

November 2017 Executive Committee Report

Schedule

2nd Monday, even-numbered months

<i>Previous</i>	<i>Last</i>	<i>Next</i>
August 21, 2017 Fort Worth Housing Solutions	September 13, 2017 – <i>called mtg</i> Fort Worth Housing Solutions	November 6, 2017 – <i>rescheduled</i> Fort Worth Housing Solutions

Report

The Continuum of Care (CoC) Board of Directors Executive Committee met for its regularly scheduled meeting in August. Topics for review and discussion included: Veterans preference in PSH prioritization; September CoC Board Meeting Agenda; CoC Governance Update; TCHC Executive Director Transition Plan; and a review of the proposed non-discrimination policy.

The September meeting of the CoC Board of Directors was cancelled due to lack of quorum; thus, the Executive Committee held a special called meeting in September. TCHC staff

Prioritization of Veterans in Coordinated Entry

Discussion

In July 2017, a request was made to prioritize chronically homeless veterans on the Coordinated Entry Permanent Supportive Housing (PSH) list by the Veteran's Leadership Committee. The request was mentioned at the July CoC Board Meeting but was referred to the Executive Committee because it was not included on the posted meeting agenda.

Veteran's Administration (VA) funds are frequently available to provide Permanent Supportive Housing to chronically homeless veterans. When these funds are resources are depleted, Veterans are often competing with all chronically homeless individuals for housing resources resulting and increase wait time for housing.

The Coordinated Entry prioritization process for PSH as it is now prioritizes individuals by VI-SPDAT score, length of time homelessness, and assessment date, regardless of Veteran status. Prioritizing veteran status on the PSH list would be consistent with the Rapid Re-Housing prioritization policy. The committee recognizes that In order to end Veteran homelessness in TX-601, homeless veterans will need access to PSH resources beyond VA capacity.

Recommendation

To help our CoC reach the goal of ending veteran homelessness by the end of 2017, it is the recommendation of the Veteran Leadership Committee that the CoC board update the appropriate policy in the Coordinated Entry Operations Manual to reflect this change.

Action

The CoC Executive Committee approved the recommendation.

TX-601 Policy on Nondiscrimination and Fair Housing

Discussion

The Department of Housing and Urban Development (HUD) requires all CoC & ESG funded agencies to adopt a Policy on Nondiscrimination and Fair Housing to ensure protections and equal rights are made

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available to all program participants. These protections must be applied consistently among all HUD projects.

In August 2017, the Improvement, Coordination, and Training Committee (ICT) met and discussed the issue and proposed a policy be adopted by the Continuum of Care Board of Directors that requires all HUD funded programs adopt and implement at the agency level.

The proposed policy was also reviewed in August 2017 by the CoC Executive Committee and all local ESG funders.

Recommendation

The Improvement, Coordination, and Training Committee (ICT) recommends the Continuum of Care Board of Directors adopt the following policy:

TX-601 Policy on Nondiscrimination and Fair Housing

As required by the Housing and Urban Development's (HUD) final rule, the TX-601 Continuum of Care as well as its members and subrecipients, are required to comply with applicable civil rights laws through the adoption and implementation of the fair housing and equal opportunity policy. The final rule ([24 CFR 578.93](#)), addressing nondiscrimination and equal opportunity requirements, is provided to offer greater direction to recipients and subrecipients on the use of grant funds. It states that the nondiscrimination and equal opportunity requirements set forth in [24 CFR 5.105\(a\)](#) apply. This includes, but is not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (Section 504), and title II of the Americans with Disabilities Act.

The CoC will verify that applicable programs have adopted and implemented this policy on an annual basis.

CORE COMPONENTS

Core components of the rule which should be included in agency policy include:

Nondiscrimination

24 CFR 578.93(a) requires CoC Programs to operate in compliance with federal nondiscrimination and equal opportunity requirements. Through this final rule, HUD implements policy to ensure that its core programs are open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status; see 24 CFR 5.105(a) for a full list of applicable laws, regulations, and Executive Orders.

Housing for Specific Subpopulations

Recipients and subrecipients may exclusively serve a particular homeless subpopulation in transitional or permanent housing if the housing addresses a need identified by the Continuum of Care for the geographic area. It must meet HUD criteria in 24 CFR 578.93.

Fair Housing

A recipient must implement its programs in a manner that affirmatively furthers fair housing, which means the recipient must:

- (1) Affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities;

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- (2) Where a recipient encounters a condition or action that impedes fair housing choice for current or prospective program participants, provide such information to the jurisdiction that provided the certification of consistency with the Consolidated Plan; and
- (3) Provide program participants with information on rights and remedies available under applicable federal, State and local fair housing and civil rights laws.

Accessibility and integrative housing and services for persons with disabilities

For persons with disabilities, fair housing law makes it illegal to: fail to make reasonable accommodation in rules, policies, and services to give a person with a disability equal opportunity to occupy and enjoy the full use of a housing unit; and fail to allow reasonable modification to the premises if the modification is necessary to allow full use of the premises.

Prohibition against involuntary family separation

The age and gender of a child under age 18 must not be used as a basis for denying any family's admission to a project that receives funds under this part.

Guidance for Creation of Nondiscrimination and Fair Housing Policies

- Policy should state that agency does not discriminate and complies with all nondiscrimination, fair housing, and equal opportunity laws.
- Policy should indicate the availability of aids and services, upon request, to ensure effective communication, such as the availability of qualified sign language interpreters, documents in Braille, or other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.
- Policy should state that the agency will make reasonable accommodations in rules, policies, and services to give a person with a disability equal opportunity to occupy and enjoy the full use of a housing unit.
- If the agency acts as a landlord, the policy should state that the agency will permit reasonable modification to the premises if the modification is necessary to allow full use of the premises.
- Policy should provide contact information for submitting a complaint or reporting discrimination.

Resources to Assist in Creation of Agency Policies

Corporation for Supportive Housing – Toolkit for Developing and Operating Supportive Housing:

<http://www.aarp.org/content/dam/aarp/livable-communities/act/housing/toolkit-for-developing-and-operating-supportive-housing-aarp.pdf> (pages 15-16; includes links to sample policies and forms)

Fair Housing and Equal Opportunity:

https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp

Fair Housing Library:

https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/library#Guidanc e

Action

The CoC Executive Committee approved the recommendation.