

PROCEDURE NO. 09-XXX

<u>SUBJECT:</u> CLIENT CONDUCT AND RESPONSIBILITY	<u>APPLICABLE TO:</u> ALL FAMILIES WITH CHILDREN ELIGIBLE FOR TEMPORARY HOUSING ASSISTANCE, FAMILY SHELTER PROVIDERS, AND DHS STAFF	<u>EFFECTIVE DATE:</u> MAY XX, 2009
<u>ADMINISTERED BY:</u> NYC DHS- DIVISION OF FAMILY SERVICES		<u>APPROVED BY:</u> ANNE HELLER EXECUTIVE DEPUTY COMMISSIONER

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PURPOSE

One of the most important principles underlying DHS' mission is that all homeless individuals or families receive safe, temporary shelter and that planning for permanent housing begin immediately. This Procedure ensures that families with children reside in a safe shelter environment and move expeditiously from temporary shelter into permanent housing. The Procedure also outlines the increased responsibility, accountability, and partnership required of all participants in the family services system, as DHS, providers, and families focus with greater urgency on achieving permanency. The goal of this Procedure is to achieve prompt movement into permanency while ensuring open and honest communication of standards and expectations from the first day of service.

DESCRIPTION

A family receiving Temporary Housing Assistance (THA) must follow an Independent Living Plan (ILP) tailored to the family's individual circumstances, seek and accept suitable housing, adhere to the Client Code of Conduct & Agreement [Appendix 1], refrain from behavior that endangers the health or safety of the family or others, establish and maintain active public assistance cases for all aid for which the family is eligible and comply with all Client Contribution requirements (collectively, "Client Responsibility Rules" or "Rules"). As set forth in this Procedure, if a family fails to comply with the Rules, their THA may be discontinued until the family's failure to comply ceases, and/or for 30 days, depending on the nature of the infraction. A family has the right to challenge DHS' decision to discontinue THA by requesting an agency conference and/or a State Fair Hearing and when a Hearing is timely requested, to remain in shelter pending issuance of the Fair Hearing decision. A decision to seek a sanction will be initiated by the shelter director with a review and final determination by DHS.

I. CLIENT RESPONSIBILITY REQUIREMENTS

A. ACKNOWLEDGING RESPONSIBILITY

1. Statement of Client Rights and Client Code of Conduct

From the time a family begins receiving THA until the time permanency is achieved, the family must be informed of the expectations for behavior in shelter and must comply with them. These standards ensure a safe environment for all families and an environment where families realize that shelter is temporary and they must perform all necessary steps to move to permanent housing. A family's head of household and all other adult family member(s) found eligible for THA must sign the Statement of Client Rights and Client Code of Conduct (the "Code") [Appendix 1], which sets forth requirements for client behavior in shelter. A copy of the Code will be given to the family and the original will be placed in the family's case record.

A family currently residing in a temporary shelter will be presented with the Code within 10 calendar days of the effective date of this Procedure.

Newly entering families will be presented with the Code within 48 hours of arriving at any shelter and upon being found eligible for THA at the end of a conditional placement.

2. Refusal to Sign

If a family refuses to sign the Code, the Provider will indicate the client's refusal to sign and the date of refusal on the Code. However, the family will still be expected to comply with the requirements of the Code and all Client Responsibility Rules.

B. SEEKING AND ACCEPTING HOUSING

Since shelter is temporary, a family is required to look for housing and to accept a suitable housing resource found on their own or through help from their Provider or DHS. A family may not unreasonably refuse to sign a lease or in any other way reject permanent housing that is suitable for their needs: (i) suitable to the family's size and medical condition(s), (ii) in a location consistent with any domestic violence status as defined by local law, and (iii) meets applicable local codes and regulations.

1. Family Responsibility

A family must cooperate in the search for, and accept, suitable permanent housing, by:

- Attending housing readiness workshops;
- Informing the Provider of any alternative housing options with relatives or friends;
- Obtaining and completing all appropriate permanent housing applications;
- Searching for and viewing at least three (3) apartments each week or the number of apartments specified in the ILP;
- Completing a Client Apartment Review Checklist form [Appendix 2] for each apartment seen;
- Establishing housing assistance eligibility;
- Signing a Client Apartment Rejection form [Appendix 3] when refusing an apartment;
- Keeping all housing appointments, including appearing on time;
- Viewing and agreeing to accept all suitable housing options;
- Accepting the first suitable housing offer;
- Signing and executing a lease for housing on the scheduled date and time; and
- Moving into permanent housing on the designated date and time.

Searching for or viewing apartments does not excuse a family from complying with their public assistance ("PA") requirements. To the greatest extent possible, appointments for searching for and viewing apartments during regular business hours must not conflict with a family's PA requirements or work. In the event of a conflict, the family must ask their Provider, in advance of their housing appointment, to request permission from HRA to be excused from their PA requirements. The request for excusal and HRA's response should be documented. Such excusal is time limited and shall not exceed one day per exemption.

Non-compliance with the responsibility to seek and accept housing occurs when a family unreasonably fails to seek housing; refuses to accept suitable housing consistent with the family's size, medical condition(s) and/or domestic violence status; fails to attend a lease signing; or refuses to move into permanent housing.

2. Provider Responsibility

A Provider is responsible for assisting a family in their transition into permanent housing. A Provider must work closely with the family, in accordance with the family's ILP, using appropriate case management to obtain evaluations and services designed to help the family achieve permanent housing. The responsibilities of a Provider include, but are not limited to:

- Advising a family of their responsibility to seek and accept suitable housing;
- Ensuring that all relevant housing applications are completed in an appropriate and timely manner and that a copy is retained in the family's case record;
- Documenting and following up on all permanent housing applications and housing appointments;
- Providing a family with appropriate forms to document their housing efforts such as apartment search and rejection forms, and verifying all housing rejections, including the reason for the rejection;
- Providing ongoing housing education through workshops and/or individual counseling;
- Accompanying a family on housing searches, when appropriate;
- Preparing a family for housing interviews;
- Assisting a family in locating suitable housing and advising a family that they are also responsible for seeking additional apartments on their own;
- Developing and monitoring an individualized permanent housing plan for a family;

- Securing an evaluation, when appropriate, of a family member to determine whether the family member has a mental or physical condition that affects the suitability of a particular housing option;
- Ensuring all housing safety and suitability needs are incorporated into the family's plan; and
- Seeking HRA's advance permission of a family's request to be excused from their PA requirements when these requirements conflict with a family's appointments to search for or view apartments. Excusal from PA requirements is time limited and shall not exceed one day per exemption.

If a family fails to cooperate in seeking and accepting suitable housing, a Provider shall document the family's non-compliance and follow the steps outlined in Section II to recommend a sanction.

C. GROSS MISCONDUCT

Shelter residents and staff are entitled to a safe environment that protects their personal safety and is conducive to the provision of services, which will help families achieve independence.

1. Family Responsibility

All family members must refrain from engaging in acts that endanger the health or safety of themselves or others, or that substantially and repeatedly interfere with the orderly operation of the shelter, including but not limited to acts of violence, selling drugs, or repeated violations of the Code.

Prohibited conduct within a shelter includes, but is not limited to:

- Violent, dangerous or other reckless behavior impacting the safety of individuals in the facility;
- Possession or sales of controlled substances, firearms, or deadly weapons;
- Destruction or theft of property;
- Refusal to vacate a unit; and
- Other repeated violations of the Code, including but not limited to, unauthorized visitors, unattended children, and curfew violations.

2. Provider Responsibility

A Provider is responsible for working closely with a family and engaging in appropriate case management to assist the family in behaving appropriately. To avoid incidents of Gross Misconduct, the Provider must advise the family, both orally and in writing, of the Code and that incidents of Gross Misconduct may result in discontinuance of the family's THA and, if appropriate, in notification to the NYPD or other governing City or State agency. A Provider is also responsible for:

- Documenting in a family's case record all instances of actions by the family that endanger the family's health or safety or that of others in the shelter, interfere with the orderly operation of the shelter, or violate the Code;
- Notifying the NYPD or other governing City or State agency of any such incidents;
- Reporting the incident to DHS in the manner required.

If a family fails to comply with the rules regarding Gross Misconduct, a Provider shall document the family's non-compliance in the family's case record and follow the steps outlined in Section II to recommend a sanction.

D. INDEPENDENT LIVING PLAN (ILP)

The ILP [Appendices 4 and 5] is developed jointly by the Provider and the family and provides steps for the family to take to relocate to permanent housing. The ILP establishes tasks, based on a family's individual circumstances and housing related needs, to be completed by the family (with the Provider's assistance), in order to achieve independence. The Provider must reinforce the provisions of the ILP during appropriate points of contact with the family, and must note the family's compliance or noncompliance with the ILP in the family's case record. The ILP must take into account needs related to housing, including any mental or physical impairments or domestic violence safety issues, and must include specific tasks, activities, and timeframes for how these needs will be addressed. The ILP must reflect any changes in the family's circumstances that may impact their relocation to permanent housing.

The Provider must recognize and assist a family in addressing issues such as employment, domestic violence, child abuse, and mental illness and appropriately modify or reflect a plan consistent with the family's circumstances in the ILP. The family has the right to present grievances and/or request an agency conference concerning their ILP requirements without fear of reprisal.

1. Family Responsibility

A family shall follow their ILP and timely complete the activities it outlines. The family shall submit all requested documentation to the Provider within reasonable time frames set by the Provider. In order to be considered in compliance with their ILP, a family must demonstrate a valid reason for their failure to produce required documentation. A family shall not be required to produce documentation of domestic violence when production of it would put the family at risk of violence or make it harder for the family to leave or stay safe from the abuser.

Examples of a family's responsibilities to ensure ILP compliance include, when relevant and appropriate to a family's personal circumstances:

- Producing any documents required to complete an assessment of the family's needs or to demonstrate compliance with the ILP;
- Pursuing employment options;
- Complying with all housing search and acceptance requirements set forth above.
- Complying with PA requirements, participating in budget counseling and money management planning, particularly for a family with a history of non-payment of rent;
- Participating, with any necessary assistance, in drug and alcohol treatment programs, when substance abuse interferes with a family's ability to seek, secure, and retain permanent housing;
- Participating, with any necessary assistance, in physical/mental health evaluations or mental health treatment services when mental or physical health problems interfere with a family's ability to seek, secure, and retain permanent housing; and
- Making every reasonable effort to resolve legal and other matters, including family court issues, landlord-tenant issues, and outstanding warrants that interfere with a family's ability to move into permanent housing.

Non-compliance occurs when a family has unreasonably failed to develop, carry out, or complete required steps in the ILP in a timely manner, impacting the ability to obtain and move into permanent housing. Factors outside of a family's control that affect or prevent completion of the ILP, including whether a failure

to comply is due to a family member's mental or physical impairment, must be considered in any determination of whether the family is complying with the requirements of their ILP. This evaluation will be made on a case-by-case basis.

2. Provider Responsibility

A Provider and a family must actively participate in developing an ILP and the Provider is responsible for assisting the family in implementing it. A Provider also is responsible for working closely with the family and using appropriate case management to obtain evaluations and services designed to help the family achieve permanent housing. A Provider must also update the ILP to reflect any changes in the family's circumstances. A Provider shall not require a family to produce documentation of domestic violence when production of it would put the family at risk of violence or make it harder for the family to leave or stay safe from the abuser. The ILP should not include any requirement that the client may be exempt from as part of a DV waiver. The Provider should work with the HRA DV Liaison to establish what exemptions might exist for the client.

A Provider is responsible for the following:

- Assisting a family in securing all necessary documentation;
- Completing within 48 hours of a family's conditional placement in shelter, a Conditional Placement Intake Form [Appendix 4];
- Completing within 48 hours of a family being found eligible for THA, a Family Admission Assessment Form [Appendix 5];
- Completing within 10 days of a family's arrival in a shelter an ILP [Appendices 6 and 7];
- Conducting at least bi-weekly meetings with all adult family members to discuss and update the ILP;
- Developing an appropriate exit strategy to locate and move into permanent housing ;
- Documenting a family's progress or noncompliance;
- Indicating on each ILP whether a family has complied with their prior ILP;
- Assisting a family in obtaining an evaluation or treatment by accredited health and mental health care providers of a family's health needs, that identifies any mental or physical impairments that any family member may have, and modifying the ILP accordingly;
- Assisting a family in identifying, addressing, or obtaining referrals for issues such as domestic violence, child abuse, and mental illness, when needed;
- Ensuring access to childcare services when necessary to enable a parent, or other adult family member who is caretaker of a child, to seek employment and/or permanent housing or to attend training;
- Assisting a family in obtaining permanent housing including assisting in completing applications, establishing housing assistance eligibility, securing permanent housing, and obtaining social, mental health, and employment services;
- Assisting a family in establishing or maintaining eligibility for all forms of PA;
- Implementing and documenting progressive supervisory and administrative intervention to achieve compliance with the ILP;
- Notifying a family of their non-compliance with their ILP, informing them that continued non-compliance may result in discontinuance of THA.
- Serve a Notice of First ILP Violation [Appendix 8] who has, for the first time, unreasonably failed to comply with independent living plan requirements. Such written notice shall include language advising the family of their right to a conference and/or fair hearing to challenge the violation; and

- Updating a family's ILP for changes in the family's physical or mental health condition(s) and progress toward permanency, and adjusting future ILPs accordingly.

If a family fails to cooperate in developing and complying with their ILP, the Provider shall document the family's non-compliance in the compliance section of each ILP. A family's repeated unreasonable failure to comply with ILP requirements may result in a sanction being taken. The non-compliance will be excused, and the family will not be sanctioned if the failure to comply is due to a family member's mental or physical impairment, which must be evaluated on a case-by-case basis. The Provider must document noncompliance due to a mental or physical impairment in the family's case record and make appropriate modifications to the family's ILP. However, the existence of an impairment or exemption from a sanction must not prevent the family from achieving permanency and the Provider's assistance is critical to a family securing permanent housing.

At any point where additional information demonstrates a safety risk in connection with domestic violence, the ILP must be modified to address the resulting circumstances.

E. PUBLIC ASSISTANCE

A family found eligible for THA must cooperate with the social services district's efforts to determine available resources, including any PA in addition to THA, and must apply for and use any benefits and resources that will reduce or eliminate the need for THA. This includes, but is not limited to, cash assistance benefits, food stamps and child care.

1. Family Responsibility

The family must apply for all benefits for which they may be eligible and adhere to any tasks, activities, timeframes and other requirements necessary for establishing and maintaining eligibility for PA benefits. This includes furnishing any and all documents used to establish need, keeping PA appointments, attending work assignments, engaging in job training, seeking employment, or establishing any other basis for PA eligibility. Examples of a family's responsibilities to ensure PA compliance include, but are not limited to:

- Applying for PA as soon as possible after being found eligible for shelter;
- Completing all requirements necessary to establish and maintain PA eligibility, including producing all documents and keeping all appointments; and
- Updating PA information on a timely basis when a family's circumstances change.

2. Provider Responsibility

A Provider is responsible for working closely with a family to assist them in establishing and maintaining PA eligibility.

A Provider's responsibilities regarding PA include, but are not limited to:

- Assisting a family in securing all appropriate documentation;
- Ensuring access to childcare services when necessary to enable a parent, or adult family member who is caretaker of a child, to fulfill engagement requirements; and
- Assisting a family to keep track of and comply with all PA requirements and appointments.

If a family fails to apply for and keep open a PA case, and the family would otherwise be eligible to receive PA benefits, a Provider shall document the family's non-compliance in the family's case record and follow the steps outlined in Section II to recommend a sanction, if appropriate. Some non-compliance with PA requirements may lead to discontinuance of the family's THA. DHS may, on a case by case basis, discontinue

a family's THA, if the family's non-compliance with PA requirements allows for such action. In these instances, the PA-based sanction from shelter will last until the non-compliance is cured. Being found ineligible for PA by itself will not affect a family's access to shelter.

F. INCOME CONTRIBUTION REQUIREMENTS

A family found eligible for THA must apply for and use any benefits, income and other resources to reduce or eliminate the need for THA. This includes paying a contribution towards the cost of shelter. This contribution is based on the family's benefits, income and other resources and the cost of the family's shelter. If a family has an open PA case, HRA will budget the family's income and determine the amount of their contribution for shelter.

If a family is ineligible for PA, DHS will determine the amount of the family's contribution and issue the family a Family Contribution Notice [Appendix 9]. DHS' calculation will be based on a family paying 30% of their gross income as their shelter contribution.

1. Family Responsibility

A family must co-operate with DHS, HRA and the shelter provider in determining the amount the family must contribute to the cost of their shelter and in providing updated information when any circumstances change. The family must also make payment to the shelter provider in full and in a timely manner.

A family must comply with the income contribution requirements by:

- Producing all documents necessary for establishing or modifying the family's public assistance budget; and
- Making timely payments of the budgeted amount to the Provider by a money order.

2. Provider Responsibility

A Provider is responsible for:

- Collecting the client contribution,
- Maintaining accurate records of each family's payments, and
- Notifying DHS when a family fails to comply with the income contribution requirements.

If a family fails to comply with income contribution requirements, a Provider shall document the family's non-compliance in the family's case record and follow the steps outlined in Section II to recommend a sanction. DHS may discontinue a family's THA based on its review of the family's non-compliance with income contribution requirements. A sanction from shelter for failure to comply with income contribution requirements will last until the non-compliance is cured.

II. DISCONTINUANCE OF TEMPORARY HOUSING ASSISTANCE

A. MENTAL OR PHYSICAL HEALTH IMPAIRMENT

A family whose member has a physical or mental impairment that prevents the family's compliance with Client Responsibility Rules will not be sanctioned. A family's ability to comply will be evaluated on a case-by-case basis.

When a family member claims, or a Provider suspects, that a family member may have a physical or mental impairment that prevents the family's compliance with Client Responsibility Rules, the family member may

need to be evaluated to determine if s/he has a physical or mental impairment and what, if any, impact the impairment has on the family's ability to comply. The Provider must document the impairment in the family's case record.

1. Family Responsibility

If a family member has a mental or physical impairment that prevents the family from complying with Client Responsibility Rules, the family should take the following actions to the extent feasible:

- Cooperate with the Provider in completing the Conditional Placement Intake Form and the Admission Assessment Form and notify an appropriate shelter worker of any relevant physical or mental health condition;
- Submit a letter from a certified, licensed, or accredited health or mental health care provider stating the medical or mental health diagnosis and explaining how the condition may affect the family's ability to comply with Client Responsibility Rules and/or influence criteria for suitable housing. If the family has already provided a copy of this document to HRA, then the Provider should request a copy from HRA ;
- Alert the Provider to any change in a family member's physical or mental condition, if that change will interfere with the family's ability to comply with Client Responsibility Rules, including the search for housing or the determination of what constitutes a suitable apartment; and
- If an apartment must be rejected for medical reasons, submit documentation confirming the physical or mental health condition and the specific reasons why the identified apartment is not suitable.

The existence of a physical or mental impairment or a family's exemption from sanction does not excuse a family from taking steps of which the family is capable to achieve permanency.

2. Provider Responsibility

A Provider must help a family to obtain an evaluation and secure documentation about a family member's mental or physical impairment that may prevent the family from complying with Client Responsibility Rules.

Examples of the above include:

- Requesting, during conditional placement intake or admission assessment, all physical and mental health documentation submitted during the application and eligibility determination process;
- Requesting that a family sign appropriate releases for information, if necessary;
- Securing, within a reasonable time frame, a letter from a family's accredited health or mental health care provider describing the physical or mental health diagnosis and explaining how the condition may affect the family's ability to comply with Client Responsibility Rules and/or influence the criteria for suitable housing. This document may be in the family's HRA case record and if so, the Provider should request a copy from HRA; and
- Making sure the ILP takes into account the family's distinct physical and/or mental health condition.

If a Provider cannot obtain the relevant documentation or has a question as to whether the documentation that the family produced accurately reflects a family member's physical or mental health condition, or the family consistently fails to undertake an evaluation, the Provider should consult with its DHS Program Administrator.

A Provider must assist a family and develop a specialized ILP so that the family will move to permanent housing, even though a physical or mental impairment exists. Exemption from a sanction must not prevent the family from achieving permanency and the Provider's assistance is critical to a family securing permanent housing.

B. INITIATING A SHELTER SANCTION

A complete case record, including all appropriate documentation, is critical to the sanction process since it shows what steps the family and provider have taken. A family's case record must include, but not be limited to: the Code, conditional intake and admission assessment, ILPs, bi-weekly reviews, documentation of other case management efforts by shelter staff (e.g., progress notes), DHS Incident Reports, housing assistance applications and related correspondence, domestic violence information, and physical and mental health reports.

1. Provider Responsibility

A Provider will initiate the process to sanction a family it identifies as non-compliant with Client Responsibility Rules (i.e., failure to seek and accept housing, gross misconduct, and non-compliance with ILP, PA and client contribution requirements), taking into consideration each family's individual circumstances and the nature of the violation. The Shelter Director must submit a completed Client Responsibility Sanction Recommendation form ("Recommendation Form"). [Appendix 10] The sanction process should be initiated only after the Provider has interviewed the family about the reasons for their non-compliance, using the checklist on the Recommendation Form, informed the family that a recommendation for a sanction is being made and of the consequences if a sanction is approved.

The Provider must indicate on the Recommendation Form that it is not aware of any mental or physical impairment of any family member that prevents the family from complying with Client Responsibility Rules.

The Provider must forward the completed Recommendation Form and a copy of the family's case record to the DHS Assistant Commissioner for Client Responsibility for a final determination.

C. DHS REVIEW OF SHELTER SANCTION RECOMMENDATION

The Assistant Commissioner for Client Responsibility will review each sanction recommendation within five (5) business days of receipt of all relevant information. The family's case record will be reviewed in order to determine whether or not the family's non-compliance is the result of a family member's physical or mental impairment, whether any factors were beyond the control of the family, whether the Provider gave the family appropriate assistance and whether the particular circumstances warrant a sanction. Where there are two legally responsible adults in the family, DHS will explore whether to sanction only the one adult who was non-compliant.

At any point, DHS may request additional documentation or any further evaluation of the family from the Shelter Director, and extend the time for review up to five (5) business days from the date the requested documentation is submitted. In rendering her decision, the Assistant Commissioner will consult with the DHS Office of Legal Affairs. When appropriate, the Assistant Commissioner may also consult with DHS' Director of Client Advocacy, Medical Director or Program Administrators, or the Shelter Director. No determination will be made on the recommendation until DHS is satisfied that it has all necessary information.

For each sanction recommendation received, DHS will check to see whether the family has a current child welfare case or is receiving services through the Administration for Children's Services (ACS). If there is a

current case, DHS will inform ACS that it is reviewing a recommendation to sanction the family, thereby giving ACS an opportunity to take any appropriate action. The existence of an ACS case is one of many factors to be weighed in the sanction review process.

D. DHS DETERMINATION

If DHS decides to discontinue a family's THA, the Assistant Commissioner for Client Responsibility will complete a Notice to Discontinue Temporary Housing Assistance (the "Discontinue Notice") for the family [Appendix 11] and record the decision on the Sanction Recommendation Form [Appendix 10]. The Notice will state the basis for the action and inform the family of all rights to appeal the decision. The Notice will also state that the effective date of the sanction will be 10 days later. The Provider will serve the Notice on the family and request that the head of household sign the Notice. Provider staff will inform the family that it has the right to an Agency Conference and/or a State Fair Hearing to appeal the DHS decision to discontinue shelter. The family's time for requesting a Fair Hearing commences upon service of the Notice, with or without a signature from the head of household.

A DHS decision to disapprove a sanction recommendation and the reasons for disapproval will be documented on the Sanction Recommendation Form [Appendix 10] and given to the Shelter Director.

E. IMPLEMENTATION OF SANCTION

If a family fails to request a Fair Hearing within ten (10) days of the effective date stated on the Discontinue Notice, DHS will notify the Shelter Director in writing to direct the family to leave the facility no later than 12:00 p.m. on the date stated on the Sanction Instruction Notice [Appendix 12]. The Provider must not direct the family to leave shelter until it has received such written notice from DHS.

If the family requests a Fair Hearing within ten (10) days of receiving the Discontinue Notice, the family may remain in the shelter until a Fair Hearing decision is issued. DHS will indicate on the Sanction Instruction Notice [Appendix 12] that the family has requested a Fair Hearing and that the Provider may not sanction the family pending the outcome of the Fair Hearing. As soon as the family informs the Provider that they are requesting a Fair Hearing, the Shelter Director must notify DHS' Office of Legal Affairs.

When a Fair Hearing decision is issued, DHS will forward it to the Provider. If the decision at the Fair Hearing overturns the sanction, the family's THA will continue; if the decision upholds the sanction, the Shelter Director will personally serve the family with a Sanction Enforcement Letter [Appendix 13], which will enclose a copy of the Fair Hearing decision, direct the family to leave the facility within 24 hours of the family's receipt of the decision, and state the date and time the family may seek readmission to shelter.

Before implementing any sanction, the Shelter Director will evaluate the family's need for preventive services for children and protective services for children and make any referral as appropriate. The Shelter Director may consult with DHS if s/he needs assistance on this issue. The Shelter Director will complete a Sanctioned Family Referral Form [Appendix 14] to document what action, if any, was taken to refer a client for child welfare services.

The Shelter Director will give the family the opportunity to collect their belongings before leaving the shelter. If the family leaves without removing their belongings, staff will remove and store the belongings for three (3) days.

F. SANCTION PERIOD

With the exception of sanctions based on PA or income contribution violations, the Sanction Period shall last the following:

- Failure to comply with health and safety requirements = 30 days or until compliance, whichever period is longer.
- Failure to seek and accept housing = 30 days or until compliance, whichever period is longer.
- Failure to pay family income contribution = discontinuance of THA until compliance.
- Non-compliance with the ILP = 1st incident no penalty; 2nd and further incidents 30 days or until compliance, whichever period is longer.

If the reason(s) for discontinuance of a family's shelter is a failure to apply for and maintain an open PA case and the family would otherwise be eligible to receive PA benefits, or failure to comply with income contribution requirements, the sanction period lasts until the non-compliance is cured. In either case, a family must seek readmission to shelter in accordance with the procedure set forth in Section II.F, below.

G. READMISSION

At the end of the Sanction Period, a returning family must seek readmission at the family intake center and complete and sign a Return to Shelter for Sanctioned Family/Family Member Form [Appendix 15] indicating that the family has cured the violation that resulted in the sanction and that the family will comply with all Client Responsibility Rules. This reasonably ensures that the family knows their responsibilities and is aware of the possibility of further sanction for failure to comply with the Rules. If a family refuses to sign the form, intake staff will indicate the date of refusal on the form and explain to the family that they may not return to shelter.

Upon completing and signing the Return to Shelter for Sanctioned Family form, the family will be placed in shelter. The Assistant Commissioner for Client Responsibility will forward a copy of the family's case record to the Provider of the shelter in which the family is placed upon readmission.

The family's sanction history will be taken into account in any subsequent action to sanction the family.

H. WINTER ALERT— CODE BLUE

The Provider will not carry out a sanction on Code Blue days. When the Code Blue is lifted, the family must leave the shelter to begin the sanction.

If a sanctioned family returns to the family intake center during a Code Blue, they will be given overnight shelter until the Code Blue is lifted. The time spent in shelter during the Code Blue will not reduce the Sanction Period.