

# **Legislative Regulation Review Committee**

2010-011

Department of Social Services

**EMERGENCY HOUSING**

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES  
UNIFORM POLICY MANUAL**

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Date: xx-xx-08

Transmittal: UP-08-

4525.05

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Section:

Standards of Assistance

Type:

POLICY

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Chapter:

Special Needs

Program:

AABD

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Subject:

Emergency Housing

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4525.05 A. Provisions

1. Emergency housing is recognized by the Department as a special need when the assistance unit cannot remain in permanent housing and:
  - a. the assistance unit is not able to move into permanent housing on the same day that the existing housing is lost; [and]
  - b. the reason for the loss of housing meets one of the conditions specified in A. 2.; and
  - c. the assistance unit is not receiving relocation assistance under the State Uniform Relocation Assistance Act despite having made reasonable efforts to apply for such assistance. For purposes of this section, receiving relocation assistance means being placed by the town welfare agency in temporary or permanent housing.
2. The reason for the assistance unit's being unable to remain in permanent housing must be one of the following:
  - a. a judgment has been entered against the assistance unit in a summary process action instituted pursuant to Chapter 832 of the Connecticut General Statutes, provided that the action was not based on criminal activity of the assistance unit; [or]
  - b. the recipient has left the current housing arrangement to escape domestic violence; [or]
  - c. a judgment has been entered against the assistance unit in a foreclosure action pursuant to Chapter 846 of the Connecticut General Statutes [and the time limit for redemption has passed]; [or]
  - d. the assistance unit is required to relocate by local health or building officials because:
    - (1) a child under the unit's supervision has been found to have either:
      - (a) a level of lead in the blood equal to or greater than 20 micrograms per deciliter; or
      - (b) any other abnormal body burden of lead; and
    - (2) the local director of health has determined that the source of the lead poisoning is the assistance unit's residence; [or]

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES  
UNIFORM POLICY MANUAL

Date: xx-xx-08

Transmittal: UP-08-xx

4525.05 page 2

Section:

Standards of Assistance

Type:

POLICY

Chapter:

Special Needs

Program:

AABD

Subject:

Emergency Housing

4525.05 A. 2. Provisions (continued)

- e. a catastrophic event has rendered the current housing uninhabitable as determined by appropriate state or local officials or by the Department; [or]
- f. the assistance unit has been ordered to vacate current housing by a local code enforcement official; [or]
- g. the assistance unit left a shared living arrangement when the primary tenant:
  - (1) is in the process of being evicted [, or] ;
  - (2) has received a preliminary notice from the landlord under [Section] section 47a-15 of the Connecticut General Statutes[,or] ;
  - (3) has received a notice to quit due to termination of a rental agreement for lapse of time[,] ; or
  - (4) is engaged in criminal activity; or
- h. the assistance unit was illegally locked out of the current living arrangement by the landlord and has filed a complaint with the police concerning such lockout.

B. Special Need Application

Application for the special need of emergency housing must be made within 45 days of the loss of permanent housing.

C. Limitation of Coverage

Eligible individuals entering emergency housing **on or after July 1, 1992** may receive this special need for not more than one occurrence during a calendar year and not more than **sixty days** per occurrence. Eviction from one emergency housing location and subsequent entry into another emergency housing location constitutes one occurrence.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES  
UNIFORM POLICY MANUAL**

Date: xx-xx-08

Transmittal: UP-08-xx

4525.05 page 3

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Standards of Assistance

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AABD

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4525.05 D. Assistance Unit Requirements

As a condition of eligibility for this special need, the assistance unit must:

1. agree to make reasonable efforts to locate permanent housing; [and]
2. accept a Licensed Home for the Aged as the emergency housing site unless the Department determines that this is inappropriate due to the health or physical limitations of the recipient; [and]
3. accept less costly, reasonable, alternative emergency housing when requested to do so by the Department; and
4. accept permanent housing if it was constructed, renovated or rehabilitated with state or federal financial assistance.

E. Standard of Assistance

The standard of assistance for emergency housing is the per diem rate, including tax, not to exceed charges for the same or similar housing which the housing provider would normally charge the general public or, in the case of a private non-profit shelter, the rate paid under the General Assistance Program. The standard used for recipients using Licensed Homes for the Aged as emergency housing sites is the rate established by the Department.

[F. Referrals

The Department refers assistance units denied the special need, or still in emergency housing at the end of the coverage period, to the Department of Human Resources for emergency shelter services.]

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES  
UNIFORM POLICY MANUAL**

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Date: x-x-08

Transmittal: UP-08-

8562.30

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Section:

Jobs First

Type:

POLICY

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Chapter:

Standards of Assistance

Program:

TFA

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Subject:

Emergency Housing

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8562.30 A. Provisions

1. Emergency housing is recognized by the Department as a [Special Need] special need when the following criteria are met:
  - a. the assistance unit cannot remain in permanent housing due to a reason listed in 2, below; [and]
  - b. the assistance unit is not able to move into permanent housing on the same day that the housing is lost; and
  - c. the assistance unit is not receiving relocation assistance under the State Uniform Relocation Assistance Act despite having made reasonable efforts to apply for such assistance. For purposes of this section, receiving relocation assistance means being placed by the town welfare agency in temporary or permanent housing.
2. The reason for the assistance unit's being unable to remain in permanent housing must be one of the following:
  - a. a judgment has been entered against the assistance unit in a summary process action instituted pursuant to Chapter 832 of the Connecticut General Statutes, provided that the action was not based on criminal activity of the assistance unit; [or]
  - b. the recipient left the current housing arrangement to escape domestic violence; [or]
  - c. a judgment has been entered against the assistance unit in a foreclosure action pursuant to Chapter 846 of the Connecticut General Statutes [and the time limit for redemption has passed]; [or]
  - d. the assistance unit is required to relocate by local health or building officials because:
    - (1) a child in the assistance unit or under the unit's supervision has been found to have either:
      - (a) a level of lead in the blood equal to or greater than 20 micrograms per deciliter; or
      - (b) any other abnormal body burden of lead; and
    - (2) the local director of health has determined that the source of the lead poisoning is the assistance unit's residence; [or]

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES  
UNIFORM POLICY MANUAL

Date: xx-xx-08

Transmittal: UP-08-xx

8562.30 page 2

Section:

Jobs First

Type:

POLICY

Chapter:

Standards of Assistance

Program:

TFA

Subject:

Emergency Housing

8562.30 A. 2. Provisions (continued)

- e. a catastrophic event has rendered the current housing uninhabitable as determined by appropriate state or local officials or by the Department; [or]
- f. the assistance unit has been ordered to vacate current housing by a local code enforcement official; [or]
- g. the assistance unit left a shared living arrangement when the primary tenant:
  - (1) is in the process of being evicted [, or] ;
  - (2) has received a preliminary notice from the landlord under [Section] section 47a-15 of the Connecticut General Statutes[,or] ;
  - (3) has received a notice to quit due to termination of a rental agreement for lapse of time [,] ; or
  - (4) is engaged in criminal activity; or
- h. the assistance unit was illegally locked out of the current living arrangement by the landlord and has filed a complaint with the police concerning such lockout.

B. Time Limit for Application

Application for the [Special Need] special need of emergency housing must be made within 45 days of the loss of permanent housing.

C. Limitation of Coverage

- 1. Families requiring emergency housing as a result of lead poisoning, as described in section A[.], 2[.], d., above, with a child receiving chelation treatment may receive assistance for more than one occurrence during a calendar year, provided that the total number of days for all occurrences do not exceed eighty days in any calendar year.
- 2. All other families requiring emergency housing may receive this [Special Need] special need for not more than one occurrence during a calendar year and not more than sixty days per occurrence. Eviction from one emergency housing location and subsequent entry into another emergency housing location constitutes one occurrence.

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8562.30 page 3

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TFA

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Emergency Housing

8562.30 C. Limitation of Coverage (continued)

3. If the assistance unit is in a hotel or motel, this [Special Need] special need can be included only when the assistance unit's inability to remain in permanent housing is because of a catastrophic event.

D. Assistance Unit Requirements

As a condition of eligibility for this [Special Need] special need, the assistance unit must:

1. agree to make reasonable efforts to locate permanent housing; and
2. accept less costly, reasonable, alternative emergency housing when requested to do so by the Department; and
3. accept permanent housing if it was constructed, renovated or rehabilitated with state or federal financial assistance.

E. Standard of Assistance

The standards of assistance for emergency housing are the following:

1. for assistance units in private non-profit shelters, the actual amount charged, not to exceed \$14.00 per night per person; or
2. for assistance units in locations other than private non-profit shelters, the per diem rate, including tax, not to exceed charges for the same or similar housing which the provider would normally charge the general public, up to a maximum of \$42.00 per room per night.
  - a. The Department pays up to the maximum when the assistance unit uses an apartment as emergency housing regardless of the number of rooms in the apartment.
  - b. The Department pays up to the maximum on a per room basis when the assistance unit uses a location such as a hotel or motel as emergency housing provided the number of rooms used does not exceed the minimum number of rooms required by local fire codes for the number of assistance unit members involved.

*IMPORTANT: Read instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.*

# REGULATION

OF

NAME OF AGENCY

Department of Social Services

Concerning

SUBJECT MATTER OF REGULATION

Emergency Housing

SECTION \_\_\_\_\_

**Statement of Purpose:**

(A) The purpose of the proposed regulation is to amend sections 4525.05 and 8562.30 of the UPM. The proposed amendments allow an individual eligible for benefits under the Temporary Family Assistance program or the Optional State Supplementation program to immediately qualify for emergency housing or alternative housing arrangements if a foreclosure judgment has been entered against him or her pursuant to chapter 846 of the Connecticut General Statutes. Previously, an individual against whom a foreclosure judgment is entered had to wait until the time limited for redemption had passed, before he or she could qualify for emergency housing. This revision is mandated under Public Act 08-22.

(B) The main provision of the regulation removes the requirement that an affected individual wait until the time limited for redemption passes before he or she may qualify for emergency housing or alternative housing arrangements.

(C) The revision will alleviate the process of finding emergency housing or alternative housing arrangements for affected individuals.

**CERTIFICATION**

R-39 REV. 1/77

Be it known that the foregoing:

Page 2 of 2 pages

Regulations       Emergency Regulations

Are:

Adopted       Amended as hereinabove stated       Repealed

By the aforesaid agency pursuant to:

Sections \_\_\_\_\_ of the General Statutes.

Section 17b-808 of the General Statutes, as amended by Public Act No. 08-22 of the Feb. 2008 Public Acts.

Public Act No. \_\_\_\_\_ of the Public Acts.

After publication in the Connecticut Law Journal on 9/1/09, of the notice of the proposal to:

Adopt       Amend       Repeal      such regulations

(If applicable):  And the holding of an advertised public hearing on \_\_\_\_\_ day of \_\_\_\_\_

WHEREFORE, the foregoing regulations are hereby:

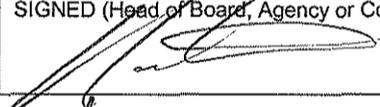
Adopted       Amended as hereinabove stated       Repealed

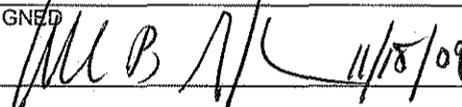
Effective:

When filed with the Secretary of the State.

(OR)

The \_\_\_\_\_ day of \_\_\_\_\_

In Witness Whereof:	Date <u>10/27/09</u>	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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Approved by the Attorney General as to legal sufficiency in accordance with sec. 4-169, as amended C.G.S.	SIGNED 	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
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- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	Date	SIGNED (Clerk of the Legislative Regulation Review Committee)
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Two certified copies received and filed, and one such copy forwarded to the Commission in Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State.)	BY
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