

## 2.6.4 Impending Homelessness

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An *EA Group* is eligible under the condition of impending homelessness when the *EA Group* needs funds to obtain **or retain** permanent housing and the EA Group meets one of the following criteria:

1. The EA Group must leave the current housing situation because the housing is uninhabitable (see [2.6.4.1](#));
2. A member of the EA Group is a victim of domestic abuse (see [2.6.4.2](#));
3. The EA Group must leave the current rental housing due to a foreclosure action against the owner (see [2.6.4.3](#)); or
4. The EA Group must leave the current housing situation due to a qualifying financial crisis, resulting in a notice to terminate tenancy for non-payment of rent, mortgage, or property taxes (see [2.6.4.4](#)).

### 2.6.4.1 Impending Homelessness due to Uninhabitable Housing

An EA Group is eligible under the condition of impending homelessness due to uninhabitable housing if the EA Group **needs to obtain new permanent housing because they** must leave **the their** current housing situation because that housing is uninhabitable as determined by the local building inspector, local health department, or other appropriate local authority such as the local Community Action Program agency. The W-2 agency is not considered an appropriate authority to determine that housing is uninhabitable.

EA eligibility for impending homelessness due to uninhabitable housing does not require a financial crisis.

### 2.6.4.2 Impending Homelessness due to Domestic Abuse

An EA Group is eligible under the condition of impending homelessness due to domestic abuse **to obtain or retain permanent housing** if a member of the group was subject to domestic abuse as defined under [Wis. Stat. s. 968.075\(1\)\(a\)](#).

Wis. Stat. s. 968.075(1)(a) defines domestic abuse to mean any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided, or against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury, or illness;
2. Intentional impairment of physical condition;
3. Sexual assault as defined in [Wis. Stat. s. 940.225\(1\), \(2\) or \(3\)](#); or
4. A physical act that may cause the other person reasonably to fear imminent engagement in the conducts described in the previous three items.

EA eligibility for impending homelessness due to domestic violence does not require a financial crisis.

**EXAMPLE 1:** An individual subject to domestic abuse applies for EA after their spouse leaves the home. They are struggling to pay rent and have fallen behind and have a large past due balance but have not received an eviction notice yet. They meet all financial and non-financial eligibility and are found eligible for an EA benefit to retain their current housing.

**EXAMPLE 2:** An individual subject to domestic abuse applies for EA for assistance to obtain new permanent housing to leave their current unsafe living situation. The applicant and their children are included in the EA Group, as they will be moving to the new housing. They meet all financial and non-financial eligibility and are found eligible for an EA benefit.

#### 2.6.4.3 Impending Homelessness due to Foreclosure of Rental Housing

An EA Group is eligible under the condition of impending homelessness due to foreclosure of rental housing when they need to obtain new permanent housing and when all of the following conditions apply:

1. The EA Group is residing in rental housing that is currently subject to a foreclosure action; and
2. The EA Group has received written or oral notice to vacate the rental housing within 30 days of the EA application date because of a foreclosure action against the owner.

EA eligibility for impending homelessness due to foreclosure of rental housing does not require a financial crisis.

#### 2.6.4.4 Impending Homelessness due to Financial Crisis and Notice to Terminate Tenancy

An EA Group is eligible under the condition of impending homelessness for reasons of financial crisis to obtain or retain permanent housing if the group meets the following two criteria:

1. The EA Group is experiencing a financial crisis that is due to reasons beyond the control of the caretaker relative(s) or that constitute good cause as determined by the W-2 agency. The financial crisis must be caused by one of the following:
  - a. Loss of employment that does not include voluntarily leaving employment without good cause;
  - b. Substantial loss of wages due to illness or injury of an EA Group member, domestic violence, lack of child care, a transportation breakdown, or a reduction of work hours by an employer, including temporary employment;
  - c. Loss of income due to a second parent leaving the EA Group;
  - d. Exceptional, unexpected, and necessary expenses that are not the responsibility of a third party, such as car repair expenses necessary for transportation to work or out-of-pocket medical expenses required to be paid;
  - e. Loss of W-2 benefits due to a sanction that is subsequently overturned through the Fact Finding process; or

- f. Other reasonable circumstances that constitute good cause as determined by the W-2 agency, including but not limited to:
  - i. The substantial reduction in or loss of child support payments;
  - ii. Loss of support from another caretaker relative, other adult household member, relative or other person outside the home who provided financial support to the EA Group;
  - iii. Loss of Unemployment Insurance (UI);
  - iv. Loss of student financial aid for housing;
  - v. The substantial reduction in or loss of an income tax refund; or
  - vi. Decrease in a W-2 payment due to a sanction for which the W-2 participant is subsequently found to have good cause.
2. As a result of the financial crisis, the EA Group received a notice in the name of the applicant to terminate tenancy because of non-payment of rent, mortgage, or property taxes. The financial crisis and the notice to terminate tenancy do not need to occur in the same month. However, the emergency must be a result of the financial crisis.

**EXAMPLE 1:** Janet has one daughter. She lost her job due to down-sizing in May. Janet managed to pay her bills including her rent through September, before depleting her savings and financial help from her family and friends. Then Janet missed her October rent payment. She received an eviction notice in November and applied for EA. Janet is eligible for EA based on her lost employment in May and, after depleting savings and help from others, her eviction notice in November.

**EXAMPLE 2:** Emily worked various temporary office assistant jobs for several months in placements by a local temporary employment agency. Then the agency informed Emily it had not received any more requests for office assistants and had no other job placements to offer her. Emily missed the next rent payment for her apartment for herself and her two children. She received an eviction notice and applied for EA. Emily's loss of income from her temporary jobs and eviction notice would qualify as a financial crisis for EA.