

FRAMINGHAM HOUSING AUTHORITY

EMERGENCY CASE PLAN

~1. Authority.

Pursuant to 760 CMR 5.11, the Framingham Housing Authority hereby adopts the following emergency case plan.

~ 2. Statement of goals and policies.

A. Through this plan, the Authority seeks to establish a fair and uniform standard to be applied to all applicants for emergency case status, to the end that similarly situated applicants will receive similar treatment.

B. Requirements employed by the Authority in making determinations of emergency case status as to evidence, documentation and verification, and efforts by the applicant to prevent, avoid or alleviate his/her situation, shall be reasonable in relation to the realistic capacity and resources of the applicant.

~ 3. Emergency case priorities.

A. The Framingham Housing Authority has four different emergency case priorities for placement in its programs covered by 760 CMR 5.00:

- (1) Homeless due to displacement by natural forces.
- (2) Homeless due to displacement by public action (Public Works).
- (3) Homeless due to displacement by public action (Public Health).
- (4) Emergency case as defined in, 4B of this chapter.

B. The definitions of "homeless" adopted in this plan are consistent with the definitions in 760 CMR 5.03.

( ) ~ 4. Granting of emergency case status.

A. The Authority shall grant Priority 1, 2 or 3 emergency case status to an otherwise eligible and qualified applicant who:

(1) Meets one of the definitions of "displacement" specified in 760 CMR 5.09; and

(2) Is homeless and facing a significant, immediate and direct threat to life or safety. Included in this category are applicants who are without a place to live, living in a car or tent, living in a shelter or emergency-assistance-funded hotel/motel, temporarily housed in a private home in seriously overcrowded conditions as a direct result of the loss of other housing or in other circumstances as determined by the Authority; and

(3) Has made reasonable efforts to locate alternative housing.

B. The authority shall grant Priority 4 emergency case status to an otherwise eligible and qualified applicant under the following circumstances:

(1) Homeless and facing a significant, immediate and direct threat to the life or safety of the applicant or any household member for causes other than the fault of the applicant or member of the applicant's household. Applicants are homeless and facing a significant, immediate and direct threat to life or safety if they are in any of the situations described in Subsection A(2) above. Causes other than the fault of the applicant or member of the applicant's household shall include causes outside their reasonable control. The applicant must have made reasonable efforts to locate alternative housing and must have pursued all reasonably available means of preventing or avoiding the safety or life-threatening situation.

(2) Severe medical emergencies. An applicant is suffering a severe medical emergency if the applicant or a household member is determined by the Authority to suffer from an illness or injury posing a severe and medically documented threat to life or safety which has been significantly caused by the lack of suitable housing or as to which the lack of suitable housing is a substantial impediment to treatment or recovery. The applicant must have made reasonable efforts to locate alternative housing and must have pursued all reasonably available means of preventing or avoiding the safety or life-threatening situation.

(3) Abusive situation. An applicant is in an abusive situation if the applicant or a household member is determined by the Authority:

(a) To be a victim of abuse as defined in the Abuse Prevention Act (MGL C. 209A, ~1), which abuse constitutes a significant and direct threat to life or safety;

(b) To have exhausted all reasonably available means of avoiding or alleviating the threat, including seeking assistance through the courts, administrative and enforcement agencies; and

(c) To have made sincere efforts to locate alternative housing.

( ) ~ 5. Procedures.

A. Applications.

(1) Emergency case applications shall be handled using the same application procedures, determination of eligibility procedures, verification procedures and appeal procedures as standard applicants.

(2) In view of the nature of emergency cases, the Authority shall make every reasonable effort to process emergency case applications promptly and to make prompt determinations of eligibility or ineligibility. If the applicant is found to be eligible but not to qualify for emergency case status, he/she shall be treated as a standard applicant.

B. Placement. When an applicant has been determined by the tenant selection staff to qualify as an emergency case applicant, the applicant shall be offered the next appropriate and available unit, in accordance with priority ranking of 760 CMR 5.08(1) and the preference ranking of 760 CMR 5.08(2). If no appropriate unit is then available, the applicant shall remain as an emergency case priority on the waiting list for each appropriate housing program and bedroom size. If the Authority determines that an applicant accorded emergency case status but not yet offered a unit has obtained permanent housing suitable for his/her household size and income, the applicant shall no longer be considered an emergency case applicant and shall remain on the appropriate waiting lists as a standard applicant.

C. Records. The Authority shall maintain complete records with regard to emergency case applicants.

D. Relationship to affirmative action goals. If the Authority or Department of Housing and Community Development (DHCD) at any time determines that the number of applicants granted emergency case status substantially interferes with the achievement by the Authority of its affirmative action goals, then this plan shall be revised, upon public notice and in conformity with DHCD requirements, to maintain a proper balance between emergency case and affirmative action applicants.