

Long-term Rent Assistance (LTRA)

Clackamas County's Program Policies

Updated 09/1/2024 (all previous versions are obsolete)

Program components that are not explicitly addressed in this Policy framework will be guided by the existing policies and practices of each County's housing authority and/or County.

1. Subsidy Amount Determination

The LTRA program will use one consistent rent calculation for all households with incomes at or below 30% AMI. Clackamas County LTRA program will use 28.5% of gross income, with deductions (e.g. Child Care, Disability and dependent allowances, etc.). Assets, student financial aid and incidental income (recycling, plasma, etc.) will not be counted toward the tenant's income calculation. No rent minimums may be established. Flexible rent calculations that require households with incomes between 30% and 80% AMI to pay more than 28.5% of gross income may be considered.

2. Utility Allowance Schedule

The LTRA program will factor in the reasonable cost of utilities paid separately when calculating rent contributions. Program participants will be reimbursed for the amount that this utility cost exceeds their rent contribution based on the LTRA Administrator's utility allowance schedule. Any reimbursement toward the utility costs can be paid directly to the utility company, property management company, or the household at the program's discretion, with local flexibility based on funder requirements, etc. The Utility Allowance schedule is updated by the Housing Authority of Clackamas County (HACC) following its Administrative Plan.

3. Inspections

Unit quality: Inspections to assess unit quality will use Housing Quality Standards (HQS) or National Standards for the Physical Inspection of Real Estate (NSPIRE), when finalized and adopted by HUD and the Housing Authority in its Administrative Plan policies. Units that do not meet HQS or NSPIRE standards will not be able to enter into an LTRA contract. HACC will complete the initial inspection, determine whether the unit satisfies HQS or NSPIRE, and notify the owner and the family of the determination within 15 days of submission of the Request for Tenancy Approval (RTA). In cases where HACC is not able to complete the inspection within 15 days, the file will be documented as to the reason it was not practicable. All units under contract must have a passing inspection completed within 60 days of the effective date of the LTRA contract. If the LTRA Administrator permitted an LTRA contract to be effective prior to completion of inspection, and the unit cannot pass inspection, the LTRA contract will be dissolved but rent will be covered up to the failed inspection date. Inspections to assess unit eligibility will be required only for non-regulated units (i.e. units not already subject to habitability standards linked to another government funding source) that do not have other inspection standards and requirements.

Special housing types: Special housing types (e.g. SROs, congregate, shared housing) will be eligible, with the goal of providing flexibility. The LTRA program will clarify eligible special housing type standards and guidelines.

4. Income (Income Increase, Decrease, and Re-evaluations)

Income reexaminations: Income reexaminations specific to the LTRA program will occur every three years if the head of household is 55 years or older or a person with a disability, and every two years for all other households. Interim reexaminations may be conducted prior to this two- or three-year schedule and may be requested by the household. All income changes must be reported by the household. Examples of when an interim reexamination will be conducted are as follow: if the household's income decreases, increases from zero income, there is a change in household composition that changes the household income from previous reexamination, or if the contract rent changes.

5. Household Composition (Adding & Removing a Household Member, and Temporary Absence)

Household Changes During Program

Households over income: The rent contract will be maintained for up to 180 days for participants who are determined to be over income (i.e. subsidy is no longer needed because 28.5% of income is higher than the rent, reducing rent assistance to \$0).

Household membership: Qualifying Household members can be added to an LTRA voucher at any time, as long as the household still meets income eligibility and unit capacity requirements. Participants residing in a unit under LTRA contract must receive approval from their Landlord and HACC before a new Household member moves into the unit.

Temporary vacancy: The rent contract will be maintained for up to 180 days if the tenant is temporarily out of the unit (e.g. confined to a nursing home, hospital, inpatient treatment or incarcerated). Accommodations beyond 180 days will be at the discretion of the program and may include options to be placed at the top of the list when the tenant returns or is released.

Unit transfers: Tenant-based unit transfers are allowed after 12 months of assistance (or sooner if the lease is for less than 12 months or the landlord is willing to terminate the lease early). Exceptions will be made for reasons of reasonable accommodation, reasons related to domestic violence or personal safety, reasons related to discrimination or harassment in housing, changes in household composition, or other reasons as approved by the LTRA Administrator. LTRA subsidy payments will be made through the end of the last month of tenancy to allow for overlap with the new tenancy as needed. Transfer lease-up timelines are the same as for initial lease-up. Recertifications are only required with a unit transfer if the household composition changes.

6. Transfers within program jurisdiction

A formal policy regarding LTRA transfers is pending and will be developed upon receiving further guidance from OHCS. This section will be updated accordingly once that guidance is available.

7. Grievance/Appeals Procedure

Appeals process: Participants will be provided with a formal appeals process that at a minimum must consist of (a) written notice to the participant containing a clear statement of the reasons for termination, (b) a review of the decision, in which the participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision, and (c) prompt written notice of the final decision to the participant.

8. Ending Program Participation

Discontinuation of Rent Assistance

Supporting housing stability: The LTRA program is guided by Housing First principles. All possible efforts are made to avoid a loss of rental assistance or return to homelessness. LTRA Administrators, service providers and counties are expected to work together to preserve participant access to the program and prevent the discontinuation of rent assistance. Program partners work together to preserve participant access to the program by (a) providing all participants with written copies of program rules at move-in, (b) ensuring participants are connected with appropriate supportive services to support housing stability, (c) notifying participants in writing when their rent assistance is at risk of being discontinued and working with them to resolve the issues, and (d) providing access to reasonable accommodations and supportive services, and using case conferencing as needed to prevent program discontinuation.

Factors that put a participant at risk of losing rent assistance:

An LTRA participant may only be discontinued from the program due to serious violations of program rules or conditions of occupancy. All extenuating circumstances are considered to ensure that a participant's rent assistance is discontinued only in the most severe cases. Some examples of potential grounds for discontinuation of assistance include:

- Participant no longer meet the eligibility guidelines for LTRA assistance.
- Serious or repeated lease violations that threaten the safety and stability of the community such as significant intentional damage to the unit/premises or serious acts of violence, or threat of violence, against another person.
- Serious or repeated violations of program rules that jeopardize the continued administration of the voucher.
- Serious or repeated violent, racist, threatening, harassing or abusive behavior toward staff of LTRA Administrator, services provider, or other program partners.

9. Program Reinstatement

End of Assistance does not bar the participant from receiving further assistance at a later date.

To be reinstated, the participant will be instructed to work with CHA (Coordinated Housing Access) for placement on appropriate waiting lists.

10. Application Process

Priority:

Priority will be given to the following household applicants under LTRA:

Priority One:

The households that will be rehoused via EO 23-02 and HB5019 will have first eligibility priority for LTRA assistance.

Priority Two:

Additional households referred from Coordinated Housing Access (Clackamas County's Coordinated Entry) and providers with MOUs for referral to LTRA will have second eligibility priority for LTRA assistance.

Tenant Referral, Eligibility and Documentation

Referral process: The LTRA program will receive referrals through a flexible process with multiple referral paths, to be determined at the county level. The counties' coordinated access systems will be the primary referral source for partnering agencies. Other referring agencies may include community-based and culturally-specific partner organizations. Each referring agency will screen potential participants for LTRA voucher eligibility, according to the State eligibility guidelines below. Counties will be held accountable for ensuring referral pathways are equitable, inclusive and effective at connecting eligible participants with appropriate housing options and supportive services.

Referral Criteria - General

- The households that will be rehoused via EO 23-02 and HB5019 will have priority for the LTRA program and will not require re-screening for eligibility to include income, Fair Market Rent (FMR) requirements, and rent reasonable standards.
- For the LTRA program, there is not a requirement to obtain and verify Social Security Numbers (SSN) and documentation evidencing citizen status before admitting the household to the program. The household will be responsible to provide custody paperwork and birth certificate for any minor(s) in the household.

Referral Criteria - Household Composition

- Each household must identify the individuals to be included in the household at the time of application and must notify the program Administrator and its staff if the household composition changes.
- Household composition may include but not be limited to the following, regardless of actual perceived sexual orientation, gender identity, or marital status.
 - A single person, who may be an elderly person, displaced person, disabled person, near elderly person, or any other single person.
 - A group of people residing together. Such group includes but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family), an elderly family, a near-elderly family, a disabled family, a displaced family, or the remaining member of a family.

Referral Criteria – Income Limits

- Clackamas County will set the Income Limits at 80% AMI or below.
- Households rehoused under EO 23-02 who have been determined to need LTRA services based upon the approved Community Plan methodology for determining need for this population and have higher incomes than the 80% AMI will receive an exception to the above requirement.

Referral Criteria – Living Situation

For purposes of the LTRA program referral and eligibility, the definition of homeless is defined as the following:

Category 1: Literally Homeless—Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for human habitation (including, but not exclusive to, a car, park, abandoned building, bus or train station, airport or camping ground).
- Living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional shelter, and hotels or motels paid for by charitable organizations or by federal, state, or local government programs), OR
- When entering homelessness from an institutional care facility (i.e., hospitals, jails, substance abuse or mental health treatment facilities, or other similar facility) -To reduce barriers, there is no maximum time limit for days spent in institutional care that would cause ineligibility for EO rapid rehousing. This differs from HUD's definition of homelessness, which stipulates that time spent in an institution must not exceed 90 days to not constitute a break in homelessness. OHCS acknowledges the importance of recognizing where the point of entry may be for communities and has expanded the definition of eligibility for rapid rehousing as a result.

Category 2: Imminent Risk of Homelessness—Individual or family who will imminently lose their primary nighttime residence provided that:

- The primary nighttime residence will be lost within 21 days of the date of application for homeless assistance.
- No subsequent residence has been identified; AND
- The individual or family lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing. 11 Category 3: Homeless Under Other Federal Statutes—Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, (literally homeless, imminent risk of homelessness or fleeing/attempting to flee domestic violence) but who:
- Are defined as homeless under other listed federal statutes. • Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the program assistance application.
- Have experienced persistent instability as measured by two moves or more during the preceding 60 days; AND
- Can be expected to continue in such status for an extended period due to special needs or barriers.

Category 4: Fleeing/Attempting to Flee Domestic Violence—Individual or family who:

- Is fleeing, or is attempting to flee, domestic violence; sexual assault, stalking, labor, and human trafficking, or other dangerous or life-threatening conditions that relate to violence.

Category 5: Unstably Housed—Individual or family who:

- Is at risk of losing their housing, and does not otherwise qualify as homeless under the above listed (1-4) categories, provided that:
- They have been notified to vacate current residence or otherwise demonstrate high risk* of losing current housing; AND
- Lack the resources or support networks to obtain other permanent housing.

High risk may be demonstrated by but is not solely defined as:

- having experienced a loss of income or other threat to housing stability.
 - In addition, sharing housing of other persons due to loss of housing, economic hardship, or a similar reason (“doubled up”) may demonstrate a high risk of losing current housing.
 - Owing rental arrears or not having the ability to pay for future rent may also demonstrate high risk status.
 - Previously experience of homelessness.
 - Time limited rental emergency assistance programs that are coming to an end or combination of extremely low income and severe cost burden.
- Communities should establish a flexible process with multiple referral paths.
 - The Counties coordinated access systems should be the primary referring agencies. Other referring agencies may include community-based and culturally specific partner organizations, hospitals, health care and mental health institutions.
 - Each referring agency will need to screen potential participants for program eligibility, according to LTRA guidelines.
 - Referral pathways should be equitable, inclusive, and effective at connecting eligible participants with appropriate housing options and supportive services.

Eligibility guidelines: Eligibility guidelines are based on the priority criteria listed in this policy document.

Tenant screening: Tenant screening will be the responsibility of the participating landlord or property manager. No tenant screening will be conducted by the LTRA program and there will be no screening criteria for mandatory denials. The only screening conducted by the LTRA program will be a verification system to ensure that applicants are not already receiving long-term rent assistance in another county or program.

11. Document Guidelines

Documentation guidelines: Documentation requirements for LTRA eligibility will be flexible to minimize barriers. Government issued identification is preferred, but this can include documentation from any government agency containing the applicant’s name and date of birth. Citizenship status and criminal background will not be assessed. Program guidelines will specify that no social security numbers should be collected and will clarify alignment with HMIS standards. A Birth Certificate is required for any household member under 18 years of age to verify age and identity.