Housing Assistance

Rhode Island Department of Children, Youth and Families

Policy: 700.0190

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The Department of Children, Youth, and Families will assist in rental payments for a family whose primary difficulty in achieving reunification is the lack of housing.

The Rhode Island Supreme Court decision of July 5th, 1990, #89-63-M.P. / #89-232-M.P., states that, "in cases in which homelessness is found to be a primary factor preventing reunification of a family, it is rational for the Family Court to find that reasonable efforts have not been made unless and until the Department of Children, Youth and Families (DCYF) provides some type of housing assistance. In such cases, housing assistance is the precise type of service assistance designed to resolve or ameliorate the problems preventing discharge from foster care".

As a result of the recent Rhode Island Supreme Court Decision (in Re: Nicole G. et al and in Re: Damiyana S. et al.) the Department of Children, Youth, and Families is now in a position where it will be ordered by the Family Court, in appropriate cases, to provide housing assistance to clients on its caseloads.

The Department of Children, Youth, and Families will "provide housing assistance prior to the filing of a Termination of Parental Rights (involuntary) petition as long as it first finds that a lack of adequate housing is the primary factor preventing reunification". "The rental subsidy payments are a stopgap measure designed to enable a reunifying family, with no savings and little or no income, to raise the security deposit and the first few months' rent needed to secure new housing. The housing assistance is not to be continued indefinitely."

The Rhode Island Supreme Court requires the Family Court to "review the status of each family periodically, no less frequently than once every six (6) months, in order to determine the continuing necessity for and appropriateness of the housing assistance, as well as the extent of progress that the family has made toward becoming self-sufficient."

DCYF will not provide housing assistance to a parent(s) who has other impediments to the return of his/her child(ren) which will require the child(ren) to remain in foster care whether or not the parent(s) has adequate housing.

Assistance is not limited to one month's rent and a security deposit. The housing assistance will be whatever is necessary, as determined on a case-by-case basis, to enable the parent(s) to secure adequate housing and be able to assume, within a reasonably short time (less than six (6) months), the full burden of that housing on his/her own.

As a result of this decision, it may be necessary for the Social Caseworker to be involved with the client(s) in:

- ~~Determining which housing he/she will be seeking;~~
- ~~Whether that housing will be adequate for all the family when the children are returned; and~~
- ~~Whether the costs for the housing are within the ability of the parent(s) to pay after the housing assistance ceases.~~

~~It is essential that the Social Caseworker initiate the process for housing assistance, without a court order, for families that fit the criteria of needs. If left for defense attorneys to bring the matter into Court, the necessary information will not be available and may result in open-ended rental orders. Open ended rental orders are **not** the intent of the Supreme Court decision.~~

~~The Social Caseworker will determine, along with his/her supervisor, that lack of adequate housing is the primary barrier to reunification. He/she will request housing (rental) assistance through the normal channels by using the Authorization for Support Services, DCYF #005.~~

~~Related Procedure~~

~~Housing Assistance~~

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Procedure From Policy 700.0190: Housing Assistance

A. The assigned Social Caseworker must determine whether the main barrier to reunification of a family is the lack of adequate housing. The Case Profile Needs Assessment Checklist (DCYF #147, the Case Profile Narrative (DCYF #148) and the Case Plan Agreement (DCYF #032) are all normally utilized by the Social Caseworker to determine the needs of a particular family. These forms include areas for the Social Caseworker to indicate that lack of adequate housing is problematic as the family nears its readiness for reunification.

B. The Authorization for Support Services (DCYF #005) is used to request housing assistance. To ensure expeditious processing, the Social Caseworker may have to inform the required staff by E-mail or phone that an Authorization has been completed on-line for processing.

C. Worker must determine that housing is the primary barrier remaining to reuniting a family.
   1. Is housing the primary barrier to reuniting this family?
   2. What problems have been overcome and what still exist?
   3. Would the problems that still exist prevent reunification?

D. The Social Caseworker will assist the parent(s) in finding an apartment. It is reasonable to expect the parent(s) to find an apartment if he/she will be responsible for the care and maintenance of that apartment. The Social Caseworker may assist in the following suggested ways (this list is not totally inclusive and each case will need to be reviewed by the Social Caseworker and the Casework Supervisor):
   1. Help the parent contact the Department of Human Services (DHS) Housing Assistance Division as a source of referrals for apartments and for advice regarding the safety of any apartment that is being considered.
   2. Schedule a joint meeting with the parent(s), Social Casework Supervisor and the Eligibility Technician to help the parent(s) review his/her expenses and determine what his/her needs will be once he/she obtains an apartment.
   3. Share any information about potential resources for apartments with the parent(s).
   4. The Social Caseworker may occasionally assist the parent(s) with transportation to look at apartments.
   5. Assist the parent(s) in speaking to the landlord to make sure what the rental requirements are and arrange for payment.
   6. Assist the parent(s) in initiating the reinstatement process for his/her AFDC benefits (or other source of income such as SSI, SS or GPA) upon the return of his/her child(ren). Supply the parent(s) with a letter indicating the date of the planned reunification, the child(ren)'s name, his/her date of birth and legal status.
      a. If the family is receiving AFDC, it is imperative that the Social Caseworker contact the Eligibility Technician at the AFDC Office in order to notify the Eligibility Technician of the reunification. AFDC does allow for monies for the establishment of a home up to thirty days prior to the reunification of the family and this may apply to the family for which the Social Caseworker has responsibility.
      b. If the AFDC Eligibility Technician agrees that the family is eligible for monetary reimbursement to establish an appropriate home for the child(ren), the Social Caseworker must then inform the DCYF Division of Management and Budgeting Office.

E. An Authorization for Support Services, DCYF #005 is completed on-line for the amount needed to secure the apartment for the parent. This form does not include a large enough area for the Social Caseworker to explain the needs of the parent. Therefore, the Social Caseworker should send an E-mail to the Regional Director and Administrator fully explaining the need for housing assistance. The last two (2) Case Plans Agreements and/or a Case Profile Narrative and/or a Caretaker/Child Needs Assessment may be accessed on-line. A completed Rental Assistance Agreement Letter should be available in the case record.

~~The Social Caseworker should use his/her judgment as to which forms will delineate the needs of the family most clearly and include that information in a memo to the Regional~~

Director. Additionally the memo should include any projected needs for the family, such as furniture, or utility bills needing to be paid. The Casework Supervisor should indicate that he/she has been involved in the decision making process by signing the memo. The Social Caseworker should obtain all the required approvals as outlined on the DCYF #005. The approvals required in order of appearance on the DCYF #005 are: Primary Service Worker, Supervisor, Unit Administrator and Regional Director.

F. The Rental Assistance Agreement Letter will be forwarded by the Social Caseworker to the landlord once the housing assistance has been approved by the Regional Director. Whether or not the Rental Assistance Agreement Letter is signed by the landlord is not the determination for housing assistance. DCYF will provide housing assistance to the family if the Regional Director grants approval. A copy of the Rental Assistance Agreement Letter will be attached to the DCYF #005. The Social Caseworker will forward the original form to the landlord. Once the form is returned, the Social Caseworker will ensure that the DCYF Business Office has an updated, signed copy and the original is in the family record.

G. The Social Caseworker will continue to assist the family and monitor the housing assistance by:

    1. Ensuring that the family becomes stabilized on another source of income such as AFDC and documenting the information in a Case Activity Note
    2. Ensuring that the family has its other major needs met, such as utility bills being paid and/or furniture being obtained. If it is determined that these are needs for the family, the Social Caseworker will complete another DCYF #005 and document the needs of the family in the same manner.
    3. The Social Caseworker will document when the family becomes financially stable and ensure that the housing assistance stops in a timely fashion. The Social Caseworker should inform the DHS Eligibility Technician as to the success of the reunification and an approximate date as to the closing of the case with this Department (this may be the date of the next RI Family Court review).

H. It is essential that DCYF be the initiating agency for timely housing assistance.

I. Social Caseworkers will document all actions in accordance with their usual procedures in a Case Activity Note. This information will also assist the Social Caseworker in drafting Court Letters and demonstrating housing assistance given to the family.