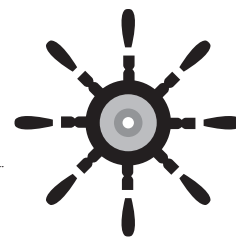


# Homeless Assistance: Federal Surplus Property to Address Homelessness



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**Administering agencies:** HUD, Health and Human Services (HHS), General Services Administration (GSA)

**Year program started:** 1987

**Number of persons/households served:** More than 2 million

**Populations targeted:** Homeless persons

**FY16 funding:** The Title V program does not receive an appropriation.

**Also see:** *McKinney-Vento Homeless Assistance Programs, Continuum of Care Planning, Ten-Year Plans to End Homelessness*

The federal government owns real property that it no longer needs, including both land and buildings. When the government no longer has use for a particular property, it will often be declared surplus. Under Title V of the McKinney-Vento Homeless Assistance Act of 1987, homeless service providers have a right of first refusal to acquire these properties at no cost before they can be offered to state or local governments or be sold to generate revenue for the federal government.

If determined by HUD to be suitable and available, surplus federal properties are published in the *Federal Register*. Homeless service providers, including local governments and nonprofit organizations, apply for properties through the Department of Health and Human Services (HHS). If a property transfer is approved, that transfer is negotiated with the General Services Administration (GSA), the federal agency broadly responsible for government real property.

## HISTORY AND PURPOSE

The McKinney-Vento Act was first passed in 1987. Title V was included in the law in recognition of the fact that homeless service providers working to end homelessness have difficulty affording and acquiring property in order to provide housing or

supportive services, while the federal government has property that it no longer needs. Title V originally included properties on newly closed military bases. In 1994, the law was amended to provide a separate process for ensuring that a portion of Base Realignment and Closure properties are used to provide affordable housing and prevent homelessness.

## PROGRAM SUMMARY

**Screening.** Landholding agencies report the status of their real estate holdings to HUD on a quarterly basis. HUD screens excess properties to determine whether they are suitable for the needs of homeless services organizations. Then, all suitable properties are published in the *Federal Register*.

**Expression of Interest.** When a homeless service provider identifies a property of interest in the *Federal Register*, it has 60 days to submit a written expression of interest to HHS. This is simply a brief letter identifying the group, the property of interest, and a brief description of the proposed use. Once HHS receives this letter, it provides the nonprofit or public agency with a full application.

**Application.** Groups have 90 days to complete the application. Unlike the short expression of interest letter, the application is very detailed, and requires extensive supporting documentation in order to prove that the applicant has the financial and program capacity to best utilize the federal property. Once HHS receives the completed application, the agency has 25 days to make a decision on the application. If an application is approved, then GSA will negotiate a deed or lease to convey the property to the applicant.

## FUNDING

The Title V program does not receive an appropriation.

## FORECAST

Although the Title V program had been subject to attack on Capitol Hill through proposals to harmfully amend, or even eliminate, the law in recent years, the Forecast looks much more

positive. Indeed, legislation currently pending in the House of Representatives would not only provide for increased access to federal properties no longer needed by the federal government, but it would also broaden the available use of the properties to include permanent, affordable housing for homeless people – with or without supportive services.

**House of Representatives.** Congressman Jeff Denham (R-CA) introduced H.R. 4465, the Federal Assets Sale and Transfer Act. The bill proposes a pilot program to improve transparency into federal real property holdings, potentially allowing more properties to become available for homeless services. The bill also proposes to streamline the Title V application process, give applicants important flexibility in determining whether to take the property by deed or lease, and also clarify that permanent housing – with or without supportive services – is an eligible use of property acquired under the Title V program.

**Senate.** Senator Ron Johnson (R-WI) introduced S. 1398, which is identical to H.R. 4465 for purposes of the Title V program.

## TIPS FOR LOCAL SUCCESS

To successfully apply for Title V property, an applicant must be financially stable and have a firm and workable plan to use the property that is to be acquired. It should be noted that the application timeline is short, so applicants must be prepared to act quickly when a suitable property becomes available.

## WHAT TO SAY TO LEGISLATORS

Advocates should meet with their Members of Congress with the message that Title V is a no-cost way to advance the national goal of ending homelessness, and support the positive changes to the program proposed in the legislation listed above.

## FOR MORE INFORMATION

For information about how to search and successfully apply for surplus federal properties, you may contact the National Law Center on Homelessness & Poverty, 202-638-2535, [www.nlchp.org](http://www.nlchp.org) ■