

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 each year

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*

Title V of the McKinney-Vento Homeless Assistance Act of 1987 (Title V) grants nonprofit groups, state agencies, and local governments a right of first refusal to land and real property no longer needed by the federal government. This largely untapped resource provides service providers with potential access to valuable assets that may be used to provide housing and/or services to homeless people – at no charge to service provider.

Homeless service providers, community development organizations, and local government agencies have used Title V properties in a variety of ways to meet the needs of people experiencing homelessness in their communities. To date, approximately 500 buildings on nearly 900 acres of land in 30 states and the District of Columbia have been transferred to nonprofit organizations and local governments under Title V to provide emergency shelter, job training, and even permanent housing to homeless people.

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 often cannot afford real property to provide needed homeless programming, 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. In 2016, Title V was amended by the Federal Assets Sale and Transfer Act of 2016 (H.R. 4465), which made several improvements to the law, including making explicit that the provision of permanent housing is an eligible use for properties transferred under the Title V program.

PROGRAM SUMMARY

Screening. Landholding agencies report the status of their real estate holdings to HUD on a quarterly basis. HUD screens unutilized, underutilized, excess, and surplus properties to determine whether they are suitable for homeless services organizations. All such suitable properties are published online at <https://www.hudexchange.info/programs/title-v/suitability-listing> on a weekly basis. Properties that are listed as suitable and available may be conveyed via deed or lease at no charge to nonprofit groups, state agencies, and local governments following successful application to the U.S. Department of Health and Human Services (HHS).

Expression of Interest. When a homeless service provider identifies a property of interest, it has 30 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 75 days to complete an initial application. Unlike the short expression of interest letter, the application is detailed and requires information about the services that will be offered, the need for such services, and the ability of the applicant to offer such services. Once HHS receives the completed initial application, the agency has 10 days to make an approval or disapproval determination. If an initial application

is approved by HHS, the applicant has an additional 45 days to set forth a reasonable plan to finance the approved program. No later than 15 days after receipt of this information, HHS has 15 days to make a final determination.

FUNDING

The Title V program does not receive an appropriation.

FORECAST FOR 2018

In December 2016, the Federal Assets Sale and Transfer Act of 2016 (FAST Act) was signed into law by President Barack Obama. The law amends the Title V program, but preserves the application of Title V disposal requirements to all but the first \$500 to \$750 million in “high value” properties recommended for disposal by the newly established Public Buildings Reform Board. Although this law is now in effect, amendments to federal regulations governing the Title V program will be made in 2018. The application packet provided to homeless service providers will also be updated in 2018 to reflect legislative changes made under the FAST Act.

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.

The National Law Center on Homelessness & Poverty published a toolkit to assist homeless service providers with completing successful applications for property under Title V. The toolkit, “Public Property/Public Need: A toolkit for using vacant federal property to end homelessness,” is available at <https://www.nlchp.org/documents/Public-Property-Public-Need>.

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 ask the government to improve its efforts to make local governments and nonprofit agencies aware of the program. Also, advocates should meet with their Members of Congress to urge that the government improve compliance with the Title V program and ensure that suitable properties no longer needed by the federal government are quickly conveyed to local homeless service providers.

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