

Applicable Laws, Regulations, and Notices for HUD CoC applicants and grantees

Updated February 2017

Laws

[The McKinney-Vento Homeless Assistance Act As Amended by S.896 HEARTH Act of 2009](#)

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, consolidates three of the separate homeless assistance programs administered by HUD under the McKinney-Vento Homeless Assistance Act into a single grant program. The HEARTH Act also codifies into law the Continuum of Care planning process, a longstanding part of HUD's application process to assist homeless persons by providing greater coordination in responding to their needs.

Date Published: May 2009

Regulations

[Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs](#)

On September 21, 2016, HUD published a final rule in the Federal Register entitled "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs." Through this final rule, HUD ensures equal access to individuals in accordance with their gender identity in programs and shelter funded under programs administered by HUD's Office of Community Planning and Development (CPD). This rule builds upon HUD's February 2012 final rule entitled "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity" (2012 Equal Access Rule), which aimed to ensure that HUD's housing programs would be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status. The final rule requires that recipients and subrecipients of CPD funding, as well as owners, operators, and managers of shelters, and other buildings and facilities and providers of services funded in whole or in part by any CPD program to grant equal access to such facilities, and other buildings and facilities, benefits, accommodations and services to individuals in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family.

Date Published: September 2016

[CoC Program Interim Rule Amendment to § 578.51\(c\): Increasing Mobility Options for Homeless Individuals and Families With Tenant-Based Rental Assistance](#)

This rule, published on June 14, 2016, amends the CoC program regulations to allow individuals and families to choose housing outside of a CoC's geographic area, subject to certain conditions, and to retain the tenant-based rental assistance under the CoC program. In addition to allowing individuals and families to choose housing outside of the CoC's geographic area, this interim rule exempts recipients and subrecipients from compliance with all nonstatutory regulations when a program participant moves to flee domestic violence, dating violence, sexual assault, or stalking. This relaxation of conditions is consistent with the [Violence Against Women Reauthorization Act of 2013](#), directing greater protections for victims of domestic violence, dating violence, sexual assault, or stalking.

Date Published: June 2016

[Defining "Chronically Homeless" Final Rule](#)

This final rule establishes the definition of “chronically homeless” that will be used in HUD's CoC Program, and in the Consolidated Submissions for Community Planning and Development (CPD) Programs. This definition has been the subject of significant public comment which has guided HUD in establishing the definition of “chronically homeless” that will be used in its homeless assistance programs. The final rule also establishes the necessary recordkeeping requirements that correspond to the definition of “chronically homeless” for the CoC Program. Historically, other programs within HUD, as well as other agencies such as the United States Interagency Council on Homelessness (USICH) and the Department of Veteran Affairs (VA), have adopted HUD's definition of chronically homeless and may also choose to adopt the definition of “chronically homeless” included in this final rule, however, it is not required.

Date Published: December 2015

[Continuum of Care \(CoC\) Program Interim Rule](#)

This interim rule, published in the Federal Register on July 31, 2012, establishes the regulations for the Continuum of Care Program and focuses on regulatory implementation of the Continuum of Care Program, including the Continuum of Care planning process. The existing homeless assistance programs that comprise the Continuum of Care Program are the following: the Supportive Housing Program, the Shelter Plus Care Program, and the Moderate Rehabilitation/Single Room Occupancy (SRO) Program. The final Homeless Definition is in effect for administration of the CoC Program interim rule.

Date Published: July 2012

[Homeless Definition Final Rule](#)

This final rule on the definition of homelessness, published in the Federal Register on December 5, 2011, integrates the regulation for the definition of "homeless," and the corresponding recordkeeping requirements for the Shelter Plus Care Program and the Supportive Housing Program. HUD has incorporated this definition into the Continuum of Care. This final rule also establishes the regulation for the definition "developmental disability" and the definition and recordkeeping requirements for "homeless individual with a disability" for the Shelter Plus Care Program and the Supportive Housing Program.

Date Published: December 2011

Notices

[CPD-17-01: Notice Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System](#)

Under the authority of 24 CFR 578.7(a)(8), this Notice establishes new requirements that Continuums of Care (CoC) and recipients of CoC Program and Emergency Solutions Grants (ESG) Program funding must meet related to the development and use of a centralized or coordinated assessment system. It also provides guidance on additional policies that CoCs and ESG recipients should consider incorporating into written policies and procedures to achieve improved outcomes for people experiencing homelessness.

Date Published: January 2017

[Notice CPD-16-11: Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing](#)

This Notice supersedes [Notice CPD-14-012](#) (immediately below) and provides guidance to CoCs and recipients of CoC Program (24 CFR part 578) funding for permanent supportive housing (PSH) regarding the order in which eligible households should be served in all CoC Program-funded PSH. This Notice reflects the new definition of chronically homeless as defined in CoC Program interim rule as amended by the [Final Rule on Defining “Chronically Homeless”](#) and updates the orders of priority that were established under the prior Notice.

Date Published: July 25, 2016

[Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing and Recordkeeping Requirements for Documenting Chronic Homeless Status](#)

This Notice provides guidance to Continuums of Care (CoCs) and recipients of Continuum of Care (CoC) Program (24 CFR part 578) funding for permanent supportive housing (PSH) regarding the order in which eligible households should be served in all CoC Program-funded PSH.

Date Published: July 28, 2014

[Consolidated Plan Notice](#)

This notice describes changes to the CPD Consolidated Plan, within current statutory and regulatory provisions, for a new process for electronic submission including a required template and other improvements

Date Published: April 30, 2012

[Notice on Limitation on Use of Funds to Serve Persons Defined as Homeless Under Other Federal Laws](#)

This Notice provides guidance to Continuums of Care (CoC) and recipients of Supportive Housing Program (SHP) and Shelter Plus Care (S+C) program competitive grant funds in FY2011, regarding the limitations imposed in Section 422(j) of the McKinney-Vento Act, as amended by the HEARTH Act.

Date Published: January 17, 2012

[FY 2017 Continuum of Care \(CoC\) Program Competition: Funding Availability](#)

The Notice of Funding Availability (NOFA) establishes the funding criteria for the FY 2017 CoC Funding Notice. When the NOFA is released, this page will contain official HUD releases related to the FY 2017 CoC Program Competition.

For updates, visit HUD Exchange: <https://www.hudexchange.info/coc/coc-program-law-regulations-and-notices/>