to application for assistance.
 - Are living in the home of another because of economic hardship.
 - Have written notice that their right to occupy their current living situation will end within **21 days**.
 - Who live in a hotel/motel and the cost is not paid by charitable organizations or by government programs for low-income individuals.
 - Who lives in a single room occupancy (SRO) unit or efficiency apartment with more than two people.
 - Are exiting a publicly-funded institution/system of care.
 - Who otherwise live in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the community's consolidated plan.
- A child or youth who qualifies as homeless under another program (e.g., Runaway and Homeless Youth Act or McKinney-Vento Homelessness Assistance Act).

People fleeing harm

Any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking,² or human trafficking.³ It includes situations where:

- An individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member (including a child), which has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit; or
- An individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the **90-day** period preceding the date of the request for transfer.

Other populations

Other families that don't fall into the previous categories may still qualify for HOME-ARP assistance if supportive services or assistance would prevent them from becoming homeless. The criteria for "other families" includes:

- Individuals and families who have previously been qualified as homeless but who are currently housed due to temporary or emergency assistance (including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed) and who need additional housing assistance or supportive services to avoid a return to homelessness.

Additionally, individuals and families with the greatest risk of housing instability are eligible for HOME-ARP assistance. People considered "at greatest risk" include:

- Households with annual income that is less than or equal to **30%** of the AMI who are experiencing severe cost burden (meaning they are paying more than **50%** of their monthly household income toward housing); household income toward housing costs); or
- Households with an annual income that is less than or equal to 50% of AMI and who meet one of the following conditions:
 - Have moved because of economic reasons two or more times during the **60 days** prior to application for assistance;
 - Are living in the home of another because of economic hardship;
 - Have written notice that their right to occupy their current living situation will end within **21 days**;
 - Who live in a hotel/motel and the cost is not paid by charitable organizations or by government programs for low-income individuals;
 - Who lives in a single room occupancy (SRO) unit or efficiency apartment with more than two people;
 - Are exiting a publicly-funded institution/system of care; or

² All terms defined under Housing and Urban Development regulations at 24 C.F. R. §5.2003

³ Defined under the Trafficking Victims Protection Act of 2000, at 22 U.S.C. §7102

- Who otherwise live in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the community's consolidated plan.
- Veterans and families that include a veteran family member that meet one of the other preceding criteria.

Preferences

There are varying options that the City of Gary can exercise under HOME-ARP to prioritize one or more of the qualifying populations. For example, they are not required to include all qualifying populations in their Allocation Plan. Rather, they can establish preferences that target services and assistance to specific qualifying populations. When adopting preferences, however, the City of Gary still must adhere to all applicable fair housing, civil rights, and nondiscrimination requirements.

For tenant-based rental assistance programs, the City of Gary can establish a preference for individuals with special needs or persons with disabilities within the qualifying populations. They can offer rental assistance only to persons with a specific disability so long as they provide effective housing, aid, benefit, or services that would be as effective as those provided to others consistent with HUD nondiscrimination rules.

The City of Gary could also provide a preference for a specific category of individuals with disabilities within the qualifying 10 populations, so long as they can document in the Allocation Plan that there exists an unmet need and the preference is needed to narrow the gap in benefits and services received by the preferred population.

Another example of allowable preferences would apply under non-congregate shelter activity. The City of Gary could limit HOME-ARP non-congregate shelter to specific sub-populations, so long as the limitation does not violate non-discrimination laws. They can also create preferences for qualifying eligible sub-populations. No one can be excluded, however, for not having a specific disability.

If the City of Gary adopts preferences for one or more qualifying populations, they need to ensure those preferences are included in the referral methods that they adopt. The City of Gary can adopt one or three referral options: 1. Expand the CoC's CES program and incorporate HOME-ARP qualifying populations; 2. Use the CoC's CES program and other referral methods (e.g., referrals from other organizations or project waiting lists); or 3. Use a project or activity waiting list. If options #2 and #3, the City of Gary would need to establish or approve of preferences or prioritization criteria and ensure they are being followed for all referrals. If the City of Gary adopts option #3 without preferences, prioritization from the waiting list would be chronological order.

Any preferences adopted by the City of Gary need to be articulated in policies and procedures. The City of Gary needs to show in its Allocation Plan, not only why they chose to prefer certain qualifying populations over others, but they also have to articulate how they will continue to meet the needs of the other qualifying populations.