



# Federal Housing Programs for Persons With HIV/AIDS

Office of Community Planning and Development  
U.S. Department of Housing and Urban Development

## National Response Includes Housing

Housing for persons with HIV/AIDS is an important component of the national response to AIDS. The *National AIDS Strategy* recognizes that housing is essential in providing health care and other support and sets a goal for ensuring that all persons with HIV have access to services and housing that is affordable, of high quality and responsive to their needs.

HUD staff maintain an on-going dialogue with AIDS housing providers and residents to continue to learn more about the epidemic and changes in care, to address challenges in meeting the housing needs of persons living with HIV/AIDS, and to seek ways that HUD could improve its responsiveness and programs.

## Protection from Discrimination

HUD's *Directive on HIV/AIDS* notes that all of HUD's programs are available in the community to assist clients, based on eligibility, and that appropriate actions are taken in response to housing discrimination against persons with HIV/AIDS. The Directive noted that **it is illegal to discriminate against a person because of a real or perceived disability**. HUD's Office of Fair Housing and Equal Opportunity (FHEO) stands ready to investigate cases where individuals with AIDS or HIV infection, or individuals perceived to have AIDS or HIV infection, have been subjected to discrimination in housing. FHEO assists persons who believe they have been or may be subjected to discrimination in understanding their rights. FHEO's Office of Investigations will discuss this matter in a confidential manner and will take immediate action where it is required to prevent homelessness or other serious harm.

FHEO will work with the Department of Justice to apply all pertinent measures (e.g. temporary restraining orders, injunctive relief) to facilitate prompt resolution if conciliation or other means of dispute resolution are not successful.

HUD's field offices are directed to make appropriate referrals to FHEO in one of its ten Enforcement Centers

and to other agencies (i.e. State Attorneys General offices) to meet the needs of consumers living with HIV infection and AIDS. The FHEO Office of Investigations may be contacted at 1-800-669-9777, via any HUD office or at Headquarters at 202-708-0836. The Federal Information Relay Service TTY number is 1-800-877-8339.

## Housing Opportunities for Persons with AIDS

The HOPWA program makes grants to local communities, states and non-profit organizations to benefit clients and their families who are low-income where the client has an HIV positive status or diagnosis of AIDS. HOPWA funds may be used for a wide range of housing, social services, program planning, and development costs. These include, but are not limited to, the acquisition, rehabilitation or new construction of housing units, costs for facility operations, rental assistance and short-term payments to prevent homelessness. HOPWA funds may be used also for supportive services, such as health care and mental health services, chemical dependency treatment, nutritional services, case management, assistance with daily living, and other services.

HOPWA grantees are encouraged to develop community-wide strategies and form partnerships with area nonprofits to provide housing assistance and supportive services for eligible persons. Formula grants are available through the local Consolidated Plan process. The Consolidated Plan is developed through a community-wide effort that assesses needs, creates a multiple-year strategy and proposes an action plan for use of Federal funds and other community resources in a coordinated and comprehensive manner.

## HOPWA Program Components

**HOPWA Formula Funding.** In FY2001, HUD's appropriation act includes \$257.4 million for HOPWA. This provides \$229.4 million in formula-based allocations to 71 cities in metropolitan areas and 34 States. Funds are made available through the jurisdiction's annual Consolidated Plan in connection with other resources.

Increases for HOPWA in recent years will be used to help address growing needs and support additional communities that become eligible for formula allocations.

**HOPWA Competitions.** HUD also selects model programs for 10 percent of the appropriation. In 2000, HUD announced awards for 22 new model projects that received \$23.6 million and plan to provide 2,700 persons with some form of housing assistance. In 2001, funds were announced in a Super NOFA for up to \$25.5 million for renewal of existing grants and for new proposals. Government agencies and non-profits may apply for new projects as Special Projects of National Significance or qualified applicants may also propose projects in areas that do not receive formula allocations. In addition, up to \$2.5 million is available for HOPWA technical assistance proposals. These models help expand housing options for persons with HIV/AIDS and knowledge in providing responsive housing and care.

#### **Other HUD Programs**

In addition to the HOPWA program, people living with HIV/AIDS who meet the program requirements (e.g. low-income, homelessness, etc.) are eligible for any HUD program for which they might otherwise qualify, including public housing, Section 8 housing assistance, Community Development Block Grants, and the Continuum of Care Homeless Assistance programs. If a person has been diagnosed with AIDS, he or she is disabled and may qualify for many HUD programs in addition to HOPWA. If a person has HIV infection, he or she may be disabled if one or more of his or her major life activities (such as the ability to work or the ability to live independently) is impaired by the infection on an intermittent or constant basis. The following may address specialized needs of persons with HIV/AIDS:

**Shelter Plus Care (S+C).** This program combines HUD-supported rental assistance with supportive services provided by other sources on a matching basis for homeless persons with disabilities. "Recipients may establish a preference as part of their admissions procedures for one or more of the statutorily targeted populations (seriously mentally ill, alcohol or substance abusers, or persons with AIDS and related diseases)."

**Supportive Housing Program (SHP).** Under SHP, public entities and non-profit organizations may receive funds for transitional and permanent housing and/or supportive services to people who are homeless, including permanent housing for persons with disabilities, such as homeless persons who are living with HIV/AIDS. Funds

may be used for capital costs, facility operations, and supportive service costs. Projects must contribute a share of program costs from non-federal sources and match services (25%).

**Section 811.** The Supportive Housing for Persons with Disabilities Program (Section 811) provides financial assistance in the form of capital advances and project rental assistance to non-profit sponsors to expand the supply of housing for very low income persons with disabilities. Projects may provide assistive services addressing the needs of persons disabled by HIV/AIDS. The provider must demonstrate that an applicant can live more independently if housed in a Section 811 project.

**Section 202.** The Supportive Housing for the Elderly Program (Section 202) may be used to serve persons who are living with HIV/AIDS who are at least 62 years of age.

**Section 8 Rental Assistance.** Some communities have established local preferences for housing assistance through the Section 8 program for persons with terminal illnesses, including HIV/AIDS, or persons with an immunological disorder of a degenerative nature, such as AIDS or HIV disease. In these communities, other persons who can make use of the accessible features or service program of the project (e.g. a person with a terminal illness not related to HIV infection) may also receive priority for available Section 8 vouchers.

**The HOME Program.** The HOME Investments Partnerships Program (HOME) is a flexible community resource for housing development for low and very-low income people. Based on local decision-making processes, "The participating jurisdiction may establish a preference for individuals with special needs. The participating jurisdiction may offer, in conjunction with a tenant-based rental assistance program, particular types of non-mandatory services that may be most appropriate for persons with a special need or a particular disability. Generally, tenant-based rental assistance and the related services should be made available to all persons with special needs or disabilities who can benefit from such services...The participating jurisdiction may also provide a preference for a specific category of individuals with disabilities (e.g., persons with HIV/AIDS or chronic mental illness) if the specific category is identified in the participating jurisdiction's consolidated plan as having unmet need and the preference is needed to narrow the gap in benefits and services received by such persons." [24 CFR sec. 92.209(c)(3)].

### Planned AIDS Housing Conferences

Training for program coordinators is planned at the **2001 National Meeting of HOPWA Formula Grantees** tentatively scheduled in October 2001. Participants are expected to share their experiences, learn from responsive housing efforts and discuss emerging AIDS housing challenges and potential solutions. The agenda includes discussion of housing development, integration of housing with other community planning, and use of management tools to enhance program performance.

An HIV/AIDS housing track will be featured at the **United States Conference on AIDS**, on September 13-16, 2001 in Miami Beach. HUD and HHS are cosponsoring this training for nonprofit staff and others with the National Minority AIDS Council and other sponsoring organizations.

### HOPWA Program Use

HUD estimated that the FY2001 HOPWA appropriation of \$257.4 million will provide housing assistance to about 61,700 persons, including family members who reside with the persons living with HIV/AIDS in about 49,400 units of housing. More than half, 29,700 units, would involve clients who receive small, short-term payments to prevent homelessness. Another 11,800 units would involve on-going rental assistance payments. Approximately 7,900 units in supportive housing facilities, SROs or community residences would also be developed or operated with funds. Residents and other persons also receive supportive services that are funded by this or other related public and private programs.

*The National AIDS Strategy recognized that "Without stable housing a person living with HIV has diminished access to care and services and diminished opportunity to live a productive life."*

Since the beginning of the program in 1992, the Federal government has made available over \$1.7 billion in HOPWA funds to support community efforts to create and operate HIV/AIDS housing initiatives. These funds have been used in connection with other public and private resources to address area needs (estimated to add one dollar in other funds for every Federal dollar).

Activities relate strongly to area Continuum of Care programs that assist homeless persons and HOPWA can

serve persons who are homeless and those who are at risk of homelessness. HOPWA is part of HUD's Consolidated Planning initiative that works in partnership with communities and neighborhoods in managing these federal funds.

**Needs.** Based on surveys of AIDS housing providers and nearly 7,000 residents, AIDS Housing of Washington estimated that over half of all persons living with HIV will need access to housing assistance at sometime during their illness. The AHW survey found that persons with HIV/AIDS face increased risks of homelessness and poverty with little access to affordable housing; that programs are challenged by issues of chemical dependency; that clients have a strong preference for independent living options; and that rural areas and small cities are also increasingly affected.

### HUD's Office of HIV/AIDS Housing

The Office manages the HOPWA program in connection with HUD's management and technology systems, develops program guidance, conducts a national competition to select model projects and reports on program activities. In addition, the office serves as an advocate within HUD for persons living with HIV/AIDS to help ensure that all HUD programs are sensitive to the special needs of these clients.

**The Office of HIV/AIDS Housing**, U.S. Department of Housing and Urban Development, 451 Seventh Street, S.W., Room 7212, Washington, D.C. 20410, or phone (202) 708-1934; TTY 1-800-877-8339, fax: (202) 708-9313. Information on HOPWA is also found at [www.hud.gov/cpd/hopwahom.html](http://www.hud.gov/cpd/hopwahom.html).

For assistance available under a *National HOPWA Technical Assistance Program* contact **AIDS Housing of Washington** at (206) 448-5242 or by email at: [info@aidshousing.org](mailto:info@aidshousing.org) or at [www.aidshousing.org](http://www.aidshousing.org).