

SUBCHAPTER 06W – STATE IN-HOME SERVICES FUND: HOUSING AND HOME IMPROVEMENT SERVICES

SECTION .0100 – PROGRAM REQUIREMENTS

10A NCAC 06W .0101 DEFINITIONS

10A NCAC 06W .0102 METHODS OF SERVICE PROVISION

History Note: Authority G.S. 143B-153;
Eff. July 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. December 1, 1992; July 1, 1990; July 1, 1984; December 31, 1980;
Repealed Eff. July 1, 2007.

10A NCAC 06W .0103 SERVICE DELIVERY

History Note: Authority G.S. 143B-153;
Eff. December 1, 1992;
Repealed Eff. July 1, 2007.

10A NCAC 06W .0104 NATURE AND PURPOSE

(a) Housing and Home Improvement is a supportive service which can make a difference in the lives of individuals and families who wish to live independently in safe affordable homes within their communities of choice. This service can enable them to obtain, retain, or return to independent housing, and resolve health and safety issues affecting their home or areas adjacent to their home. For the purpose of this Subchapter, the service has three elements:

- (1) Housing services that support independent living by providing information on:
 - (A) fair housing;
 - (B) foreclosures;
 - (C) grants or loans for home repair;
 - (D) home buying;
 - (E) homelessness prevention;
 - (F) independent housing options and locations;
 - (G) landlord tenant relations;
 - (H) mortgage delinquency and default resolution counseling;
 - (I) predatory lending;
 - (J) reasonable accommodations;
 - (K) reverse mortgage counseling; and
 - (L) tenant's rights and responsibilities;
- (2) Home improvement services that identify health and safety issues affecting the home or areas adjacent to the home in which the individual or family lives, and provide needed improvements to resolve those issues through:
 - (A) installation of security features;
 - (B) minor home repairs and improvements; and
 - (C) modifications to the home to promote mobility; and
- (3) Provision of, or replacement of, basic furnishings or household appliances that promote independent living.

History Note: Authority G.S. 143B-153; 42 U.S.C. 5301;
Eff. July 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.

10A NCAC 06W .0105 DEFINITIONS

As used in this Subchapter, the following terms shall have the meanings specified:

- (1) "Activities of Daily Living (ADL)" means personal care activities including bathing or showering, dressing, eating, getting in or out of bed or chair, and toileting.

- (2) "Instrumental Activities of Daily Living (IADL)" means independent living activities including doing household chores, managing personal money, preparing meals, shopping for groceries and personal items, and using the telephone or transportation.
- (3) "Home" means a housing unit for individuals or families. The home may be owned, rented, or accessed through a lifetime right. It may stand alone and be stick built, manufactured or modular, or may be an apartment or condominium within a larger structure that is secured by lock and key.
- (4) "Independent housing" means a home which provides a private living arrangement and is not part of a licensed facility.
- (5) "Service provider" means a county department of social services or any public or private agency or individual from whom a county department of social services purchases services to provide housing and home improvement services.
- (6) "Waiting for service" means that an individual has requested housing and home improvement service that exists in the county but is not receiving it and is potentially eligible for the service, and could be served if the service were expanded.

*History Note: Authority G.S. 143B-153;
Eff. July 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*

10A NCAC 06W .0106 SERVICE POPULATIONS

For the purposes of this Subchapter:

- (1) Eligible population. Individuals and families are eligible for housing and home improvement services if they:
 - (a) have no one able and willing to perform the service for them; and
 - (b) reside within a county where housing and home improvement services are funded.
- (2) Target population. Services shall be provided to individuals and families based on need for one or more elements of the housing and home improvement services:
 - (a) to obtain independent housing, to receive housing services in order to retain their home, or to return to their home from other settings;
 - (b) to secure security features, to secure minor home repairs and improvements, and to secure modifications to the home to enhance mobility; and
 - (c) provision of, or replacement of, basic furnishings or household appliances that promote independent living.
- (3) Priority population. When more than one eligible individual or family is waiting for housing and home improvement service, priority shall be given in the following order:
 - (a) Adults and children for whom the need for protective services has been substantiated and the service is needed as part of a protective services plan as referred to in 10A NCAC 71R .0915 and .0916, or intervention plan as referred to in 10A NCAC 70A .0107, including all subsequent amendments.
 - (b) Adults who are at risk of abuse, neglect or exploitation, and children who are at risk of abuse, neglect, or dependency as defined in 10A NCAC 22O .0123, including all subsequent amendments.
 - (c) Adults with ADL or IADL impairments who are at risk of placement in a health care facility as defined in G.S. 108A-60.
 - (d) Children who need the service as part of a plan of preventive services designed to strengthen the family and preserve the home for the child, or as part of permanency planning to enable a child to return home from substitute care.
 - (e) Adults with three or more ADL or IADL impairments.
 - (f) Adults with one or two ADL or IADL impairments.

*History Note: Authority G.S. 143B-153;
Eff. July 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*

10A NCAC 06W .0107 APPLICATION FOR SERVICES

For services pursuant to this Subchapter, an application shall be signed and dated for housing and home improvement services and shall be made by:

- (1) an adult on his or her own behalf;
- (2) an adult on behalf of his or her minor child; or
- (3) an adult acting on behalf of a disabled adult as defined in G.S. 108A-101(d).

*History Note: Authority G.S. 143B-153;
Eff. July 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*

10A NCAC 06W .0108 SERVICE PROVIDER RESPONSIBILITIES

For purposes of this Subchapter, the housing and home improvement service provider shall:

- (1) provide orientation, training, or supervision for volunteers assisting with housing and home improvement services;
- (2) refer individuals to federal, state, and local agencies for additional housing and home improvement services;
- (3) maintain records documenting financial and service activities for each individual or family receiving services;
- (4) request reimbursement from Division of Aging and Adult Services for actual project costs: administrative, labor, and materials, not to exceed one-thousand five-hundred dollars (\$1,500) per home per program year;
- (5) provide opportunities for service recipients to voluntarily contribute towards the cost of services received;
- (6) maintain confidentiality of all records; and
- (7) maintain a listing of individuals or families waiting for housing and home improvement services.

*History Note: Authority G.S. 143B-153;
Eff. July 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*

10A NCAC 06W .0109 PROHIBITED ACTIVITIES

For purposes of this Subchapter, housing and home improvement service funding shall not be used for:

- (1) rent;
- (2) utility bills;
- (3) food;
- (4) medicine;
- (5) security and utility deposits;
- (6) taxes;
- (7) home improvements negatively affecting the structural integrity of the housing unit;
- (8) home improvements which are an obligation of the landlord;
- (9) work done to the property of a landlord without written approval; and
- (10) duplication of any home improvement service to the same housing unit for three consecutive years following receipt of initial service.

*History Note: Authority G.S. 143B-153;
Eff. July 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*

10A NCAC 06W .0110 REQUEST FOR WAIVER

The Division of Aging and Adult Services (DAAS) may waive any rule in this Subchapter that is not statutorily required if a county department of social services makes a written request to the regional area agency on aging. The area agency on aging will forward the request to DAAS. Factors DAAS shall use in determining whether to grant the waiver are:

- (1) additional cost requirements;
- (2) need for the waiver;
- (3) degree of benefit to the service recipient;
- (4) whether the agency had control over the circumstances that required the requested waiver; and
- (5) previous requests for waivers submitted from the agency.

*History Note: Authority G.S. 143B-153;
Eff. July 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*