**Obtaining Federal Property for the Homeless:
Questions & Answers About Federal Property Programs**

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o What happens to the property after the lease, permit or license term has expired?

**What is Title V of the McKinney-Vento Homeless Assistance Act?**

Title V of the McKinney-Vento Homeless Assistance Act, known as Tittle V, provides that suitable, Federally-owned real property (categorized as: (1) "underutilized," (2) "unutilized," (3) "excess," or (4) "surplus") may be made available to States, units of local government, and nonprofit organizations on an interim basis at no cost to the homeless provider. Rehabilitation funding is not provided, however.

Responsibilities under Title V are divided among four Federal entities: the General Services Administration (GSA), the Department of Housing and Urban Development (HUD), the Department of Health and Human Services (HHS), and the Interagency Council on the Homeless (ICH).

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**What kinds of Federal property are available to serve homeless people?**

(1) **Real Property** (buildings and parcels of land identified as "excess/surplus" or "unutilized/underutilized"). (2) **Personal Property** (e.g., surplus bedding, clothing, furniture, tools, office equipment). (3) **Federally-acquired foreclosed homes.**

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**Who can apply for this property?**

Eligible applicants may include States, units of local government, housing authorities, or private nonprofit organizations.

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**How can my organization use this property?**

The property may be used for a wide variety of purposes to assist homeless individuals, including emergency shelters, transitional housing, supportive housing, meal services, storage, and so forth.

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**Are funds available to repair, rehabilitate, or convert properties to homeless assistance use?**

The party leasing or purchasing the property is generally responsible for the cost of all repairs and maintenance. However, the McKinney-Vento Homeless Assistance Act created several homeless assistance programs, some of which can be used for rehabilitation or conversion. These programs include HUD's Emergency Shelter Grants Program and the Supportive Housing Program. Other programs, including HUD's Community Development Block Grant Program, may also provide funds for rehabilitation assistance.

*For further information on financing rehabilitation or support services for any of the property programs described here, go tp HUD's Homeless Assistance Programs web page:* http://www.hud.gov/offices/cpd/homeless/programs/index.cfm

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**What does HUD mean when it says Title V property is "suitable" for homeless assistance purposes?**

HUD is responsible for reviewing Federal property inventories and determining which properties in each of the four categories might be "suitable" for use as facilities to assist the homeless. In making these decisions, HUD defines suitability as broadly as possible to allow providers maximum flexibility in terms of potential uses. **It is possible that a property is determined suitable for homeless use but is not necessarily suitable for human occupancy.**

For example, a "suitable" property may not be a appropriate for use as a shelter or a transitional or supportive housing program but may be used for other purposes such as storage or warehousing.

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**How do I find out which properties can be obtained under Title V of the McKinney-Vento Act?**

Each Friday, HUD publishes a list on the HUD Exchange that briefly describes properties HUD has determined suitable and which the relevant landholding agencies have determined available for use. These are the properties accessible under Title V.

Prior to March 10, 2017, HUD published the property listings in the *Federal Register*. The *Federal Register* is available at most public libraries or by subscription. However, the easiest way to find out about these properties regularly is to contact the HUD Field Office nearest you and ask to be put on their mailing list. You will then be informed of the properties in your area as they are published. A list of HUD Field Offices can be found with the State Property Contacts at this site:

http://www.hud.gov/directory/ascdir3.cfm

You can also call HUD's new 24-hour, toll-free number for information on the Title V program and properties. The number is 1 (800) 927-7588.

Here is a link to HUD's Homeless Information Website:
http://www.hud.gov/homeless/index.cfm

**Note:** The GPO also publishes information received from HUD regarding properties that are unavailable or were found unsuitable. Only properties listed as both **suitable *and* available** can be obtained under Title V.

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**How do I apply for these properties?**

The U.S. Department of Health and Human Services (HHS) is responsible for accepting and evaluating applications from States, local government agencies, or private nonprofit organizations that provide services to homeless people.

If you are interested in one or more of the properties listed as suitable and available, send a written notice expressing interest within 30 days of the HUD Exchange notice to:

Federal Real Property Assistance Program
Real Property Management Services
Program Support Center
U.S. Department of Health and Human Services
7700 Wisconsin Avenue, 10th Floor
Bethesda, MD  20814
Phone (301) 443-6672

<http://www.psc.gov/additional-resources/real-property-management/federalprop-index>

Your letter should identify the property in which you are interested, briefly describe the proposed use, include the name of your organization, and indicate whether it is a public body or a private, nonprofit organization. Include the date of the Federal Register notice and the General Services Administration number (if it is listed). Upon receipt of the notice of interest, HHS will send an application packet.

If you learn about this property after the 60-day period, contact the appropriate land holding agency to determine the current status of the property. (Again, keep in mind that you can only apply for properties that have been designated as both suitable and available.)

**Application Deadlines:** HHS mails out the application packets when it receives written notice of interest. The application is then due within 90 days of when HHS received the written notice of interest.

Questions about the Title V application process should be referred to HHS at (301) 443-2265.

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**What happens once an application is approved?**

For excess/surplus properties, HHS requests that the property be assigned to HHS from the General Services Administration once an application is approved. HHS then negotiates either a lease or deed, which ever is appropriate.

For unutilized/underutilized properties, the landholding agency will be notified of the approval and subsequently will negotiate a lease, permit, or license directly with the homeless provider.

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**For how long may an organization use the property once the lease or deed has been executed?**

For excess/surplus properties, leases are usually made for 5 years (lease terms may be negotiated with proper justification) with renewal options not to exceed a total lease period of 20 years. Property acquired by quitclaim deed is subject to a period of 30 years during which it must be used in accordance with the approved application. A grantee earns a public benefit allowance for each year of approved use and upon completion of the 30-year period, the grantee has clear title to the property.

Certain underutilized/unutilized properties are only available on short-term basis. The term of occupancy for these properties is by lease, permit or license, negotiated between the applicant and the individual landholding agency.

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**What happens to the property after the lease, permit or license term has expired?**

Once the lease, permit or license has expired, the property is returned to the Federal Government. Therefore, any improvements (buildings, equipment, etc.) added by the provider, becomes the property of the U.S. Government unless they are removed at the expense of the provider.

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