



April 2, 2020

The Honorable Andy Beshear, Governor
700 Capital Ave., Ste. 100
Frankfort, KY 40601
Via email

Dear Governor Beshear:

The Homeless and Housing Coalition of Kentucky is a statewide coalition of partners and advocates working to end homelessness and create opportunities for low-income Kentuckians to live in affordable homes. Since 1987, HHCK has advocated at the federal and state levels of government for the housing needs and opportunities for low-income Kentuckians and our member organizations. As a direct service provider of permanent supportive housing for chronically homeless families and individuals, we are in a unique role to support state government in making good housing policy, as we see its effects on a daily basis.

We act as convener for the Kentucky Interagency Council on Homelessness, as authorized by [KRS 194A.735](#), to serve as the single statewide homeless planning and policy development resource for the Commonwealth of Kentucky.

We commend you for taking decisive action to mitigate the effects of COVID-19. Specifically, thank you for including a statewide eviction moratorium to allow Kentuckians to remain healthy at home. This is a critical piece of maintaining housing security and public health during this pandemic. We also commend the flexibility granted to Community Mental Health Centers and other Medicaid providers in allowing telehealth services and Targeted Case Management without prior authorization, which are absolutely critical in this time. They should be extended permanently to allow for us to reach more of our housing clients and can be a way to strengthen the patient-provider relationship in non-crisis times as well.

As we learn more on a daily basis about COVID-19 and its impact on our communities, our concerns increase through two policy areas: homelessness and rental assistance.

Homelessness

Our communities need additional tools to keep people housed and out of homelessness. Kentucky's insufficient safe, decent, and affordable housing resulted in people experiencing homelessness before this crisis, and the spread of COVID-19 is making a dire situation worse. Using a conservative estimate under the U.S. Department of Housing and Urban Development's Point in Time Count methodology, we have at least 4000 Kentuckians who are literally homeless (i.e. sleeping outside, or in a homeless shelter), according to the [Kentucky Housing Corporation](#). Further, in the 2018-19 school year, 24,209 students were literally homeless or housing insecure as measured by the [Kentucky Department of Education](#). Without a home, they cannot practice the strong public health measures you have prescribed to keep themselves and others safe.

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As documented by national media as well as Darcy Costello in the [Courier-Journal](#) on March 26, people on the streets and nonprofit shelters are the battleground in this environment, more so than they have ever been. I can assure you this not just an urban issue – shelters in rural Kentucky are experiencing this as well. Should the virus become uncontained in the homeless population, it will cripple the health care system, and more Kentuckians will die.

We echo the call to action put forward by [Kentucky Nonprofit Network](#) in their letter dated March 23: *Special attention and funding are needed for the homeless population in Kentucky. Homeless individuals are not able to safely practice social distancing, wash their hands or take other recommended precautions to stay safe. They are also more likely to have underlying health conditions and a high volume of infection among this population will seriously stress our health system. Emergency funding to agencies that provide housing, healthcare and other services to homeless populations are needed, as well as creative responses to relieve existing shelters that do not have enough distance between beds to keep the virus from spreading.*

The housing community is resilient and creative. Already we are seeing new efforts succeed in places like the [Northern Kentucky Convention Center](#), where the shelters in Covington have repurposed a building currently not in use to shelter people as safely as possible under Department of Public Health guidance. But these efforts need support from Frankfort as well as Washington.

The CARES Act includes additional funding for emergency shelters, but it is unclear if it will be sufficient or if it will arrive quickly enough. Our shelters and people need resources **now** to prevent rampant spread of COVID-19 among Kentuckians experiencing homelessness. We are already hearing of shelters across the Commonwealth that are closing their doors to new residents or altogether due to lack of resources. We believe that nearly all 100 shelters in Kentucky have closed their doors to new residents, and those exiting shelters for hospitalization or other reasons are returning to the streets. We also know that an important public health response is releasing non-violent persons from jail, which we support, but this also will increase demand on shelter services if they do not have secure housing upon release. This necessitates the expansion of facilities, including using motel/hotel rooms as medical respite and quarantine facilities. Federal funding is crucial, but it is awarded on a reimbursement basis. Most shelters run on a razor-thin margin and do not have the cash-on-hand to wait to be reimbursed for increasing expenses incurred daily.

Our current recommendations include:

1. Direct an additional \$24 million from Kentucky's Coronavirus Relief Fund award to equal federal Emergency Solutions Grant funds soon to be issued to Lexington, Louisville, and the 118-county Balance of State to cover all costs (including but not limited to facility costs, staffing expenses, cleaning supplies, security, health care supplies, food, and short-term rentals of hotel/motel rooms) not reimbursed by FEMA or other federal sources for additional shelter capacity needed to help people experiencing homeless and adhere to COVID-19 directives;
2. Set priority within KY Emergency Management for the procurement of Personal Protective Equipment for staff, volunteers, and outreach workers in shelters and those working with the unsheltered population;
3. Set priority for testing for COVID-19 within homeless shelters, along with other prioritized congregate living facilities. This should be a priority in areas with documented cases, and immediate support should be provided to shelters where people test positive to help quarantine all people in the facility, as this is a public health containment measure;
4. Implement a statewide ban of encampment sweeps through executive order through the duration of Executive Order 2020-215, corresponding with current [CDC guidance](#).

Our shelter and housing providers are on the front lines as well as traditional first responders, and as such, need whatever Personal Protective Equipment can be procured at this point. The [National Health Care for the Homeless Council](#) makes clear how these actions can boost the state's public health response and mitigate the effects of COVID-19. The bottom line is that our shelter providers need approximately \$24 million in addition to what they receive in existing federal funding and equipment to protect our homeless neighbors and by extension, the public at large.

The CARES Act also will provide the Commonwealth with additional resources that can support homeless services and provide assistance to those in need. The Commonwealth will receive as estimated \$15.6 million in Community Development Block Grant (CDBG) funding on a formula basis plus any additional CDBG funds that may be awarded by the HUD Secretary. The CARES Act waived the public services cap that normally applies to CDBG funding. This waiver will allow the Commonwealth to deploy all of these funds to programs that can assist our most needy Kentuckians, including homeless services and emergency assistance, and I strongly encourage that the state do so.

Additionally, these Coronavirus Relief Fund dollars should be advanced directly to homeless services providers and/or local governments providing homeless services using a formula allocation based on need and not awarded on a reimbursement basis, as is required of both FEMA Public Assistance Funds and HUD entitlement funding. Many of the Commonwealth's small community-based homeless services providers lack the cash reserves to support additional investments needed to respond to the coronavirus crisis, such as leasing hotel rooms or other congregate living space to provide adequate social distancing/isolation or offering more homeless prevention assistance to persons in crisis who may not be eligible for ESG funds. Providing nonprofit social service providers with financial resources as soon as possible is essential to ensuring a comprehensive and rapid response to the coronavirus crisis for those Kentuckians experiencing or at risk of homelessness.

Rental Assistance

To maintain housing security, we urge you to use a portion of the Kentucky's CARES Act Coronavirus Relief Fund allocation of \$1.72 billion to address the housing costs of Kentuckians in the service sector and who are most likely to feel the income loss impacts of COVID-19.

At least 30% of Kentuckians are renters, using the latest data from the [Federal Reserve Bank of St. Louis](#). According to the [National Low Income Housing Coalition](#), 157,889 of these households are extremely low income, and of these 66% already were paying more than half their income on rent and utilities. This group of renters are likely to be working in the service sector, making their income subject to lay-offs or hour reductions due to the necessary public health measures we are taking. If not assisted, they will lose their homes after the state of emergency is lifted and the courts are back in session.

Our recommendations include:

1. Direct \$50 million in short-term rental assistance up to 3 months to cover unpaid rent, and any subsequent fees or fines incurred for those unable to pay in full due to loss of income to reduce the number of people who potentially will become homeless due to COVID-19. Providing rental assistance keeps people housed, landlords with rental income, and debt service on properties flowing. It is imperative that these funds be made available before the eviction waiver is lifted to ensure households have the opportunity to pay back rent and associated fees to avoid evictions;
2. Provide \$5 million in increased support for legal services, foreclosure, and eviction crisis counseling; and
3. Create an Eviction Prevention Task Force to address the end of the eviction moratorium and guide all parties to ensure landlord and renters remain whole when we come out of this state of emergency. This could consist of representatives from the Administrative Office of the Courts,

legal aid organizations, Kentucky Equal Justice Center, Lexington Fair Housing Council, Kentucky Apartment Association, and others committed to seeing people made whole.

Kentucky must act quickly and logically to prevent further housing instability and homelessness as a result of a Coronavirus outbreak. On behalf of all Kentuckians, we must proceed to ensure those at risk of experiencing homelessness and those who are already housing insecure are not left more vulnerable. Thank you for your commitment and collaboration on this important issue.

We stand ready to assist you in keeping Kentuckians – quite literally – healthy at home.

Sincerely,



Adrienne S. Bush, MPA
Executive Director

In addition to our organizational members across the Commonwealth, the undersigned organizations and coalitions co-sign this letter:

Coalition for the Homeless, Louisville/Louisville Continuum of Care
Kentucky Balance of State Continuum of Care
Lexington Office of Homelessness Prevention and Intervention/Lexington Continuum of Care
Centerstone/Seven Counties
Kentucky Equal Justice Center
Kentucky Mental Health Coalition
Kentucky Voices for Health
Lexington Fair Housing Council
Mental Health America - Kentucky
Mountain Comprehensive Care Center
ThriveKY
United 874K Coalition

Cc: Rocky Adkins, Senior Policy Adviser
Lisa Beran, Kentucky Housing Corporation
Michael Dossett, Kentucky Emergency Management
Morgan Eaves, Administrative Assistant
Eric Friedlander, Cabinet for Health and Family Services
Dennis Keene, Department of Local Government
Dorsey Ridley, Administrative Assistant
Jonathan Smith, Deputy Chief of Staff