



Photo: Rory Doyle/There is More Work to be Done

Affordable Housing and Recovery: Rural Resource Guide Launch





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HUD's Rural Capacity Building for Community Development Program

Technical Assistance provided to rural organizations to increase affordable housing activities that benefit low- and moderate-income families and persons in rural areas.



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Rural Capacity Building

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Substance Use Disorders, Opioid and Alcohol Misuse

2021 National Survey on Drug Use and Health (NSDUH)

- 46.3 Million People Diagnosed with Substance Use Disorders
- 6,742,000 people in rural areas were diagnosed with Substance Use Disorders
- 94% of people 12 years or older diagnosed with Substance Use Disorders did not receive treatment.

CDC Provisional Drug Overdose Death Counts

- May 2020 to May 2021 was the first 12-month period with over 100,000 overdose deaths in US history.
- August 2021 – August 2022 had 101,554 overdose deaths

HHS and SAMHSA, 2021



Substance Use Disorders, Opioid and Alcohol Misuse

Examples of Industries Addressing Substance Use Disorders and Supporting Recovery:

- Housing
- Mental and Behavioral Health
- Policy
- Criminal Justice

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Affordable Housing and Recovery in Rural Communities,

Federally Assisted Housing Opportunities for
Residents with Substance Use Disorders
and Opioid Use Disorders

Housing Assistance Council
Washington, DC

www.ruralhome.org

January, 2023



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**Federally Assisted Housing Opportunities for Residents
with Substance Use Disorders and Opioid Use Disorder**



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Regulations:

Providing federally subsidized housing to households with:

- A history of SUD, OUD, or alcohol addiction
- Applicants in recovery
- Applicants with drug-related criminal history
- Applicants with disabilities related to SUD/OUD or prior addiction

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Guide Format

Public Housing Program

Summary

This section contains HUD regulations specifically related to screening applications and housing persons with a history of drug and alcohol misuse or drug related criminal convictions for Public Housing.⁹ Public Housing Authorities (PHAs) have the authority to screen applications, access

Learn more about this program here: [HUD Public Housing Program](#)



Guide Format

Federal Regulations

Applicable Terms and Definitions

The federal regulations include the use of terms with specific federal definitions. The following definitions from the federal regulations are applicable to housing residents with substance use disorders.

Applicant ([24 CFR § 982.4](#)): A person or a family that has applied for admission to housing.

Covered Person ([24 CFR § 5.100](#)): For the purposes of screening and terminating tenancy for criminal activity, a tenant, any member of the tenant's household, a guest, or another person under the tenant's control.

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HUD

U.S. Department of Housing and Urban Development

- Housing Choice Voucher Program
- Public Housing Program
- HOME Investment Partnership Program
- Supportive Housing Program
- Section 811 Supportive Housing for the Elderly and Persons with Disabilities
- Shelter Plus Care
- Recovery Housing Program



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**Federally Assisted Housing Opportunities for Residents
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Housing Choice Voucher Program

Public Housing Authorities

- Create an administrative plan
- Applicant selection and denial policies
- Screening for “suitability of tenancy”
- Applicants previously evicted for illegal drug use on federally subsidized housing are placed on a three-year ban
 - Applicants who demonstrate successful completion of a monitored recovery program may be considered
- Applicants convicted for manufacturing methamphetamine on the ground of federally subsidized housing are banned

Owners (landlords)

- Screening for “suitability of tenancy”
- “Health, safety, or right to peaceful enjoyment of the premises.

Public Housing Program

Public Housing Authorities

- Establish standards of admission
- Applicants convicted for manufacturing methamphetamine on the ground of federally subsidized housing are banned
- Holistic consideration of applications
 - Prior landlord interviews
 - Successful completion of an approved rehabilitation program
 - Rent payment history
 - Criminal record etc.

HOME TBRA
HOME Investment Partnerships Program
Tenant Based Rental Assistance

Recovery Housing Program

Participating jurisdictions, once demonstrating an unmet need in the community in the Consolidated Plan, may develop specialized programs. Programs and housing may provide preference for households with disabilities if outlined in the jurisdiction's Consolidated Plan.

The program provides temporary housing and services for individuals recovering from substance use disorders for up to two years. Applicants must be in recovery from substance use disorder to meet the eligibility requirements for this program.

Supportive Housing Program

Tenants must meet the criteria for experiencing homelessness. The program allows for housing and services for persons with disabilities, including impairments caused by alcohol or drug use.

Shelter Plus Care Program

The program provides rental assistance and supportive services, primarily focused on persons experiencing homelessness with mental illnesses, chronic issues with alcohol and/or drugs, and HIV or AIDs. Applicants must meet HUD's definition of experiencing homelessness and disability for eligibility.

Section 811 Supportive Housing for Persons with Disability Program

Applicants whose sole impairments are alcoholism or drug addiction are not eligible for this program. If the applicant has an addiction and another disabling condition, they may be considered for the housing and services.

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Internal Revenue Service

- Low-Income Housing Tax Credit Program

U.S. Department of Agriculture

- Single Family Housing Loans and Grants
- USDA Multifamily Housing Loan Programs

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Low-Income Housing Tax Credit Program

The Qualified Action Plan (QAP) created by LIHTC allocating agencies must adhere to the general requirements.

- The QAP is permitted to include selection criteria for projects focused on populations with special housing needs.
- LIHTC regulations allow provisions of required supportive services, which are “designed to enable residents of a residential property to remain independent and avoid placement in a hospital, nursing home, or intermediate care facility for the mentally or physically handicapped.”
- If additional federal affordable housing programs subsidize a LIHTC project, the regulations from the additional federal program must be adhered to in addition to the LIHTC regulations.

Single Family Loan Program:
Section 502
Direct and Guarantee

Single Family Loan Program:
Section 504

- The regulations do not include specific exclusions for applicants with SUD or a history of drug use.
- Financial requirements may be a barrier for some residents in recovery.
 - Applicants with significant financial delinquency within 36 months may be ineligible

Section 515 Mortgage Program

- Persons with disabilities are eligible for services in congregate housing and group homes.
- The definition of disability includes individuals with physical or mental impairments due to drug addiction.
- Applicants with addiction caused by current and illegal use of a controlled substance are not eligible for services.

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Summary of Findings:

- Residents in recovery may be eligible for federally subsidized housing
- Other requirements for the federal housing programs may result in being ineligible
- The regulations do not account for funding and housing capacities in each locality
- Given high demand for affordable housing, eligibility does not guarantee acceptance to federally subsidized housing



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THANK YOU!



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Questions



- Please complete the session evaluation form which will be sent via email.
- A recording of today's webinar along with the slide deck and reference materials will be posted on HAC's website by the end of the week.