

# Increasing LGBTQI+ & Families Access to Housing, Services, & Shelter

Presented by EveryOne Home  
in collaboration with  
Family Violence Law Center

Oakland City Hall  
1 Frank Ogawa Plaza  
Hearing Rm 4  
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# Introduction

## Presenters:

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Cory Hernandez

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# History of EveryOne Home

- Founded in 2008, EveryOne Home is the result of a unique collaboration among community stakeholders, cities, and Alameda County government agencies. **EveryOne Home serves as the Continuum of Care lead agency** which develops the process for the CoC HUD NOFA funding application and leads the Homeless Count. Our Strategic Plan envisions a system of care that by 2023, ensures all extremely low-income residents have a safe, supportive and permanent place to call home.
- <http://everyonehome.org/>



# History of Family Violence Law Center

- Founded in 1978, Family Violence Law Center (FVLC) helps diverse communities in **Alameda County** heal from **domestic violence and sexual assault**, advocating for justice and healthy relationships. We provide survivor-centered **legal and crisis intervention services**, offer **prevention education for youth and other community members**, and engage in policy work to create systemic change.

- <http://fvlc.org/>



# Do I belong here?

- ◉ Do you operate a CoC-funded domestic violence (DV) shelter that serves only women and children?
- ◉ Do you operate transitional housing (TH) or single room occupancy (SRO) for homeless men?
- ◉ Do you operate Housing Choice Vouchers (HCV) projects?
- ◉ Do you operate ESG-funded emergency shelter (ES) for men?

If yes to any of the above, you belong here!

# Do I belong here?

- All HUD programs, from sheltering to mortgage programs, must comply with the Equal Access Rules. This includes all Community Planning and Development Programs:

- CDBG
- HOME
- CoC
- ESG
- HOPWA
- Housing Trust Fund
- Rural Housing

# Why are we here?

- To Understand
  - > The CoC's Anti-Discrimination policy and HUD's Equal Access Rules
  - > How to best support individuals and families experiencing homelessness
  - > How to form a rapport and establish communication with peers and clients
- #1 – RESPECT

# Agenda

- Cory Hernandez, FVLC
  - > Terminology
  - > Statistics
  - > Group Discussion Questions
  - > Suggestions
- Ruby Butler, EOH
  - > HUD Equal Access Rules
  - > Implementing Policies and Procedures
  - > Scenarios
- Q&A and Resources

# LGBTQI+ Cultural Relevancy

Cory Hernandez, FVLC



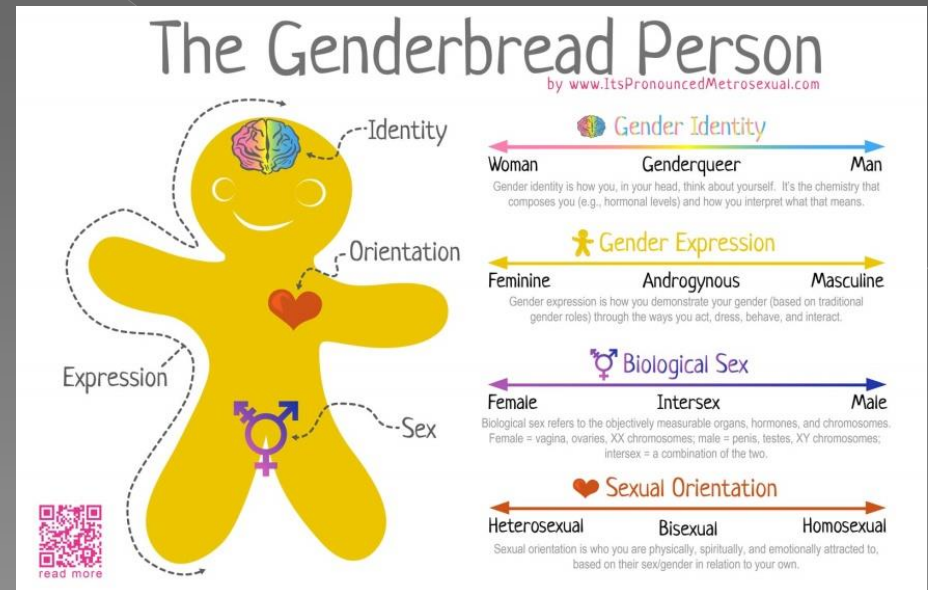
# Terminology: HUD Rule

- ◉ **Sexual orientation** = homosexuality, heterosexuality, bisexuality
- ◉ **Gender identity** = actual or perceived gender-related characteristics
- ◉ **Gender expressions** = external expressions of gender identity



# Terminology: Some basics

- Sexual orientation v. gender identity
  - > Gender identity v. expression v. role
- Gender identity v. sex
- Actual v. perceived
- “LGBT”
- Domestic violence
- Gender pronouns



# Terminology: Some identities

Sexual Orientation	Gender Identity	Gender Identity
<b>Queer</b>	<b>Trans</b>	Genderqueer
Gay / lesbian	Transgender	Non-binary
Bisexual	Transsexual	Third-gender
Pansexual / omnisexual	Pangender	Bigender
Fluid*	Genderfluid*	Drag queen/king*
Asexual	Agender / genderless	Transvestite* / cross-dresser*
Aromantic*	Gender nonconforming*	Intersex*
Questioning*	Questioning*	Two-Spirit**
MSM* / WSW*	Androgynous*	Hijra**

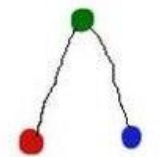
\* = may not necessarily identify as sexual/gender minority

\*\* = culturally specific term

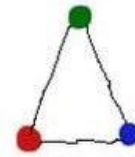
# Terminology: Other identities

- Non-monogamous relationships
  - > Open, non-exclusive, polyamorous
- Kink/fetish
  - > Main difference between Bondage, Dominance, Submission, and Masochism (BDSM) and abuse is **consent**
  - > Further **stigmatized** so less likely to receive (adequate) services or assistance

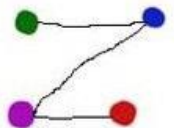
## Examples of Polyamorous Relationship Configurations



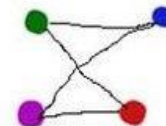
Green is involved with both Red and Blue, but Blue and Red are not involved with each other



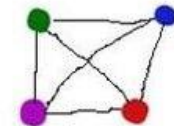
Green is involved with Red and Blue and Red and Blue are involved with each other



Green is involved with Blue, but not Purple and Red. Blue is involved with both Green and Purple, but not Red. Purple is involved with Red and Blue.



Green is involved with both Blue and Red, but not Purple. Blue is involved with both Purple and Green, but not Red.



Green is involved with Blue, Red and Purple. Everyone is involved with everyone else.

# Terminology: HUD Regulations

- ◉ Discrimination “**because of**” **sex** includes discrimination because of conforming or not to actual or perceived **gender stereotypes**



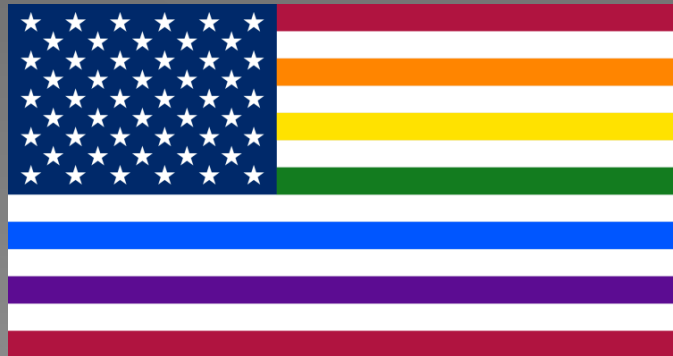
# Experience Poll

- By show of hands, have you used this language in your projects or setting?
  1. Yes, these are very familiar terms I use regularly.
  2. Yes, these are terms I've heard but don't use regularly.
  3. No, these terms are new to me.



# Statistics: LGBTQI+ in the U.S.

- ◎ **3.5%** LGB (national, 2011)
  - > **1.8%** bisexual, women>men
  - > **1.7%** gay/lesbian
- ◎ **~1.0%** trans (California, 2009)
- ◎ **~1-2%** intersex (national, 2015)
- ◎ **7.3%** millennials are LGBT (national, 2016)



# ALCO Statistics: LGBTQI+ Homelessness

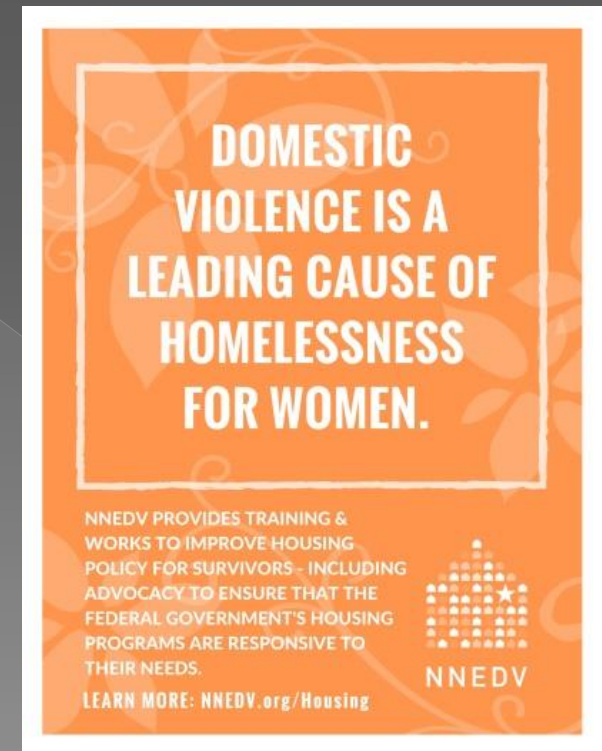
- ◉ EveryOne Counts! 2017 Survey
  - > **14%** total respondents identified as LGBTQ
  - > LGBTQ Youth overrepresented in homeless population:
    - **22% sheltered** unaccompanied children and transitional-age Youth
    - **25% unsheltered** unaccompanied children and transitional-age Youth

# National Statistics: LGBTQI+ & Homelessness

- ~**40%** all homeless youth identify as LGBT
- **15 y/o** = average age of first-time homeless LGBT youth
- **68%** LGBT homeless youth experienced family rejection; **54%** experienced abuse
- **2/3** homeless shelters failed to enroll trans clients properly
- ~**1/4** trans residents report being assaulted by **other residents or staff** at homeless shelters

# ALCO Statistics: DV & Homelessness

- EveryOne Counts! 2017 Survey
  - > **6% currently** experiencing DV
  - > **25% history** of DV
    - **55%** identified as trans
    - **37%** identified as women



# National Statistics: DV & Homelessness

- ◎ US DHHS 2016 National Literature Review
  - > **22-57%** homeless women report DV was immediate cause of homelessness
  - > **38%** DV survivors become homeless during lifetime



# Statistics: LGBTQI+ DV

- ◉ LGBTQI+ experience DV at disproportionate rate compared to cisgender/heterosexual individuals
  - > Higher rates of DV if person of color, poorer, homeless, immigrant, non-English proficient, disabled, etc.
- ◉ Gender minorities generally experience higher rates than sexual minorities
- ◉ Bisexual+ women face higher rates than gay, lesbian, and queer folks

# National Statistics: LGBTQ+ DV

- ◉ **1/3** women, **1/4** men – physical violence
- ◉ **1/5** women, **1/7** men – severe physical
- ◉ Rape, physical violence, stalking by IP
  - > **37%** bi men v. **29%** hetero v. **26%** gay
  - > **61%** bi women v. **35%** hetero v. **44%** lesbian
  - > **~50%** trans



# National Statistics: LGBTQ+ DV

- Psychological aggression by IP
  - > **53%** bi men v. **49%** hetero v. **60%** gay
  - > **76%** bi women v. **48%** hetero v. **63%** lesbian
  - > **~50%** trans
- Escalation of abuse when coming out
  - > **20%** trans folks abused because trans
  - > Bi+ women with cis hetero male partners



# Discussion



- ◉ Why do LGBTQI+ individuals face particularly high rates of homelessness? Of DV?
  - > Why youth in particular?
  - > Why bisexual+ individuals in particular?
  - > Why trans individuals in particular?



# Suggestions

## ⦿ Don't

- > Ask someone about their anatomy or physical characteristics beyond what is **necessary**.
  - Can ask about biological sex for **emergency housing with shared room/bathroom**
- > Ask someone for documentary, physical, or medical evidence to “**prove**” **their gender**
- > **Tokenize** LGBTQI+ individuals or make them spokespeople for their community(ies)

# Suggestions

## ◎ Do

- > Assign someone to a gender-segregated facility by their **self-identified gender**
- > **Dialogue** with staff and clients about LGBTQI+ issues
- > Ask for **gender pronouns** and give yours
- > **Participate** in DVAM, TDVAM, Pride, etc.
- > Call shelters ahead to **check policies**

# How does this relate to HUD?

Ruby Butler, EOH



# THE FIVE KEYS TO EFFECTIVE EMERGENCY SHELTER



## HOUSING FIRST APPROACH

Align shelter eligibility criteria, policies, and practices with a Housing First approach so that anyone experiencing homelessness can access shelter without prerequisites, make services voluntary, and assist people to access permanent housing options as quickly as possible.



## SAFE & APPROPRIATE DIVERSION

Provide diversion services to find safe and appropriate housing alternatives to entering shelter through problem-solving conversations, identifying community supports, and offering lighter touch solutions.



## IMMEDIATE & LOW-BARRIER ACCESS

Ensure immediate and easy access to shelter by lowering barriers to entry and staying open 24/7. Eliminate sobriety and income requirements and other policies that make it difficult to enter shelter, stay in shelter, or access housing and income opportunities.



## HOUSING-FOCUSED, RAPID EXIT SERVICES

Focus services in shelter on assisting people to access permanent housing options as quickly as possible.



## DATA TO MEASURE PERFORMANCE

Measure data on percentage of exits to housing, average length of stay in shelter, and returns to homelessness to evaluate the effectiveness of shelter and improve outcomes.

## Immediate and Low-barrier Access

- Serving households of any configuration including couples without children, persons identifying as LGBT, two-parent households, mothers with teen boys, etc.
- Serving people using substances and/or with mental illness, regardless of treatment compliance
- Configuring space to serve different configurations of households and accommodate special needs



**IMMEDIATE &  
LOW-BARRIER  
ACCESS**

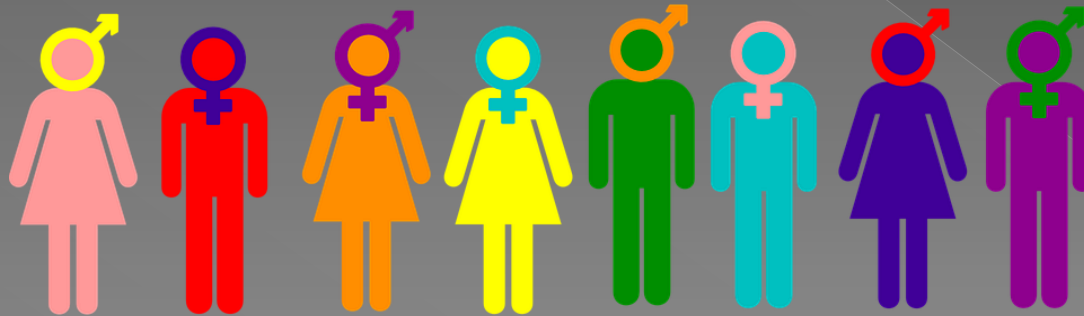
# HUD's Equal Access Rule

- California Fair Employment & Housing Act of 1959
- The Fair Housing Act 1968
- Equal Access Rule published in 2012
  - > HUD's housing programs must be open to all regardless of sexual orientation, gender identity, or marital status.
  - > Clarifies the terms “family” and “family unit”.



# HUD's Gender Identity Rule

- Gender Identity Rule published in 2016
  - > Equal access to individuals in accordance with their gender identity.
  - > No requirements to “prove” gender identity.
    - “Our job is to house, not to check anatomy.”
  - > Provider must take steps to address privacy concerns
  - > Providers must update Policies and Procedures and communicate the policy to clients.



**Note:** Violence Against Women Act protections effective Dec 2016

# Alameda County CoC's LGBT Housing Access Anti-Discrimination Policy

- Adopted August 2017, in alignment with HUD 2012 Final Rule Equal Access, and the 2016 Equal Access Rule.

**All HUD-funded Homeless Assistance Programs, including but not limited to, rental assistance to prevent homelessness, street outreach, emergency, transitional, rapid rehousing and permanent supportive housing, shall not discriminate based upon actual or perceived sexual orientation, actual or perceived gender identity, or marital status. Programs must determine eligibility for housing regardless of an individual sexual orientation or gender identity, grant equal access to programs or facilities consistent with a person's gender identity, and not require anatomical, documentary, physical, or medical evidence of gender identity. In addition, all HUD-funded Homeless Assistance Programs must take non-discriminatory steps to address privacy concerns based on actual or perceived LGBT status.**

# Making Room for Families

HUD funded projects that serves families with minor children are not permitted to exclude families based on the gender of the head-of-household. When projects serve ANY families with children, they must serve ALL families with children. Family composition types include:

- Single dads
- Single moms
- Same-sex couples
- Hetero-normative couples
- Multi-generational
- Non-romantic groups who present as a family



A household with a head-of-household who is male, and eligible for services, must be provided access to the same services, facilities, and staff to which all households enrolled in the project have access.

Projects may establish a requirement that they only serve households with minor children and exclude households comprised entirely of adults.

# What Does Discrimination Look Like?

- ◉ A CES call center that hangs up when a caller identifies as transgender.
- ◉ Management failing to address complaints from LBGTQI+ individuals regarding harassment from other residents.
- ◉ DV shelter that serves women with children but not male DV survivors with children. (see HUD FAQ 1529)
- ◉ Site Managers who enforce different rules for single-fathers vs. single-mother households.
- ◉ A family shelter that requires boys to move out at 13 years old. (this is both involuntary separation of a family and discrimination of a child)

# What Does Discrimination Look Like?

## ◉ Staff:

- > Inquiring about an individual's anatomy prior to enrolling them.
- > Excluding individuals based on family composition.
- > Revealing an individual's status as transgender and/or requiring special procedures for households with transgender persons.
- > Refusing to enroll a homeless man due to his marital status.

# Experience Poll

- ◎ Let's discuss,
  - > how have we seen discrimination in projects?
  - > what thoughts/concerns could project staff have that causes this discrimination?



# Implementation

- Per the Gender Identity Rule published in 2016, Providers must update Policies and Procedures to reflect inclusive policies.
  - > Inclusive policy for Staff
  - > Inclusive policy for Residents
  - > Inclusive policy for Safe Spaces and Facilities
- The policy must be communicated to clients.



## SAMPLE DOCUMENT:

### Communicating Anti-Discrimination Policy to Clients

[Project Name] welcomes individuals who are heterosexual, bisexual, gay, lesbian, transgender queer and/or gender non-conforming of different races, classes, religions, ages and backgrounds. I will be respectful of the other program participants and staff. I understand that any oppressive or abusive language or actions are not acceptable. If I have any questions about this policy, I can ask a staff member to explain it to me.

If a program participant or staff member is acting in an abusive or oppressive way towards me, I know that I can report this behavior to a staff member. If I feel that the issue has not been addressed, I can then report it to the project coordinator, \_\_\_\_\_. If the issue has still not been appropriately addressed, I can bring the issue to the executive director, \_\_\_\_\_.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

# LGBT Equal Access to HUD Programs



The U.S. Department of Housing  
and Urban Development enforces  
regulations that ensure its  
programs are open to all  
eligible individuals regardless  
of actual or perceived sexual  
orientation or gender identity.



[www.hud.gov/igbthousingdiscrimination](http://www.hud.gov/igbthousingdiscrimination)

# Inclusive Policy for Staff

- ◉ Projects should have policies on what language and behavior are unacceptable for staff and volunteers. Organizations should implement these policies across contracts, subcontracts, and volunteer training.
- ◉ Established guidelines include:
  - > Offensive jokes, slurs, or epithets or name-calling
  - > Physical assaults or threats
  - > Intimidation, ridicule, or mockery, insults, or put-downs
  - > Offensive objects or pictures
  - > Interference with work performance



# Inclusive Policy for Residents

- All HUD-funded projects are expected to be free of discrimination and harassment. Providers communicate the absence of bias by using inclusive language in:
  - > Posted signage within the project
  - > Interaction with staff and residents
  - > Publications about the project
  - > Intake forms that give the option to reveal or omit their status.
    - Responses are optional in HMIS and the Assessment form
- If a project is permitted to segregate based on gender, it must create policies that ensure housing and services to all eligible individuals identifying with that gender, including those whose gender identity does not match the sex assigned at their birth.

# Inclusive Policy for Residents

- Policies should reinforce that an individual's gender identity does not create a risk to others, and support residents and staff in addressing and resolving conflicts. Policies should:
  - > Include specific behaviors that violate standards, such as language and non-verbal intimidation.
  - > Escalate corrective actions if an individual repeats the same violation.
  - > Focus corrective actions on aggressors who violate project rules, not on the victim of harassment.



# Inclusive Policy for Residents

If a resident continues to disrespect a transgender individual, consider:

- Requiring that the harassing resident stay away from the transgender individual
- Making changes in sleeping arrangements without limiting the freedom of the transgender individual, and/or
- Pursuing other interventions that do not result in the expulsion of the harassing resident.



In **no** instances should interim or final steps involve expulsion of the harassed client.

# Creating Inclusive Spaces: Facilities

- Given resources, some projects can't alter physical spaces to privacy needs. However, there are several strategies that projects can implement to meet residents' safety needs, such as:
  - > Offering resident a room, floor, or bed that is in proximity to staff workstations.
  - > Provide resident access to rooms, floors, or beds set aside for residents with increased vulnerability.
  - > Assist a resident in identifying an alternate project with comparable services and provide a referral.
  - > Last resort, provide a hotel or motel voucher if the voucher covers the full period the original project site would be able to shelter the client, and the client maintains access to comparable resources and serves.

# Creating Inclusive Spaces: Restrooms

- Bathroom and shower facilities access is **based on gender identity**. Strategies exist to accommodate clients with a need for individual or private showers or bathrooms. Some options for staff include:
  - > Make single-use bathrooms all-gender, for use by anyone.
  - > Establish certain times during the day that a congregate bathroom can be reserved for private use.
  - > Consider implementing a schedule for all clients if communal showers are the only type available.
  - > Ensure that toilet and shower stalls have locked doors or curtains.

# Creating Inclusive Spaces: Non-Binary Clients in Single-Sex facilities

Some clients may not identify as either male or female  
BUT  
most shelters assign housing and services based on two genders:  
male and female

How should project staff resolve this?

- **Explain** that the shelter's decisions are based on only two genders.
- **Ask** the client to choose the gender with which they most closely identify.
- **Make decisions** for placement that are appropriate to the gender selected by the individual.

# Experience Poll

Ask yourself:

- Does your agency have an anti-discrimination policy?
- Does it include gender identity, gender expressions, and sexual orientation as protected attributes?
- Are staff, volunteers, and contractors trained on this policy?



# Scenario #1 – Sleeping Arrangements

- I run a 50-bed shelter for men. My project is housed in an old firehouse, and only has congregate sleeping and bathroom facilities with no privacy. One of the men staying in the shelter comes to a volunteer staff person and identifies as a gay transgender male. Can I allow them to continue using the same facilities as other clients?

# Scenario #1 – Sleeping Arrangements

- Not only can you allow it, you are required to do so.
- Do not isolate clients based on their transgender status.
- Clients may request an accommodation (such as bed assignment near staff work stations) but staff may not impose or require a client accept an accommodation.
- Treat all eligible clients (for this scenario, anyone identifying as male) with the same services, staff, questions and setting as all other clients.



# Scenario #2 – DV Shelter

- I run a DV shelter that serves women. We house residents in 2 buildings on the same property. All residents have access to the same services, but transgender women are in one building, and cis-women are in another. Several residents within the project have complained that the presence of transgender women triggers traumatic experiences. Can I require all transgender women to be served in a different building or project?

# Scenario #2 – DV Shelter

- No! This is “separate but equal” discrimination.
- Do not isolate clients based on their transgender status.
- Clients may request an accommodation, but staff may not impose or require a client accept an accommodation.
- Treat all eligible clients with the same services, staff, questions and setting as all other clients.

**SUPPORT YOUR SISTERS  
NOT JUST CIS - TERS.**

# Scenario #3 – TH for Families

- I am a case manager at a TH program for families, and CES just referred to us a single mom with a 5yr old and a 7yr old. Mom works as an elderly caretaker and needs to be out of the program from 6pm-11pm each night. We are concerned that the children are left unsupervised and that mom will miss curfew. Should this family be allowed to stay in our program?

# Scenario #3 – TH for Families

- Not only should you allow it, you are required to do so.
- Treat all eligible clients.
  - > “We must serve the people who show up.”
- Clients may request an accommodation, but staff may not impose or require a client accept an accommodation.
  - > Perfect opportunity for project/case manager to offer services.



# What did we learn?



# Questions?



# Resources

- National Domestic Violence Hotline
- File Complaint with Fair Housing/Equal Opportunity (FHEO)
  - > [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)
- HUD Exchange LGBT Homeless Resource Page
  - > [www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/](http://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/)
- LGBT Power and Control Wheel
  - > <https://www.thehotline.org/is-this-abuse/lgbt-abuse/>
- FVAP LGBTQI+ DV Primer
  - > <http://fvaplav.org/legal-resource-library/>
- Northwest Network
- National Institute on LGBTQ IPV
- National Center for Lesbian Rights
- Lambda Legal
- ACLU
- Equal Rights Advocates
- Transgender Law Center
- BayLegal
- National Network to End Domestic Violence

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Thank you for your attendance  
and participation!!