

7605 LOCAL PREFERENCE DEFINITIONS

7605.1 A "Homeless Family" is defined as a family that:

- (a) Lacks a fixed, regular, adequate nighttime residence; or
- (b) Has a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations; or
- (c) Resides in an institution providing temporary residence for individuals, such as a nursing home, hospital, or mental health facility; or
- (d) Resides in transitional housing where individuals reside, usually for no more than 24 months, in order to receive supportive services for the purpose of preparing them to live independently, and may include but is not limited to Single Room Occupancy (SRO) housing facilities; or
- (e) Resides in a public or private place not ordinarily used as a sleeping accommodation for human beings; but DOES NOT include
- (f) Individuals
 - (i) imprisoned or detained pursuant to state or federal law or
 - (ii) residing as part of another family unit.

7605.2 Substandard Housing. The following conditions qualify existing shelter as substandard:

- (a) Dilapidated (does not provide safe, adequate shelter; has one or more critical defects or 'a combination of defects requiring considerable repair; endangers the health, safety, and well-being of family); or
- (b) Does not have operable indoor plumbing; or
- (c) Does not have usable flush toilet in the unit for exclusive use of the family, unless it is SRO housing; or
- (d) Does not have adequate, safe electrical service; or
- (e) Does not have an adequate, safe source of heat; or
- (f) Should, but does not, have a kitchen, unless it is SRO housing; or
- (g) Has been declared unfit for habitation by code enforcement officials of the District of Columbia Office of Consumer and Regulatory Affairs.

7605.3 Involuntary Displacement: Involuntarily displaced applicants are applicants who have been verified that they have vacated or will (within no more than six months from the date of verification) vacate housing as a result of:

- (a) A disaster (fire, flood, etc.);
- (b) Federal, state or local government action related to code enforcement, or public improvement or development; or

- (c) Action by a housing owner which is beyond an applicant's ability to control, occurs despite the applicant having met all previous conditions of occupancy (other than a rent increase), and the owner is not an immediate family relative and the applicant has not been part of the owner's family immediately prior to application; or
- (d) Domestic Violence, verified as one of the following:
 - (i) Vacated their housing due to actual or threatened physical violence directed against the applicant or the applicant's family by a spouse or other household member, or
 - (ii) Live currently in housing with an individual who engages in violence identified in (i) above; and
 - (iii) The "actual" or "threatened" violence under (i) or (ii) above has occurred recently or is of a continuing nature, and is NOT violence from the neighborhood or otherwise outside the household; or
 - (iv) The applicant has actually been displaced and is living in transient facilities, hotels, motels, or temporary shelters, or otherwise not living pursuant to a lease or occupancy agreement in standard, permanent replacement housing adequate for the family size in accordance with the HCVP occupancy standards.
- (e) Persons residing in a nursing home or otherwise displaced from their living unit due to its inaccessibility;
- (f) Persons who are the victims of hate crimes.

7605.4 Rent Burdened. Applicants paying more than 50 percent of the family's monthly income for rent to the owner as stated in a lease or cooperative occupancy agreement plus any tenant paid utilities, or reasonable estimate thereof using the HCVP Utility Allowance Schedule, less any amounts paid to or on behalf of a family under energy assistance program that has not been included in the determination of the family's income.

SOURCE: Emergency and Proposed Rulemaking published at 52 DCR 11120 (August 20, 2004); as amended by Notice of Final Rulemaking published at 53 DCR 1153 (February 17, 2006).