

# 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:** Unhoused people

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

**See Also:** For further information, reference [Public Property/Public Need: A toolkit for using vacant federal property to end homelessness](#).

Title V of the “McKinney-Vento Homeless Assistance Act of 1987” (Title V) makes HUD responsible for leading a cross-agency effort to identify unneeded federal properties suitable for use by non-profit agencies and local governments to house and serve homeless people. Once suitable and available properties are identified, homeless service providers have a right of first refusal to acquire the federal property through an application process administered by HHS. Approved applicants can obtain title to the property - or long-term lease of the property at the applicant’s option – **for free**.

Title V has enabled service providers and local government agencies to acquire highly valuable real property to provide housing, emergency shelter, food, job training, medical care, and other critical services to over 2 million homeless people each year. Moreover, Title V saves taxpayer dollars by reducing operations and maintenance costs associated with unused and unneeded federal properties.

To date, over 500 buildings in at least 30 states and the District of Columbia have been transferred to nonprofit organizations and

local governments under Title V. Despite this impressive number, Title V is a significantly underutilized program.

## 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. Meanwhile, the federal government has property that it no longer needs. Title V originally included properties on newly closed military bases, but the law was amended in 1994 to provide a separate process for ensuring that a portion of closed bases 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 submit a reasonable plan to finance the conditionally approved program. HHS has 15 days after receipt of the full application to make a final determination.

## FUNDING

The Title V program does not receive an appropriation.

## FORECAST FOR 2023

There is no pending legislation that would affect the Title V program. However, regulatory changes to the program are forthcoming following advocacy by the National Homelessness Law Center to align Title V with affordable housing finance requirements, among other improvements.

## 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. The application timeline is short, so applicants must be prepared to act quickly when a suitable property becomes available.

The National Homelessness Law Center published a toolkit to assist homeless service providers with: 1) finding available properties, 2) submitting expressions of interest, and 3) 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://homelesslaw.org/wp-content/uploads/2018/10/Public-Property-Public-Need-1.pdf>.

## WHAT TO SAY TO LEGISLATORS

Advocates should meet with their Members of Congress with the message that surplus federal property is an available and needed resource to advance the national goal of ending homelessness. Advocates should ask their Members of Congress to urge HHS, HUD, and GSA to install policies that maximize use of surplus property for housing and services, and to eliminate any regulatory or functional barriers to that end. You can also urge HUD to expand outreach efforts to make local governments and nonprofit agencies aware of the program.

## FOR MORE INFORMATION

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