

Frequently Asked Questions (FAQ) on HOPWA Short-term Rent, Mortgage, and Utility Assistance (STRMU) Payments and its connection to permanent housing

(as issued in May 2006 with a correction to FAQ item j on phone costs updated on 8/3/06)

This FAQ addresses questions and issues in operating short-term rent, mortgage and utility payments (STRMU) projects under the Housing Opportunities for Persons With AIDS (HOPWA) program. STRMU payments are used to prevent homelessness of individuals and families by helping them remain in their own dwellings.

CPD Notice 06-07 was issued on August 3, 2006 and this notice updates and replaces prior guidance, CPD Notice 02-09, issued November 5, 2002, for HOPWA guidance on this subject.

(a) How does STRMU assistance fit with other HOPWA activities?

STRMU is one type of the three main types of HOPWA housing activities, along with Tenant-Based Rental Assistance (TBRA) and residency in a housing facility, such as a community residence. The use of funds annually to provide these three types of housing support are considered the *housing outputs* of HOPWA programs, as reported in annual performance reports. HOPWA activities can involve other costs in addition to the direct housing costs for STRMU payments, rental subsidies or the development and operation costs for housing facilities. These other activities include permanent housing placement services and housing information services which can play a direct role in assisting clients gain access to available housing stock and qualify for or secure occupancy. Permanent housing placement services can be used to help address pressing housing situations in order to secure a new residence. Permanent housing placement costs may include reasonable costs for security deposits (not to exceed two months of rent costs), related credit checks, and assistance in completing permanent housing applications. In addition, many clients have service needs that can be addressed with related supportive services offered on-site or by improved access off-site as part of a supportive housing project. Grantees should consider how to best make use of these program activities, found at 24 CFR 574.300(b), and the connection with other resources to address the needs in the community. A generalized statement on the main HOPWA activities is shown in an attached chart to this FAQ.

The goal of the HOPWA program is to provide a stable living environment for households who are experiencing a financial crisis as a result of issues arising from their HIV/AIDS condition. STRMU assistance is used as part of a homeless prevention strategy, intended to reduce the risks of homelessness, and to improve access to health care and other needed support. As a reasonable public policy goal, HUD seeks to foster long-term solutions to housing problems of eligible persons. This can be done through the use these time-limited housing assistance payments (STRMU) and by the creation of individual housing service plans that include an assessment of current resources and establish long-term goals for recipient households. These goals should involve efforts to restore client self-sufficiency and future independence from the need for housing support. On-going assessments of the housing assistance and supportive services

requested by participants, as required under 24 CFR 574.500, may be evidenced by the development of a housing service plan for every client of the agency approving the expenditure of STRMU payments.

Updated HOPWA performance reporting tools such as the Annual Performance Report (APR) for competitive grantees (form HUD-40110-C, revised 1/2006) and the Consolidated Annual Performance Report (CAPER) and Integrated Information and Disbursement System (IDIS) for formula grantees (form HUD-40110-D, revised 1/2006 and IDIS version 10.0 released May, 2006) also focus on the results of HOPWA housing efforts. Stand-alone STRMU payments are likely to create only a temporary solution that reduces the clients more immediate risks of homelessness for many client households. Others may only require this limited support to address a temporary crisis or housing issue. A short-term project may only evidence a partial achievement of your project goals for *client outcomes*. For HOPWA, these program outcomes will be shown in data on how clients achieve and maintain stable housing, reduce their risks of homelessness and improve their access to care. Grantees should consider how these short-term efforts connect to more stable living arrangements that are needed and can be addressed in a housing service plan for the household along with the provision of this permanent housing support from HOPWA or other sources.

(b) Can I use STRMU to help a eligible persons who is homeless? What are the standards for receiving STRMU payments to prevent homelessness?

No. STRMU can only be used to assist someone currently in housing as an intervention to prevent homelessness. Other HOPWA components can be used to assist someone who is homeless in obtaining housing and other support.

HOPWA funds may only be used for eligible activities as cited in 24 CFR 574.300. These “uses” are intended to address unmet housing needs, including costs when no other funding or insurance is available, and assistance must be consistent with OMB-circular standards for real needs. As provided in section 574.300, HOPWA funds may be used to assist all forms of housing designed to prevent homelessness including costs to develop and/or operate emergency housing facilities, which could assist an eligible person who is homeless. The STRMU activity, however, is established in statute to prevent a household from becoming homeless and could be used to addresses urgent financial needs in order to prevent eviction or loss of the housing unit that is occupied by eligible persons, and thereby continues residency in the current unit. This is an important distinction to be tracked in undertaking the different eligible activities.

Often households may find themselves in an emergency situation, which should be resolved quickly at the local level with HOPWA funds or other related assistance. In providing assistance, it is important to assess the reasons for household’s debt. Grantees should not pay for housing-related costs if the client’s need is a result of other expenses resulting from poor money management, such as credit card debt or unnecessary entertainment expenses. If these issues are present, a case management plan should be put in place to address budgeting and money management issues. If the client does not demonstrate compliance with the case plan, on-going STRMU or other assistance should not be provided. While it is not easy to separate needs

related to living with the challenge of HIV/AIDS, the intent of the HOPWA program is to address the housing needs for eligible persons.

Also, subject to compliance with applicable civil rights requirements, grantees may add additional conditions of eligibility, but the needs test for HOPWA eligibility established by law is that a person must demonstrate their HIV positive status or AIDS diagnosis and the low-income status for the eligible person and their family. The grantee or sponsor must also assess the specific level of need they require to remain housed.

Various communities make eligibility requirements more restrictive due to the limited amount of HOPWA resources and the need to integrate program support with other efforts and to help address the most pressing housing needs for a large population of consumers who may ultimately qualify for benefits. To meet the needs of the higher risk population, the grantee must identify the needs in their Consolidated Plan planning process, involving local consultations and public participation. HUD permits the use of local preference as a means of prioritizing benefits to those who are most needy. "Local Preferences" are to be approved through HUD's Field Office of Fair Housing and Equal Opportunity (FHEO) to ensure that such practices do not discriminate or inadvertently exclude any persons either by design or omission.

(c) Are HQS Inspections required in units eligible for STRMU assistance payments?

No. However, HUD requires grantees and project sponsors administering HOPWA funding to provide safe and sanitary housing that is in compliance with all applicable State and local housing codes. If program staff assesses that a STRMU applicant is residing in substandard housing, it is expected that the permanent housing stability plan will address measures to correct unit deficiencies, or to move the client to housing that meets HUD's habitability standards found at 24 CFR 574.310(b)(2).

(d) Can we assist clients who do not have a rental agreement/lease, mortgage, or utility bill in their name due to criminal history, poor credit, or lack of rental history?

Yes, but only under certain conditions. Eligible STRMU recipients must have a legal right to reside in the unit and prove responsibility for paying the rent, mortgage or utility costs. As a general matter, if the eligible person is not named on a valid lease/rental agreement either as a tenant or an authorized occupant, the person has no legal right to reside in the unit and is therefore not eligible for STRMU assistance. However, if a STRMU applicant is listed as an occupant on a lease agreement and can prove through paid receipts in their name, money orders or cancelled checks that they pay rent or utility bills, even if the accounts are in the name of another household member, it is permissible to assist the applicant. The Grantee and project sponsor have responsibility for ensuring the eligibility of each household assisted with STRMU funds. The STRMU eligibility assessment would determine if the total household income would be included, or if a shared leased housing arrangement is present, therefore counting only the applicant's income. While an oral lease for less than a year may be valid in some states, most states require a written lease to establish a legal tenancy and HOPWA adopts this clear standard. This position is also consistent with other HUD rental assistance programs, which require such documentation (e.g., HOME, Shelter Plus Care, Housing Choice Vouchers/Section 8). As a

practical matter, not requiring a written lease may leave grantees in a vulnerable position in documenting STRMU payments during audits and reviews.

(e) Can STRMU payments for mortgages include property taxes, insurance, and condo fees?

Yes in some situations. Most homeowners are required to pay property taxes, mortgage insurance premiums, fire and hazard insurance premiums as part of their monthly mortgage payment. For example, the Federal Housing Administration (FHA) requires a homeowner's monthly payment to include property taxes, special assessments (if applicable), and flood insurance (if applicable) in addition to principal and interest (see 24 CFR 203.22-203.24). These additional charges are held in escrow for payment by the lender on behalf of the homeowner. Other forms of financing allow a mortgagor to pay for taxes, insurance, and condo fees separately. For the purposes of STRMU assistance, to the extent that taxes and insurance, condominium fees or other building operation costs are required to be included in the monthly mortgage payment either by federal regulation or the terms of the mortgage, these expenses are eligible for payment assistance. This would mean that a client could not receive STRMU assistance for taxes and insurance-or condo dues that are not included on the monthly mortgage statement. Other forms of assistance, such as homeownership programs may provide for alternative forms of support for costs not included on the mortgage payment statement. In the alternative, a grantee could limit the mortgage payment assistance to only the principal and interest payments if the grantee would like to adopt a local standard that gives every recipient of its program the same level of assistance, irrespective of whether other escrow items are included in the borrower's mortgage payment statement.

(f) Can STRMU assistance be used for a second mortgage?

Generally yes. As a general matter, a second mortgage represents a lien on real property. Defaults on mortgages (e.g., nonpayment of loan(s), lapsed insurance, unpaid property taxes, or the commission of waste, among others) may lead residents to foreclosures and evictions from their homes. STRMU benefits provide short-term mortgage payments regardless of priority (i.e. the first or second mortgages) to eliminate the threat of homelessness for an adequately housed eligible person. This would mean that a borrower could receive STRMU assistance for a payment that was clearly designated as a second mortgage. STRMU may not be used for the following activities: (i) support an open line of credit or loan that was secured by the house; (ii) taxes and insurance paid separately after the first or second mortgage is paid in full; (iii) assistance for payment towards personal loans or credit debts secured against the unit; or (iv) assistance when the first mortgage payments are not current. Careful assessment and a permanent housing stability plan should be done to determine if the client is able to maintain payments on both mortgages after the short-term assistance period ends.

(g) How can STRMU be used to assist clients who have a lease or rental agreement naming them as a tenant, but who live with an adult family member?

STRMU can assist in this scenario under two conditions: 1. Where a client lives with an adult family member and the entire household is assisted and total household income is taken into consideration to meet HOPWA low-income eligibility guidelines, or 2. If the client is renting the

unit from the adult family member and a “reasonable accommodation” is determined necessary for the client. HUD regulation 24 CFR 82.306 (d) does not allow housing assistance to a unit if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family, **unless** it is determined that approving the unit would provide “reasonable accommodation” for a family member who is a person with disabilities. A reasonable accommodation would permit a “person with disabilities” including persons with HIV/AIDS to receive benefits when housed with a family member who owns or rents the housing unit if it is determined by a physician that living with the family member is important to the client’s overall health and well being. In such situations because of this reasonable accommodation determination, the family’s income is not to be counted in determining the eligibility of the low-income person with disabilities for a STRMU (or TBRA) payment. Such payments are based on the number of bedrooms that the person(s) with disabilities occupies in the home and must be reasonable for the type and nature of the housing arrangement, and similar to the reasonable rental fees available in comparable unassisted units.

(h) Can STRMU be used to assist clients who rent a separate and discreet residence from a family member naming them as tenant?

Yes, but only with reasonable accommodation approval as stated in (g) above. HOPWA regulations follow 24 CFR 982.306(d) prohibits assistance to clients if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless it is determined by a physician that living with the family member is important to the client’s overall health and well being. In such situations because of this reasonable accommodation determination, the family’s income is not to be counted in determining the eligibility of the low-income person with disabilities for a STRMU (or TBRA) payment. Such payments are based on the number of bedrooms that the person(s) with disabilities occupies in the home and must be reasonable for the type and nature of the housing arrangement, and similar to the reasonable rental fees available in comparable unassisted units.

(i) Can we provide assistance to clients who live in mobile homes, trailers, and motor homes?

Yes, but only in some situations. A rent, mortgage, or utility payment must be the basis for the assistance, and if an applicant presents such documentation and the need is assessed, then STRMU payments for up to 21 weeks of assistance could be permitted under the following circumstances: HOPWA can follow guidance established for the HOME Affordable Housing program in HUD Notice CPD 03-05 for conducting STRMU assistance in these circumstances. Mobile homes, motor homes, trailers, recreational vehicles, and other like vehicles with wheels on the ground, capable of relocating, and not attached to the earth are considered personal property and therefore, are not eligible for STRMU assistance. HOME guidance considers units attached to the earth as “real” property (as in real estate) and therefore, eligible for STRMU assistance, providing the mobile home is connected to permanent utilities and local guidelines for mobile home housing are followed. Additionally, space rental costs in a mobile home park are allowable for STRMU assistance. For your reference, the HOME guidance HUD Notice CPD 03-05 can be downloaded from http://www.hudclips.org/sub_nonhud/cgi/pdfforms/03-5c.doc/

(j) Can STRMU payments pay for telephone service?

CORRECTED RESPONSE in CPD Notice 06-07, issued 8/3/06

NO, not as a housing cost reported as STRMU. However, in some situations, a grantee may determine that their HOPWA programs will allow for supportive services that include reasonable costs for basic phone services that are determined to be needed to assist the beneficiary in accessing services, such as maintaining consistent and accurate participation with medical treatment protocols, care or other essential supportive services. As an additional consideration for rural or small population areas, these supportive service cost may involve reasonable costs for long-distance services, if needed, for connecting clients to this available support.

(k) How do requirements for lead-based paint inspections apply for STRMU?

A lead-based paint inspection is not required in all cases of STRMU assistance. Housing built before 1978 that is assisted with HOPWA dollars, where a pregnant woman or a child under six years resides or is expected to reside, generally must have potential lead exposures evaluated and controlled; how these are done depends on the type of assistance. Zero-bedroom units are exempt from the Lead Safe Housing Rule. HOPWA clients are considered disabled, and housing exclusively for the disabled is exempt from the Rule; however, if there are family members who are pregnant or are children under the age of six, then the lead-based requirements apply. Short-term rental, mortgage, and utility programs lasting over 100 consecutive days are considered to be support, leasing, or operation services in the Rule's terminology. For these programs, a visual assessment must be done. Then, deteriorated paint identified by the visual assessment, must be repaired (as is the building component underneath the surface finish, if it is defective) using lead-safe work practices. Finally the affected area, unless it is very small, must be tested and "cleared" to allow safe occupancy. The person doing the visual assessment must pass the one-hour HUD on-line course at <http://www.hud.gov/offices/lead>.

(l) What actions are needed if a client is suspected of fraud?

The HOPWA regulations (24 CFR 574.310 (e)(2)) provide guidance on terminating a client's assistance. It is unlawful to provide false information to the government when applying for "federal public benefit programs" (see Program Fraud Civil Remedies Act of 1986, 31 U.S.C. §§ 3801-3812). Grantees are encouraged to contact their legal counsel and local HUD Field Office for guidance in addressing potential fraud by a HOPWA client. It is recommended that project sponsors maintain a fraud policy within their HOPWA program guidelines.

(m) Is a household eligible for STRMU assistance whose sole member living with HIV/AIDS is a minor?

Yes. Written verification must be obtained and maintained in the file indicating that an adult member of the household has legal custody of the minor child, and the entire household income must be taken into consideration for purposes of income eligibility. The child must reside in the household at least 51% of the time. In this situation the adult would be considered the head of household as an affected member of the family, but the minor child is the infected member of the family qualifying the entire household for assistance.

(n) How is the 21-week period calculated and tracked?

Section 858(b)(3)(B) of the AIDS Housing Opportunity Act, as amended, specifically states that assistance may not be provided to “any individual for rent, mortgage, or utilities costs accruing over a period of more than 21 weeks of an 52-week period.” This publication provides guidance on ways to track STRMU assistance, thereby allowing for a period of STRMU support that is consistent with the statutory limitation. Grantees are allowed to establish the period of STRMU assistance based on a calendar year, grantee’s operating year, or client year (the first service date in which a STRMU payment is made on behalf of the client). Grantees must require project sponsors to consistently apply the selected method for all of its clients.

The methods used to calculate the 21-week maximum length of time an eligible client may receive HOPWA benefits should be tracked in terms of “weeks of service” or equated to months of assistance, as addressed in this document. There are three acceptable methods for tracking and reporting on STRMU payments, (i) by equating costs to the actual calendar days of assistance provided; (ii) by rounding each month of assistance to 4 weeks; or (iii) by counting full and partial weeks of assistance. A chart is provided below to help illustrate these methods. Once a grantee selects the method it intends to use for determining how it will be tracking help over the 52-week period (grantee program year, calendar year or individual client year), the grantee must use that particular method for all of the clients of its project sponsors.

NOTE: these methods create an incentive for the client to make partial rent payments, when possible. If STRMU clients understand that they can save some weeks of assistance for future emergencies by paying at least a portion of their debt, this incentive will foster more personal responsibility in household budgeting, albeit with limited resources.

(o) Can grantees place caps on the amount of STRMU assistance provided?

Grantees may establish a dollar limit or caps on the total amount of assistance provided to clients during the 52-week period selected, if applied consistently and in a non-discriminatory manner. Caps should be reasonable enough to assist clients in overcoming the pressing need and move to residential stability as soon as possible. Some communities may use the public housing authority Section 8 rent and utility standards as caps and others place a limit on the total dollar amount of funding a client may access during the year. Others may place a cap on the number of times in the 52-week period a client can apply for assistance.

(p) Could you show how to track one client’s benefits under the 21-week limit?

Here’s a hypothetical example showing how three methods for tracking assistance can be used. The table below is provided for more clarification. The three methods are summarized in:

- **Column f. – Calendar Days of Assistance.** The actual number of days are tracked attributing partial monthly costs, as appropriate.

- **Column g. – Rounding a month to four weeks.** A month, regardless of the number of days, is rounded to 4 equal weeks, and partial monthly assistance is prorated for up to 21 weeks in the benefits period using this method.
- **Column h. – Counting full and partial weeks.** Monthly support is rounded to 4.3 weeks average per month, based on 52 weeks per year. Three weeks of assistance is rounded to 3.2, two weeks is rounded to 2.2, and one week is rounded to 1.1 for up to 21 weeks in the benefits period using this method.

NOTE: Monthly utility service periods generally do not coincide with rent or mortgage periods, rather they likely span parts of 2 calendar months (e.g. May 7-June 6). When assisting **only** the utility costs, the monthly assistance period would be counted as one of the three methods described above. If **both** a housing bill and utility bill are paid to address the households STRMU need, but the dates of service do not coincide, the benefit period would be calculated as follows: **Count this overall assistance as one month (4 weeks) if at least 14 days of the utility period coincide with the rent/mortgage period. In situations where less than 14 days coincide, the remaining portion of the utility period will be attributed to the next month for tracking purposes.** Example: A rental period of May 1- 31 is rounded down to 4 weeks. The utility period of May 7-June 6 results in 25 days coinciding with the rental period; therefore, a total of 4 weeks is counted in May for the payment of both rent and utilities. Another Example: If the utility bill had coincided with the May rental period for less than 14 days (e.g. May 20-June 19, equaling 12 days rounded up to 2 weeks in May), part of this assistance (19 days) would be attributed to June, as 3 additional weeks of assistance added to the 4 weeks attributed to May for rent assistance.

Concepts for the Example Conditions as Demonstrated in the Following Table: (1) The grantee is tracking STRMU payments beginning May 1, based on the month the client first demonstrated need for assistance payments for past due rent. The grantee under column **f.** is tracking actual days of help. A second grantee is utilizing the method rounding each month into 4 equal weeks, as shown in column **g.** A third grantee is tracking the partial weeks under column **h.**

(2) These jurisdictions decided to use HUD’s Fair Market Rent (FMR) standards and the Section 8 program utility allowances to determine assistance caps with a maximum of \$3,000 per client in the 52-week period. The client in column **g** in this example received a total \$2,538.74 (\$2287.50 in rent - column **c.** and \$251.24 in utilities - column **e.**) covering 21-weeks of assistance during the 52-week period.

Each of the other acceptable tracking methods have a slightly different result in reaching a 21-week limit. If column **g.** is used, it rounds the month to 4 equal weeks for a maximum total of 21-weeks in a 52-week period. If column **h.** is used, the full and partial week tracking method that same period would total 22.7 weeks and therefore assistance would have to end in January after 3.7 weeks of support to remain consistent with a 21-week limit. The client under the daily counting method in column **f.** would also find that the 147 day limit for the 21 weeks would be reached on January 25 (Remember, once a grantee selects the method it intends to use for calculating the maximum allowable period of benefits, the grantee must use that particular method consistently for all households receiving STRMU support through its project sponsors).

(3) In this example, the client’s rent is set at \$635 per month for a one-bedroom apartment, but they are only eligible for \$610 because this is the FMR amount used by the grantee to cap benefits.

(4) The client’s utilities are all-electric, with the Section 8 utility allowance amount for all-electric utilities at \$67 per month, used by the grantee to cap benefits. Payment cycles for rent and utilities rarely coincide, with utility periods often overlapping from one month into the next. This client’s utility period is from the 8th of one calendar month to the 7th of the next calendar month. The table and explanation below will be used to illustrate this scenario.

Example Calculation: In June the client requests STRMU assistance for delinquent rent and utilities for May (Columns **c.** and **e.**) plus delinquent rent for June (Column **c.**). The case manager assesses the need as eligible for assistance and tracks the days, months or weeks as shown in Columns **f.**, **g.**, and **h.** Note: The client’s 52-week period begins in May, because this is the first service period covered by STRMU. Also, because more than 14 days of the May 8-June 7 utility bill coincides with the May rent period, the rent and utilities is counted in May for a total of 4 weeks. The June rent period is counted as another 4 weeks.

In October, the client again requests STRMU assistance for delinquent utility payments for August and half of September (Column **e.**). The assistance is tracked as 4 weeks for August and 2 weeks for September because although the September utility bill spans September 8-October 7, only half a month’s assistance (2 weeks) was provided for September. The case manager tracks the days, months or weeks of assistance as shown in Columns **f.**, **g.**, and **h.**

In February the client (column **g.**) is assessed eligible for half of the December rent, all of January rent and utilities, and one week of February utilities. This is tracked as 2 weeks for December rent, 4 weeks for January rent and utilities because more than 14 days of January 8-February 7 utilities coincides with the January rent period, and 1 week of February 8-March 7 utility costs. As noted clients under columns **f.** and **h.** would reach their 21-week limit in late January, resulting in a small variation of assistance.

In March the client requests assistance for one month of rent. The request is denied because the client has met or exceeded the allowable 21 weeks of assistance for their 52-week period, using tracking method **g.** as well as slightly earlier under the other methods, as noted.

Example on Three Methods Hypothetical Case:

| a. Monthly Period Paid by STRMU | b. Allowable FMR or Rent Cap | c. Amount of STRMU Rent Payment & Time Attributed | d. Allowable Utility Amount or Cap | e. Amount of STRMU Utility Payment & Time Attributed | f. Total # of Actual Days of Assistance | g. Total # of Rounded Weeks Used | h. Total # of Full or Partial Weeks Used |
|---|--|---|--|--|---|--|--|
| May | \$610 | \$610 = 4 weeks | | \$67.00 = 4 weeks | 31 days | 4 weeks | 4.3 weeks |
| June | \$610 | \$610 = 4 weeks | | | 30 days | 4 weeks | 4.3 weeks |
| July | | | | | | | |
| Aug. | | | \$67 | \$67.00 = 4 weeks | 31 days | 4 weeks | 4.3 weeks |
| Sept. | | | \$67 | \$33.50 = 2 weeks | 15 days | 2 weeks | 2.2 weeks |
| Oct. | | | | | | | |
| Nov. | | | | | | | |

| | | | | | | | |
|--------------|-------|-------------------------------------|------|-----------------------------------|-----------------------------------|-----------------|-------------------------|
| Dec. | \$610 | \$305 = 2 weeks | | | 15 days | 2 weeks | 2.2 weeks |
| Jan. | \$610 | \$610 = 4 weeks* | \$67 | \$67.00 = 4 weeks* | Up to 25 days* | 4 weeks | Up to 3.7 weeks* |
| Feb. | | | | \$16.74 = 1 week * | N/A | 1 week | N/A |
| March | | | | | | | |
| April | | | | | | | |
| Total | | \$2,287.50 * under method g. | | \$251.24 * under method g. | Up to 147 days (*21 weeks) | 21 weeks | Up to 21 weeks * |

* Payment of the full amount listed would be available for a client in a program using the rounded month method shown under column **g**. The other two examples have marginally smaller eligible amounts, due to their tracking methods as shown for this hypothetical example. For the actual days method in column **f.**, this example would be limited to \$492 for the January rent payment and \$54 for that month's utilities, for subtotals of a maximum \$2,269.50 rent and \$221.50 utilities. For the full and partial week method under column **h.**, this would be limited to \$513 for the January rent payment and \$56 for that month's utilities, for subtotals of a maximum of \$2,190.50 for rent and \$223.50 for utilities. Real circumstances may have other results and such assistance must be consistent with not exceeding this statutory limit.

Attachment: Generalized statement of eligible HOPWA activities to prevent homelessness.

For more information. This FAQ was issued by HUD's Office of HIV/AIDS Housing to provide for the management of HOPWA activities consistent with program requirements. Please address any questions to the State or Area CPD Offices in your community or to the Office of HIV/AIDS Housing at HUD Headquarters c/o HOPWA@hud.gov.

Generalized statement of eligible HOPWA activities to prevent homelessness.

This chart is intended to help clarify how HOPWA eligible housing activities can be used to help households achieve more stable housing arrangements. Rows 1-7 are eligible housing activities under HOPWA-funded programs. Short-term Rent, Mortgage and Utility Payments to prevent homelessness of eligible persons is listed in column A, and other related HOPWA eligible activities in columns B-E, as found at 24 CFR 574.300(b).

| Eligible HOPWA Activity (right) and Type of Benefit (below) | A. Short-term Rent, Mortgage and Utility Payments | B. Tenant-based Rental Assistance | C. Housing Information Services | D. Permanent Housing (PH) Placement as a Supportive Service | E. Housing Case Management as a Supportive Service |
|--|--|---|---|--|--|
| 1. Rent payments (for eligible households with a lease) | Yes, if within 21 week limit | Yes, if done with inspections for Housing Quality Standards and with resident rent payments | No | No | No |
| 2. Mortgage payments (but not down-payment support for new units) | Yes, if within 21 week limit (for costs within the mortgage agreement) | No | No, but can be related support through information on homeownership programs | No | No |
| 3. First months rent and security deposits; credit checks | No | No | No | Yes, for reasonable costs to move persons to permanent housing, not to exceed 2 months of rent costs, including security deposits and fees for credit checks | No |
| 4. Utility payments (gas, electric, water and sewer etc.) | Yes, if within 21 week limit | Yes, if part of the rental assistance fees | No | Yes, but only for one-time utility hookup and processing costs | No |
| 5. Information and/or support to locate and apply for housing assistance | No | No | Yes, for costs for providing information and materials that inform clients of available housing | Yes, as support and help to complete PH applications, and eligibility screenings for tenancy or utilities for these units | Yes, such as counseling and help to develop a housing service plan to establish stable permanent housing |
| 6. Move-in support, such as supplies, furnishings, incidental costs, and minor repairs of housing units | No | No | No | No, however programs may coordinate with leveraged resources and donations for these purposes | No |
| 7. Other elements* | No | No | No | Life skills and housing counseling on unit cleaning, maintenance and household budgeting | Help to access other benefits, such as health-care and other supportive services |

NOTES: STRMU projects should consider how to access other housing, as needed, including permanent housing programs, to assess on-going needs and to establish a housing and service plan for the assisted household. STRMU costs are housing costs and do not include personal items such as grooming, clothing, furnishings, supplies, care for pets, financial assistance, consumer credit payments, entertainment activities, vehicle maintenance and repairs, and other non-housing-related costs. See additional HOPWA standards at 24 CFR Part 574. (edit of 5/3/06)