

CHAPTER 4

EMERGENCY HOUSING ASSISTANCE

SECTION I - *Emergency Shelter Allowance*

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EMERGENCY SHELTER
ALLOWANCE

EMERGENCY SHELTER ALLOWANCE

Emergency Shelter Allowance (ESA) is assistance offered by the CAO to persons who are homeless or near homeless and who need assistance in order to:

- ▶ prevent eviction or foreclosure
- ▶ obtain permanent housing
- ▶ obtain temporary shelter

Q *What are the eligibility requirements for the ESA?*

A To qualify for ESA, individuals or families must meet **all** of the following qualifications:

- ▶ total income must be less than 80% of the current Federal Poverty Income Guidelines
- ▶ the need for shelter must be the result of an emergency
- ▶ the amount of the emergency shelter allowance alone or when added to other sources of housing assistance or resources available to the applicant must be sufficient to prevent eviction/foreclosure or to provide temporary shelter

NOTE: The rules governing ESA are set forth in CAH § 138.9.

Q *What is an “emergency” for purposes of ESA?*

A An “emergency” is defined as circumstances creating a breakdown of individual or family functioning in meeting basic needs and resulting in a need for immediate action to avoid destitution of or harm to the individual or minor children residing in the family unit.

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An emergency exists when the family or individual is homeless and in need of permanent housing. Homelessness includes, but is not limited to:

- ▶ temporarily staying with friends or relatives after losing a home
- ▶ staying in temporary quarters such as a shelter, including a domestic violence shelter or safe home
- ▶ living in a home, but due to domestic violence, needing a safe place to reside. (CAH § 138.921)

Q *What evidence is required to prove the need for housing?*

A In cases of domestic violence, the client's statement is acceptable evidence of the need to secure other housing. (CAH § 138.943)

Q *How much is the ESA grant?*

- A**
- ▶ To provide permanent living quarters:
 - individual under age 21 or family with a child under age 21 – maximum \$300
 - individual age 21 or over or family with all individuals age 21 or over – maximum \$100
 - ▶ To prevent eviction or foreclosure:
 - individual under age 21 or family with a child under age 21 – maximum \$400
 - individual age 21 or over or family with all individuals age 21 or over – maximum \$300
 - ▶ To provide temporary shelter, including when family had to leave due to domestic violence – maximum \$100

Q *How long does the CAO have to process and pay my client's request for ESA?*

A A written decision approving or denying the client's ESA must be issued by the CAO no later than seven calendar days from the date of the client's request for ESA. When the last day for an eligibility decision falls on a holiday, the written notice must be issued on or before the working day immediately **preceding** the holiday.

Q *Does the CAO provide assistance in finding temporary shelter?*

A Yes, if the client is determined eligible for ESA at the CAO and needs temporary shelter, the CAO may make a referral to temporary shelter.

Q *How frequently can a client be granted ESA?*

A ESA may be granted only during one consecutive 30-calendar day period every 12 consecutive months. The 30-day period begins with the date of initial authorization of emergency assistance. However, the family may receive more than one grant during the 30-day period for different types of emergencies. For example, a family may receive ESA to prevent eviction and then, in response to the destruction of their home from a natural disaster, if both occur during the same 30-day period.

Q *What if the ESA grant is not enough?*

A If your client needs more than the maximum ESA payment to resolve her housing crisis, the CAO's ESA coordinator should arrange for ESA payments to be combined with Rental Assistance that may be available from the county's Homeless Assistance Program (HAP) agency.

See **Chapter 4, Section II**, for information on Rental Assistance.

Q *Can my client appeal a denial of ESA?*

A Yes, a client can appeal the CAO's denial of ESA; she can also appeal based upon a CAO's failure to issue a timely eligibility decision.

See **Chapter 9**, for instructions on filing appeals.

In addition, applicants who are denied ESA by the CAO must be informed orally and on the written notice of ineligibility that they have the right to an agency conference with a CAO supervisor within two workdays. The purpose of the agency conference is to attempt to resolve quickly, with the assistance of the supervisor, any error that may have been made by the CAO in determining the applicant's eligibility for ESA.

CHAPTER 4 – SECTION II

RENTAL ASSISTANCE
PROGRAM

RENTAL ASSISTANCE PROGRAM

The Rental Assistance Program (formerly known as the Housing Assistance Program) is operated through the county Homeless Assistance Program (HAP) agencies by contract with DPW's Office of Social Programs. Its goal is to prevent and/or end homelessness or near homelessness.

Q *What are the eligibility requirements for the Rental Assistance Program?*

A To obtain Rental Assistance, your client must:

- ▶ be homeless or near homeless and have an agreement with a landlord to rent to her; and
- ▶ have income sufficient to pay rent in the future; and
- ▶ have an income at or below 200% of the Federal Poverty Income Guidelines (FPIG).

NOTE: HAP agencies may set their income eligibility limits anywhere between 100 and 200% of the poverty level. Thus, income limits for Rental Assistance may vary from one county to another.

NOTE: There is no income guideline requirement for victims of domestic violence but HAP must be resource of last resort.

See Appendix D, Section II, for excerpt from HAP guidelines.

See Appendix D, Section II, for the FPIG.

NOTE: Individuals eligible for ESA (Emergency Shelter Allowance) are eligible for Rental Assistance but must seek ESA assistance first. Individuals under 21 and families with at least one child under 21 who receive cash benefits will be advised to apply for ESA at the local CAO first. Any other individual or family may apply either for Rental Assistance at the HAP or for ESA at the CAO, whichever they choose.

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Notes**Q** ***What does the Rental Assistance Program provide?***

A The Rental Assistance Program provides assistance in two ways:

- ▶ It provides payments for rent, security deposits, mortgage arrearage for home and trailer owners, rental costs for trailers and trailer lots, and utilities to prevent and/or end homelessness or near homelessness. Clients may receive up to a maximum of \$1,000 for adult-only families or \$1,500 for families with children during a consecutive 24-month period.
- ▶ If the client does not have permanent housing arrangements, she may be eligible for Bridge Housing from the HAP agency. Bridge Housing is a transitional living arrangement bridging the gap between homelessness and permanent housing. Assistance is provided for up to 18 months and clients must pay at least part of their Bridge Housing expenses. A sliding scale is used to determine how much the client must pay.

Q ***How does my client apply for Rental Assistance?***

A If your client is given a determination of ineligibility for ESA, the CAO should refer her to the HAP agency for Rental Assistance. The CAO is also required to have a designated coordinator who is responsible for contacting the HAP agency when the client needs assistance in addition to the ESA.

Q ***How long does the HAP agency have to decide my client's eligibility for Rental Assistance?***

A Unfortunately, the rules governing the Rental Assistance program do not specify a time limit for eligibility decisions. HAP agencies must, however, process Rental Assistance applications so that the client is served in time to resolve the housing crisis or prevent eviction.

Q ***Can my client appeal a HAP agency denial of Rental Assistance?***

A Yes, HAP agencies must issue written notices approving or denying the client's application for Rental Assistance. These notices must inform the client of her right to appeal and explain the available review procedures. A client may appeal to the county in which the HAP agency is located. She also has the right to appeal to the Department of Public Welfare's Office of Hearings and Appeals.

See **Chapter 9**, for information about how to appeal to the Office of Hearings and Appeals.

TIP: *In most cases, it will probably be to the client's advantage to use DPW's hearings and appeals procedure.*

Q ***Can my client get both ESA and Rental Assistance?***

A Yes. If your client needs more than the maximum ESA payment to resolve her housing crisis, the CAO's ESA coordinator should arrange for ESA payments to be combined with a Rental Assistance payment from the HAP agency.

Appendix D:

- ▶ Homeless Assistance Program (HAP) County Contact Persons
- ▶ Excerpt from the Homeless Assistance Program (HAP) guidelines
- ▶ 2003 Federal Poverty Income Guidelines

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