

Eligibility for Family Shelter

If you and your family are in need of shelter, you have the right to have the Department of Housing and Community Development (DHCD) take an application on the same day you ask for one. Applications are taken by DHCD's Division of Housing Stabilization workers. These workers currently are stationed at 22 Department of Transitional Assistance (DTA) offices across the state. **You also have the right to get DHCD's decision in writing.**

If DHCD discourages you from applying for shelter, ask to speak with a supervisor. Call Legal Services if that doesn't work.

You may be eligible for shelter and other EA resources (such as homelessness diversion and re-housing funds) if:

1) You are pregnant or have a child under 21 years old.

2) Your income is lower than the income limit, which is now set at **115%** of the federal poverty guidelines*, and you don't have more than \$2,500 in countable assets. (*For 2009, the income limit is \$1,755/month for a family of three.)

Tip: Wages, TAFDC, EAEDC, SSI, and child support count as income. SNAP benefits (aka Food Stamps) do not count as income. Tell DHCD if pay stubs or other documents show more income than you will be earning in the near future.

3) You have no place to stay, including with family and friends, OR you have a place to stay, but it is not safe to be there.

Tip: If you currently have some place to stay but it is not safe for you to be there or you are doubled up and have been asked to leave, DHCD may require that you meet with a social worker from the Department of Children and Families (DCF). The DCF worker will meet with you (and, in some cases, your host or others familiar with your situation) to verify that you can no longer stay in your current living situation. The worker also may be able to help you access resources through DCF. While you are waiting to meet with the DCF worker, DHCD should give you a temporary shelter placement, if you need it.

4) You were NOT evicted from your last home for criminal conduct, not paying rent if you had a rent subsidy, or certain other reasons.

Tip: Workers are supposed to help you prove that you are eligible, accept the best proof available, and place you as soon as you need it. If you do not have all of the proof required, but you appear to be eligible for shelter, you should be given a temporary placement for up to 30 days. During this time, your worker should continue to help you get the other proof needed so that you can stay in shelter as long as your family needs it.

If you are accepted into shelter, DHCD should place you within **20 miles** of the city/town you are from. If there is no space within 20 miles, DHCD will place you somewhere else in the state, BUT as soon as a space opens up, DHCD is supposed to move you closer to your city/town.

Note: Due to the record number of families in need, it will be harder for DHCD to place your family in a shelter within your home community. Right now, there are over 3,200 families in EA shelter, with over 1,000 of those families temporarily placed in motels.

Tip: Do not refuse a placement or you will be terminated and not eligible for 12 months.

What You Must Do While In Shelter

You will have to help develop and agree to a "re-housing plan". This plan will include such things as searching for housing, working or looking for a job, and saving 30% of your income.

You have a right to have your re-housing plan include only things you can really do. If you cannot do something that is in your plan for a good reason, ask that the plan be changed.

You will be expected to follow all shelter rules.

If your income goes over the limit, you currently can stay in shelter for six

months more, as long as you save the extra money.

If you have to leave shelter temporarily, make sure you ask your worker for permission. The worker should give you a form to fill out, called the "Temporary Emergency Shelter Interruption form". Otherwise, you may not be able to get back into shelter for 12 months.

Termination from Shelter

You can be terminated from family shelter for many reasons, including not following rules, not following your re-housing plan, refusing or abandoning a shelter placement, or refusing offers of permanent housing.

If you are terminated from shelter, you cannot return for 12 months.

Appeals

You have a right to appeal negative actions of DHCD that you disagree with, including denials, terminations, placements, transfers, or noncompliance warnings.

All appeals must be filed within 21 days of the notice. If you file an appeal of a shelter termination within 10 days, though, you can stay in shelter throughout the whole appeal process.

Call Legal Services for help filing your appeal.

If Legal Services can't help you, you can file the appeal yourself. Fax or mail the appeal directly to the Division of

Hearings. You also can ask your worker to fax your appeal request, but be sure to ask for a receipt to be sure that the fax got through to the Hearings Division.

Send appeals to:

*Massachusetts Department of Housing
and Community Development
Hearings Division
100 Cambridge Street, Suite 300
Boston, MA 02114
Fax: 617-573-1285*

To check on the status of your appeal hearing request or to request an interpreter for your hearing, you can call the DHCD Hearings Division at 617-573-1528 or 1-877-418-3308.

Call the Coalition at 781-595-7570 or your local legal services office if:

- **DHCD discourages you from applying for shelter;**
- **DHCD denies your application;**
- **DHCD terminates your shelter benefits; or**
- **You have any questions about the EA program.**

If you are in the Boston area, call Greater Boston Legal Services at 617-371-1234 or 1-800-323-3205.

For information about other local legal services offices, please call the Coalition or go to www.masslegalhelp.org.

Emergency Assistance: Shelter and Resources for Families Experiencing Homelessness



What You Need to Know

**Massachusetts Coalition
for the Homeless**
15 Bubier Street
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Phone: 781-595-7570
www.mahomeless.org

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