



Office of  
Mental Health

2015

# SUPPORTED HOUSING GUIDELINES

## *Questions & Answers*





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## Questions & Answers

### SUPPORTIVE SERVICES & PROGRAM REQUIREMENTS

1. Is the support plan content meant to include only supports in the community, or independent living goals or both? We want to ensure we are updating the right information every 3 months as guided.
  - a. *The Support Plan may include supports in the community, independent living skill goals, or any other client-driven goal they wish to include.*
  
2. Is the monthly face to face contact mandatory or recommended?
  - a. *Yes, there is an expectation of face to face contact occurring at least once a month, if not more, depending on individual need. The housing case-manager is expected to provide this face to face contact at least once a month and for a minimum of 15 minutes each visit.*
  
3. Is the quarterly home visit mandatory or recommended?
  - a. *Yes there is an expectation that a quarterly home visit is conducted in the resident's apartment at least once every quarter.*
  
4. If all avenues have been exhausted and documented in attempting to visit an apartment every 3 months, at what point in time does OMH expect a provider to begin the eviction process, if ever?
  - a. *Each situation should be evaluated on an individualized basis, however consumers have tenancy rights like any other NYC market rent tenant. To this end, the same rules apply for initiating an eviction. A Supported Housing consumer should not be brought to housing court for refusing home visits. In this instance, where the consumer is refusing home visits, the agency should continue to engage the consumer and document attempts to do so.*
  
5. Please clarify the difference between a support plan and service plan, if any. Currently our supported housing program utilize service plans that are completed at 30 days from admission date and reviewed at 6 month intervals. The webinar indicated that support plans should be completed every 3 months and made no mention of service plans. In reviewing the supported housing guidelines, more clarification was provided however we want to ensure that we are in full compliance of what is expected.



9. What about SP-SRO's? All the SP-SROs (excluding mixed used buildings) in NYC have rules and regulations regarding visitors, overnight visits and visiting hours. The reason the agencies give for having these policies is "safety purposes" (consumers bringing in undesirables, moving in multiple family members in studio apts, excessive drug activities, etc). Do we (OMH) ask these agencies to abolish these rules and regulations?
  - a. *Providers should be encouraged to provide alternative means to addressing safety concerns other than having specific rules and regulations regarding who and when a tenant may have visitors, limiting visitors and establishing visiting hours could potentially be viewed as a violation of tenant's rights. This is permanent housing and regulated under tenant-landlord standards.*
  
10. In Suffolk most of our supported housing is shared by 3 people. Can a provider facilitate shared house rules by consent? I am thinking particularly about overnight guests. Many of our residents don't feel safe with others sleeping in the house.
  - a. *Providers may help to facilitate voluntary agreements and shared house rules between housemates. Per the revised Supported Housing Guidelines, "If housemates are involved, the provider will facilitate cooperative housemate agreements on bill payments, division of household responsibilities, etc."*
  
11. Leases or sub-leases should include only what a landlord would include for anyone else renting an apartment. Some landlord leases limit the amount of time a tenant can have a guest stay overnight (not longer than 15-30 days) to avoid "squatter's rights." Would this be acceptable in a Supported Housing lease or sub-lease?
  - a. *This would be acceptable, provided it is not specific to individuals with special needs and applies to all tenants.*
  
12. The guidelines state that no more than 3 individuals can share an apartment. Can 4 individuals share a 4-bedroom house?
  - a. *No, no more than three individuals can share an apartment.*
  
13. Requesting clarification on placing families in an individual slot. What if an individual wants to start a family or gains custody of their child(ren) and is already in an individual slot?

- a. The housing provider should work with this individual on developing a plan for family reunification which could include helping the individual to locate an apartment appropriate to the size of family or locating an alternative housing program that could assist in housing families.*
14. For agencies that have multiple designated SHP programs (housing first, MRT, long term stay) will all units be considered jointly for staffing ratio and occupancy rates, or will they be viewed as separate and distinct programs?
  - a. Yes they will be viewed jointly for staffing ratios and for occupancy rates except for MRT, PC Long Stay and Community Investment Supported Housing programs which will be carved out for occupancy purposes.*
15. Will there be more funding available in the future for providers to hire additional support staff to be able to sustain the 1:20 staff/client ration OMH is suggesting?
  - a. No, however OMH has examined the 1:20 ratio as requested by ACL and as a result of provider concerns. The acceptable range for staff/client ratio for OMH Supported Housing Program Model is between 1:20 to 1:30. The revised Supported Housing Guidelines document reflects this change. Please note that each agency should examine the needs of the individuals being served by Supported Housing and if necessary adjust the staff/client ratio accordingly, keeping within the 1:20 to 1:30 range. For example, if individuals served have high needs a ratio of less than 1:30 may be more appropriate to effectively meet the needs of the individuals served.*
16. The ratio 1:20 was already noted as a topic that is being explored internally at OMH, I would like to point out that this ratio seems to raise some concerns of financial feasibility.
  - a. Thank you for your concern. See Answer to Question #15.*
17. With funding guidelines as they are, what can agencies do to meet this 1:20 ratio?
  - a. Please see answer to Question #15.*
18. The staff to recipient ratio is now 1:20. Which staff members are considered part of this ratio? For instance, does this include a supervisor or director or is it just the direct care worker?
  - a. Please see answer to Question #15. Only direct care staff can be included in the range of 1:20 to 1:30. That means staff that carries a*

*case load and work with consumers. Supervisory staff that don't carry a case load or ancillary staff should not be counted towards the 1:30 ratio.*

19. Please confirm that the staffing ratio includes supervisory time within the program.
  - a. *Only direct care staff can be included in the range of 1:20 to 1:30 ratio. That means staff that carries a case load and work with consumers. Supervisory staff that don't carry a case load or ancillary staff should not be counted towards the range of 1:20 to 1:30 ratio.*
  
20. Access to SH is currently managed via our SPOA. Eligibility has been determined by CSS Eligibility. With the new guidelines requiring individuals have a serious mental illness; can we have some time to transition our current caseload to the new requirements? Also can we assume that SMI = SPMI to document eligibility? If not, how do we determine SMI status?
  - a. *Eligibility requirements for NYS OMH Supported Housing Programs have always had the criteria of the individual having a serious mental illness, which is consistent with CSS eligibility. SMI is equivalent to SPMI to document eligibility. SMI is determined by a documented diagnosis from the DSM V. The revised Supported Housing Guidelines are expected to be fully implemented by agencies by July 1, 2015.*
  
21. On p.19 of the Guidance, "Recipient refusal to follow program expectations", it states: "the Provider should document use of the array of strategies and interventions discussed above". Can you be more specific about where we can find these "strategies and interventions" in the document?
  - a. *All strategies and interventions must be individualized to the recipient who refuses to follow program expectations. Agencies are responsible for developing their own strategies and interventions based on local resources, evidenced-based practices and person-centered planning principles.*
  
22. If the participant is being evicted from an apartment by the landlord, are they automatically discharged from Supported Housing program? Should they be?
  - a. *Each case should be reviewed on an individualized basis. Being evicted from one apartment by a landlord does not necessarily mean they are automatically discharged from the program. For programs in NYC, the NYC Field Office should be contacted prior to an individual being evicted from their apartment.*

23. What are the non-ready program discharge criteria for discharge from Supported Housing? In other words, under what situations/conditions can someone be discharged from the SH Program; e.g., illegal/criminal activity, mis-use of personal funds leading to eviction, unsafe/violent behavior?
- a. OMH does not have non-ready program discharge criteria from Supported Housing as Supported Housing is considered permanent housing and recipients have tenancy rights. All strategies and interventions must be individualized to the recipient who refuses to follow program expectations. Agencies are responsible for developing their own strategies and interventions based on local resources, evidenced-based practices and person-centered planning principles.*
24. Is there a length of time in which services should overlap when a participant is being discharged-ready? Discharge- non-ready?
- a. There is no prescribed length of time. Participants may require varied amounts of time to feel comfortable transitioning and each situation should be evaluated on an individual basis.*
25. Is it possible to admit the resident upon intake while we work with them to find an apartment or do we have to wait until the date of move in?
- a. It is possible however each case should be reviewed on an individual basis to determine appropriateness of admitting an individual prior to securing an apartment.*
26. How many days should a provider work with an individual to secure a safe, affordable dwelling of choice? Is 90 days acceptable?
- a. A housing provider should work with an individual to locate a safe, affordable dwelling of choice within reason.*
27. When OMH is looking at the Occupancy to ensure 90% occupancy on the average, what specifically are you looking at –by program or by agency?
- a. Both, the overall agency occupancy rate is a factor that is reviewed, as well as each Supported Housing program. Both the agency overall and each Supported Housing program should maintain a 90% occupancy rate or above. OMH does take into consideration the first year a program opens for start-up time and removes these units from overall occupancy averages.*

28. Requesting clarity on “holding a bed” when someone is hospitalized or incarcerated.
- a. *A provider should attempt to maintain an individual’s apartment during periods of brief absenteeism as long as the individual is able to contribute their portion of their rent and their plan is to return to the apartment following brief hospitalization or incarceration. Each situation should be assessed on an individual basis with regards to a time frame. Contingency funds can be used to pay the recipients portion of the rent during brief absenteeism.*
29. Guidelines mention that recipients should not lose housing due to “absences of short duration” (ie hospitalizations, jail, etc. ). How many days can a recipient be absent? And is the time frame different depending on the reason? For example, 90 days for a hospitalization, 30 days for incarceration?
- a. *See Answer to Question #28. In addition, if a client is hospitalized, it is vital for the Supported Housing program staff to have open communication with hospital staff. Based on the information provided to the agency and the potential length of stay, the agency could potentially utilize the contingency funds to ensure the client does not lose his/her apartment.*
30. Can the number of beds/slots be reviewed for providers to more accurately reflect that actual number that can be served, or will there be additional dollars allocated/rates reviewed at some point?
- a. *Each county receives a specific allocation of supported housing units. These units are tracked in OMH CAIRS database during each admission and discharge. Each region has a different funding rate for rent subsidy and operating services.*
31. On page nine, there is a list of items that may be purchased for set up of an apartment. The list of acceptable items does not include flat screen TV’s though we have been informed by NYC Field Office staff that this is a necessary item. Are TV’s considered necessary items.
- a. *A television is considered an appropriate start up expense.*
32. Are providers required to assist tenants in buying air conditioners if they do not have one.
- a. *Yes, if the apartment allows for an air conditioner, one should be provided to the tenant.*

33. In some cases, some landlords do not allow air conditioners in their apartments (if they are covering the utilities) or if the age of the building's electrical system will not support it. What do we do in these circumstances regarding the requirement to provide air conditioners?
- a. In the cases where landlords do not allow air conditioners, the provider should document such and ensure the tenant is provided a fan as well as a list of local resources to utilize during hot weather/heating advisories.*
34. The rate we have for supported housing does not support all of the financial requirements. Of particular concern is the replacement of furniture. We do this whenever possible but it is not possible to do this on a regular basis.
- a. Thank you for sharing this important information with us.*
35. If each recipient has an air conditioner (either purchased by the agency or by the recipient) the utility cost can sky rocket (even if the air conditioners are used within reason). How is the agency expected to recoup some of these funds? Could a small amount over the 30% be considered?
- a. No, a small amount over the 30% cannot be considered, however the utility allowance provided by the agency is for reasonable utilities as determined by the local municipal housing authority minus \$10. The recipient is responsible to pay any costs above the amount of reasonable utilities.*
36. Air conditioners are supposed to be included in the furnishings of the apartment. What is the expectation of the number and/or location of these units? If the apartment is a two-bedroom unit are both bedrooms expected to have an air conditioner or is only one air conditioner expected in the living room? What if the air conditioner blocks the means of egress from the window? Are agencies expected to pay for the installation of an air conditioner that is put through the wall of a rented apartment?
- a. One air conditioner per apartment is required. The air conditioner should be a removable unit and there is no expectation that a permanent air conditioner be installed through a wall.*
37. Air conditioners – does the provider have to supply air conditioners for all recipients or just those in which there is documentation supporting air conditioners are a medical necessity? Is it OK to have recipient utilize other financial means of obtaining air conditioners, such as Medicaid program?

- a. *The provider should supply an air conditioner for all recipients, one per apartment. If the individual is able to secure an air conditioner by alternate means, such as Medicaid, this is acceptable.*
38. Is there a cap on how much providers can pay per recipient for initial expenses? Is there a cap per expense? (ie furniture, utility, moving costs, etc)
- a. *There is no cap on how much providers can pay per recipient for initial expenses nor is there a cap per expense.*
39. Is the annual contingency of \$500 pp budgeted out of the 70% stipends or the 30% support svcs?
- a. *Per OMH Spending Plan Guidelines, All contingency costs should be displayed in the column on line 8, Rent/Property Other Than Personal Service.*
40. On page nine, there is a list of items that may be purchased for set up of an apartment. This list of start up expenses is not listed under the section entitled: "Funds" and speaking specifically to "contingency funds". So should the startup expenses outlined on page 9 be paid for with contingency monies?
- a. *If an individual leaves Supported Housing and you are renting and furnishing a new apartment for a new consumer, the costs associated with the development of the new unit may be paid by Supported Housing contract dollars. Please refer to OMH Supported Housing spending plan guidelines which can be found at <http://www.omh.ny.gov/omhweb/spguidelines>*
41. If a landlord refusing to complete maintenance work such as; painting as stated in lease, patching and repairing plaster cracks or water stains on ceilings, cracked tiles, loose or broken kitchen cabinet doors, and other cosmetic/ non-safety issues, should the provider pay for these repairs from contingency monies?
- a. *Yes, contingency funds may be used to make minor repairs to apartments. The OMH spending plan guidelines read: "eligible expenditures for contingency funds include minor repairs if not the responsibility of the landlord."*
42. Are SP-SROs required to set aside \$500 per year per consumer in contingency? I know for scatter site the answer is yes but I thought for an SP-SRO it was optional. Please clarify.

- a. For SP-SRO setting aside \$500 per year per consumer in contingency is optional. For the Scattered –site Supported Housing units, setting aside \$500 per year per consumer in contingency is required.*
43. Pg. 10 suggests providers access and utilize the “Supported Housing Contract and Budgeting Guidelines” for a listing of eligible expenses for contingency funds. Where is this? Unable to locate on OMH website.
- a. Spending plan guidelines can be found at <http://www.omh.ny.gov/omhweb/spguidelines>*
44. Understand \$500/per person/per year should be set aside for contingency funds. For our program, this would be \$30,000/yr (\$500 x 60 beds). Where does this money come from? Is this out of annual rent amount? If it is out of existing rent funds, will OMH be offering additional rent monies so we may sustain current rent stipends for 2015?
- a. This money comes from the annual operating amount that an agency receives for each unit. OMH will not be providing any additional funds.*
45. 45. If the \$500 contingency funds per individual aren’t fully utilized can it either be rolled over into the following year, or used for start-up funds for individuals who don’t need rental stipends?
- a. No*
46. Are providers able to re-purpose unexpended contingency funds (\$500 per slot) within the SH program once emergency needs have been satisfied for the year? If a re-purpose is possible are there any restrictions on what can be funded?
- a. Contingency funds may be used to cover non-emergency needs during the year. Spending guidelines can be found at <http://www.omh.ny.gov/omhweb/spguidelines>.*

## RENTAL SUBSIDY QUESTIONS

47. Regarding Attachment A Rental Stipend Worksheet, Letter B deductions for support of minors: I followed up with my local housing authority for clarification on this. Child support is not allowed for deduction but child care, for those children in custody, for recipient to go to work or program is allowed. No mention of any court ordered expenses being allowed?

*a. Court-Ordered expenses are allowable under OMH Supported Housing Model.*

48. In the original guidelines agencies were encouraged to leverage local community supports. One of the early practices was to provide a stipend that allowed for a maximum or close to maximum SNAP benefit. The residual saved from the stipend could provide for additional assistance for individuals beyond the “bed” funding.

Another strategy to leverage local benefits has been to only pay the amount beyond the Monthly Shelter Allowance provided by the county for individuals receiving TA. If we were to utilize the 30% formula as directed the recipient receives NO net gain. The county simply pays less in the overall grant.

Example: Recipient receives a total TA grant of 400 with a 199 of that grant dedicated for shelter. If we multiply the 400 dollars by 30% the county will now pay 120 toward shelter effectively reducing the individuals grant by 79 dollars.

Our practice is the subsidizing of the rent up to the fair market rent less the counties budgeted shelter allowance. Again any savings would be used for other clients or appropriate housing expenses etc... Would you have us change this practice?

*a. No you do not need to change this practice as Temporary Assistance/ Temporary Aid to Needy Families provides a Monthly Shelter Allowance to cover the rental amount. Providers should go by the Shelter Allowance standards set by the County Department of Social Services for individuals who receive this benefit.*

49. My question involves how to provide a utility allowance to someone receiving Public Assistance (welfare). In NYC, The participant is sent a small allowance twice a month (payments totaling approximately \$137 monthly). Public Assistance then sends the supported Housing program the “Emergency Shelter Allowance” in the amount of \$215 to cover the tenant’s portion of the rent. This is paid directly to the agency. Please let us know the best way to provide the client with the utility allowance when receiving public assistance. Should we simply cut the client a check for the applicable utility allowance amount?? Normally, when a

client receives SSI or SSD, we simply deduct the utility allowance amount from their calculated rent portion. We cannot do that in this example because the “emergency shelter allowance” check is paid (and sent) directly to Pibly (the agency). Thank you for your guidance.

- a. See Answer to Question #48 with respect to rent payment For utilities, the agency may consider sending the utility allowance to the utility company on behalf of the consumer.*
  
50. If a recipient becomes involved in criminal activity or is convicted of a crime, should they be discharge from Supported Housing services? Individuals with felony convictions do not qualify for HUD, therefore, should our agency provide a rental stipend?
  - a. If a recipient becomes involved in criminal activity or is convicted of a crime, this would not disqualify them or be means for a legal eviction or discharge from the program. The OMH Supported Housing model does not have exclusionary criteria.*
  
51. What will be the grace period to transition providers who aren’t currently doing stipends, or doing less than the 70%?
  - a. Revised supported housing guidelines should be fully implemented by July 1, 2015.*
  
52. Should public assistance be calculated the same as other income sources, such as SSI, or should providers go by the “Shelter Allowance” standards set by County Dept. of Social Services? Concerned that if we use the total PA amount, the client portion will be under shelter allowance, which will cause the PA to decrease, which will then cause the rent to decrease. This cycle will continue until the client is at \$0 income and \$0 rent. Local PHA Section 8 program goes by shelter allowance to avoid this.
  - a. Providers should go by the Shelter Allowance standards set by the County Department of Social Services for individuals who receive this benefit. See Answer to Question #49.*
  
53. Eligible expenses for deduction: What does OMH consider “Child care expenses” and how do we verify these? What is covered under “Court Mandated expenses”? Do monthly probation fees qualify for deduction?
  - a. Child care expenses that were incurred as a result of the individual’s employment or treatment would be verified through receipts provided by the recipient from a day care provider. Court Mandated expenses*

*such as child support payments are an allowable deduction. OMH is not clear what probation fees are and the provider should contact their local Field Office to discuss.*

54. What happens if a recipient of services is sanctioned for a long period of time and loses Temporary Assistance benefits? What happens with the rental stipend being provided?
  - a. *Individuals would be required to pay no more than 30 % of his/her income.*
  
55. For those individuals enrolled in Health Home Care Coordination, can they also receive Supported Housing support services and a rental stipend? Are Supported Housing funds available to assist Health Home clients with energy bills, security deposits, on a one time basis?
  - a. *For individuals enrolled in Health Home Care Coordination, they can also receive Supported Housing support services and a rental stipend. Supported Housing funds are not available to assist Health Home clients with energy bills, security deposits, on a one-time basis unless the individual is living in a Supported Housing apartment and needs this assistance one time as a start-up in permanent housing where they would continue to receive rental stipend and supported housing services..*
  
56. Understand there are no income requirements, but is suggested clients be considered low or very low income. Are there guidelines for low/very low income? What if a client has \$40,000 in a bank account AND has access to this money? (It's rare, but it has occurred in the past)
  - a. *Guidelines for low/very/extremely low income can be found at [http://www.huduser.org/portal/datasets/il/il2014/select\\_Geography.odn](http://www.huduser.org/portal/datasets/il/il2014/select_Geography.odn). Each case should be reviewed on an individual basis, however the individual should be encouraged to place the money in a special needs trust so as to protect benefits.*
  
57. We are struggling here in our Madison County program with individuals that are on Public Assistance. They are only given \$385 and therefore cannot pay 30% as our local DSS office does not recognize us as they do HUD. Our individuals have all of their Public Assistance amount paid direct to landlord and our program provides a stipend for the rest of the rent. Individuals are then left no monies at all for daily living expenses and utilities. What suggestions/strategies can you offer? Also is there anything that could serve as a guide for this?

- a. *See answer to Question #48. OMH suggests that you meet with your local County Department of Social Services office to educate them on the similarities of OMH Supported Housing Program Model and HUD rental assistance programs.*
  
58. Can the 70% of the rental stipend be supplemented with section 8 or Shelter+Care funds, or does it all have to be a rental stipend through Shelter+OMH supported housing dollars? Along the same lines, how long can a person stay enrolled/be counted as a bed/slot if they no longer need the stipend?
  - a. *Each case should be reviewed on an individual basis, however if the individual is still in need of the level of services offered by Supported Housing but not the rental stipend because of Section 8 or Shelter+Care, he/she may continue to be enrolled in the program even if they do not require the rental stipend. The funds not being used for the rental stipend should be leveraged to serve additional individuals in Supported Housing. These additional individuals would be reported and tracked as being individuals admitted and served in the Supporting Housing unit in the CAIRS database.*
  
59. Is there any circumstance where a one-time payment for utility set-up or furnishings would be permitted without a rental stipend? This could in particular impact persons discharging from CR's or Apartment Treatment programs or long term PC stays who may not need a rental stipend for one of the reasons such as described in No. 2 above, but they lack the means to acquire furnishings/housewares.
  - a. *No, OMH Supported Housing funds cannot be used as a replacement of other emergency funds that may be available through the Department of Social Services or other sources.*
  
60. Can we verify that it is OK to continue to provide services to someone who has obtained section 8 but still needs the support services?
  - a. *Yes, Each case should be reviewed on an individual basis, however if the individual is still in need of the level of services offered by Supported Housing but not the rental stipend because of Section 8 or Shelter+Care, he/she may continue to be enrolled in the program even if they do not require the rental stipend. The funds not being used for the rental stipend should be leveraged to serve additional individuals in Supported Housing. These additional individuals would be reported and tracked as being individuals admitted and served in the Supporting Housing unit in the CAIRS database.*

61. If someone is already receiving HUD rental assistance upon applying for SH (ie in public housing or receiving Section 8 voucher), are they eligible or not eligible for SH? (as guidelines also suggest strong efforts be made to transition SH rent subsidies from SH to HUD programs)
- a. *Each case should be reviewed on an individual basis, however if the individual is in need of the level of services offered by Supported Housing but not the rental stipend because of Section 8 or Shelter+Care, he/she may be enrolled in the program even if they do not require the rental stipend. The funds not being used for the rental stipend should be leveraged to serve additional individuals in Supported Housing. These additional individuals would be reported and tracked as being individuals admitted and served in the Supporting Housing unit in the CAIRS database.*
62. There are some individuals who may not qualify for a rental stipend due to the amount of disability they receive, the fact that they are getting a HUD subsidy, or that DSS is paying their shelter. However they still cannot come up with cash to pay a security deposit or first and last month's rent. Is there any way to assist these persons?
- a. *No, not through the NYS OMH Supported Housing Model unless the individual is enrolled in Supported Housing.*
63. If someone already receives Section 8 or is moving into a subsidized unit, are they still eligible for SH? If I have them open and they start receiving Section 8 or move into a subsidized unit, is that a viable reason to close them off of SH?
- a. *Each case should be reviewed on an individual basis, however if the individual is in need of the level of services offered by Supported Housing but not the rental stipend because of Section 8 or Shelter+Care, he/she may be enrolled in the program even if they do not require the rental stipend. The funds not being used for the rental stipend should be leveraged to serve additional individuals in Supported Housing. These additional individuals would be reported and tracked as being individuals admitted and served in the Supporting Housing unit in the CAIRS database.*
64. My understanding from the webinar is that if someone obtains a Section 8 voucher but wants to remain in SH program for support purposes that this is permitted. Did I understand this correctly? If this situation arises, should a form be developed where the consumer signs stating that he/she does in fact wish to remain in the program?

- a. Each case should be reviewed on an individual basis, however if the individual is still in need of the level of services offered by Supported Housing but not the rental stipend because of Section 8 or Shelter+Care, he/she may continue to be enrolled in the program even if they do not require the rental stipend. This should be documented in the recipient's file. The funds not being used for the rental stipend should be leveraged to serve additional individuals in Supported Housing. These additional individuals would be reported and tracked as being individuals admitted and served in the Supporting Housing unit in the CAIRS database.*
  
65. It was stated that the participant can stay in the program as long as they “need” to, Is there definition of this concept, who defines it, and what are the criteria? In other words, what are the discharge-ready criteria?
  - a. Each case should be reviewed on an individual basis, however if the individual is still in need of the level of services offered by Supported Housing but not the rental stipend because of Section 8 or Shelter+Care, he/she should continue to be enrolled in the program even if they do not require the rental stipend. The funds not being used for the rental stipend should be leveraged to serve additional individuals in Supported Housing. The participant and agency should define the criteria of when an individual is “discharge ready”.*
  
66. Is a participant encouraged or required to apply for Section 8? Are they required to accept it, is it a choice, or is the provider required to withdraw the rental stipend?
  - a. The participant is encouraged to apply for Section 8 if available.*
  
67. The guidelines state that reasonable utilities should be considered the local housing authority’s utility allowance (minus \$10). However, what if the recipient keeps their air conditioner on with the windows open or the heat on with the air conditioner? They have made the utility cost “unreasonable.” In these cases would consideration be given to having the recipient pay more than 30% of their income to cover the added costs of how they are using the utilities?
  - a. The utility allowance provided by the agency is for reasonable utilities as determined by the local municipal housing authority minus \$10. The recipient is responsible to pay any costs above the amount of reasonable utilities.*

68. Guidelines suggest using HUD's FMR – should providers use that as the cap of what is considered affordable rents? (ie Clinton County FMR for 1 BR = \$638 should we use \$638 as the max total rent affordable for a 1 person dwelling in Clinton County?)
- a. *Providers should use HUD's FMR amounts as a guideline of what is considered affordable. An agency can rent an apartment above the FMR; however they cannot make the recipient pay more than 30% of his or her income for rent and reasonable utilities.*
69. We currently have individuals who have opted to pay more than 30% towards rent. This is the consumer choice in that they may want to stay in a current apt that is slightly over the FMR or who opt to pay the difference to acquire a nicer apartment. For those who currently request to do this, do we need to get approval for all those who are currently paying more than 30%. If so, what is the process to request this approval?
- a. *For individuals who request to pay more than 30% of his or her income towards rent, the housing provider should present the request to the appropriate Field Office. Upon Field Office approval, the recipient should provide a notarized plan of payment for the overage to the Supported Housing Provider. This document must be filed in the recipient's chart.*
70. What happens if we cannot find decent apartments at the HUD rate? This happens all of the time.
- a. *If an agency is using the FMR's as a guideline to find apartments and the agency cannot locate decent, safe apartments at this amount, the agency should conduct a rent reasonableness to display the difference to justify going over the FMR if needed. In addition agencies are encouraged to utilize the New York State Homes and Community Renewal's housing search which can be found at <http://www.nyhousingsearch.gov/>*
71. By the same token, it may take us some time to implement the guidance regarding calculation of rent stipends. We currently require that recipients contribute at least 30% of their housing costs, but we have a cap on the total stipend that anyone can receive. The new guidelines state that the individual should pay no more than 30% of their housing costs, which may have a significant impact upon our budget going forward. We are hoping that we can take some time in the coming year to phase in this new calculation as well. Can you comment?
- a. *All changes to the revised guidelines should be implemented by July 1, 2015.*

72. In terms of using the HUD FMR's, there are not very many units on Long Island that fall into these rates. If an agency is using the FMR's as a guideline and conducts rent reasonableness to display the difference would that suffice going over (if needed)?
- a. Yes.
73. Question regarding housing amounts over the fair market rate. We previously understood from that individuals could select an apartment over FMR and that they could pay the difference. It seems according to the webinar that individuals are not permitted to pay more than 30% of their income for rent, do I understand this correctly?
- a. *Yes you understand this correctly- an individual cannot pay more than 30% of his or her income towards rent and reasonable utilities, however if the agency finds and is willing to pay for an apartment above the Fair Market Rent they may choose to do so after conducting a rent reasonableness study.*
74. What guidance can you give when the FMR decreases and rent is now above FMR? Can the participant pay the additional amount; i.e., the difference between the rent amount minus their 30% contribution and the provider's stipend up to the FMR?
- a. *See Answer to Question #73.*
75. A slight variation on the above. If the participant wants to rent a property that is above the FMR, can the participant pay the difference between the rent amount minus their 30% obligation plus the rental stipend up to the FMR?
- a. *See Answer to Question #73.*
76. In the guidelines you only talk about Supported Housing people sharing apartment. For married people do you do a total housing income or do you split all housing costs? Also if Supported Housing recipients live with friends and family?
- a. *The SH recipient is only responsible to pay 30% of their income, not 30% of the amount of rent. All household income is factored in the rent calculation for married individuals or domestic partners. The tenant share would be 30% of the combined income of the consumer and the spouse or domestic partner; the subsidy would pay the balance. If they have a child, they are entitled to \$480 dependent allowance that would be deducted from their annualized income; this is consistent with*

*OTDA guidelines. If both roommates are SH recipients, each would be responsible for 30% of their income; the subsidy would pay the balance. Any utility allowance would be divided between the two tenants. If only one roommate is a SH recipient and lives with a friend or family member, then the base rent would be divided in half. For example, a \$700 unit would be split, \$350 each. The SH recipient would pay 30% of their income (not 30% of \$350), the non-client roommate would pay \$350, the rental subsidy would pay the balance. Any utility allowance for the SH recipient would be one half of the utility allowance for the two bedroom apartment.*

77. When a supported housing participants lives with someone who isn't receiving services is that other person responsible for half of the rent? Or should all incomes be combined and 30% of everyone income be calculated?
- a. *See Answer to Question #76.*
78. Roommates – how exactly is rent divided? Equally? For example, if 2 BR apt is shared with 2 individuals for \$700, is rent \$350 for each? And if so, does one roommate pay \$350, and the SH recipient pay 30% of \$350+utility allowance? Guidelines state (p. 16) that “each individual would then be for a stipend” – would the roommate then be considered a recipient? And if so, does the roommate have to sign recipient agreement and be data entered into CAIRS?
- a. *See Answer to Question #76. The roommate does not need to sign an recipient agreement if he/she is not a SH recipient, nor is their data reported in CAIRS.*
79. One question we get from providers is how to calculate rent when a consumer is living with a spouse and they have a child.
- a. *See Answer to Question #76.*
80. If a client gets married, how much does the spouse pay toward the rent?
- a. *See Answer to Question #76.*
81. Some clients do not disclose what their spouse is making, how do we determine what they pay toward the rent? How can we determine what 30% of the total family income is, when they do not disclose what the salary of the spouse is?
- a. *See Answer to Question #76.*

82. We assumed that if someone moved in with the tenant, whether a friend or spouse, that they were responsible to pay half the rent for the apartment. Is this accurate under the Supported Housing Guidelines?
- a. *See Answer to Question #76.*
83. 83. Similarly, what are the guidelines for renting a unit with a non-SH participant renter?
- a. *See answer to Question #76.*

## OTHER QUESTIONS

84. Can you include a “changes” section to the updated guidelines, or mark the updates somehow in the updated guidelines, as DOHMH does.
- a. *We do not have a document at this time available.*
85. Will we get something in writing about new guidelines?
- a. *All agencies should have received the revised guidelines, however they will also be made available on the NYS OMH website.*
86. Where does one find the Supported Housing Contract and Budgeting Guidelines? A search on the OMH website doesn’t seem to turn anything up.
- a. *Spending plan guidelines can be found at <http://www.omh.ny.gov/omhweb/spguidelines>*
87. Certificates of Occupancy do not exist for homes constructed before a certain point in time. This information was provided by our local Code Enforcement Office. If that is the case, would it be sufficient for the agency to verify from tax records and include in the file that the home was constructed prior to that point and what the use of the home is, i.e. single family, duplex, etc.? This is what Code Enforcement suggested. Our agency does not own any SH properties; all are acquired on the open market with the recipient holding the lease, so we work with a wide variety of settings.
- a. *All apartments rented must be legal dwellings as evidenced by a Certificate of Occupancy, Rental Certificate or other proof of inspection by code enforcement for habitability.*
88. Are other agencies utilizing the CAIRS reporting system to enter in a recipient’s Plan of Care? United Helpers has been using the AWARDS Foothold program for recording Service Plans for those receiving Supported Housing services.

- a. *Agencies do not need to enter recipients Plan of Care in CAIRS at this time.*
89. Are fire extinguishers to be provided by the SH provider?
- a. *Fire extinguishers can be provided by a Supported Housing provider if desired.*
90. Can we request copy of tenants' keys?
- a. *Yes, copies of keys can be requested. However, housing providers should never enter a consumer's apartment when the consumer is not at home unless under an emergency situation. The provider should enter into an agreement with the consumer for the use of the key which is based on responding to an emergency.*
91. If a recipient is in another OMH funded SH apartment, to date, the recipient had the choice to request a transfer to another SH program if there were legitimate issues. It was classified as falling under the category of "consumer choice". A reference to this situation on page seven of the new guidelines suggests that this is no longer a consumer option. Is that the case?
- a. *Consumer choice should always be considered if a recipient requests to move to another agency, another apartment, or a different county. If the consumer wants a different provider, the agency would need to assist the consumer on the submission of any necessary paperwork such as the HRA housing application, SPOA application and facilitate the referral to the new housing agency. Please note: the consumer may not transfer the Supported Housing rental stipend to another agency.*
92. Are month to month tenancy agreements/leases between landlord and recipient acceptable as long as they are like all other reasonable month-month tenancy agreements/leases (i.e. no special requirements such as visitors, curfew, etc.)
- a. Yes
93. What if landlords refuse to offer a lease agreement to a recipient, and/or the tenant/recipient does not want a lease agreement? It does not appear to reflect recipients' choice if they are required to enter into a lease agreement. Can tenants refuse a lease agreement?
- a. *Yes, however recipients should be counseled as to the benefits of having a lease or monthly lease/agreement to ensure tenants' rights and landlord responsibilities are upheld.*

94. Does the provider need to discuss with OMH field office in every situation before discharging a client?
- a. *For NYC – Yes. NYC programs are expected to contact the NYC Field Office prior to eviction situations. For the Rest of the State - No, the agency does not need to discuss every situation with the OMH field office. Agencies should also follow appropriate eviction and agency discharge procedures.*
95. Is the provider required to inform the field office if someone is to be discharged from Supported Housing? Or, get approval?
- a. *See Answer to Question #94.*
96. What date does OMH want providers to use for admissions into the CAIRS system? The date the referral is accepted? The date the client agrees to begin working with program and signs recipient agreement, the date a dwelling is secured for client (lease signed/obtained), or the actual move-in date? Is this different for RCE beds?
- a. *The date the recipient signs a recipient agreement and moves into their apartment is the date to be used in CAIRS reporting. This is the same for all types of SH units.*
97. How many days from admission date does it need to be data entered into CAIRS? 7 days, same as required discharge?
- a. *CAIRS data should be entered within 7 days of admission.*
98. In a previous letter attached (02/27/13, letter from Anne Marie Bove), providers were told CAIRS data had be entered in 7 days. Is this no longer the case?
- a. *CAIRS admission and discharge information should be entered within 7 days of the event.*
99. Are admissions/discharges reports made to CAIRS in 30 or seven days after such a status change? Seven days is written in new guidelines but the verbal presentation stated 30.
- a. *Seven days is requested in order to ensure accuracy of data.*
100. Will there be a specific hotline telephone number residents in our programs can call if they have concerns/complaints regarding the new guidelines?

- a. *No, residents are encouraged to discuss their concerns through the established grievance procedures of the SH program, however OMH does have a toll free resource for questions or complaints about mental health services in New York State. The number is 1-800-597-8481.*

101. My biggest question is what time frame OMH wants us to begin implementing the new guidelines? I'm assuming we should begin now, but if we aren't able to have everything in place until Jan 2015 is that OK?

- a. *OMH recognizes there may be a period of transition to the revised guidelines and Jan. 2015 is ok. New guidelines should be fully implemented by July 1, 2015.*

102. How much time do providers have to put new guidelines into effect? Understand we should begin making changes, but what date should all guidelines be implemented by?

- a. *See Answer to Question #101.*

103. As you know there are many parts of the guidance document that will need to be addressed. This will include the development of policies, forms and staff training. When is full compliance with the guidance expected?

- a. *See Answer to Question #101.*

104. How does OMH envision Outreach taking place?

- a. *NYS OMH envisions outreach strategies to include a number of strategies that can be used to identify, engage and develop relationships with potential recipients. For example, conducting visits or informational presentations at local hospitals, state psychiatric facilities, shelters, or other more restrictive housing settings as a means to connect with recipients would be considered acceptable strategies.*

105. With a SH resident does a serious incident get reported to the Justice Center? I would say 6 months ago we had a resident cut his wrist, got scared and immediately called his counselor. The counselor told him to call 911 and she went to the apartment. Long story short he was admitted inpatient for several weeks in upstate NY. I called the JC and they said because he is in supported housing we didn't have to report it. I called back again and told by someone else that I had to.

- a. *Unlicensed OMH housing programs, such as Supported Housing, do not need to report incidents to the Justice Center.*

106. Can a participant's "lot" rent be paid if they own a trailer? If they rent a trailer, can the lot rent be included in the total calculation?
- a. Each situation should be evaluated on an individual basis. If appropriate, the rental subsidy may be used to pay for the "lot" rent for an individual. The recipient would still be required to pay no more than 30% of his/her income towards rent and reasonable utilities.*
107. Can someone rent a room in someone else's home that is not in the Supported Housing Program? If yes, what are the guidelines for calculating the participant's share of the mortgage and utilities?
- a. Each situation should be evaluated on an individual basis. If it is appropriate for an individual and is the individual's choice to rent a legal room in someone else's home, he or she would be required to pay no more than 30% of his/her income towards the room rental fee and reasonable utilities. The supported housing funds could not be used to pay someone's mortgage or house utilities. The room rented must be considered a legal dwelling for the purpose of habitability.*
108. What are the minimal program requirements; i.e. Service Plan; access to apartment on quarterly basis, and annual recertification? Is the participant required to follow through on treatment or on the Service Plan?
- a. Participants are required to meet with Supported Housing staff at a minimal once per month and must allow access to apartment on a quarterly basis as well as submit any necessary documentation as required of the Supported Housing Program Model. Each agency should outline the expectations for participants of the program and review these expectations with the participant prior to admission. The participant is not required to follow through on treatment. The OMH Supported Housing Model does not require a service plan, rather a Support Plan which is an individualized plan that identifies services and supports needed to support an individual in his/her apartment.*
109. The guidelines refer to the referral of participants to Shelter + Care programs, however, once a participant is housed in SH they are no longer eligible for S+C programming because they are no longer homeless.
- a. You are correct. Thank you for this valuable information.*



