



March 30, 2021

Submitted via Email

The Honorable Marcia Fudge
U.S. Department of Housing and Urban Development,
451 7th Street SW
Washington, DC 20410-0500

Dear Secretary Fudge:

Congratulations on your appointment as Secretary of the U.S. Department of Housing and Urban Development! As organizations on the front lines of family and youth homelessness, Family Promise, the National Network for Youth, First Focus on Children, and SchoolHouse Connection¹ are thrilled to see a long-time champion of children, youth, and families at the helm of our nation's housing agency.

We also are pleased to see the significant funding for homelessness assistance, supportive services, and emergency rental vouchers included in the American Rescue Plan Act (ARP). We write today to provide recommendations on HUD's guidance and requirements for the allocation and uses of these funds. In developing our recommendations, we draw on the experiences of our networks: youth and families with lived experience of homelessness, as well as providers working directly with families and youth experiencing homelessness in schools, early childhood programs, and community-based organizations.

¹ [Family Promise](#) delivers innovative solutions for family homelessness including prevention, shelter, and stabilization services. We have served 1 million family members since our founding more than 30 years ago, and we aspire to change the future for 1 million children by 2030 through our community-based programs. The [National Network for Youth](#) works with our members and young leaders who have experienced homelessness to identify and change policies to prevent homelessness for youth, so youth in crisis can access what they need to survive, stabilize, and thrive. We promote policy and practice solutions to transform systems at every level. [First Focus on Children](#) is a bipartisan advocacy organization dedicated to making children and families the priority in federal policy and budget decisions. Our organization leads a comprehensive advocacy strategy, with its hands-on experience with federal policymaking and a commitment to seeking policy solutions. [SchoolHouse Connection](#) is a national non-profit organization working to overcome homelessness through education. We provide strategic advocacy and practical assistance in partnership with schools, early childhood programs, institutions of higher education, service providers, families, and youth.

Collectively, we have seen great increases in need since the onset of the pandemic. Unfortunately, we also have also witnessed significant barriers to youth and families accessing homelessness and housing assistance from previous COVID relief packages. These barriers have prevented youth and families from receiving life-saving aid and put them at even greater risk of COVID-19 infection, illness, and transmission, as well as prolonged experiences of homelessness. We urge you to ensure that housing and homeless response assistance and services funded by ARP, and administered by the U.S. Department of Housing and Urban Development (HUD), are accessible and implemented equitably for our nation’s most vulnerable children, youth, and families.

Eligibility

Section 3205(b) of the American Rescue Plan Act defines who is eligible for homeless assistance services funded by ARP, and Section 3202(b) defines who is eligible for emergency housing vouchers. ARP clearly defines “qualifying individuals or families” to include those “at-risk of homelessness, as defined in section 401(1) of the McKinney-Vento Homeless Assistance Act ([42 U.S.C. 11360\(1\)](#)).” Congress thus specified that families and youth who meet the statutory definition of “at risk of homelessness” in section 401(1) of the housing subtitle of the McKinney-Vento Homeless Assistance Act are eligible for ARP-funded homelessness assistance and supportive services, as well as emergency housing vouchers. Section 401(1) of the housing subtitle of the McKinney-Vento Act defines “at risk of homelessness” to include “all families with children and youth defined as homeless under other Federal statutes.” Congress placed no limitation on this eligibility.

To ensure that these families and youth — who are as vulnerable, and in some cases, even more vulnerable, as those who meet HUD’s narrower definition of homelessness — have access to ARP homelessness assistance, supportive services, and emergency housing vouchers, we urge HUD to:

- 1. Refrain from imposing additional qualifications or eligibility requirements.** As noted above, Section 401(1) of the housing subtitle of the McKinney-Vento Act specifically provides that the term “at risk of homelessness” includes “all families with children and youth defined as homeless *under other Federal statutes.*” Other Federal statutory definitions of homelessness include the definition of homelessness used by public schools, early childhood programs, and Runaway and Homeless Youth Act programs.² Congress has specified that families and youth who meet these other definitions are eligible for ARP homelessness assistance and supportive services. HUD should not limit this clear statutory language by subjecting such families and youth to additional criteria, i.e. they should not also be required to move frequently, live in crowded housing, or be subject to other limitations for HUD’s Category 1 of “at risk of homelessness.” Not only do additional criteria unnecessarily restrict eligibility and create barriers, but they also

² Families and youth who meet these other federal definitions are also included explicitly in Categories 2 and 3 of HUD’s definition of “at risk of homelessness.”

put families and youth in harm's way by requiring them to be at even greater risk of illness and exploitation before they are eligible for assistance. Additional criteria also add confusion for community service providers who are trying to navigate housing services for families and youth. The American Rescue Plan Act seeks to avoid these outcomes by establishing clear eligibility criteria without further action from HUD. In order to best serve children, youth, families, and communities, HUD should not apply any additional criteria.

2. **Accept statements by school district homeless liaisons, Head Start programs, and Runaway and Homeless Youth Act programs as sufficient documentation to establish that families, children and youth are “at risk of homelessness” or are “homeless” under HUD’s definitions.** School district homeless liaisons and Head Start programs are required by their own governing statutes to identify children and youth who meet the definition of homelessness in Section 725(2) of the McKinney-Vento Act. School district homeless liaisons also have the authority to affirm eligibility for HUD homeless assistance programs. 42 U.S.C. 11432(g)(6)(D). These professionals are uniquely positioned to see families and youth experiencing homelessness by virtue of their roles in child and youth serving institutions. Similarly, Runaway and Homeless Youth Act programs provide direct services to unaccompanied youth who cannot live with relatives and have no safe alternative living arrangements. HUD should permit streamlined eligibility by requiring grantees of ARP funds to accept signed statements by these professionals as sufficient documentation of their status, without any further documentation required. This will remove barriers for families and youth, and increase collaboration between agencies.

Prioritization

In authorizing homelessness assistance and emergency housing vouchers, the statutory language of ARP does not prioritize or in any way give preference to one category of eligibility over another. In providing guidance to grantees, we urge HUD to:

1. **Refrain from imposing prioritization based on definitions of homelessness. Instead, HUD should permit communities to establish priorities that reflect the local community context, specifically address racial disparities, and take into account the unique needs of children, youth, and families regardless of where they are able to find a place to sleep.** Traditionally, HUD systems have heavily prioritized people who meet its definition of homelessness — a definition that excludes a large number of families and youth who are just as vulnerable as those meeting HUD’s definition, and who are disproportionately families and youth of color. In particular, youth and families who are staying with other people due to loss of housing or similar reasons, and those paying for nights in cramped and dangerous motels, are considered to be homeless by public schools and early childhood programs, but do not qualify as homeless under HUD’s definition. These youth and families stay in crowded, unstable situations and are at high risk for COVID-19 infection and transmission. They cannot quarantine, nor practice

social distancing; because they are not leaseholders, they are not protected by eviction moratoria, nor are they eligible for COVID-19 rental assistance. These families and youth are at the mercy of others, and extremely vulnerable to harm, including assault, trafficking and other forms of predation. For these reasons, prioritization should not be based on the arbitrary nature of a sleeping arrangement. Local providers who see the entirety of the circumstances of each family or youth are best able to make decisions about relative vulnerability.

- 2. Require ARP grantees to subcontract a portion of funds to community-based youth service providers, family service providers, and public schools, to ensure that unaccompanied youth and families with children who meet HUD’s definition of “at risk of homelessness” are not disadvantaged by systems that have limited experience serving them.** The traditional system for administering HUD homelessness assistance through the Continuum of Care (CoCs) is designed to serve those who meet HUD’s definition of homelessness. CoCs are not well versed in other federal definitions of homelessness, and largely exclude them from coordinated entry intake systems. To guarantee that youth and families have full access to ARP homelessness assistance and supportive services, as Congress intended, HUD grantees should be required to subcontract a portion of funds to youth and family providers who regularly identify and serve youth and families who are homeless under other federal definitions. This is particularly important for unaccompanied youth experiencing homelessness who are under the age of 18, who cannot sign a lease and for whom housing options in most communities are extremely limited or non-existent. For many unaccompanied minors, school is their only safe place, but without housing options, schools struggle to assist youth to stay in school, which in turn places them at greater risk for violence, trafficking, and homelessness as adults.

Emergency Housing Vouchers: Collaboration with Schools and Youth Providers

As cornerstones of communities, schools are uniquely able to identify families and youth experiencing homelessness; schools exist in all communities and are required to identify and enroll all children and youth experiencing homelessness. School district homeless liaisons, school social workers, and educators often have sustained contact with families and youth over time, and know their needs, challenges, and strengths. Initiatives like Minnesota’s [“Stable Homes Stable Schools”](#) show the power of collaboration among school districts, public housing agencies, and community service providers. We urge HUD to encourage public housing authorities and school district homeless programs to collaboratively develop local MOUs or agreements that are inclusive of the education definition of homelessness and take into account the specific needs of children and youth, including academic, developmental, and other needs critical to lifelong well-being.

Youth between the ages of 18-24 also face barriers to accessing vouchers, and must be a priority population. HUD should encourage public housing authorities to partner with youth-serving organizations to ensure access to ARP’s emergency housing vouchers. Of particular

importance is that HUD ensures that these vouchers are portable, and last as long as is permissible. Portability of vouchers is necessary, as developing young adults move for normal developmental experiences: moving for a job, employment or education program, or to be closer to a support system. Having a voucher that cannot be transferred to a new address can hinder their transition to economic independence in adulthood. As discussed in the next section, it is also vital that community-based service providers provide case managers to help youth set goals, access additional supportive services, and to build relationships with rental properties who are often unwilling to rent to young people, especially teenagers.

Use of Funds: Supportive Services

ARP's Homelessness Assistance and Supportive Services Program authorizes use of funds for supportive services for "qualifying individuals or families not already receiving such supportive services." The statute does not define what it means to be "receiving services," nor does it set a cap on the amount of funds that can be used for supportive services. We urge HUD to:

- 1. Refrain from broadly defining what it means for a person to be receiving services, and instead adopt a holistic view of the supportive services that youth and families need to obtain and sustain housing and maintain stability.** Families and youth may need child care, transportation, counseling, mental health support, education, health care, job training, recovery, assistance obtaining IDs and driver licenses, and many other services to recover from the trauma and loss resulting from homelessness during the pandemic in order to obtain and sustain their housing and stability. HUD's ARP guidance should instruct grantees to assess clients' service needs holistically and individually, and should not prohibit the provision of supportive services that a person may need, particularly if the service or services are not immediately available in the community.
- 2. Refrain from issuing a cap on the amount of funds that may be spent on supportive services.** Congress did not set any limit on the amount of funds dedicated to supportive services. Providing rental assistance or affordable housing without supportive services often can lead to cycles of homelessness and repeated trauma for children, youth, and families. The provision of services often is just as important as the provision of housing assistance to achieve stability, particularly for the most vulnerable youth and families. In determining the amount of funding available for services, HUD should instruct grantees to consider the prospects of youth and families returning to homelessness without services, and the availability of needed services in the community for specific subpopulations — including young children, school-age children, and unaccompanied youth and young adults — and any gaps in services.
- 3. Encourage grantees to subcontract and otherwise partner with community-based agencies, such as runaway and homeless youth providers, family homelessness providers, and public schools, who have expertise in delivering services to children, youth, and families under all definitions of homelessness.** HUD grantees may lack

experience in service delivery specifically for children, youth, and families, and should be encouraged to partner with child and youth serving agencies to meet their specific service needs.

Use of Funds: Non-Congregate Shelter

ARP's Homelessness Assistance and Supportive Services Program authorizes use of funds for "acquisition and development of non-congregate shelter units." The COVID-19 pandemic has led many communities to adapt motels in order to safely provide shelter to individuals and families experiencing homelessness. The benefits of non-congregate shelter are numerous; not only do non-congregate shelters protect against the transmission of COVID-19, they can afford privacy and dignity that help buffer against the trauma of homelessness. Unfortunately, the move to use motels to shelter homeless individuals has come at a cost for families in some communities, where families paying to stay in motels because they have no adequate alternative accommodations have been displaced by motel owners in order for the motels to be converted to use for homeless individuals. We urge HUD to:

- 1. Require that housing assistance be provided to any families or individuals who are considered homeless under other federal definitions and living in motels that are being considered for use as shelter or conversion to permanent housing.** ARP funds should not result in the displacement of families or individuals who are considered homeless under other federal definitions and who are staying in motels that are under consideration for conversion to non-congregate shelter or housing. Prior to entering into any contracts with motel owners, housing assistance should be provided to all families and individuals who are considered homeless under other federal definitions and who are staying in the motel, regardless of how the family or individual is paying for the motel room. Housing assistance should include identifying housing options, relocation assistance, rental assistance, and other costs associated with securing and maintaining safe and stable housing.
- 2. Encourage grantees to consider the needs of families with children and unaccompanied youth in the acquisition and development of non-congregate shelter.** Families with children need space that is developmentally appropriate for young children/multiple children, access to high-speed internet for distance learning, and locations that are safe and accessible to child care providers and transportation. Young people need access to transportation and wifi as well as the ability to connect to their support system; they often struggle when placed in housing at a great distance from their work, school, or support system.

The Limits of COVID-19 Rental Relief Aid Make HUD Homeless Assistance and Emergency Housing Vouchers Critical for Our Nation's Most Vulnerable Families and Youth

For our most marginalized and vulnerable families and youth, the requirement to show loss of income related to the pandemic in order to qualify for COVID-19 rent relief poses a tremendous

barrier. Many of our most impoverished families and youth had no income prior to the pandemic, and/or have been unable to find employment during the pandemic, and are therefore excluded from this relief. Similarly, the timelines for spending COVID-19 housing assistance have put these families and youth — who are disproportionately families and youth of color — at the end of the line for assistance, behind those who have been able to demonstrate a COVID-19 related loss or condition.

For these reasons, it is vitally important that families and youth experiencing homelessness under all federal definitions of homelessness have equitable access to ARP homelessness assistance, supportive services, and emergency housing vouchers. They face some of the greatest barriers to stability, including the effects of intergenerational poverty, and are at high risk of COVID-19 transmission and illness, yet they are left with few resources and options to obtain and maintain housing, and achieve economic prosperity and well-being.

In closing, we have seen firsthand the devastating effects of the COVID-19 pandemic on children, youth, and families experiencing homelessness, and the tremendous barriers that they face to health, safety, stability, and well-being. It is our hope that HUD takes into consideration their experiences, and the experiences of those who serve them, in developing guidance for ARP homeless assistance, supportive services, and emergency housing vouchers.

Thank you very much for considering these recommendations, and we look forward to working with you.



Darla Bardine, JD
Executive Director
National Network for Youth



Barbara Duffield
Executive Director
SchoolHouse Connection



Claas Ehlers
Chief Executive Officer
Family Promise



Bruce Lesley
President
First Focus on Children