



Massachusetts Coalition for the Homeless

A statewide membership organization dedicated to ending homelessness

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Update on Administration's Reorganization Plan for Homeless Services

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As announced in a previous alert, on January 6, 2009, the Patrick Administration announced its plans to reform and reorganize the state's response to homelessness. Under this proposal, control of state-funded shelters and other programs for both homeless families and individuals would shift from the Department of Transitional Assistance (DTA) to the Department of Housing and Community Development (DHCD). The goal of this reorganization is to refocus the state's response to homelessness onto the provision of housing instead of shelter.

Since posting our initial alert, The Coalition has received many inquiries regarding our position on this reorganization plan. We have waited to form an opinion about this proposal until we could obtain more detailed information regarding the implementation of this reorganization and how it would affect the delivery of services to households in desperate need of assistance. Over the past few weeks, the Coalition and legal services have met with Interagency Council on Housing and Homelessness Executive Director Bob Pulster, DHCD Undersecretary Tina Brooks and Lt. Governor Tim Murray to discuss their vision and the ways in which it would change the services provided to homeless and at-risk households.

The Coalition appreciates the Administration's responsiveness to meeting with us to answer our questions and listen to our concerns. We commend the Administration's commitment to direct housing resources to the growing number of homeless families and individuals. We agree that placing the responsibility for linking homeless households with housing resources in the state's housing agency will streamline access to these resources and encourage the development of new resources targeted to extremely low income households. We also agree that the state needs to do a better job at preventing homelessness and should be developing and offering resources to enable households to remain in their existing housing or to secure new housing where feasible. For parents and children still in need of emergency shelter, however, moving all aspects of the current system (eligibility as well as housing placement) over to the Department of Housing and Community Development has the potential to create new obstacles for those seeking assistance.

These concerns include:

- **Access Points:**

Under the current system, homeless and at-risk parents and children go to their local DTA office to apply for assistance. DTA has offices in 24 communities. Since over 90% of the families in shelter receive food stamps and 72% receive income assistance from DTA, retaining DTA as a central intake point for services is important. This will also allow for the continuation of one stop shopping for the significant number of destitute households who apply for income and food assistance at the same time as applying for shelter. The Coalition does support expanding access points beyond DTA to include other community based agencies. (While initially unclear about where family households would apply for shelter, over the course of the past few weeks, the Administration has affirmed its intention to retain DTA as an access point for families, even if intake is transferred to DHCD, through the co-location of DHCD workers at DTA offices.)

- **Rights of Applicants to Timely Consideration of Applications, Placements and Appeals:**

The current statutes and regulations governing family shelter and prevention services at DTA include numerous protections regarding timely decisions on requests for emergency shelter (which requires a decision in 7 days or less in an emergency and placement in shelter pending verification for eligible households), shelter placement decisions and the rights of applicants/recipients to appeal the denial / termination of benefits. DTA also has the infrastructure to track applications and provide written

notices regarding decisions and appeal rights. Since DHCD does not provide any other services directly, it would need to recreate this system if these rights are to be maintained. Staff and other resources needed to recreate this system cannot be easily transferred from DTA to DHCD because DTA still needs to maintain these services for recipients of its other programs (TAFDC, Supplemental Nutrition Assistance [aka food stamps], EAEDC). Many of the same employees who provide services and follow-up to homeless families also take applications and conduct follow-up for DTA's income support and food stamp programs.

- **Access to Services for Populations with Special Needs:**

Because of its years of providing direct services, DTA has established rules, regulations and administrative systems for ensuring equal access to services for people with limited English proficiency, persons with disabilities and victims of domestic violence. These have been hard fought protections and DTA's ability to meet these needs has improved over the years. There would be the need for additional resources at DHCD to recreate this system and a steep learning curve associated with carrying out these procedures for the estimated 7,000 families a year who would receive shelter/prevention assistance through the program.

- **Changes in Rules and Regulations Governing Emergency Shelter for Families:**

In addition to the general reorganization plan, the Administration is proposing changes in the rules and regulations governing family shelter. While most of these changes involve the tightening of rules for families in shelter, the most troubling of these proposals will put new restrictions on shelter eligibility. Specifically, the Administration is proposing new rules to deny shelter benefits to families who have been evicted from subsidized housing. While current rules allow for denial of shelter if a family was evicted from subsidized housing for non-payment of rent, criminal activity or destruction of property when these actions lead to the need for shelter, the new rules would expand this regulation resulting in the denial of shelter to hundreds of families currently eligible for assistance. DTA's estimates of the number of households affected by this change have varied widely from 20 families/month (or 240 families a year) to 20% of the current caseload (approximately 1400 families a year). The variation in these estimates most likely relates to how broadly this exclusion provision might be written. The initial proposal was to exclude any family evicted from subsidized at any time in their past.

The Administration believes this change would encourage families and housing authorities to work out their problems before the family is evicted. While the Coalition supports the notion of early intervention to help families in subsidized housing who run into trouble to retain their housing, we firmly believe that denying families shelter will not accomplish this goal. The best way to encourage mediation and prevention is to require local housing authorities to enter into third party mediation with a tenant prior to eviction and to develop systems to enable tenants to provide direct transfer payments for rent and to permit notification of a third party if problems arise. Also essential to the success of prevention efforts is the provision of cash assistance resources when needed to save these tenancies.

Alternative Approach to Reorganization.

The Coalition's support for the Administration's reorganization plan depends upon how well the final proposal addresses the critical issues outlined above. While many of these issues may be addressed by recreating systems already in existence at DTA, this would either necessitate additional staffing resources to be placed at DHCD or would likely leave DTA short staffed for carrying out essential functions for its TAFDC, EAEDC and Food Stamp clients. After discussions with Coalition and legal services, the Administration has begun considering a hybrid of their reorganization proposal for the family shelter system which, in our view, would make the best use of the strengths that each of these state agencies have to offer given limited resources. Under this proposal, the application, eligibility determination and shelter placement processes would remain at the Department of Transitional Assistance with oversight by and in collaboration with the Department of Housing and Community Development. DHCD would be responsible for managing the shelter contracts and providing housing opportunities, housing stabilization and housing placement services to those seeking shelter and those already in shelter. While giving oversight of the entire array of shelter and prevention services to DHCD, this hybrid proposal would ensure the seamless provision of services by leaving critical functions at DTA which has the infrastructure to support them.

In addition to this modification of the reorganization plan, the Coalition continues to urge the Administration not to change the eligibility standards for family shelter. The Coalition is aware that an additional impetus for proposing these changes is the need to address a deficit in the Emergency Assistance Family Shelter and Services account resulting from the dramatic increase in the numbers of families needing assistance. However, there are few resources for homeless families who do not qualify for state assistance. These resources are already overwhelmed trying to serve the families denied assistance under the current rules (40% of the families asking for shelter in any given month according to DTA statistics). The state has undertaken a dramatic restructuring of its response to homelessness and has invested \$8 million in new approaches on a regional level. The awards for these new regional networks have only just been announced. The Coalition urges the Administration to give these regional entities the time to implement their prevention and relocation strategies before making eligibility changes that will leave hundreds of children in dangerous situations.

Next Steps:

The Coalition expects the Administration to finalize its reorganization very soon and possibly release it next Wednesday, January 28, along with its FY 2010 budget proposal. We will keep you informed as things progress regarding the details of this proposal and its implications for the delivery of services and resources to families in need.