



June 21, 2010

Regulations Division
Office of General Counsel
451 7th Street, SW, Room 10276
Washington, DC 20410-0500

RE: Homeless Emergency Assistance and Rapid Transition to Housing: Defining “Homeless”
Docket No. FR-5333-P-01

To Whom It May Concern:

The National Council of State Housing Agencies (NCSHA) thanks you for the opportunity to comment on HUD’s proposed rule on defining homeless. NCSHA represents the nation’s state Housing Finance Agencies (HFAs), which administer a wide range of affordable housing and community development programs, including tax-exempt Housing Bonds, the Low Income Housing Tax Credit, HOME, Section 8, down payment assistance, homebuyer education, loan servicing, homeless assistance programs, and state housing trust funds. On behalf of NCSHA, I urge HUD to improve the proposed rule by including the following clarifications.

While NCSHA recognizes HUD’s desire for documentation, we are concerned that documentation requirements not prevent someone needing immediate shelter from receiving it. Documentation required at intake for persons seeking emergency shelter should not keep them from receiving assistance.

NCSHA asks that HUD clarify or further define a number of terms used in the proposed rule. HUD should clarify that unaccompanied youth includes youths not in the physical custody of a parent or guardian. Childhood abuse should include physical, sexual, emotional, and psychological abuse and chronic neglect.

HUD should include unaccompanied youth and homeless families with children that have not resided in a place where they had a lease, ownership interest, or occupancy agreement, in addition to those that have not had a lease, ownership interest, or occupancy agreement, in order to include those that may be listed on a lease but unable to physically reside in the housing due to an unsafe housing situation.

A history of detention, in addition to a history of incarceration, should also be an allowable qualifier for homelessness since youth are often detained instead of incarcerated.

The term medical should be removed from the phrase “appropriate licensed medical professional” as licensed non-medical professionals may also be qualified to provide confirmation of an intake staff-recorded observation of disability and should be considered as acceptable evidence of meeting the criteria listed in §577.2 paragraph (3)(iii).

NCSHA agrees with HUD's comment that repeating the definition rule in the regulations for the Continuum of Care and Rural Housing Stability programs will make the regulations more user-friendly and is worthwhile.

HUD-produced forms, for the certifications that the proposed rule provides as acceptable evidence, which can be used as guides or examples would be helpful. However, if agencies have their own forms that collect the information required by HUD they should be allowed to use them.

Thank you for your consideration of our comments. Please do not hesitate to contact me if we can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Garth Rieman", with a long horizontal flourish extending to the right.

Garth Rieman
Director, Housing Advocacy and Strategic Initiatives