

Applying for Emergency Assistance Shelter

A guide for families



Massachusetts Law Reform Institute &
Rosie's Place
October, 2015



Table of Contents

Overview	1
Important tips	2
What do I need when I apply for shelter?	2
What do I need to give DHCD for “presumptive placement”?	3
What do I need to give DHCD to be “fully eligible”?	4
How low does my income have to be to get EA Shelter?	6
What are reasons DHCD might deny my application?.....	6

Overview

Emergency Assistance is the shelter system for families in Massachusetts. EA shelter is run by the Department of Housing and Community Development or “DHCD.” Pregnant women and families with children are eligible. Your family must prove that you live in Massachusetts, and there must be one member of your family who has legal status in the U.S. Your income and assets must be very low.

Not having a place to stay is not enough for your family to get into shelter. You have to show you are homeless because of domestic violence, fire, flood or natural disaster, or certain kinds of eviction that were not your fault. You could also be eligible for shelter if you are staying in a very dangerous double-up situation, you are moving around from place to place, or if you have stayed in an unfit place like a car, emergency room or bus station.

This guide will help you understand how to apply for shelter and what documents you need to give to DHCD.

Important tips

- Apply for Emergency Assistance (EA) shelter at Department of Housing and Community Development (DHCD) offices. DHCD offices are in the same building as most DTA offices.
- **Get to the office as early as you can.** DHCD offices are open from 8 a.m. to 4 p.m. The application can take all day. DHCD may not take your application if you arrive late in the day.
- As long as you apply early enough, DHCD must take your application **that day**. If they do not take your application, ask to speak with a DHCD supervisor or contact an advocate.
- If you give DHCD a few important documents and it looks like you are eligible, DHCD must place you in shelter right away. This is called “**presumptive placement**.” You can get the other documents you need after you are in shelter.
- If DHCD gives you a “**verification checklist**” and tells you to come back with more documents, ask the Homeless Coordinator, “Can you place my family presumptively and help us get the documents we need?”
- If DHCD gives you a place in a shelter, **go there that night**. If you do not go, DHCD can stop you from getting shelter for 1 year. Even if the shelter is far away, go anyway. DHCD will provide transportation to the shelter. Later, you can ask your homeless coordinator for a transfer closer to your home community.
- If DHCD says you are not eligible, they must give you a **written denial notice** that states their reasons.
- If DHCD denies you or turns you away and you have no safe place to stay, ask to speak with a DHCD supervisor, or contact your local legal services office. Call 1-800-342-LAWS (5297) or go to www.masslegalhelp.org/find-legal-aid.

What do I need when I apply for shelter?

You need to give DHCD documents that prove who you are and that you live in Massachusetts. You also need to prove your income and show why you are homeless.

If you can give them **all** the documents they need, and you meet the rules, DHCD will find you “fully eligible” and place you in shelter.

If it looks like you are eligible, but you only have the documents that prove who you are and that you are a Massachusetts resident, DHCD must give you a temporary shelter placement called “presumptive placement.” If you get presumptive placement, you have 30 days to give DHCD the rest of the documents they need.

What do I need to give DHCD for “presumptive placement”?

If it looks like you are eligible for shelter, you can give DHCD a few basic documents and tell them if you “have nowhere to stay.” They must place you in shelter right away. This is called “presumptive placement.” You need to give DHCD documents that prove:

- your identity,
- the relationship between the members of your family who need shelter,
- who has custody of the children, and that
- you live in Massachusetts.

What you need to prove to get “presumptive placement” from DHCD	
What you need to prove	Examples of documents that prove it You do not need all of the documents on this list.
Identity of all adults	<ul style="list-style-type: none"> • State licenses or ID cards • Birth certificates • Passports • Immigration documents
Identity of all children	<ul style="list-style-type: none"> • Birth certificates • Passports • Immigration documents • Statement from school administration on letterhead • Statement from doctor on letterhead with name, date of birth and primary caregiver of each child
Relationship between family members	<ul style="list-style-type: none"> • Birth certificates with names of parent(s) • Marriage certificate • Divorce papers • Adoption papers
Custody of all children	<ul style="list-style-type: none"> • Birth certificate • Court approved adoption or guardianship order • School or medical records that show relationship of child to adult • Court order of divorce, child support or custody • Sworn statements from relatives or neighbors that say child spends most of their time with you

All family members live in Massachusetts	Recent documents with a Massachusetts address, like: <ul style="list-style-type: none"> • Rent receipt or lease • Voter registration card • Written statement from the person you live with • School records • Utility or other bill • Letter from DTA or Social Security Administration confirming receipt of benefits
--	---

When DHCD gives you “presumptively placement”, they should give you a list of the rest of the documents they need. They call this list a “verification checklist”. You must give DHCD everything on the checklist in 30 days or they will decide you are not eligible for EA shelter.

What do I need to give DHCD to be “fully eligible”?

To be **fully eligible**, DHCD needs:

1. The basic documents for “presumptive placement.”
2. Proof of your family’s income and legal status in the U.S. for **one** family member.
3. You **also** have to show that you are homeless for the right reason. You may be eligible if you are homeless because of:
 - Domestic violence
 - A fire, flood or natural disaster
 - An eviction that was not your fault, or because
 - You have been staying in a very unsafe housing situation, a car, or other unfit place.

If you give DHCD documents that show you are homeless for **one** of the reasons below, they should find you “fully eligible” and place you in shelter.

Proof of Reasons You Are Homeless	
If you are homeless because of...	Examples of documents that prove it
1. Significant health and safety risk where you are staying now	<ul style="list-style-type: none"> • Letter or pictures that show your family stayed in a place not meant for human habitation, like a car, emergency room, or bus station. • Letters that show your family stayed in many different people’s homes in the past few weeks. • Letters, pictures, or medical documents that show violence, substance abuse, or mental illness where you were living.
2. Fire, flood or natural disaster	<ul style="list-style-type: none"> • Letter from Massachusetts Emergency Management Agency, Red Cross, local fire or police department, insurance company, former landlord.

3. Domestic violence	<ul style="list-style-type: none"> • Letter from a domestic violence advocate, social service agency or medical provider on letterhead. • Police report, restraining order or documents that show you tried to get a restraining order. • Medical report of injuries. • Statement from a “reliable” witness, someone DHCD believes is telling the truth.
4. You were evicted from your last apartment for no fault, or for nonpayment of rent because you lost income, or because of a disability or medical condition	<ul style="list-style-type: none"> • Court order of eviction. • Notice to quit. • Agreement for judgment. • Proof of a loss of income in past 12 months. • Letter from a doctor or mental health professional stating that your nonpayment was due to a disability.

Proof of Legal Status in the U.S. for One Family Member		
What you need to prove	For whom	Examples of documents that prove it
Citizenship	Any one person in the family	US birth certificate; certificate of naturalization or citizenship
Legally present non-citizen	Any one person in the family	Immigration documents showing lawful presence

Proof of Income and Recently Ended Employment		
What you need to prove	For whom	Examples of documents that prove it
Earned income	All family members seeking shelter	<ul style="list-style-type: none"> • Last 4 weeks’ pay stubs, or letter from employer on company letterhead about what he expects to pay you • For self-employment, IRS filings and proof of business expenses
Unearned income (TAFDC, EAEDC, SSI, Unemployment)	All family members seeking shelter	<ul style="list-style-type: none"> • Letter from government agency stating benefit and amount • Copy of a payment check or deposit
Reason lost job within past 90 days	Any adult who lost job in past 90 days	<ul style="list-style-type: none"> • Layoff notice • Dismissal letter • Unemployment registration • Proof of unemployment claim status • Letter from former employer, medical provider or other reliable source explaining why you lost your job

How low does my income have to be to get EA Shelter?

The total gross income of all members of your household must be 115% of the Federal Poverty Level or less.

115% of the Federal Poverty Level (2015)	
Number of people in your household applying for shelter	The most your total gross monthly income can be
1	\$1,128
2	\$1,527
3	\$1,925
4	\$2,324
5	\$2,723
6	\$3,121
7	\$3,520
8	\$3,919
Each additional person in your household	add \$399

What are reasons DHCD might deny my application?

Even if you meet the other rules explained in this guide, DHCD can still deny you shelter for certain reasons. You may hear these reasons called “disqualifying reasons.”

DHCD **can deny you shelter** if:

1. You left subsidized housing in the past year. DHCD calls this “abandoning subsidized housing.”
 - **But** they should **not** deny you if you had **good cause** for leaving, like domestic violence or a serious threat to your safety in your home.
2. You were in EA shelter in the past 12 months.
 - **But** if you left shelter for safe, permanent housing and it ended up not safe or permanent, you may be able to get back into shelter without having to wait 12 months.
 - Also, if you were in shelter, but left with Household Assistance, you may be able to get back into shelter after 3 months.
3. You were evicted from subsidized housing in the past 3 years because you did not pay rent.

DHCD **should not deny you shelter for an eviction** if:

- You had other housing since the eviction and you lost that housing for a reason that is not a “disqualifying reason,” or
- You were evicted because of the behavior of another person who is not applying for shelter with you.

If DHCD says you are not eligible because of the way you lost prior housing, contact legal services for help. Call 617-603-1700 or 1-800-342-LAWS or go to www.masslegalhelp.org/find-legal-aid.