

Definition of Chronic Homelessness:

Housing & Urban Development (HUD) adopted the Federal definition which defines a chronically homeless person as “either (1) an unaccompanied homeless individual with a disabling condition who has been continuously homeless for a year or more, OR (2) an unaccompanied individual with a disabling condition who has had at least four episodes of homelessness in the past three years.”¹ In December of 2015 HUD clarified this definition to state the cumulative total amount of time experiencing homelessness must total one year or more².

Definition of Literal Homelessness:

Only periods of literal homelessness by the HUD definition can be counted towards an individual’s chronic homelessness. Literal homelessness is defined as lacking a fixed, regular, and adequate nighttime residence, meaning: (i) Has a primary nighttime residence that is a public or private place not meant for human habitation; (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or (iii) Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution³.

Documenting Chronic Homelessness:

Primary sources of third party documentation is the preferred method of documentation. Third party documentation is documentation that is not provided by the individual or the agency that is applying for a housing subsidy.

Examples of primary sources of third party documentation include: Print-outs from Homeless Management Information Services (HMIS), a letter from an Emergency Shelter, and reports from Economic Services of emergency motel stays. Any documentation needs to detail the dates the emergency housing service was provided as well as the date the information was provided. Letters must include signatures from the person supplying the letter.

If there are not enough third party documentation sources the demonstrate Chronic Homelessness, and additional documentation is needed, the next preferred option is a letter or letters from a service provider and/or outreach worker detailing evidence of homelessness during a specific period or periods. Optimally this would be visits to the person’s sleeping location, such as an encampment. Short of observing directly the sleeping location, evidence of sleeping outside or a place not meant for human

¹ Defining Chronic Homelessness: A Technical Guide for HUD Programs. September 2007.

<https://files.hudexchange.info/resources/documents/DefiningChronicHomeless.pdf>

² Federal Register. Vol. 80, No. 233. Friday, December 4, 2015. Rules and Regulations.

<https://files.hudexchange.info/resources/documents/Defining-Chronically-Homeless-Final-Rule.pdf>

³ At a Glance: Criteria and Recordkeeping Requirements for Documenting Homelessness.

https://files.hudexchange.info/resources/documents/HomelessDefinition_RecordkeepingRequirementsandCriteria.pdf

habitation may be accepted. Such evidence might be a person carrying all of their belongings with them, apparent lack of access to facilities such as strong body odor and unkempt, unwashed appearance, smell of camp smoke, signs of exposure to the elements, etc. Letters documenting evidence of homelessness need to report the dates such evidence was witnessed, and need to be dated and signed. In addition, the Public Housing Authority (PHA) may require such letters to be accompanied by service notes and/or a print-out from organization database of dates of service. Further requirements may be enforced by a given PHA. Such requirements may vary from one PHA to the next, based upon interpretation of HUD rules.

Out of the 12 months required to be documented, HUD allows up to 3 of the months to be per report of the individual directly, otherwise known as self-certification. This report must be in the written form of a letter (assistance can be provided in composing the letter) and must be accompanied by a written statement from an outreach worker that demonstrates why the statement from the individual is true. The statement from the outreach worker must also detail all other steps taken to verify the history of homelessness of the individual. Self-certification is the last resort for documenting homelessness, can only be used if all other options have been exhausted and is the least preferred option.

Only one day per month is required to be documented as homeless for the individual to be considered homeless for that entire month. However, if it is known that the individual was not homeless for 7 days or more during the month (such staying with a friend or paying for a motel on their own), then that month would not be counted as homeless but rather a break in the homelessness.

ELIGIBILITY TIPS

What if a chronically homeless person was hospitalized and then released to a temporary placement in a motel for medical reasons, because placement in conventional shelter was unsafe for the person? Could they stay in the motel constitute an episode of homelessness?

Yes, if the medical institution could provide documentation that the motel was being used as a homeless emergency shelter for this person, and the motel was being paid for by an agency (see above), this homeless person could be considered eligible if the other aspects of the homeless history were also documented.

[Examples of hospitalization may include Acute Care, Addiction/Substance Abuse Treatment, Community/General, Long-Term Care Hospital, Psychiatric Hospital, Rehabilitation Hospital]

Can staff members of the [S+C Provider] for chronically homeless persons qualify persons themselves based on internal knowledge and information gathering?

...if the [S+C Provider] is also the provider of a homeless service, such as emergency shelter or street outreach, then an authorized staff person from the emergency component of the same organization can be considered a Third Party and may provide and sign the letter.

[Example: Homeless Prevention Center is a S+C Provider, but also operates PATH outreach, HOP shelter units & services, RRH, and is the Coordinated Entry Lead.]

What if a homeless person does not recollect the specific dates of homeless episodes in their history?

Homeless persons with conditions and diagnoses that impede their ability to recall certain dates related to their history can be assisted in reviewing the chronology of their experiences with homelessness and making best guesses at approximate time frames and specifics of locations that are their best recollection. The Self-Statements in their record should contain these specific dates and locations together with an explanation of the reason for the need to approximate this information. The explanation should be provided by the supporting staff person, with information as to what steps were taken to verify the information.

[Although only 90 days/three months (out of 12) of homeless episodes may be self-certified, the chronology helps S+C Providers determine CH eligibility and contacts for third party verification.]

How does a person self-certify their homelessness?

A person may certify up to three months of the twelve necessary to be designated Chronically Homeless. This is done through a signed and dated written statement that details the circumstances. Assistance can be provided in producing such a statement. The self-certification must be accompanied with documentation of the intake workers attempts to obtain third-party documentation. This documentation does *not* count towards the requirement that at least 9 months of the individual or head of household's period of homelessness be documented based on third-party documentation. For all program participants in an operating year, up to 3 months of the documentation could be based on a self-certification from the individual or head of household seeking assistance.

Can a service provider document homelessness even if they have not directly seen where the person sleeps?

Yes. An outreach person can document homelessness if they are able to provide direct observations that indicated the person was homeless and document the location the individual reported they were sleeping (see guidance above).

What constitutes documentation from an intake worker?

The order of priority for obtaining documentation of an individual or head of household's history of residing in a place not meant for human habitation, in an emergency shelter, or in a safe haven is first third-party documentation, followed second by the written observation of an intake worker, and third by the self-certification of the individual or head of household seeking assistance.

The following are examples of what may be considered documentation for the second and third orders of priority.

- **Written Observation of an Intake Worker:** A written observation from an intake worker would count as this second order of priority and not as third-party if their only encounter with the individual or head of household is at the current point in which they are seeking assistance and the intake worker has not physically observed where the individual or head of household is currently residing. The intake worker may provide a written observation of why, based on their professional judgment, they believe that the individual or head of household has been living in a place not meant for human habitation, in an emergency shelter, or in a safe haven for the

months in which they have not personally encountered the individual or head of household. This could include months in which the individual or head of household could not remember but where the intake worker believes, based on their professional judgment that it is reasonable to assume that the individual or head of household had been residing in a place not meant for human habitation, in an emergency shelter, or in a safe haven.

The intake worker should exercise due diligence to obtain third-party documentation and the written observation must include what attempts were made to obtain third-party documentation. This documentation does *not* count towards the requirement that at least 9 months of the individual or head of household's period of homelessness be documented based on third-party documentation. For all program participants in an operating year, up to 3 months of the documentation could be based on a written observation of an intake worker as described here.

Do breaks in homelessness need to be documented?

Breaks can be self-certified but have to be included on the timeline. Anything 7 days or more consecutive in a given month is considered a "break." The breaks need to be documented in a separate letter by the recipient.

Do stays in institutions count as homelessness?

Stays in institutions of fewer than 90 days are not considered a break. In addition, so long as the individual or head of household was residing in a place not meant for human habitation, an emergency shelter, or a safe haven immediately prior to entering the institution and at time of exit from the institution, the amount of time spent in the institution counts towards the individual or head of household's total time residing in one of these locations. However, stays in institutions of 90 days or more are considered breaks and time spent in an institution where the stay was 90 days or more does not count towards an individual or head of household's total time residing in a place not meant for human habitation, an emergency shelter, or a safe haven.

Regarding documentation requirements, where the stay is fewer than 90 days and, therefore, will be counted towards an individual or head of household's total time residing in a place not meant for human habitation, emergency shelter, or safe haven, the final rule requires one of the following:

1. Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institutional care facility; or
2. Where the evidence in number 1 above is not available, a written certification of the individual or head of household stating the time he or she spent in the institution along with a record of the intake worker's due diligence in obtaining the aforementioned evidence.

Where the stay is for 90 days or more and, therefore, counts as a break from an individual or head of household's time spent in a place not meant for human habitation, emergency shelter, or safe haven, the documentation may include the evidence described above; however, it is not required to. As established in the final rule, all breaks may be documented through the individual or head of household's own written certification that that is where they were residing during that time period.

What is meant by “disabling condition” in the chronically homeless definition?

A disabling condition is defined as “a diagnosable substance abuse disorder, a serious mental illness, developmental disability, or chronic physical illness or disability, including the co-occurrence of two or more of these conditions.” In addition, “a disabling condition limits an individual’s ability to work or perform one or more activities of daily living.”⁴

Additional Resources

Defining Chronic Homelessness:

<https://files.hudexchange.info/resources/documents/DefiningChronicHomeless.pdf>

Recording and Documenting Chronic Homelessness:

<https://www.hudexchange.info/trainings/courses/recording-and-documenting-homeless-status/>

Defining Chronic Homelessness: Final Rule:

<https://files.hudexchange.info/resources/documents/Defining-Chronically-Homeless-Final-Rule.pdf>

Flowchart of HUD’s Definition of Chronic Homelessness:

<https://files.hudexchange.info/resources/documents/Flowchart-of-HUDs-Definition-of-Chronic-Homelessness.pdf>

⁴ Questions and Answers: A Supplement to the 2006 Continuum of Care Homeless Assistance NOFA and Application. p.7.