

# Eligible Participants: Who can be served?

All HUD CoC funding programs require that participants be homeless. However, different project types have different requirements for who is homeless and who is eligible.

While some of the categories below identify a certain subpopulation of homeless people who projects **MUST** serve exclusively, this does not mean the subpopulation may not be served by another project that is not limited to that population. However, HUD indicates that for any PSH beds, chronically homeless people within the specified subpopulation should be prioritized for entry. In the Santa Clara County CoC, all referrals for permanent housing are through the CoC's Coordinated Assessment System.

As always, what governs is your grant agreement.

- If your grant agreement limits who you can serve beyond the limitations here, that is the population you must serve.
- New project applicants may also have stricter limitations on who they are eligible to serve than what is included here.

This document is provided to orient you to the Program Rules, not the obligations that apply to your specific grant.

If there is any discrepancy between this document and your grant agreement or the NOFA under which it was funded or the CoC Program Rule, the agreement, NOFA, and Program Rule supersede this document.

## **Abbreviations and categories to understand the following pages:**

### ***Key to abbreviations:***

**PSH** = permanent supportive housing

**RRH** = rapid rehousing

**SH** = safe haven

**TH** = transitional housing

**SSO** = supportive services only

**CH** = Projects funded under the Samaritan Bonus for chronically homeless individuals or other projects serving only chronically homeless people

### ***HEARTH Definition Categories***

**Cat 1** = Shelter, Streets, etc.

**Cat 2** = Imminently at Risk of Homelessness

**Cat 3** = Families/youth homeless under other Federal statutes

**Cat 4** = Homeless due to domestic violence, etc.

## Who Is “Homeless”?

	PSH <sup>□</sup>	RRH	SH	TH <sup>@</sup>	SSO	CH
Living in places not meant for human habitation, e.g. cars, parks, sidewalks, and abandoned	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1
Living in emergency shelter or government/charity-funded motel (emergency voucher)	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1
Living in a safe haven (defined by HUD)	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1
Lived in one of the above places but temporarily – for no more than 90 days – in an institution	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1
Living in Transitional Housing for homeless people and originally came from the streets or emergency shelter	X Cat 1	X Cat 1	X Cat 1	X Cat 1	X Cat 1	
Living in Transitional Housing for homeless people and DID NOT originally come from the streets or emergency shelter	Limited to Cat 4			X Cat 1	X Cat 1	
Being evicted within fourteen days and no subsequent residence has been identified and lacks resources and support network to access housing		X* Cat 2		X Cat 2	X Cat 2	
Unaccompanied youth under 25 or families with children homeless under other federal statutes and who have not had a lease/ownership/occupancy agreement for past 60 days, have moved 2+ times in past 60 days, and will continue being unstably housed because of one of several conditions/situations (e.g. chronic disabilities, employment barriers, etc.)		X* Cat 3 (if CoC has special HUD approval)		X* Cat 3 (if CoC has special HUD approval)	X* Cat 3 (if CoC has special HUD approval)	
Fleeing domestic/dating violence, sexual assault, stalking, etc. and no other residence has been identified and lacks resources and support network to access housing  In 2015, HUD clarified that persons fleeing or attempting to flee human trafficking, including sex trafficking, qualify under this category.	X Cat 4 but from streets, ES, SH, or TH (or institutions less than 90 days)	X Cat 4		X Cat 4	X Cat 4	X Cat 4 but see chronically homeless below

<sup>#</sup> New PSH for CH projects funded under the FY 2017 CoC NOFA must comply with the CH column. New DedicatedPLUS projects have a slightly expanded definition of homelessness to apply from the CH column (see Section II.D.2, page 13).

<sup>@</sup> Joint TH and PH-RRH Component projects funded under the FY 2017 CoC NOFA have similar eligibility requirements to a TH or RRH project in this chart.

## Other Eligibility Requirements for CoC Project Participants

	PSH	RRH	SH	TH	SSO	CH
<p>Must be disabled (physically, mentally, emotionally, developmentally, due to alcohol and/or drugs, or due to HIV/AIDS):</p> <ul style="list-style-type: none"> <li>• Long-continuing or indefinite duration</li> <li>• Substantially impedes ability to live independently</li> <li>• Of a nature that would be improved by suitable housing</li> </ul> <p>(See the full definition of disability below.)</p>	X	May serve	X	May serve	May serve	X
<p>Must live alone, suffer from serious mental illness and other debilitating behavioral conditions, live on the streets, and have been unwilling or unable to participate in supportive services</p>	May serve	May serve	X	May serve	May serve	May serve
<p>Must be chronically homeless, defined as: a homeless individual, or a family with an adult head of household (or if no adult, a minor head of household) with a disability (see "Persons with Disabilities" defined below) who:</p> <ul style="list-style-type: none"> <li>• Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; AND</li> <li>• Has been homeless in such place for at least 12 months OR on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights</li> </ul> <p>Stays in institutional care facilities for fewer than 90 days will not constitute a break in homelessness, but are included in the 12- month total.</p>	May serve	X				

### People in the following situations are NOT homeless:

- In housing, even though they are paying an excessive amount for their housing, the housing is substandard and in need of repair, or the housing is crowded;
- Living with relatives or friends;
- Living in a hotel/motel paid for by the household or any source other than government/charity-funded voucher
- Living in a Board and Care, Adult Congregate Living Facility, or similar place;
- Being discharged from an institution (after a stay of 90 consecutive days or more); or
- Utilizing Housing Choice Vouchers, except Katrina evacuees that received Katrina Disaster Housing Assistance Program (KDHAP) Housing Choice Vouchers

## Definition of “Persons with Disabilities”:

A person shall be considered to have a disability if he or she has a disability that:

- Is expected to be long-continuing or of indefinite duration;
- Substantially impedes the individual’s ability to live independently;
- Could be improved by the provision of more suitable housing conditions; and
- Is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, posttraumatic stress disorder, or brain injury.

A person will also be considered to have a disability if he or she has a developmental disability. Developmental disability means, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002): (1) A severe, chronic disability of an individual that—

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age 22;
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity:
  - Self-care;
  - Receptive and expressive language;
  - Learning;
  - Mobility;

A person will also be considered to have a disability if he or she has acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome, including infection with the human immunodeficiency virus (HIV).

The term “person with disabilities” also includes, except in the case of the SRO component,

- 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 disabled household who were living, in a unit assisted with CoC funds, with the deceased disabled member of the household at the time of his or her death. (The right to rental assistance under this part will terminate at the end of the grant period in which the deceased member was a participant.)

Key to the definition of disability is determining that the impairment is of long-continued or indefinite duration and **substantially impedes** the person’s ability to live independently. For example, drug or alcohol abuse that does not substantially impede a person’s ability to live independently **does not** qualify as a disability.