



Homeless Definition

CRITERIA FOR DEFINING HOMELESS	Category 1	Literally Homeless	<p>(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> (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); <u>or</u> (iii) Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
	Category 2	Imminent Risk of Homelessness	<p>(2) Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; <u>and</u> (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing
	Category 3	Homeless under other Federal statutes	<p>(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ul style="list-style-type: none"> (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; <u>and</u> (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers
	Category 4	Fleeing/ Attempting to Flee DV	<p>(4) Any individual or family who:</p> <ul style="list-style-type: none"> (i) Is fleeing, or is attempting to flee, domestic violence; (ii) Has no other residence; <u>and</u> (iii) Lacks the resources or support networks to obtain other permanent housing

Category 1 and 4 are eligible for HUD Homeless programs such as Rapid Re-Housing, Transitional Housing, and Permanent Supportive Housing. Category 2 is considered PREVENTION for our Coordinated Entry System. Category 3 is not used in Minnesota.



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RECORDKEEPING REQUIREMENTS 	Category 1	Literally Homeless	<ul style="list-style-type: none"> • Written observation by the outreach worker; <u>or</u> • Written referral by another housing or service provider; <u>or</u> • Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter; • For individuals exiting an institution—one of the forms of evidence above <u>and</u>: <ul style="list-style-type: none"> ○ discharge paperwork <u>or</u> written/oral referral, <u>or</u> ○ written record of intake worker’s due diligence to obtain above evidence <u>and</u> certification by individual that they exited institution
	Category 2	Imminent Risk of Homelessness	<ul style="list-style-type: none"> • A court order resulting from an eviction action notifying the individual or family that they must leave; <u>or</u> • For individual and families leaving a hotel or motel—evidence that they lack the financial resources to stay; <u>or</u> • A documented and verified oral statement; <u>and</u> • Certification that no subsequent residence has been identified; <u>and</u> • Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing
	Category 3	Homeless under other Federal statutes	<ul style="list-style-type: none"> • Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; <u>and</u> • Certification of no PH in last 60 days; <u>and</u> • Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved two or more times in the past 60 days; <u>and</u> • Documentation of special needs <u>or</u> 2 or more barriers
	Category 4	Fleeing/ Attempting to Flee DV	<ul style="list-style-type: none"> • <i>For victim service providers:</i> <ul style="list-style-type: none"> ○ An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker. • <i>For non-victim service providers:</i> <ul style="list-style-type: none"> ○ Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; <u>and</u> ○ Certification by the individual or head of household that no subsequent residence has been identified; <u>and</u> ○ Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

What are the main differences between the previous definition of “chronically homeless” and the definition included in the final rule?

The following is a summary of the most significant changes between the definitions of chronically homeless previously in effect and the definition included in the [CoC Program interim rule](#) as amended by the [Final Rule Defining “Chronically Homeless”](#):

- To be considered chronically homeless, an individual or head of household must meet the definition of “homeless individual with a disability” from the [McKinney-Vento Act, as amended by the HEARTH Act](#) and have been living in a place not meant for human habitation, in an emergency shelter, or in a safe haven for the last 12 months continuously or on at least four occasions in the last three years *where those occasions cumulatively total at least 12 months*;
- The term “disabling condition” was replaced with “homeless individual with a disability” from the Act. While the types of conditions that can be considered are the same, the definition of “homeless individual with a disability” also requires that the condition be of long and continuing duration; substantially impedes the individual’s ability to live independently; and, is expected to improve with the provision of housing. To be eligible for permanent supportive housing generally, an individual or family member must be considered a “homeless individual with a disability”, therefore, HUD adopted this term into the definition of chronically homeless to ensure consistency;
- Occasions are defined by a break of at least *seven nights* not residing in an emergency shelter, safe haven, or residing in a place meant for human habitation (e.g., with a friend or family). Stays of fewer than seven nights residing in a place meant for human habitation, or not in an emergency shelter or safe haven do not constitute a break and count toward total time homeless; and
- Stays in institutions of fewer than 90 days where they were residing in a place not meant for human habitation, in an emergency shelter, or in a safe haven immediately prior to entering the institution, do not constitute as a break and the time in the institution counts towards the total time homeless. Where a stay in an institution is 90 days or longer, the entire time is counted as a break and none of the time in the institution can count towards a person’s total time homeless.

The final rule also establishes recordkeeping requirements for documenting chronically homeless status, as further described in [FAQ 2755](#).

National Alliance to End Homelessness broke this down in the following way:

First, let’s look at the traditional definition. Chronic homelessness has been defined as a single individual (or head of household) with a disabling condition who has either:

- Experienced homelessness for longer than a year, during which time the individual may have lived in a shelter, Safe Haven, or a place not meant for human habitation.
- Or experienced homelessness four or more times in the last three years.

Now here’s what’s different in the new definition:

- First, in terms of length of homelessness, the four episodes now have to add up to 12 months. Before this new definition, an individual could technically be homeless four different days over a three-year period and be classified as chronically homeless.
- Second, previously people who exited institutional care facilities after spending fewer than 90 days there would not have that period counted toward their homelessness. Now, it will be.
- Third, the time between periods of homelessness has now been defined as seven days in order for the period of homelessness to constitute an “episode.”
- Finally, HUD has clarified the ways in which service providers should verify whether an individual’s homelessness experience meets the definition of chronic homelessness.

What are the recordkeeping requirements that were established in the final rule on the definition of chronically homeless?

The [Final Rule on Defining "Chronically Homeless"](#) establishes recordkeeping requirements for the following criteria, which must be documented for the individual or head of household presenting for assistance:

- The history of residing in a place not meant for human habitation, in an emergency shelter, or in a safe haven, including where the individual or head of household is coming from currently;
- Stays in institutions;
- Breaks of seven nights or more residing in a place *meant* for human habitation; and
- The qualifying disability.

For each of the criteria above, with the exception of documenting breaks of seven nights or more in a place meant for human habitation, the final rule requires that recipients maintain and follow written intake procedures which establish the order of priority for obtaining evidence as third-party documentation first, intake worker observation second, and written certification from the person seeking assistance third. Breaks between occasions may be documented entirely by the individual or head of household's written certification that they resided in a place meant for human habitation, such as in the home of a friend or in a hotel paid for by the household, for at least seven consecutive nights.

The definition of chronically homeless in the final rule requires that an individual or head of household be coming directly from a place not meant for human habitation, an emergency shelter, or a safe haven and that they have been residing in one of these locations in a place not meant for human habitation, an emergency shelter, or a safe haven for a period of at least 12 months either continuously or cumulatively over a period of at least four occasions over the last three years.

In general, HUD expects recipients to document at least 9 of the 12 months the individual or head of household resided in a place not meant for human habitation (e.g., under a bridge, a car), in an emergency shelter, or in a safe haven with third-party documentation. The remaining months can be documented by the individual or head of household's own written certification that they had resided in one of these locations. For up to 25 percent of program participants served by the project in an operating year, recipients may document up to the full 12 months through the individual or head of household's written certification of where they were living, but this must be accompanied by the intake workers notes that demonstrate that they have exercised due diligence to obtain a higher level of documentation. It should be noted that the final rule clarifies that a single encounter in a month is sufficient documentation to consider the individual or head of household as residing in that location for the entire month unless there is clear evidence of a break (such as an HMIS record of a stay in transitional housing where the household is not also enrolled in permanent supportive housing and actively seeking a unit) of more than seven nights.

HUD Response: The majority of public comments received on the definition of "chronically homeless" that was included in the conforming amendments to the Consolidated Plan published with the Emergency Solutions Grants program interim rule related to the requirement that to be considered an "occasion" a period of homelessness had to be a period of at least 15 days. Several commenters stated that the period of 15 days to define an "occasion" was arbitrary and was not the ideal definition. Upon review of these comments, HUD concluded that the 15-day standard did not effectively target persons with the longest histories of homelessness and highest level of need. The definition in the conforming amendments to the Consolidated Plan published with the Emergency Solutions Grants interim rule would have allowed for an

individual or family experiencing occasions of homelessness to be considered chronically homeless within a period of as few as 65 days, while persons experiencing homelessness without a break would have to be homeless and residing in a place not meant for human habitation, in a safe haven, or an emergency shelter for at least 1 year. Consistent with research,² HUD has determined that requiring 1 year (12 months) of homelessness living in a place not meant for human habitation, a safe haven, or an emergency shelter will ensure that the definition focuses on those persons with the longest histories of such homelessness and highest needs. The definition included in this final rule allows for limited resources to be effectively targeted and does not adopt the definition originally published in 24 CFR part 91.



Long-Term Homeless Definitions and Eligibility Questions

Definitions

Homeless (Minnesota): A household lacking a fixed, adequate night time residence (includes doubled up).

Households Experiencing Long-Term Homelessness (Minnesota): Persons including individuals, unaccompanied youth, or families with children who lack a permanent place to live continuously for a year or more or at least four times in the past three years. Any period of institutionalization or incarceration shall be excluded when determining the length of time a household has been homeless.

- **Doubled Up/Couch Hopping:** Doubled up or couch hopping is considered an episode of homelessness if a household is doubled up with another household (and duration is less than one year) or couch hops as a temporary way to avoid living on the streets or an emergency shelter. **Transitional Housing:** Time spent in transitional housing (TH) is a neutral event. Housing history prior to or after transitional housing should be evaluated to determine if it meets the state's LTH definition. For example, if a household was homeless 8 months prior to entering TH and 4 months after exiting TH, the household would meet the LTH definition.

Note: Minnesota's definition does not require that the person have a disabling condition.

Common LTH Eligibility Questions

- **What is an episode of homelessness?**
 - A stay in an emergency shelter (could be one night or 2 months)
 - Fleeing Domestic Violence
 - Couch Hopping or Doubled Up
- **How long does a household need to stay in a shelter before it's considered an episode of homelessness?**

One night. If the household has been in and out of emergency shelters at least four times over the course of three years and needs supportive services to successfully maintain their housing then the household meets the LTH definition.
- **How long does each episode of couch hopping need to last before it's considered an episode of homelessness?**

In general, for a couch hopping event to be considered an episode of homelessness, it should not last longer than 12 consecutive months. The housing history is important information to determine whether there is a pattern or history of unstable housing.
- **What about board and lodge, group homes, halfway houses?**

They are generally considered neutral events if utilized as a temporary transition from an institution or a previous episode of homelessness. If the board and lodge, group home or halfway house were used as permanent housing options for the household, then the event may not be considered neutral.
- **What about foster care?**

Placement in foster care is considered a neutral event. Housing history prior to or after foster care placement (including time spent homeless as an accompanied minor) should be evaluated to determine if it meets the state's LTH definition.
- **What about motel vouchers instead of a shelter?**

Some parts of the state utilize motel vouchers as a form of emergency shelter or individuals/households themselves utilize hotels to avoid shelters. Stays in motels that are less than 12 months are considered an episode of homelessness.
- **What about refugees?**

Long term homeless would apply to persons who have been living in this country for at least one year and have been homeless for that period. Time spent homeless outside of the country is a neutral event. PSH for LTH long-term homelessness is targeted to people who need affordable housing and services to maintain the housing and often have serious mental illness, chemical dependency, or dual diagnosis in addition to other barriers.
- **How long should a LTH household remain eligible for PSH for LTH?**

If the household meets the LTH definition, that household will remain eligible for PSH for LTH as long as the household continues to need supportive services to effectively maintain their housing. Households that continue to need supportive services can choose to move from one PSH for LTH (unit, development or program) to another.

- Should I talk with Minnesota Housing to request a waiver if someone is close to meeting the LTH definition and in great need of supportive services?

We consider a waiver if:

- The person/household has a history of unstable housing.
- The person/household needs supportive services to maintain housing and could benefit from the services.
- There aren't other eligible households waiting for the housing.

- What types of facilities are included in neutral time and how do you deal with it when shelter stays are on either side of it but the time was for longer than a year? For example, someone's homeless history says they stayed in a shelter in November 2009, then went to treatment from Nov. 15-Feb 15, 2010, then went to Mission Lodge from Feb. 15-November 15, 2010, then went to a shelter Nov 15-current. Does that count as two individual episodes of homelessness?

Yes, this represents two episodes of homelessness.

- One of my participants was selected back in the fall. She met with me and we verified her LTH status - she was homeless about 3 years. Before we housed her, she entered a treatment facility for 90 days and is about to be placed in an IRTS facility for another 90 days - both positives for her health and well-being. I am assuming she still qualifies as LTH. That treatment and IRTS are "disregarded" and that we can work to house her during the next 90 days so that she can spend only a minimum time at Harbor Light. Does she qualify?

Yes, she qualifies as LTH because the time spent in treatment and IRTS are considered neutral.

- Chemically dependent and SPMI clients tend to have long, costly periods of institutionalization. I've seen clients with 5+ years of institutionalization that do not meet the definition. Perhaps they were functioning and barely hanging on to housing prior to those 5 years. Is there any way the LTH definition can accommodate for populations with long periods of institutionalization?

It's likely that the households may be eligible if the household needs supportive services to successfully maintain their housing and has been in and out of institutions for the majority of their housing history. Please contact the Agency so that we can talk through such cases on an individual basis.

- When someone goes into transitional housing and then they become homeless again, does the three years you're counting back include the time they are in transitional housing, or can you go back and look at their homeless history three years back from their admission date into transitional housing (TH)? Is there a time limit on what is considered a transitional housing program (6 months, a year, 2 years, more)?

Yes, you can go back and review the housing history prior to entering TH. They can count the time before and after the TH to determine LTH.

- If someone does not have 12 consecutive months of homelessness due to going into treatment for two months in that last 12 month period, can we go back two more months to get consecutive 12 months?

Yes, treatment is considered neutral time. There is not a time limit on the "look back" time to determine whether the household meets the LTH definition.

- Is an episode determined by treatment, transitional housing, hospital, jail, etc., if someone is homeless then goes to treatment or any of the other mentioned, then is homeless again (regardless of how long in those institutions), is that two episodes? Does institution time make an episode?

Yes, this would be two episodes separated by a neutral time in the institution. The institution time is neutral, and not an episode itself, but does separate the episodes of homelessness.

- How much leverage are we given to determine the "spirit of LTH"?
Please continue to refer questions to your program contact at Minnesota Housing when you are unsure as to whether a household meets the definition. If a waiver is approved, your file should contain documentation of the waiver. This is also helpful in keeping Minnesota Housing informed about circumstances affecting your program and community.

Which type of Homelessness is being experienced in the scenarios listed below:

Youth Homeless - MN Homeless - Long Term Homeless (LTH) - HUD Homeless - Chronic

1. John is 30 years old and is living in a tent but has a friend that lets him stay there a few nights a week. This has gone on for 6 months.
 - a. HUD Homeless
2. Kathy is 50 years old has been staying with various friends and family members for the last year. At least a few nights each month she has to sleep in her car.
 - a. LTH
3. Mark is 55 years old and disabled. He has been sleeping in his car for a year. He is able to stay with a friend for 2 or 3 nights every few weeks.
 - a. Chronic (the nights at his friend's house do not equal 7 nights so his episodes of homelessness are not broken up at all. It is considered one continuous chronic episode)\
 - b. If Mark was not disabled, but nothing else changed, he would not be chronic.
4. Kim is disabled and 26 years old; she stayed in a shelter for 3 months from January to March of 2015. Then she stayed with a friend for one month. Then from May to September she was outdoors in various parks, with a night here and there at a friend's house. Then she went back to staying in shelters from October 2015 to February 2016.
 - a. HUD Homeless (The total time homeless for Kim is 12 months, however it is 2 episodes, not 4 therefore she is not considered chronic)
5. The same Kim continues staying in shelters and is sometimes outside in parks from February to April 2016.
 - a. Chronic. Kim now has a continuous length of time homeless from May 2015 to April 2016. The nights at a friend's house would need to be at least 7 nights in a row to break up the episodes of homelessness)
6. Dave is 19 years old. He has been couch hopping with various friends and family for a month. His current friend says he can stay there for 2 more weeks, but then he has to be out.
 - a. Youth Homeless
7. Cindy is 29 years old. She was couch hopping from January to June of 2015. Then she rented a room from a friend for one month. Then she was couch hopping again from August of 2015 to December of 2015.
 - a. MN Homeless (two episodes of homelessness, divided by a rental situation. Needs 2 more episodes of homelessness to be considered LTH, or needs to remain couch hopping until July of 2016 for one continuous episode of MN Homelessness).