



## Termination Policy

**All CoC and ESG-funded projects in the Austin/ Travis County Continuum of Care must follow provisions outlined in 24 CFR § 578.91 for CoC Projects, and 24 CFR § 576.402 for ESG projects and should seek to avoid terminating program participants whenever possible and only in the most severe cases.** When participants must be terminated from a project, every effort should be made to ensure that the household does not exit into homelessness. Termination from a project does not bar the project from providing further assistance at a later date to the same individual or family.

Participant households must be allowed formal due process. All termination processes must comply with the Texas Property Code, meaning that if a project must terminate a lease with a household, the project must follow the eviction process laid out in the Texas Property Code. “Immediate terminations/evictions” are disallowed in the Austin/Travis County CoC, as such a policy does not recognize the rights of individuals receiving assistance under the due process of law.

Providers of Permanent Supportive Housing (PSH) for hard-to-house populations within the homeless system and its programs, such as people experiencing chronic homelessness, must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a participant household’s assistance is terminated only in the most severe cases.

### Procedure

The Austin/Travis County CoC recognizes that each organization within its jurisdiction is unique in staffing and capacity levels. For this reason, the Austin/Travis County CoC allows each project to establish its own termination procedure, provided that such a procedure is in compliance with federal guidelines and these Written Standards. In terminating assistance to a participant household, **the project must provide a formal, written process that recognizes the rights of individuals receiving assistance under the due process of law. This process, at a minimum, must consist of:**

- 1) Providing the participant household with a written copy of the project rules, termination process, and lease/occupancy agreement (if applicable) before participant begins to receive assistance;
- 2) Written notice to the participant household containing a clear statement of the reasons for termination is given in a timely manner;
- 3) A review of the decision must be made available for at least 30 days after the termination decision was made unless project policy stipulates a greater time frame for review. In these cases, projects must follow their greater time frame. Within this review of the decision, participant households are given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- 4) Prompt written notice of the final decision to the project participant. The Austin/Travis County CoC defines “prompt” as 5 business days.