



Massachusetts Department of Housing and Community Development
100 Cambridge Street, Suite 300, Boston, MA 02114

EA SUMMARY FACT SHEET:*

An applicant family must include:

- A needy child under the age of 21 who lives with the EA family; or
- A pregnant woman, at any stage of pregnancy, with no other children.
A pregnant woman and her spouse, as defined by Department rules, are eligible for shelter placement.

A family determined EA eligible includes a needy child and the following relatives of the needy child:

- A parent, stepparent (as defined by Department rules), or caretaker-relative of the needy child; and
- A sibling, half-sibling or step-sibling under the age or 21.

Other relatives can be included in extraordinary circumstances, for example such as:

- To include other relative at intake, the EAR-1 (*Request to Include Extra Adult Household Member*) must be completed and given to the Assistant Director for approval or denial.
- To include other relatives to an EA family already in shelter or a HomeBASE family already in receipt of benefits, the PAAHM -1 (*Request to Add Adult Household Member*) must be completed and given to the Assistant Director for approval or denial.

Note: please refer to DHS Notice 2010-01: *Guidance on Additional Adult Household Members for instructions on completing the EAR 1 at intake and PAAHM 1 to include an additional adult in an established EA household.*

NOTE: A **homeless teen** (up to 60 days prior to 20th birthday) receiving TAFDC should be placed in a Teen Living Program (TLP) if space is available. Please refer all such applicants to their DTA Teen Specialist before processing an EA application. If space is not available and the applicant is over 18, she can be placed in an EA Shelter pending availability of space in a TLP.

* The Fact Sheet is a summary of applicable regulations and Departmental guidance, and some of the information provided is a simplification of the actual rule. For details and specific applications, see 106 C.M.R. ch. 309.

EA Eligibility (Continued)

US CITIZEN/ELIGIBLE NONCITIZEN

A needy child in the EA family must be either:

- A citizen or;
- A noncitizen lawfully admitted for permanent residence, or
- An individual qualified under Department guidance as permanently residing under color of law (PRUCOL). In general, PRUCOL includes any person who is in the United States legally with USCIS's knowledge and with a status allowing residence for 6 or more months. (If all applicants in the EA family are ineligible noncitizens, the family will not be eligible for EA benefits.)

Noncitizens must provide verification of their alien status.

EMPLOYMENT/TRAINING

If an EA applicant or anyone in the EA household refused to accept employment or training without good cause and this refusal caused the household to seek EA benefits, the EA family is not eligible.

TERMINATED/REDUCED INCOME

If an EA applicant or anyone in the household has terminated employment or reduced income without good cause within 90 days prior to the application, the household is not eligible for EA benefits.

INCOME

EA Eligibility Standard is 115% of the Federal Poverty Level. The EA applicant family's gross monthly income must be less than the EA Eligibility Standard for a household of that size:

Family Size	115% of FPG EA Monthly Income Eligibility Standard As of 1-24-2011
1	\$1,044
2	\$1,410
3	\$1,776
4	\$2,142
5	\$2,508
6	\$2,874
7	\$3,240
8	\$3,606
9	\$3,972
10	\$4,338
Additional Person	\$366

- TAFDC/EAEDC and SSI benefits are countable for EA eligibility.
- Income is determined in accordance with TAFDC Financial Standards.
- Income is based on the previous four week's income of the EA family and always counted prospectively.
- For an applicant, if current income has been reduced and this reduction is going to continue, the reduced wages are used to determine eligibility.

- No member of the EA applicant family may have assigned or transferred real or personal property in order to become eligible for EA within 12 months of the application date.

ASSETS

Assets are objects of value that are considered for eligibility determination.

The EA case must meet the EA asset test:

- The EA family's total countable assets cannot exceed \$2,500.00;
- Verification of bank books or bank statements must show the bank balance within 45 days of the date of the application;
- Fair market value of a car in excess of \$10,000.00 is countable and any equity value in excess of \$5,000.00 is countable. If these values differ, the higher value is used; or
- If the EA family has more than one car, the full value (the full fair market value or the full equity value whichever is higher) of each additional car is countable.

FREQUENCY OF EA BENEFITS

EA benefits can only be authorized twelve months after the last date the Department paid an EA benefit for the family.

The following are the three exceptions to the 12-month rule:

- The EA family left a temporary emergency shelter for housing believed to be safe, permanent housing, but lost the housing within 12 months and the EA family can demonstrate that the housing into which it moved did not meet the Departmental definition of safe, permanent housing; or,
- The EA family temporarily leaves the shelter with the Department's approval pursuant to a Shelter Interruption form (TESI); or,
- The only EA benefit was a presumptive temporary emergency shelter placement.

PRESUMPTIVE ELIGIBILITY

When a homeless family applies for EA benefits and it appears the family is both financially and non-financially eligible and is a family prioritized for EA temporary emergency shelter as a family with a head of household under the age of 21, that has suffered domestic violence, or that has been a victim of fire or natural disaster, the family can be placed in a homeless shelter for up to 30 days even if the family has not provided all the necessary verifications. The EA family must be terminated from the homeless shelter if the required verifications are not received by the 30th day.

If the presumptively eligible EA family is terminated after 30 days for lack of verification, this termination is not subject to the 12-month rule.

Note: Please see Housing Stabilization Notice 2011-03, Guidance on Basic Verifications for Intake.

For EA purposes, the EA family is considered homeless if it lost housing and has no feasible alternative housing. Common reasons for homelessness consistent with EA eligibility include:

- Fire or natural disaster
- Eviction for nonpayment of rent from market-rate housing
- Threat to health and safety because of:
 - ✓ overcrowding in accordance with the State Sanitary Code
 - ✓ violations of the State Sanitary Code not corrected
 - ✓ other reasons than overcrowding or violation of the State Sanitary Code exist
 - ✓ mistreatment of an EA family member
 - ✓ severe medical condition of an EA family member which causes the household to leave its current residence

ELIGIBILITY FOR EMERGENCY SHELTER

Applicant families that meet the EA eligibility criteria described above and are homeless due to the lack of feasible alternative housing are eligible for EA temporary emergency shelter or HomeBASE assistance, depending on the age of the head of household and the reasons for homelessness. Feasible alternative housing is defined as any currently available living situation, including temporary housing with relatives, friends or charitable organizations.

ESTABLISHING HOMELESSNESS

The following are some of the verifications acceptable for verifying homelessness:

- A home visit or a signed statement from the Red Cross or Fire Department that verifies a fire
- An eviction notice from the court (notice to quit through the notice of levy on execution)
- Department of Children & Families (DCF) Health and Safety Assessment (HAS) indicates family has a legitimate health and safety concern, and/or overcrowded and/or ask to leave situation and is in need of immediate temporary accommodation today.
- Documentation of mistreatment of an EA family from a social service worker

- A written statement from a competent medical authority that verifies a severe medical condition

Verifying Risk to health and safety and Asked to Leave Note: Refer to DCF HAS packet for the procedure for requesting such an assessment.

A DHCD Homeless Coordinator must request a DCF HAS to verify the applicant's living circumstances when an otherwise EA-eligible family's stated reason for homelessness falls into one of the following categories:

- Housing is a threat to health and safety of the household due to overcrowded conditions or violations of State Sanitary Code BUT household cannot provide code enforcement verification to verify the condition (106 CMR 309.040 (A) (5) (c))
- Housing is a threat to health and safety due to reasons other than overcrowding or violations Sanitary Code (106 CMR 309.04 (A) 5 (d))
- Household has been asked to leave by a primary tenant either from subsidized or non-subsidized housing (106 CMR 309.04 (A) 5 (g))

SEX OFFENDERS

Before placement in a shelter, every person age ten (10) or older will be checked with the Sex Offender Registry Board to see if the person is a Level 2 or Level 3 sex offender. Appropriate placement follows. An adult with history as a sex offender may be referred to an individual adult shelter while the rest of the family receives an EA homeless shelter placement or HomeBASE benefits.

Placement or Referral

After an applicant family is determined eligible for EA, if the family is a homeless shelter priority family (head of household under 21, or victims of domestic violence, fire, or natural disaster), a homeless coordinator faxes the placement request form to the Division of Housing Stabilization's Placement Unit for an appropriate temporary emergency shelter placement. If the EA-eligible family is not a homeless shelter priority family, the homeless coordinator will provide the family with a referral to HomeBASE. Families who are victims of domestic violence, fire, or natural disaster can request a HomeBASE referral instead of a temporary emergency shelter placement.

Shelter Ineligibility

Certain homeless families are not eligible for EA temporary emergency shelter benefits, for example, if the family became homeless:

- For the purpose of making itself eligible for EA;
- For the purpose of obtaining a housing subsidy;

- Because it abandoned in the preceding year, without good cause, public and/or subsidized housing, or was evicted from public and/or subsidized housing for nonpayment of rent or fraudulent behavior, provided the eviction occurred within the preceding three years;
- Because it was evicted from public/subsidized housing for nonpayment of rent;
- Because it was evicted from private, public and/or subsidized housing because of criminal activity, except when the criminal activity was committed by a domestic violence batterer who is no longer part of the household;
- Because of an eviction from private, public and/or subsidized housing for destruction of the property;
- Because it lost its housing under an agreement for judgment in eviction proceedings brought in whole or in part for the a reason that would render the family ineligible, as stated above;
- Because the EA family failed to cooperate with housing assistance program services (HAP) provided by an agency under contract or agreement as specified in 106 CMR 309.039; or
- Because the teen parent 18 or older was asked to leave three Teen Living Programs for rule violations or the teen refused to accept a placement in a Teen Living Program.

Special Situations

DOMESTIC VIOLENCE

It is the responsibility of the case manager or homeless coordinator to discuss with **all** EA families the issues of domestic violence that might affect a temporary emergency shelter placement or permanent housing. The Domestic Violence pamphlet, ***You and Your Children Deserve to be Safe***, should be given to every EA family.

If the recipient during the EA application or any other time during the placement indicates that there is a domestic violence issue, **or** if the case manager or homeless coordinator thinks it may be a Domestic Violence issue, the Domestic Violence Specialist should be notified. It will then be the Specialist's responsibility to determine if a Domestic Violence Shelter would be a more appropriate placement for the family.

Whenever the reason for homelessness is Domestic Violence, the Placement Unit must have an assessment completed by the DV Specialist.

AMERICANS WITH DISABILITIES ACT (ADA)

Under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and the Massachusetts Anti-Discrimination Act, the Department has an obligation not to discriminate against individuals with disabilities and provide an opportunity to the individuals with disabilities to participate and benefit from all programs and services.

It is the responsibility of the homeless coordinator to inform the individual of the opportunity to request an ADA accommodation and complete a Request for an ADA Accommodation (ADA-1) form.

ADA barriers may include disabilities that members of the family have for which ADA accommodations may be appropriate.

Some examples of when an accommodation is needed:

- An applicant who has a child in a wheelchair will need an apartment that is wheelchair accessible; or
- A recipient states that she has a learning disability and is unable to read or complete rental applications and therefore refuses to search for apartments. The recipient cannot refuse to perform housing search, as this is an essential element of the program; however, accommodations can be made to assist them. For example, a HAP provider or shelter case manager can provide telephone support when she looks at the apartments and help her with the forms.

Other agencies with contracts with the Department (such as shelter providers) also have an ADA obligation to discuss any issues that may prevent the EA family from finding safe, permanent housing.

Note: Any accommodations requested for an EA family must be noted on the Form tes-epr-1.