

Assisting Families Experiencing Homelessness: Emergency Assistance Shelter and Benefits



Basic Benefits Training Series
October 1, 2024

Welcome & Introductions

- ★ Introduction to trainers
- ★ Please put questions into the chat (note that there is a delay between presenters and audience)
- ★ Materials will be provided and available on the MCLE page as well as on masslegalservices.org

Agenda

- 9:30 a.m.** **Introduction to the EA Shelter System**
- 9:45 a.m.** **How to Apply for Shelter**
Eligibility
Disqualifying factors
Application process and tips for applying
Contact list
Placements
- 11:00 a.m.** **10-minute break (Questions)**
- 11:10 a.m.** **Q&A discussion**
- 11:25 a.m.** **Introduction to Shelter rules, Length of Stay Limits**
Shelter responsibilities
Length of stay time limit
- 12:00 p.m.** **Lunch break**
- 12:30 a.m.** **Introduction to Noncompliances and Terminations**
Noncompliances and terminations
Appeals basics
Questions
- 1:00 p.m.** **Language Access**
- 1:15 p.m.** **HomeBASE Basics**
- 2:00 p.m.** **10-minute break (Questions)**
- 2:10 p.m.** **RAFT and Other Resources**
- 2:30 p.m.** **Legislative and Other Advocacy**
- 2:45 p.m.** **Questions and Discussion**

Current State of EA Shelter

“State of Emergency” Policy Changes

- In August 2023, Governor Healey declared a “state of emergency” regarding the Emergency Assistance shelter system
- Since then, the Governor and Legislature have implemented significant changes that have chipped away at access to shelter for eligible households.
- We will give an overview of these changes and discuss them throughout the training.
- Policies and practices are changing very quickly and it can be difficult to keep up.

EA changes related to the State of Emergency will be noted in a light yellow box outlined in red.

Timeline of Recent Policy Changes

- **June 2023:** Family Welcome Centers opened
- **August 2023:** Governor declares state of emergency on family homelessness and for the Emergency Assistance program
- **October 2023:** Governor caps shelter at 7,500 placements and announces waitlist for families above the cap
- **December 2023:** Governor signs supplemental budget for EA shelter costs
 - State overflow shelter opens for families on waitlist
 - Work authorization clinics begin
- **April 2024:** Legislature approves 9-month limit on stays in EA
- **July 2024:** Families are banned from sleeping at Logan Airport
- **August 2024:** Overflow shelter stays are limited to 5 days with a 6-month bar to EA shelter

More on “Front Door” Policy Changes

- **July 2024:** Families no longer allowed to sleep at Logan Airport
- **August 1, 2024:** New overflow shelter changes begin
 - The waitlist is now called the contact list
 - Overflow shelters are now called Temporary Respite Centers (TRC)
 - Priorities for the contact list now include no fault eviction
 - Families who stay at TRC are limited to 5 business days
 - Families who choose to stay at TRC after August 1st are moved onto the contact list 6 months later
- **Priority placements**
 - Clinical Safety Risk Assessment sites for temporary placement of eligible families with priority, particularly with health risks
- **Potential alternatives to EA for families on contact list:**
 - Reticketing
 - HomeBASE
 - Host home stays

Impact of Policy Changes

- These changes have:
 - Put eligible families in positions where they have no safe places to go
 - Increased unsheltered homelessness
 - Disproportionately harmed immigrant families and perpetuated an anti-immigrant and racist framework
 - Further exacerbated the housing crisis

About EA Shelter

What is Emergency Assistance (EA)?

- The Emergency Assistance program provides emergency shelter and services to families with children and pregnant people in Massachusetts who are experiencing homelessness.
- Families eligible for EA also are eligible for HomeBASE assistance
 - HomeBASE generally provides up to \$30,000 over 24 months with the possibility of funding for a 3rd year
 - Available for housing costs to divert families from entering shelter or to help families exit shelter
- The Massachusetts Executive Office of Housing and Livable Communities (EOHLC, formerly DHCD) administers both EA and HomeBASE.

History of EA

- **1983:** Emergency Assistance program established (Chapter 450 of the Acts of 1983)
- **2009:** Administration of EA moved from the Department of Transitional Assistance (DTA) to the Department of Housing and Community Development (DHCD), now the Executive Office of Housing and Livable Communities (EOHLC)
- **2011:** HomeBASE established
 - Originally included a two-year subsidy component
 - Because of costs, the Legislature changed the program to cap the benefit level

The Numbers: Participants

Number of families participating in EA

- **September 18, 2024: 7,250 families**
 - Families staying in traditional shelters: 3,732
 - Families staying in hotel/motel placements: 3,518
- **September 28, 2023: 6,726 families**
 - Families staying in traditional shelters: 3,720
 - Families staying in hotel/motel placements: 1,496 in motels with traditional providers, 1,048 in motels with National Guard members providing support, and 462 in motels with no providers*

*EOHLC Emergency Assistance Placement Data Report for September 28, 2023 and September 18, 2024: <https://www.mass.gov/info-details/emergency-assistance-ea-family-shelter-resources-and-data>

The Numbers: Length of Stay

Average length of stay:

- 2024: 365 days (for part of the year, families were not subject to a time limit)
- 2023: 284 days
 - Maximum length of stay at the end of Q1 FY23 was 3,097 days (almost 8.5 years)
 - Maximum length of stay at the end of Q2 FY23 was 2,880 days**
- 2022: 431 days
- 2021: 455 days

*EA Commission Kickoff slides: <https://www.mass.gov/doc/emergency-assistance-ea-commission-kickoff-july-18-2024-presentation/download>

**DHCD Emergency Assistance Legislative Report (Q2): <https://www.mass.gov/doc/fy2023-q2-ea-report-0/download>

The Numbers: Applicants, Approvals, and Denials

Number of applications, approvals, and denials:

- Q2 of FY23 (Most recent report)
 - 2,452 applications
 - 840 (34.3%) families entered into EA shelter (approvals)**
 - 358 denials
- Q1 of FY23
 - 3,153 applications
 - 803 (25.5%) families entered into EA shelter (approvals)*
 - 490 denials

*DHCD Emergency Assistance Legislative Report for Quarter 1, State Fiscal Year 2023 & DHCD Emergency Assistance Fiscal Year 2023 Second Quarterly Report

<https://www.mass.gov/doc/fy2023-q2-ea-report-0/download>

**DHCD Emergency Assistance Legislative Report (Q2): <https://www.mass.gov/doc/fy2023-q2-ea-report-0/download>

The Numbers: HomeBASE and Exits

Number of families diverted from shelter by HomeBASE:

- Q2 of FY23: 60 families**
- Q1 of FY23: 38 families*

Number of families exiting shelter who used HomeBASE:

- Q2 of FY23:
 - 38% through HomeBASE & other subsidized/assisted housing
 - 18% through HomeBASE & no other subsidized/assisted housing
- Q1 of FY23: 287 families

*DHCD Emergency Assistance Legislative Report for Quarters 1, State Fiscal Year 2023.

Note: See also <https://www.mass.gov/service-details/emergency-housing-assistance-resource-information>

**DHCD Emergency Assistance Legislative Report (Q2): <https://www.mass.gov/doc/fy2023-q2-ea-report-0/download>

The Numbers: Families' Reasons for Homelessness

% families qualified due to...	Q2 of FY23**	Q1 of FY23*
Health and safety risks	75%	73%
Domestic violence	11%	13%
A no-fault or excused fault eviction	6%	6%
A threatened eviction	5%	5%
Fire, flood, or natural disaster	1%	2%
Other reasons	2%	2%

* Source: DHCD Emergency Assistance Legislative Report for Quarter 1, State Fiscal Year 2023.

**DHCD Emergency Assistance Legislative Report (Q2): <https://www.mass.gov/doc/fy2023-q2-ea-report-0/download>

Eligibility & Application Process

Step 1: Household Eligibility

See the EA regulations at 760 CMR 67.02

- Children and young adults under age 21 and their parents, caretaker relatives, or legal guardians
 - Step-parents and siblings under 21 (including step-siblings or half-siblings) are included by right.
 - Other family members need special permission to be included. Those people must be able to assist the family with rehousing or a critical medical need. **HSN 2010-01*
- Pregnant people and their partners
 - “Spouse” is defined in HSN 2011-02 as the person with whom the pregnant person is in an interdependent, long-term relationship. Couples are not required to be married.

Eligibility (cont.)

- Households must also:
 - Verify identity and pregnancy or relationship to child;
 - Have income of less than 115% of federal poverty level;
 - 2024: \$2,474 a month for a family of 3
 - Have assets of less than \$5,000;*
 - Verify Massachusetts residency;
 - Have one family member with eligible immigration status;**
 - Meet eligibility criteria for homelessness; and
 - Not be barred by their cause of homelessness, past behavior, or previous receipt of benefits.

*Check the Basic Benefits Training Guide for advice about assets.

**In a fact sheet to legislators from September 2023, the Administration said that families had to “be living in the U.S. with the knowledge and consent of the Department of Homeland Security.”

Step 2: Housing Need

760 CMR 67.06(1)

- Eligible families may qualify for EA if their housing need is caused by:
 - Risk of domestic violence or already having fled domestic violence;
 - Fire, flood, or natural disaster;
 - No fault eviction or condemnation; or
 - Substantial health and safety risk.
- To qualify, eligible families cannot have “feasible alternative housing.”
- Under a 2015 memo between DCF and EOHLC (DHCD), families can reunify with their children in shelter.
 - Requires DCF to start the process.

No Fault Eviction

760 CMR 67.06(1)(a)3, 760 CMR 67.06(1)(3)(2), 760 CMR 67.06(1)(f)3-5

- Requires court process to be considered an eviction.
- No fault/no cause eviction and non-renewal of lease includes when families are evicted due to:
 - Foreclosure or condemnation through no fault of the household;
 - Conduct by someone over whom current household members had no control;
 - Nonpayment of rent caused by:
 - A documented medical condition or disability in a market-rate apartment;
 - Loss of income source within last 12 months through no fault of the family, including change in household composition.
- There must be a firm “date of homelessness” within 48 hours.

No fault evictions qualify households as Priority 3 on the “contact list” (formerly waitlist)

Health and Safety Risk

760 CMR 67.06(1)(a)4, 760 CMR 67.06(1)(f)6.a-d, 760 CMR 67.06(1)(f)7-8,

Budget Line Item 7004-0101 of FY23

- Housing situations presenting a health or safety risk include when:
 - (1) The family is not the leaseholder, **and**
 - (2) Children are exposed to harmful mental health issues, bad housing conditions, criminal activity, physical violence, or ongoing substance abuse.
- Households may also qualify for EA if they would be eligible “but for having spent one night” in a place not meant for human habitation (PNMHH).
 - PNMHH includes cars, emergency rooms, parks, police stations, church basements, the streets, the hallways of buildings, and other such locations.
 - **Language in the state budget since FY20 no longer requires families to prove they stayed in a PNMHH.**
- Families may also be eligible if they are in an irregular housing situation (couch surfing) or being discharged from a time-limited, non-EA shelter, such as a community room placement.

Health and Safety Risk Assessment

760 CMR 67.06(1)(e)4, HSN 2016-03

- Families in this category have a risk assessment by Department of Children and Families (DCF).
 - These are not 51As filed for abuse and neglect.
 - These are not DCF investigators.
 - These DCF workers only do health and safety assessments.
 - The family should not have to have an address to have a health and safety assessment completed.

Priority 1 includes “families DCF has determined to be at the highest risk of harm if they remain unhoused or in their current housing situation”.

- In practice, we have seen families who are not given Priority 1 despite sleeping in their car or at the airport.

Shelter Ineligibility: Disqualifying Reasons

760 CMR 67.06(2)(a)-(e)

- Families are not eligible if they became homeless:
 - For the purpose of becoming EA eligible;
 - For the purpose of getting a housing subsidy;
 - Because they were evicted from their most recent permanent housing due to:
 - Nonpayment from subsidized housing within the last three years; or
 - Criminal activity or destruction of property
 - Exception: If the person who caused the eviction is no longer in the household the family may still be eligible. If the cause was criminal activity, the applicant must have been unaware of it.
 - Because they abandoned subsidized housing without good cause.
 - Because they failed to cooperate with a non-EA shelter or other housing assistance program; or
 - Because they refused a placement at a Young Parents Program (YPP) or were asked to leave three YPPs for behavior-related issues.

Good cause criteria: 106 CMR 701.380.

Intervening Housing

HSN 2012-05

- Disqualifying reasons for homelessness relate to a family's most recent permanent housing.
- If family had “intervening housing” after disqualifying reason, they may be eligible.
- Staying in someone else’s subsidized housing without being added to the lease is never intervening housing.
 - But landlord-approved tenancies or sub-tenancies are intervening housing.
 - Must have paid rent for at least one month (better if longer).

Bars to Shelter

760 CMR 67.06(d)1-4, HSN 2013-03 and 2013-03a

Families that appear eligible can still be barred from EA shelter or HomeBASE due to previous receipt of EA benefits.

12-Month Rule for EA

- If the family received EA within the last 12 months they are ineligible for shelter
 - But a family may still receive shelter benefits if any of the following exceptions apply:
 - Could not financially maintain a HomeBASE unit for 12 months
 - Exited shelter with a Temporary Emergency Shelter Interruption (TESI) that has not expired
 - Only benefit received was a presumptive placement
 - Left for safe permanent housing, but later found out the housing was never safe or permanent
- 12-Month Rule for HomeBASE
 - Only if family was terminated for cause.

The 12-month rule can be waived pursuant to 760 CMR 67.11. Waiver requests go to the Director of the Division of Housing Stabilization. They can also go to the Director or Co-Directors of Field Operations.

Sample NFL-9



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

NOTICE OF APPROVAL or DENIAL FOR EMERGENCY ASSISTANCE (EA) and HomeBASE REFERRAL

Date: 9/25/24

Field Office: Chelsea (Remote)

Name : [REDACTED]

SS/N (last four (4) digits: [REDACTED])

Address, City and Zip [REDACTED]

Email [REDACTED]

This notice is to inform you that your request to be determined eligible for:

- EA EA Presumptive Eligibility
 Is approved Is denied

Responses to a Request for HomeBASE Referral:

- You are being referred to HomeBASE because you were determined eligible for EA and are also eligible for HomeBASE.

Reasons for Ineligibility:

- You did not become homeless due to one of the following qualifying reasons: domestic violence; flood, fire, or natural disaster; "no fault" (foreclosure or condemnation) or excused fault (loss of income, medical expenses, etc.) eviction; or health and safety risk. 760 CMR 67.06(1)(a).
- You did not complete required verifications within 30 days of EA presumptive placement. 760 CMR 67.06(1)(c).
- You did not complete your application within 30 days of initial request for assistance. 760 CMR 67.06(1)(c).
- You did not provide basic verifications of identity (including Massachusetts residency) & relationship. 760 CMR 67.03(3).
- You did not present as a household with children or a pregnant woman. 760 CMR 67.02(1)(a),(b).
- Your income is above the maximum income limit. 760 CMR 67.02(5)(c).
- No member of your household is a citizen, permanent resident, or individual permanently residing in the United States under color of law. 760 CMR 67.02(7).
- Alternative feasible housing is available to you. 760 CMR 67.06(1)(b).
- An adult household member refused employment without good cause. 760 CMR 67.02(2).
- An adult household member terminated employment or reduced hour/s of employment within the past 90 days without good cause. 760 CMR 67.02(3).
- Your household's assets exceed in value the household asset limit. 760 CMR 67.02(6)(a).
- You transferred assets within the past year to become eligible. 760 CMR 67.02(8).

Applying for EA Shelter

- Families should call the EOHLC intake line early in the day to apply (8–9 a.m.) as the process can take a long time.
 - Intake line: **866-584-0653**; for additional language assistance, call EOHLC's main number, **617-573-1106**
 - Bifurcated intake: EOHLC now does a very basic “urgency screening” and then families receive a call back from a Homeless Coordinator.
 - EOHLC will call those with most urgent needs first.
 - Make sure to answer your phone.
- Families also can apply in person at one of 10 local offices.
 - Office locations for in-person EA intake: <https://www.mass.gov/how-to/apply-for-emergency-family-shelter-ea>
 - Note that some offices are open each weekday while other offices have more limited schedules.

Families can also apply at the Family Welcome Center in Quincy.

Applying for EA Shelter (cont.)

- Families should provide as much verifications as they can.
 - ID for adults and proof of relationship with the children is the most important for presumptive placement and a date on the contact list.
 - Also will need proof of income, assets, residency, and confirmation of reason for homelessness (such as domestic violence documentation, Red Cross/FEMA/MEMA letter, eviction paperwork, or letters from places family has stayed)
- Families should not refuse placement, even if it is far away from their home community - they can be terminated and barred for 12 months.
- Families can bring two bags of belongings per person.

Families on the contact list may have three chances to respond timely when offered a placement. If a family fails to respond a third time, they will be removed from the contact list and will have to reapply for EA.

- There may be risk in refusing any shelter placement.

Applying for EA Shelter (cont.)

- Advocates can email the regional managers with the family's signed release form - let them know why you think they are eligible and attach any supporting documents you have.
- If there is a disability-related placement need, try to obtain medical documents before they apply.
- If the family provides verifiable information about identity and relationship and their situation would make them eligible, then they can be presumptively placed. - 760 CMR 67.06(1)(c), HSN 2012-08a

Presumptive placement refers to the date the family was added to the contact list. It can also mean a medical placement if the family qualifies for a priority, and access to the Temporary Respite Centers (TRC).

Advocacy Tips

- Who should I email to help someone apply?
 - Field Operations Directors
Ezequiel Lopes, Deputy Director:
Ezequiel.Lopes@mass.gov
Bonnie Caldwell, Deputy Director:
Bonnie.Caldwell@mass.gov
- For school attendance questions, contact the school's McKinney-Vento Homeless Education Liaison
 - Regional and Local Listings:
<https://www.doe.mass.edu/sfs/mv/>

Advocacy Tips (cont.)

- **EOHLC can waive some barriers to shelter “for a good reason.” *760 CMR 67.11***
 - Waiver request must be made in writing to the Director of the Division of Housing Stabilization.
 - EOHLC takes the position that having a child under 21 in the household are fundamental program requirements and cannot be waived.
 - EOHLC has sometimes asserted that the income limit is not waivable - it is worth trying, particularly with disability income or income that is very close to the income limit.

Advocacy Tips (cont.)

- Placement is supposed to be within 20 miles if such a placement is available - but prepare the family that it likely will be further away.
 - If medical need, job, or school affect placement, bring proof.
 - Family can request a transfer back to the home community.

Families with nowhere else to go who qualify for a Priority 1-3 on the contact list should be eligible for a Clinical Safety Risk (CSR) placement. These sites are in Revere and Quincy.

Family Welcome Centers

Applying for EA Shelter

In summer of 2023, the state opened Family Welcome Centers in Allston and Quincy.

- Mon. - Fri. 8am-5pm, Sat. – Sun. 9am-3pm (Closed on state holidays).
 - **Family Welcome Center Quincy:** Cove Fine Arts Building, 56 Wendell Ave, Quincy, MA
 - Can apply for EA shelter, DTA benefits, and MassHealth.
 - **Family Welcome Center Allston:** 14 Harvard Ave, Allston, MA
 - No applications.
 - Does “host family” arrangements when available.

EOHLC has confirmed anyone - not just immigrants - can apply for shelter at the Quincy Family Welcome Center.

Placement Process Overview

Apply and if found EA eligible, do a **Clinical and Safety Risk Screening** to establish **priority** level. Priority level identifies the order for the contact list.

Meets priority criteria

Get placed on **contact list** and placed at a **Clinical and Safety Risk Assessment site** while waiting for shelter placement,
Or utilize HomeBASE and/or reticketing

Does not meet priority criteria

Stay at a **Temporary Respite Center (TRC)** for 5 weekdays and wait 6 months to be added to the contact list,
Or utilize HomeBASE and/or reticketing

Get placed on **contact list** and wait for shelter placement to open up,
Or utilize HomeBASE and/or reticketing

<https://www.mass.gov/info-details/whats-next-after-becoming-ea-eligible-the-contact-list-and-more#what-determines-the-order-of-the-contact-list?>

Clinical and Safety Risk Assessment

<https://www.mass.gov/doc/ea-guidance-on-contact-list-and-prioritization-procedures/download>

- EA eligible families fill out a screening tool.
 - If self-screening tool indicates there is a health or risk concern, they get a CSR assessment.
- In-person CSR assessments are only done at a hotel in Revere, not at the Quincy Welcome Center.
 - Families can be placed at a CSR site up to 48 hours prior to an assessment if there is delay.
 - Can do a virtual CSR with a “Rapid Response Team of nurses” over the phone.
 - Family can fill out a release and ask their medical provider to write a summary of health risks.
- **Families found eligible for Priority 1-3 can often be placed immediately at a CSR site in Quincy or Revere.**

Contact List

EOHLC has issued Guidance on Contact List and Prioritization Procedures:

- The first guidance was issued October 31, 2023.
 - Guidance has been updated since then, EOHLC posts each most recent guidance at:
 - <https://www.mass.gov/doc/ea-guidance-on-contact-list-and-prioritization-procedures/download>
- A family on the contact list will be removed if the family is subsequently determined to no longer be eligible for shelter.
- Families may receive shelter from Temporary Respite Centers.
 - Five days of assistance.
 - Business days, does not include weekends or holidays.
 - Some extensions added after public outcry, but limited.
- “The terms of the temporary respite program require participating families to forgo placement on the contact list for a period of six months.”
 - In practice, families are placed on the list with a date six months later.
 - Families placed today would have a contact list date of April 1, 2025.
- Families contact date can move back to an earlier date if they later fall into a priority category.
 - Families must go back and tell EOHLC that they now meet a priority.

Contact List - Priority 1

All are Priority 1 with no distinction between them.

- Families determined by DTA to be at imminent risk of harm due to dv.
- Families that DCF has determined to be at the highest risk of harm if they are unhoused or remain in their current housing situation as part of the existing Health and Safety Assessment (HAS) process.
- Family member aged 0-3 months.
- Family member with immunocompromised condition
- Family member with high-risk pregnancy
- Family member with tracheostomy.
- Families rendered homeless by fire, flood or other disasters, as verified by the Red Cross, MEMA, or fire or police department.
- Families referred by DCF for shelter placement because families are being reunified with their children.

Contact List - Priority 2

- Family member:
 - Aged 4-9 months.
 - In third trimester of pregnancy.
 - With three or more chronic health conditions.
 - With medications that require refrigeration.
 - With medical device other than tracheostomy.
 - Primary caregiver over age 70.

Contact List - Priority 3

- Families evicted from their most recent housing due to:
 - Foreclosure
 - Condemnation
 - Documented conduct by a guest or former household member who is not part of the household seeking emergency shelter.
 - “other circumstances through no fault of the family.”
- Nonpayment of rent from private housing caused by:
 - A documented medical condition or disability
 - documented loss of income due to someone leaving the household or a no fault loss of income source.
- Families with a veteran household member.
- Families exiting a DCF Young Parent Living Program based on age limits.

Contact List - Priority 4

Priority 4 means a family has none of the conditions or situations that would make them eligible for priorities 1, 2, or 3.

- Priority 4 families have proven that they are eligible for shelter and nowhere else to go.
- Not eligible for medical or CSR placements.
- Subject to a six month contact list bar if they use a TRC.

Priorities are currently not disclosed to families and cannot be challenged, but EOHLC has stated they are working on a different policy.

Types of Placements

- Congregate
- Co-share apartment: Similar to a roommate situation; shared common space with one other family
- Scattered site apartment
- Hotels or motels
- HomeBASE diversions (resource that can be used to pay a private landlord, worth up to \$30,000 over a two-year period with the possibility of up to \$15,000 for a third year of assistance)

- Clinical and Safety Risk Assessment Site (for Priority 1-3)
- Temporary Respite Centers (for other priority)
- Host home

Placement from the Contact List

- A family's position on contact list is determined by priority and date of presumptive or full eligibility.
 - Families will be contacted by email, phone call and text, using information EOHLC has on file from the application.
 - If this information changes, reach out to your homeless coordinator to update your information.
- Families must contact EOHLC by noon the next day.
 - If family does not respond, EOHLC will offer that placement to the next family on the list.
- If a family fails to respond to an offer of placement 3 times they are removed from the list and must reapply for shelter if they still need it.

Temporary Respite Centers (TRC)

- In Cambridge, Chelsea, Lexington, and Norfolk.
 - Originally overflow sites for EA-eligible families waiting for shelter placement.
 - Have a big room with cots or beds set up.
 - Not private spaces.
 - Serve food, but residents have no access to kitchens.
- Must engage in housing search or self-sufficiency activities.
- Families who “violate a rule or policy applicable for that site” are removed from the shelter contact list.
- Families can request EOHLC place them back on the contact list, but they will have a new contact position based on the date of submission of that request.

Sample Placement Notice



*Massachusetts Department of Housing and Community Development
Division of Housing Stabilization*

Placement/Informational Contacts

Field Office: **BFHO-Dudley**

Date: [REDACTED]

EA Family First and Last Name: [REDACTED]

You and your household members have been approved for temporary emergency shelter benefits. The temporary emergency shelter placement for you and your EA family is

MHSA Congregate Shelter-52 Deering Road Mattapan Ma 02126 617-445-0869

(Name of Shelter)

(Address of Shelter)

(Telephone Number of Shelter)

[REDACTED]
(Unit Number/Room Number)

**You must arrive at the placement shelter
before**

5:00

p.m. on

[REDACTED]
(Date)

BREAK

Please put your questions in the chat and we will answer them after the break.

Test Your Knowledge: Case Study

A father and his son call you looking for help with EA shelter. They entered the U.S. in 2021, and dad has Temporary Protected Status (TPS). They have been renting a small one-bedroom apartment, but the building was sold last year and the new owner wants to renovate and raise the rent. They went through the no fault eviction process and now have an agreement that says they will leave on Saturday.

Dad had been earning \$2,275/month at Dunkin' Donuts, but his store recently announced they are closing and this is his last week of work. **Is this family eligible for EA? What else would you ask? What would you advise?**

- **Does the advice change if he only has a notice to quit?**

Shelter Responsibilities

760 CMR 67.06(4)(b)2.h

- Adult family members are expected to do 30 hours per week of self-sufficiency activities.
- This includes participating in:
 - Jobs, education and training programs, housing search, substance use disorder programs
- Activities can be reduced for adults who have a disability or a good cause reason for not being able to meet the 30-hour requirement.

Families must “comply with case management and rehousing efforts” to be re-evaluated for every 60 days. Families can be terminated for noncompliance. <https://www.mass.gov/doc/ea-guidance-on-nine-month-length-of-stay/download>

**New 9-Month “Length of Stay (LOS)”
Time Limit to EA Shelter**

9-Month LOS Time Limit

G.L. c. 23B, s. 30 as amended by [Chapter 88 of the Acts of 2024](#)

<https://www.mass.gov/doc/ea-guidance-on-nine-month-length-of-stay/download>

- In April 2024, the Legislature passed legislation creating a 9-month time limit for families length of stay (LOS) in EA shelter
- This change went into effect on July 1, 2024 and applies retroactively to families already in shelter and to all new families entering shelter
- Families receive a 90-day notice before their shelter eligibility ends
- Families can apply for up to two 90-day extensions (although the first extension runs concurrent to the 90-notice) and then for a 120-day hardship waiver but must meet certain criteria
- Families who leave shelter within their allowed time frame can re-apply without the 12 month rule, but will be subject to the prioritization and “Contact List” (waitlist)
- Families who do not leave shelter on or before the last day of their LOS limit will be barred from EA shelter for 12-months

LOS Initial Notices

G.L. c. 23B, s. 30 as amended by H.4466_S.2711

- Families who have been in shelter longer than 9-months will receive one of three notices, which will be delivered in hand and by email to the families
 - “Ineligible for First 90-day Extension”
 - “Eligible for First 90-day Extension”
 - “Notice of 9-month Limit - Not Yet Selected For Exit”
- Ineligible for First 90-day Extension Notice
 - Tells families they are not eligible for an extension to the 9-month limit and informs them they will need to leave shelter in 90 days
- Eligible for First 90-day Extension Notice
 - Tells families they received an automatic 90-day extension and informs them they will need to leave shelter in 90 days
- Notice of 9-month Limit - Not Yet Selected For Exit Notice
 - Tells family they have not yet been selected for shelter termination because no more than 150 families may be terminated from shelter in any given week

90-Day Extensions

G.L. c. 23B, s. 30 as amended by H.4466_S.2711

- Certain families are eligible for up to two 90-day extensions
- Criteria for 90-day extension
 - Be in compliance with the Rehousing Assessment and
 - One of the following is true for the family
 - Employed/in a job training program
 - A qualified veteran
 - Has an imminent housing placement within one month
 - Seeking to avoid educational interruptions for a child enrolled in public school
 - Is pregnant or has given birth within the previous 3 months
 - Diagnosed with a disability or a medical condition that affects housing search/housing options
 - Single parent/caretaker of a disabled family member
 - Single parent/caretaker of children with insufficient childcare to obtain/maintain employment
 - At imminent risk of harm due to domestic violence or child protection concerns
 - Is an infant born within the preceding 9 months

90-Day Extensions (cont.)

G.L. c. 23B, s. 30 as amended by H.4466_S.2711

- EOHLC will review each family's Rehousing Assessment to determine if a family is automatically eligible for the first 90-day extension
- The first 90-day extension runs concurrently with the family's 90-day notice to leave shelter
- Advantage to receiving the first 90-day extension is that only these families will be considered for a second 90-day extension
- Extension Process
 1. EOHLC reviews family's Rehousing Assessment
 2. Family receives either
 - *Notice of Eligibility for Extension* or
 - *Initial Notice of Ineligibility for Extension*
 3. Families with the *Initial Notice of Ineligibility* have 14 days to update their Rehousing Assessment
 4. EOHLC reviews updated Rehousing Assessments and makes a final determination
 5. Family receives either
 - *Notice of Eligibility for Extension on Reconsideration* or
 - *Final Notice of Ineligibility for Extension*
 6. Families may appeal the *Final Notice of Ineligibility for Extension*

Hardship Waivers

G.L. c. 23B, s. 30 as amended by H.4466_S.2711

- Certain families who exhausted both 90-day extensions may apply for a hardship waiver
- The hardship waiver is an additional extension of up to 120 days
- Criteria for a hardship waiver
 - Be in compliance with the Rehousing Assessment Plan and
 - One of the following is true for a member of the family
 - Aged 0 to 9 months
 - Immunocompromised
 - Third trimester or high-risk pregnancy
 - Tracheostomy device
 - Imminent risk of harm due to domestic violence or child protection concerns

Noncompliances, Terminations, and Appeals

Termination of EA Benefits

760 CMR 67.06(6)

- Engaged in criminal activity that threatened the safety of other residents, guests, or staff
 - Refused shelter placement, failed to appear at placement, or abandoned shelter without good cause
 - Refused an offer of safe, permanent housing without good cause
 - Feasible alternative housing became available
 - Lost categorical or financial eligibility (income rises to 200% of federal poverty guidelines for more than 90 consecutive days)
 - Found in non-compliance for a third time
- Your family has lived in EA shelter for longer than 9 months, your family has not been granted any extensions or hardship waivers, or those extensions have ended.
 - You have not cooperated with case management.

Termination: Abandonment

760 CMR 67.06(6)(a)5 and 106 CMR 701.380

- Families can also be terminated from shelter if the whole family was absent without permission for at least two consecutive nights.
- Absences can be excused by EOHLC for good cause, including:
 - medical emergency
 - family crisis
 - transportation issues
 - emergency situation or “other compelling circumstance” that is beyond the control of the family.
- Families should stay in contact with the shelter the entire time they are out (in writing is best) and should bring written proof of the emergency.

Temporary Emergency Shelter Interruption (TESI)

- If a family plans to be absent for more than four nights in a month, they should request a TESI.
- TESI are available for the following reasons:
 - Death in the family
 - Other-area employment
 - Medical treatment for an EEA family member or extended family member
 - Legal complications
 - Re-housing likely in 30 days
 - Loss of custody of children under age 21.

TESI replacements are not in and of themselves a priority category for the contact list. If families do not meet another priority they may have to wait as Priority 4 to be replaced into shelter.

It is important families communicate regularly with the shelter and EOHLC in writing about their need to be replaced into shelter.

Uniform Shelter Program Rules - USPR

- Copies of USPR are to be kept in shelter management offices and at the front desk of hotels.
 - USPR are available in English, Amharic, Arabic, Cape Verdean Creole, Haitian Creole, Portuguese, Somali, and Spanish.
- Copy of USPR given to families when they are approved for EA. Families are asked to sign that they have read and agreed to the rules.
 - Families should be given the rules in their primary language if it is one of the languages above.

USPR: Access to Units

- Shelter staff may check placements for cleanliness and health or safety hazards:
 - With at least 24-hours' written notice, *or*
 - According to a regular inspection schedule.
- Immediate access allowed by shelter staff for:
 - Emergencies (health and facility-related)
 - Inspections by code-enforcement agencies
 - When shelter staff have (1) a reasonable, articulable – or specific – suspicion of: criminal behavior; smoking, unauthorized cooking, or unauthorized guests; or behavior that constitutes a disturbance of quiet enjoyment or a threat to health and safety; and (2) the situation cannot be remedied by knocking at the door and asking to talk to those inside.
- Shelter staff are not allowed to search personal belongings.

Noncompliance

760 CMR 67.06(5)

A family member can be deemed non compliant if they:

- Engaged in (non-criminal) conduct that threatens the safety of EA residents, visitors, or staff.
- Failed to cooperate in rehousing efforts.
 - Includes failure to follow the rehousing plan and also failure to meet with housing stabilization worker.
- Violated a shelter program rule.
 - Some rules violations should not be the basis of a noncompliance if the violation is *de minimis* or excused by good cause.
 - Important to read the full rules, not just the summary.

Noncompliance (cont.)

760 CMR 67.06(5)(e), 760 CMR 67.09(2)(a)2.a.

- EOHLC will consider a noncompliance for not following rules or not participating in activities to be rescinded if the family has no further violations in the following six months.
- If a family faces termination based on a third noncompliance, they can contest the prior non compliances in their termination hearing if they didn't appeal them before.

Request for Noncompliance and Family Response

- Families may respond to a Request for Noncompliance or Termination from the shelter before it goes to EOHLC.
 - Families have 3 business days to respond.
 - If you are working with a family who is responding, attach copies of relevant documentation before submitting to EOHLC.
 - The Request and Response will then be sent to EOHLC, which will decide whether or not to issue the Noncompliance or Termination.
 - Email response and/or for more information:
eohlcnoncompliance@mass.gov
- THIS IS NOT THE APPEAL. If EOHLC issues a Noncompliance or Termination, the family also will have to submit an appeal.

Appeals

760 CMR 67.09

- A Notice of Noncompliance or Termination must be appealed within 21 days.
- A Notice of Termination must be appealed within 10 days for the family to stay in shelter during the appeal process.
 - This is called “aid pending appeal.”
- Families can also appeal denials of shelter and shelter placements (if outside of 20 miles).
- Send appeal to:
 - Email address: EOHLCe Hearings@mass.gov
 - Fax number: 617-573-1515
- Appeal hearings currently are only held remotely. Families can request an in-person appeal hearing; denial may lead to an appealable issue in a 30A.

Appeals of the LOS Limit

760 CMR 67.09

- Under the new 9-month LOS time limit, families can also appeal:
 - Denials of Extensions
 - Denials of Hardship Waivers
- These appeal requests must be received by the EOHLC Hearings Division within 21 days
- Families will be allowed to stay in shelter while their appeal is pending
- If a family loses their appeal, they will have 10 calendar days to leave shelter from the date of the hearing officer's decision
- Families who have lost their appeal with the Hearings Division have the right to appeal that decision in court

Appeal Hearings: How to Prepare

- Families have a right to see EOHLC's evidence against them prior to the hearing.
 - See Appendix B-1 for regional hearing specialists.
 - Email the hearing specialist and ask them to send any evidence they plan to present and information about witnesses they plan to ask to testify.
 - Can request that the meeting be on Teams rather than over the phone.
- Closely read the Notice being appealed to find the regulation or rule cited.
 - EOHLC must prove the allegation in the notice.
 - Many of the rules and regulations contain “good cause” or *de minimis* exceptions.

Appeal Hearings: What to Expect

- The Hearing Officer will begin by explaining what will happen and swearing in witnesses.
- EOHLC should provide interpreters for families with limited English proficiency.
- Hearing officers should tell appellants about the availability of an ADA accommodation if there is a disability involved.
- A “Department Representative” presents EOHLC’s case.
 - Department witnesses often were not present at alleged incident. Their testimony is admissible but may not be reliable.
- Family can ask questions and examine evidence.

*Note: Hearsay is allowed, but families should object to EOHLC raising hearsay within hearsay.

Appeal Hearings: What to Expect (cont.)

- After Department Representative presents case, family testifies and can present evidence.
 - Because hearings are remote, typically the parties email in evidence after the hearing takes place. This may be a due process violation.
- Hearing Officer may ask questions of witnesses, Department Representative, or family.
- Family can ask that the record be left open if they would like to submit more evidence.
- Decisions usually take time – between 30 and 90 days.
- Adverse decisions can be appealed to the Superior Court through the 30A process.

Advocacy Tips for Hearings

- Ask the Department Representative in advance about their evidence and who will be testifying.
 - If you have trouble finding who the representative will be, contact EOHLCeahearings@mass.gov
- If there is no dispute about whether an incident happened but the behavior was disability-related, submit an ADA request.
 - Should include medical documentation.
 - Can be emailed to EOHLCeaADA@mass.gov

Advocacy Tips for Hearings (cont.)

- Read the regulation, the rule, and any relevant housing stabilization notices (HSNs).
 - It is not uncommon for EOHLC to “overreach” and behavior that should be a noncompliance is framed as a termination.
- If the family has limited English proficiency (LEP), check to make sure notices were provided in their language.
 - EOHLC must prove the family knew the rule they were violating.

Sample Non Compliance Determination Request



*Massachusetts Department of Housing and Community Development
Division of Housing Stabilization*

Noncompliance/Termination Determination Request/ Notice of Infraction of Uniform Shelter Rules

This document is to be completed in regard to an Emergency Assistance (EA) participant placed in a shelter by the shelter, housing assistance provider, or homeless coordinator describing the behavior that occurred which has resulted in the noncompliance/termination determination request and what steps have been taken by the submitter. The person submitting documentation for a noncompliance/termination determination should include this document along with copies of any third-party documentation generated by the incident, such as police reports, landlord/ management offers of housing, drug results, etc.

Please email all documents to Department of Housing & Community Development (DHCD) Division of Housing Stabilization (DHS) Noncompliance Unit, DHCDNonComplianceCoordinator@state.ma.us, or fax all documents to the Noncompliance Unit at 617-573-1577.

Submitted by: (Name of homeless coordinator, individual staff member of shelter or housing assistance provider)

Sample Notice of Noncompliance

02-28-18 13:52 FROM-

1-242 P0014/0019 F-759



Massachusetts Department of Housing and Community Development
Division of Housing Stabilization

Chelsea-TAO-February 21, 2018

Field Office

80 Everett Avenue Chelsea, MA 02150

Address

FEB 23 2018

Notice of Noncompliance

Name [REDACTED] SSN [REDACTED]

Address, City/Town & ZIP [REDACTED]

This Warning Notice explains how you have not met your responsibilities while in a temporary emergency shelter. You have not met the temporary emergency shelter requirements by:

- a. not cooperating in developing one or more parts of the re-housing plan. 760 CMR 67.06(5)(a)3.
- b. not participating in the activities in one or more parts of the re-housing plan without good cause. 760 CMR 67.06(5)(a)3.
- c. violating one or more reasonable rules adopted by the Department for use in shelters, including hotels. 760 CMR 67.06(5)(a)4.
- d. being a threat to the health and/or safety of yourself, other shelter guests and/or the staff of the temporary emergency shelter. 760 CMR 67.06(5)(a)5.

As a result of the noncompliance reason that is checked-off above, on or after _____, you will be transferred to _____ where you will be subject to all the rules of this shelter.

EA Family Member(s) involved in the conduct or omission above: [REDACTED]

Description of Incident(s)/Violation(s) and Date(s)

Sample Notice of Termination



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

NOTICE OF TERMINATION FOR EMERGENCY ASSISTANCE (EA)

Date: [REDACTED]

Field Office: **Central**

Name: [REDACTED]

SSN (last four (4) digits): [REDACTED]

Address, City and Zip: **Family failed to notify DHCD of a forwarding address contrary to EA requirements.**

NFL 9-T mailed to last known mailing address: [REDACTED]

Contact Phone:

Your EA Temporary Emergency Shelter is **terminated** effective **7/6/2018** (10 days from the date of this notice) for the reasons checked below. Please check all that apply.

- Rejecting one offer of safe, permanent housing without good cause. 760 CMR 67.06(6)(a)2.
- Failure to appear at placement or refusal of placement without good cause. 760 CMR 67.06(6)(a) 4.**
- Abandonment of a shelter placement without good cause. 760 CMR 67.06 (6)(a)5.
- Feasible alternative housing became available. 760 CMR 67.06(6)(a)6.
- Household is no longer categorically or financially eligible. 760 CMR 67.06 (6)(a)7.
- An adult member of the household committed fraud on the EA program. 760 CMR 67.06(6)(a)8.
- You failed to comply with your savings obligations during the six month extension period. 760 CMR 67.02(5)e.

Garcia et al. v. EOHLC

- Class action challenging various EOHLC policies and practices, settled February 2023.
- Implementation is slowed by the state of emergency. Changes address:
 - Delays in accessing shelter, including but not limited to failure to offer presumptive placement
 - Shelter placements that do not meet families' statutorily protected needs:
 - Disability-related needs
 - Beyond 20 miles of home community
 - Children can't access the school where they were enrolled prior to entering shelter
 - Confusing forms translated to plain language

QUESTIONS?

Access for Families with Limited English Proficiency (LEP)

- Families with limited English proficiency are entitled to language access services at:
 - EOHLC Main Office
 - Field offices
 - Hearings Division
 - All shelters
- At intake, each family should be asked in which language they prefer to communicate.

LEP: Oral Interpretation Services

Oral Interpretation:

- Available for important EA communications and documents that have not been translated into the family's language.
- EOHLC provides free oral interpretation in its offices and by calling **(617) 573-1106 and pressing the number for language.**
(Spanish, Portuguese, Cape Verdean Creole & Haitian Creole)
- Telephone interpretation service available in all shelters.
- Friends and family cannot be asked to interpret.
- EOHLC and shelter staff may interpret if they are fluent in the family's language.



LEP: Written Translation

- Vital documents - including applications and Uniform Shelter Program Rules - have been translated into various languages.
 - Spanish
 - Haitian Creole
 - Portuguese
 - Cape Verdean Creole
 - Arabic
- Only the standardized portions of documents are translated – not narrative portions.
- Families have the right to have any untranslated portions of documents orally read to them in their primary language.

LEP: EOHLC Language Access Coordinator and Complaint Procedure

- After the settlement, DHCD appointed a Language Access Coordinator and created a language access complaint procedure.
- Families may contact the Coordinator with language access issues or to file a formal complaint.
- For language assistance applying for EA: <https://www.mass.gov/info-details/free-language-assistance>
- Language access complaint form: <https://www.mass.gov/info-details/emergency-assistance-ea-family-shelter-resources-and-data>
- Language Assistance information: <https://www.mass.gov/lists/language-assistance?auHash=KCI312A-Nc7ydBNd7YA6xEPYbuujV4Mk8NVluXWav4U>
- For problems getting language access, contact Iris Coloma-Gaines at Mass. Law Reform Institute (icoloma-gaines@mlri.org)

Introduction to HomeBASE

What Is HomeBASE?

760 CMR 65.00

- Families eligible for EA also generally are eligible for HomeBASE assistance, which provides up to \$30,000 over 24 months for housing costs to divert families from entering shelter or to help families exit shelter.
 - FY24 and FY 25 budgets, there is also the possibility of receiving a third year of HomeBASE assistance of up to an additional \$15,000.
- HomeBASE funds can be used for housing stabilization.
 - First month's rent, last month's rent, security deposit
 - Furniture
 - Utility arrears
 - Ongoing help with rental payments in private housing
 - Incentive payments to landlords - these come out of the limited HomeBASE funding, but the FY24 HomeBASE administrative plan providers are encouraged to use Strategic Housing Initiative (SRI) funds.
- Each family using HomeBASE is matched with a Housing Stabilization worker.
 - Must enter into a "Participation Agreement"
- NOT considered a housing subsidy program.
 - Families retain any existing homelessness priorities for state-funded subsidized housing programs while participating in HomeBASE, but not necessarily for federally funded programs.

How Does HomeBASE Work?

<https://www.mass.gov/doc/fy24-homebase-admin-plan/download>

- As funding for “shelter diversion,” or
- To help a family exit shelter.
- If family is moving into subsidized housing, they can use HomeBASE for furniture and other “startup” costs, but not as an ongoing subsidy.
 - True even if the subsidy is “prorated” due to immigration status and therefore not really affordable.
- Families use HomeBASE to rent apartments from private landlords.
 - Can be we a “host homeowner” - with an occupancy agreement can cover up to 50% of utilities and mortgage costs.
 - Host renters - with approval for landlord, can cover up to 50% of the rental cost.
 - Co-share - two EA families can use their HomeBASE to rent one unit together.
- The HomeBASE agency pays their share directly to the landlord each month.

HomeBASE Diversion and the Contact List

Families found eligible for Emergency Assistance are offered HomeBASE diversion services.

- Families on the contact list are HB-eligible, but are not assigned a HB diversion worker.
- Families who opt for HomeBASE diversion are **not placed on the contact list.**
 - Families can ask to be placed on the contact list if their situation worsens. They should be given a contact list date of when they were found presumptively eligible.
 - Families have 120 days from the date of eligibility to use their HomeBASE benefits.

Obligations of HomeBASE Participants

760 CMR 65.03(6)

- Enter into a Participation Agreement and a Stabilization plan.
 - Similar required activities to those families in EA shelter, but the requirements for savings and 30 hours per week of self-sufficiency work do not apply.
 - Families are required to address financial responsibility, job training, employment, and educational needs.

What Happens When HomeBASE Ends?

<https://www.mass.gov/doc/fy24-homebase-admin-plan/download>

- Under FY24 and FY25 budget language, HomeBASE funds now can be provided for more than 24 months.
 - But 760 CMR 65.03(3)(a) says families cannot receive HomeBASE again less than 12 months following the date of their last HomeBASE payment.
- No automatic return to shelter if HomeBASE ended, but families also do not face a bar to reentering shelter unless they are terminated for cause.
- A nonpayment eviction after HomeBASE ends does not fall under the category of an “Excused Fault Eviction” for EA eligibility.
 - HomeBASE is not considered income for purposes of an excused fault eviction.

What Happens If HB Money Runs Out?

<https://www.mass.gov/doc/fy24-homebase-admin-plan/download> page 5

“If the family is at risk of homelessness while still receiving HB stabilization services. . . .”

- Can use other types of homelessness prevention funding.
- Can reapply for EA “provided they meet the standard EA eligibility criteria and are not barred due to termination.”

What About Lease Non Renewal?

<https://www.mass.gov/doc/fy24-homebase-admin-plan/download> at page 5

If a landlord does not renew the lease for year 2 or 3, the HB worker should help find a new unit.

- Remaining HB funding can be used at the new unit.
- If a new unit cannot be found “through no fault of the family” and the household reapplies for EA, “the lack of lease renewal and inability to secure housing may be considered grounds for homelessness risk.”

Payment to Hold an Apartment

To secure a unit, a HomeBASE administering agency can make a payment to hold a unit.

- Encouraged to use SRI funds instead of HB, but can be paid for with HB.
- Must have a pre-lease agreement that the landlord will enter into a written lease.
- If this family does not move in, a commitment to rent to another HomeBASE family.

Benefit Distribution Plan

<https://www.mass.gov/doc/fy24-homebase-admin-plan/download> at page 15.

Details what the HomeBASE money will pay for, usually comes in email form.

- Appealable within 14 days of receipt.
- RAAs schedule a hearing within 15 days.

No income limit to HomeBASE, but calculated to a third of your income until it runs out.

- Increases of income to be reported within 10 days.
- Decreases can be reported for interim reallocation.

“For Cause” HomeBASE Terminations

- Rejecting safe, permanent housing without good cause.
- “Substantially and materially” violating stabilization plan, lease, or participation agreement 2 or more times without good cause.
 - Includes failure to attend a meeting without good cause, but only if there was at least two days written advance notice of the meeting.
 - Includes nonpayment of rent or utilities.

“For Cause” HomeBASE Terminations (cont.)

- One instance of:
 - Criminal conduct or destruction of property by a family member or guest
 - Possession of unlawful firearm in unit
 - Conduct that threatens the health and safety of the landlord, staff, or neighbors
 - Abandoning the unit
 - Unauthorized resident

Categorical Ineligibility for HomeBASE

760 CMR 65.05(1)(r); FY23 budget line item 7004-0108

- Must remain categorically eligible.
 - No longer having a child under 21 in the household.
 - Birthdays, loss of custody, or removal of children by the Department of Children and Families may cause termination for categorical reasons.
- The FY24 budget includes language that eliminates the income eligibility limits for families once they are enrolled in HomeBASE.
 - This allows families to maximize their incomes without fear of the cliff effect.

Appealing a HomeBASE Termination

760 CMR 65.07

- A family that receives a Notice of Termination must make a written request for an appeal hearing to the administering agency within seven days after the notice has been given to applicant.
 - Any notice mailed is deemed received three days after mailing.
- Agency will then schedule a hearing within 15 days.

Appeal Hearing Procedure

760 CMR 65.07(4)

- Hearing officers are appointed by the HomeBASE administering agency.
- Hearings are informal; relevant information can be put into evidence through testimony or written material.
- Hearings should be recorded, as required by EOHLC.
- Written decision issued within 14 days.
- That decision appealable to EOHLC within 7 days of receiving the appeal decision.

Break

Please put any questions about HomeBASE in the chat and we will answer them after the break.

Other Resources

Residential Assistance for Families in Transition (RAFT)

- Short-term rental and/or utility assistance to low-income families and individuals who are experiencing or at risk of homelessness
 - RAFT is directly funded at \$150 million for FY23, with additional funds carried over from FY22.
- RAFT can be used for:
 - Moving costs, including 1st month's rent, last month's rent, and security deposit
 - Rent and utility arrears
 - Other needs that promote housing stability, such as transportation costs and vehicle repair
 - Mortgage arrears
- Starting on July 1, 2023, households now only can receive up to \$7,000 in a 12-month period (down from \$10,000/year) and households cannot use RAFT to pay for forward rent.
- Since August 1, 2022, households must provide a notice to quit (NTQ) if applying for back rent.
- Must show that RAFT will resolve the current housing crisis (but are not required to demonstrate future housing sustainability)

Tenancy Preservation Program (TPP)

- Homelessness prevention program that operates collaboratively with the Housing Court Department, as a neutral party to the landlord and tenant.
- TPP works with individuals and families with disabilities, behavioral health disorders, and complex health needs, facing eviction because of behavior related to the disability or condition, by:
 - Assessing reason for the eviction
 - Identifying services that are needed
 - Developing treatment plan
 - Monitoring case
 - If necessary, facilitate referral to other agencies to prevent homelessness.
- TPP is administered by five regionally designated non-profit organizations, in consultation with the Housing Court Department.
- Referrals can be made at any time by anyone. Landlords and providers can make upstream referrals, prior to a Notice to Quit.

Legislative and Systemic Advocacy Opportunities

Recent EA Advocacy

- Since August 1 we have been calling on the Administration and the Legislature to rescind the policies imposing a five-day limit to Temporary Respite Centers and six-month ban for families who choose to stay in a TRC.
- We are also asking the state to reverse the nine-month limit for EA stays.
- If you would like to support these efforts please contact us!

Legislative Campaigns: State Budget

- The Legislature sets many of the expectations and parameters of the EA and HomeBASE programs through the state budget process.
 - EA line item: 7004-0101
 - HomeBASE line item: 7004-0108
- For state fiscal year 2025 (FY25, the current fiscal year), we worked to maintain key line item language, increase funding, and make improvements to the programs.
 - The Legislature included:
 - Language to generally provide up to \$30,000 in HomeBASE benefits to families over a 24-month period, plus additional flexibility so that families can access additional funds beyond \$30,000 and more time beyond 24 months.
 - Language to ensure that families do not have to first stay in places not meant for human habitation before accessing EA
 - Requirements for data collection for the programs, including more in-depth data on race and ethnicity of households served and denied
- We are working now on securing needed FY25 supplemental funds for the EA program and we will be kicking off the FY26 campaigns in late fall/early winter.

Legislative Campaigns 2023–2024: EA Bill

- This session, we worked to push for passage of **An Act improving emergency housing assistance for children and families experiencing homelessness**: House Bill 145, filed by Representative Marjorie Decker, and Senate Bill 86, filed by Senator Adam Gomez.
- **What would this bill do?**
 - Families in immediate need of shelter would be offered shelter placements the same day they apply, if they appear to be eligible.
 - The Department of Transitional Assistance (DTA) and EOHLC would share information to reduce barriers to entry by streamlining the verification process.
 - During states of emergency, like the recent COVID-19 state of emergency, EOHLC would suspend shelter terminations, and allow families that are otherwise eligible to access EA again even if they had been in shelter in the past year.
 - An ombudsperson unit within EOHLC would respond to and resolve problems experienced by families applying for and participating in EA and HomeBASE, and report systemic problems to the Legislature.

Legislative Campaigns 2023–2024: EA Bill (cont.)

- **Status of bill:** The bills were assigned to the [Joint Committee on Children, Families, and Persons with Disabilities](#) on February 16, 2023. The bills were heard by the Committee on June 13, 2023. The EA bill was referred to the Senate Committee on Ways and Means on March 18, 2024.
- **Read more about the bill:**
 - Fact sheet: <https://mahomeless.org/wp-content/uploads/2023/09/EA-bill-fact-sheet-9-19-23.pdf>
 - House bill text: <https://malegislature.gov/Bills/193/H145>
 - Senate bill text: <https://malegislature.gov/Bills/193/S86>
- **Have your organization endorse the bill:** <https://tinyurl.com/ea2324>

Legislative Campaigns 2023–2024: HomeBASE Bill

- We are pushing for passage of **An Act promoting housing stability for families by strengthening the HomeBASE program**, House Bill 1297, filed by Representative Christine Barber, and Senate Bill 890, filed by Senator Liz Miranda.
- **What would this bill do?**
 - Put the HomeBASE program into state statute
 - Direct EOHLC to provide renewals of HomeBASE rental assistance in 12-month increments to families and children who otherwise would be facing a return to homelessness, continue to meet basic eligibility guidelines, and are in good standing in the program
- **Status of the bill:** The bills were assigned to the [Joint Committee on Housing](#) on February 16, 2023. The bills were heard by the Committee on June 26, 2023. The HomeBASE bills were reported out favorably by the Joint Committee on Housing and referred to the House Committee on Ways and Means on August 8, 2024.
- **Read more about the bill:**
 - Fact sheet: <https://mahomeless.org/wp-content/uploads/2023/09/HomeBASE-bill-fact-sheet-9-19-23.pdf>
 - House Bill text: <https://malegislature.gov/Bills/193/H1297>
 - Senate Bill text: <https://malegislature.gov/Bills/193/S890>
 - Organizational endorsement form: <https://tinyurl.com/homebase2324>

Legislative Campaigns 2023–2024: RAFT Bill

- We also are pushing for passage of **An Act providing upstream homelessness prevention assistance to families, youth, and adults**, House Bill 1312, filed by Representative Marjorie Decker, and Senate Bill 856, filed by Senator Brendan Crighton.
- **What would this bill do?**
 - Put the RAFT program into state statute
 - Ensure that benefits are available to households earlier in a housing or utility crisis
 - Streamline RAFT access
 - Improve cross-agency collaboration
 - Allow households to access the resources needed to clear arrearages without arbitrary caps on maximum assistance
- **Bill status:** The bills were assigned to the [Joint Committee on Housing](#) on February 16, 2023. The bills were heard by the Committee on June 26, 2023. The RAFT bills were reported out favorably and referred to the House Committee on Ways and Means on August 15, 2024.
- **Read more about the bill:**
 - Fact sheet: <https://mahomeless.org/wp-content/uploads/2023/09/RAFT-bill-fact-sheet-9-19-23.pdf>
 - House Bill text: <https://malegislature.gov/Bills/193/H1312>
 - Senate Bill text: <https://malegislature.gov/Bills/193/S856>
 - Organizational endorsement form: <https://tinyurl.com/raft2324>

Legislative Campaigns 2023–2024: Housing and Other Priorities

- Working with Homes for All Massachusetts, legal services, and other partners, we support key legislative priorities related to housing and other supports/resources.
- Priority policies:
 - Rent stabilization with just cause eviction
 - Tenant Opportunity to Purchase (TOPA)
 - Real estate transfer fee
 - Access to counsel in evictions
 - Eviction record sealing
 - Mandatory mediation before foreclosure
 - Food and cash assistance benefits for immigrants

Legislative Campaigns

- Find out more by going to the Massachusetts Coalition for the Homeless website and joining our email lists.
 - Bill and budget priorities: <https://www.mahomeless.org/current-bill-and-budget-priorities>
 - MCH email list sign-up: <https://www.mahomeless.org/mailing-list>
 - New Google Group to receive emails about upcoming EA actions, go to <https://groups.google.com/u/1/g/ea-actions> and click the "ask to join" box
- The Coalition holds monthly meetings on policy and practice issues, generally the final Friday of each month.
 - Next meeting: Friday, October 25th, 10–11:30 a.m.
 - Meetings currently are held via Zoom.
 - For more details on the Housing and Benefits Committee meetings, see <https://mahomeless.org/advocacy-committee-meetings/> or email Julia at julia.garvey@mahomeless.org

Online Resources

EOHLC Emergency Assistance (EA) and HomeBASE information

- Emergency Housing Assistance: includes links to EA resources, data, and information about the 9-month length of stay policy
<https://www.mass.gov/emergency-housing-assistance>
- What's next after becoming EA eligible: information about the contact list, priorities, and Family Welcome Centers:
<https://www.mass.gov/info-details/whats-next-after-becoming-ea-eligible-the-contact-list-and-more>
- Emergency Housing Family Resources and Data: resources including statutes, regulations, policy notices, EA data, language assistance information, Shelter Rules and forms, and DCF Memorandum of Understanding: <https://www.mass.gov/info-details/emergency-assistance-ea-family-shelter-resources-and-data>
- Apply for emergency shelter: <https://www.mass.gov/how-to/find-emergency-family-shelter>
- Housing Stabilization Notices: <https://www.mass.gov/service-details/housing-stabilization-notices>
- HomeBASE Information: <https://www.mass.gov/service-details/homebase>
- DTA Non-Citizen Desk Guide: <https://www.masslegalservices.org/content/dta-non-citizen-desk-guide>

Online Resources (cont.)

Other housing assistance

- Information about rent, utility and mortgage assistance:
<https://www.mass.gov/applying-for-rental-assistance-in-massachusetts-to-avoid-eviction>
- Information about RAFT, Residential Assistance for Families in Transition:
<https://www.mass.gov/service-details/residential-assistance-for-families-in-transition-raft-program>
- Town-by-town search for local Regional Administering Agencies (RAAs) and local Area Median Incomes (AMI):
<https://hedfuel.azurewebsites.net/raa.aspx>
- MassLegalServices, Emergency Assistance, HomeBASE & Emergency Shelter library:
<https://www.masslegalservices.org/library/directory/benefits/emergency-assistance-homebase-short-term-assistance-emergency-shelter>

Questions? Stay in Touch!

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Thank you for joining us today!