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| LOCAL COMMISSIONERS MEMORANDUM |
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Transmittal No: 94 LCM-87

Date: July 21, 1994

Division: Services & Community
Development

TO: Local District Commissioners

SUBJECT: Preventive Housing Services Demonstration

ATTACHMENTS: A: Initial and Continued Client Eligibility
(Available On-Line)
B: Implementation Procedures (Available On-Line)
C: Model Letter of Intent (Available On-Line)

The purpose of this LCM is to inform you of an opportunity to begin or continue participation in the Preventive Services Housing Demonstration program enacted by Chapter 165 of the Laws of 1991 and to invite you to submit letters of intent if you wish to participate in this demonstration project. The due date for submission of letters of intent to the Department is August 19, 1994. Any social services district submitting a letter of intent will be included in the demonstration, pursuant to Chapter 165.

Thirty districts responded to the original request for participation outlined in 91 LCM 139. However, utilization has been low in some districts while others have consistently authorized their maximum number of slots. Consequently, the 1,000 slots authorized by the demonstration have not been fully utilized.

The recently enacted 1994-95 aid to localities budget contains a \$2.7M appropriation for the continuation of the Preventive Services Housing Demonstration. This LCM offers an opportunity to all districts to participate in the demonstration. Any district which intends to participate in the demonstration, including those which are currently participating and wish to continue, will need to affirmatively respond by submitting the required letter of intent (Attachment C).

Based on the number of districts responding, a new allocation of the 1,000 authorized slots will be made based on a combination of criteria, including previous preventive housing services utilization, Family Unification Program implementation, housing services need as reported through CCRS and the district's percentage of the total statewide mandated preventive services caseload served during 1993.

The following program criteria and implementation procedures are a reiteration of those included in 91 LCM 139, dated August 8, 1991, which originally introduced the Preventive Services Housing Demonstration.

Chapter 165 amends section 409-a of the Social Services Law, Preventive Services; provision by a social services official. It required the Department to establish the demonstration project, effective August 1, 1991, for the purpose of "providing special cash grants in the form of rent subsidies, payments for rent arrears, or any other assistance sufficient to obtain adequate housing." The grants may be provided to up to 1,000 families statewide, in an amount of up to \$300 per month per family. Chapter 165 is silent as to the duration of the subsidy for each individual family and as to the duration of the demonstration project. However, continuation of the demonstration beyond the current state fiscal year is contingent upon budget appropriation.

Chapter 165 sets forth requirements as to the information which you must submit if you wish to participate in the demonstration project. A letter of intent is required. A model letter of intent is included as Attachment C. Currently participating districts can continue to authorize and provide the housing grants within the allocation originally granted to the district in 91 LCM 139 until a reallocation of the 1,000 slots is made, provided that you submit the required letter and information by the due date. New districts may begin participation upon receipt of the Department's letter which announces the final district allocations.

In your letter of intent, you must submit an assurance that you will comply with the implementation procedures set forth in Attachment B of this LCM, an estimate of the number of families to be served during the current state fiscal year (i.e., through March 31, 1995), and an assurance that you will comply with the eligibility standards developed by the Department and contained in Attachment A of this LCM.

Chapter 165 calls upon the Department to establish client eligibility standards, including the following: "...a family with more than one child and a family receiving or eligible to receive emergency housing will have preference...; the family is otherwise eligible for mandated preventive services to prevent the placement or re-placement of a child into foster care, the family has at least one service need other than the lack of housing; and it is reasonable to believe that the provision of services, including housing services, would enable a child to remain with his or her family." A full description of eligibility standards is contained in Attachment A.

Reimbursement for the costs you incur in providing the housing grants pursuant to the demonstration project will be subject to 75% state reimbursement as are all mandated preventive services expenditures. However, the housing grants will be reimbursed only to the extent that state funding is available and only up to the maximum 1000 families statewide. Systems/claiming procedures are in Attachment B.

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The Department will be monitoring this demonstration project for evaluation purposes, pursuant to Chapter 165. The evaluation will assess the impact of the housing grants in obviating the need for foster care and the fiscal impact in terms of reduced foster care costs.

Questions regarding the contents of this LCM should be directed as follows:

Program standards/procedures: Jayne Stillwell, USERID 0fb090, phone 1-800-343-8859, ext. 6-3448.

Systems procedures: Jerry Seeley, USERID 0f1130, phone 1-800-343-8859, ext. 432-2932.

Claiming procedures: Roland Levie, USERID fms001, phone 1-800-343-8859, ext. 4-7549 or Marvin Gold, USERID ofm270, phone 212-383-1733.

Frank Puig
Deputy Commissioner
Division of Services and Community Development

Attachment A

Initial and Continued Client Eligibility

1. The family must be eligible for mandated preventive services to prevent placement or re-placement in foster care:
 - o family must satisfy the eligibility standards for mandated preventive services set forth in Department Regulation 18 NYCRR 423.3, 430.9(c) or 430.9(d);
 - o child(ren) must be residing with parent(s), i.e. goal must be to prevent placement or return to placement in foster care (Chapter 165 requires you to give preference to families having more than one child).
2. The family must have at least one service need other than the lack of housing:
 - o family must have an identified service need for one of the preventive services defined in Department regulation 18 NYCRR 423.2(b)(4)-(15), 17 and 19 and 18 NYCRR Part 435: day care, homemaker, housekeeper/chore, family planning, home management, parent training, parent aide services, transportation, clinical services, day services to children, emergency shelter, emergency cash or goods, intensive family preservation services, or crisis respite care and services for families.
3. It must be reasonable to believe that the provision of housing grants in combination with other preventive service(s) will avoid the need for foster care:
 - o the Uniform Case Record must include documentation of the specific eligibility standard under which preventive services are mandated, the service(s) needed in addition to the housing grant and the service plan to provide such service(s) toward the goal of preventing placement/re-placement;
 - o each subsequent UCR completed while a housing grant is being provided must document compliance with the standards for recertification for mandated preventive services in 18 NYCRR 423.4.
4. The family's housing situation must meet one or more of the following criteria, as documented in the UCR, and the UCR must document the purpose of the housing grant:
 - o the family is homeless or is residing in an emergency shelter, hotel/motel or other temporary housing (Chapter 165 gives priority to families eligible for emergency housing);
 - o the family is residing in its own home, in a room and board situation, or in the home of friends or relatives that exceeds the capacity of such a residence as specified in local laws, ordinances, rules or regulations or the family is threatened with eviction or there is an unreasonable and unsafe degree of overcrowding as determined by the case manager;

- o the family has a home but rent or mortgage arrears place the family at imminent risk of losing the home;
 - o the family is residing in a home which is the subject of a vacate order; and/or
 - o the condition of the home poses a health and safety risk which places the children at imminent risk of harm.
6. The child on whose behalf the housing grant is being provided must continue to live with the parent(s). The grant must be terminated upon the placement into foster care of the child(ren) on whose behalf the housing grant is being provided, unless the anticipated date of discharge from foster care is within 90 days or less of the placement date, in which case
- o the Uniform Case Record (UCR) must indicate the date of placement/re-placement, the anticipated date of discharge, the reason discharge is anticipated to occur within 90 days or less, and the actual date of discharge.
 - o If the child(ren) is/are not discharged within 90 days, the housing grant must be terminated on the 91st day of placement.
7. The family must continue to reside in the housing unit for which the grant is being provided. The grant must be terminated if the family moves out of the housing unit unless the district determines that the grant must continue due to new housing needs and that the grant, along with the other preventive service(s) will avoid the need for placement or re-placement.

Attachment B

Implementation Procedures

1. Priority status must be given to eligible families having more than one child and to families eligible for or receiving emergency housing.
2. Housing grants may be provided for the following purposes:
 - o rent subsidies;
 - o rent or mortgage arrears;
 - o security deposits;
 - o finder's or broker's fees;
 - o household moving expenses;
 - o essential repairs of conditions in rental or client owned property which create a substantial health or safety risk.
3. Housing grants may be provided directly by the social services district or by a local public agency or private not-for-profit agency or organization through a purchase of service agreement and must be paid to the landlord or mortgage holder or to the exterminator or contractor for repairs.
4. Where a rent subsidy is being provided, the provisions of Department regulation 18 NYCRR 423.2(b)(16)(iv) will apply.
5. Where payment of rent or mortgage arrears is being provided, the provision of Department regulation 18 NYCRR 423.4(b)(2)(ii) will apply. This allows for a lump sum payment of up to \$1800. However, no family may receive more than a total of \$3600 in any year (based on the total available at \$300 per month for the state fiscal year).
6. Where payment for any of the remaining items listed in item 2. above is being made, the district may provide a lump sum payment of up to \$1800. However no family may receive more than a total of \$3600 in any one year.
7. The provisions of Department regulation 18 NYCRR 423.4(1)(1) and (2) will apply to all housing grants provided pursuant to this demonstration. These requirements relate to exploring the availability of public assistance to pay for the needed housing assistance and to notifying the district's public assistance, food stamp and medical assistance unit of a family's receipt of the housing grant.
8. Systems procedures: Open a WMS services case and authorize direct service type 25 (mandated preventive). The POS must be 27V (the V suffix is to be used only for this demonstration project and only with POS 27). The POS line is to be written in the routine manner.

The vendor should be entered into the BICS Vendor File with a Commodity Code of 06 (shelter).

9. Claiming procedures: Expenditures made for housing grants provided pursuant to this demonstration project are to be claimed on the Schedule G, Services for Recipients (DSS-1372), line 8 - Housing Improvements, column 4 - Mandated Preventive (these housing grants may not be provided as Non-Mandated Preventive). Administrative costs are to be claimed on the Schedule D-2, allocation for Claiming of General Services Expenditures (DSS-2347 -B) on Line 14 (Title XX Services).

For BICS districts, these payments will be identified on the BICS Composite; Claim RF-2A, Schedule G, Item: Housing Improvement Services.

Attachment C

Model
Letter of Intent

Mr. Frank Puig
Deputy Commissioner
Division of Services and Community Development
New York State Department of Social Services
40 North Pearl Street, 11-C
Albany, New York 12243

Dear Deputy Commissioner Puig:

The _____ Department of Social Services intends to participate in the demonstration project for the purpose of providing housing grants to prevent foster care placement, pursuant to Chapter 165 of the Laws of 1991.

In carrying out this demonstration project the district will comply with the eligibility standards set forth in Attachment A and with the implementation procedures set forth in Attachment B of 94 LCM _____.

An estimated _____ families will be served in this demonstration project during state fiscal year 1994-95.

Commissioner

_____ Department of Social Services