



Final Chronic Homeless Rule Fact Sheet

Applies to: HUD Continuum of Care funded programs, especially those programs that have dedicated beds for chronically homeless people. VA programs may elect to adopt this definition but they have not yet done so.

Compliance: All recipients of CoC funding must comply as of January 15, 2016. Only those chronically homeless program participants enrolled **after** January 15, 2016 must meet this definition and the recordkeeping requirements established by the rule change.

Citation: This change modifies 24 CFR Parts 91 and 578

Definitions

A chronically homeless individual: In order to be a chronically homeless individual the person must meet the following three criteria:

1. is a homeless individual with a disability
2. who lives either in a place not meant for human habitation, a safe haven, or in an emergency shelter, or in an institutional care facility if the individual has been living in the facility for fewer than 90 days and had been living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately before entering the institutional care facility
3. living as described above:
 - a. continuously for at least 12 months, or
 - b. on at least four separate occasions in the last 3 years, where the combined occasions total a length of time of at least 12 months. Each period separating the occasions must include at least 7 nights of living in a situation other than a place not meant for human habitation, in an emergency shelter, or in a safe haven.

Family: Chronically homeless families are families with adult head(s) of household who meet the definition of a chronically homeless individual. If there are multiple adults in the family all of those adults must independently meet the chronically homeless criteria. A family may still be chronically homeless if its composition has fluctuated while the head(s) of household were homeless.

Unaccompanied Minors: If there are no adults in a family, an unaccompanied minor may meet the definition on his/her own.

Homeless Individual with a Disability: In order for a person to be a homeless individual with a disability, the disability must meet all of the following four criteria:

1. is expected to be of long, continuing, or indefinite duration;
2. substantially impedes the individual's ability to live independently;
3. could be improved by the provision of more suitable housing conditions;
4. is one or more of the following:
 - a. physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury; and/or
 - b. developmental disability which is defined as
 - i. a severe, chronic disability, and
 - ii. that is attributable to a mental or physical impairment or combination of mental and physical impairments that is manifested before age 22, and

- iii. is likely to result in substantial functional limitation in three or more of the following areas of major life activity:
 - 1. (a) self-care;
 - 2. (b) receptive and expressive language;
 - 3. (c) learning;
 - 4. (d) mobility;
 - 5. (e) self-direction;
 - 6. (f) capacity for independent living;
 - 7. (g) economic self-sufficiency, and reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and individually planned or coordinated); and/or
- a. the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.

Record Keeping Requirements

Written Intake Procedures: All recipients of CoC funds must maintain written intake procedures establishing the how and when chronic homelessness is documented. The policies must state that the order of priority for evidence of chronic homelessness: (1) third party verification; (2) intake worker observation; (3) self-certification.

Homeless status: Not every day of homeless status must be documented but a sufficient amount of time homeless must be documented in order to show length of time homeless. Ex. documenting homelessness for a single day in a month is sufficient to show an individual was homeless for that whole month. See 24 CFR 576.500(b) for specific guidance on documenting homeless status as that has not changed.

Episodic Homelessness: When a person qualifies because they have been homeless four times in the past three years the individual's time spent in a place other than a place meant for human habitation must be documented in addition to the time homeless.

Disability: At intake, evidence of a disability shall be documented in the following ways:

1. Written verification of the disability from a professional licensed by the state to diagnose and treat the disability which certifies that the disability :
 - a. Is expected to be of long, continuing or indefinite duration; and
 - b. Substantially impedes the individual's ability to live independently
2. Written verification from the Social Security Administration
3. Receipt of a disability check
4. Intake staff written observation of a disability that is confirmed by one of the above within 45 days of the application for assistance

Resources

HUD Chronic Homeless Rule Resource Page: <https://www.hudexchange.info/resource/4847/earth-defining-chronically-homeless-final-rule/>

HUD Chronic Homeless Webinar: <https://www.hudexchange.info/training-events/courses/defining-chronically-homeless-final-rule-webinar/>

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