

LEGAL SERVICES FOR HOMELESS VETERANS AND VETERANS AT-RISK FOR HOMELESSNESS GRANT PROGRAM (LSV-H)

Eligibility requirements
& description of services



Career Center of Puerto Rico, Inc.
Ayudando a Forjar Caminos



LEGAL SERVICES

LSV grantees provide free legal services to eligible Veterans related to:

- **Housing issues**, such as eviction defense or landlord-tenant and foreclosure cases.
- **Family law**, such as child support, child custody, divorce, estate planning, and family reconciliation.
- **Income support**, assistance in obtaining public benefits or VA benefits.
- **Protective orders** and other legal matters related to domestic or intimate partner violence.
- **Consumer law matters**, such as debt collection and fraud.
- **Employment law matters** such as employment discrimination and veterans' employment rights.
- **Access to health care**: Assist with access to healthcare and treatment services.

Notarial services could be included: Affidavits and Public Instruments related to the matters indicated above and the objective of the program.

ELIGIBILITY

- **The LSV-H program offers grants to organizations that help Veterans who are homeless or at risk of homelessness overcome legal issues that create barriers to obtaining permanent housing.**



VETERAN

- The definition of “Veteran” found in 38 U.S.C. 101(2) is to be used (“A person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable”).
- Additionally, the length of service requirements set forth in 38 U.S.C. 5303A apply to this grant program.

§5303A. Minimum active-duty service requirement

- (a) Notwithstanding any other provision of law, any requirements for eligibility for or entitlement to any benefit under this title or any other law administered by the Secretary that are based on the length of active duty served by a person who initially enters such service after September 7, 1980, shall be exclusively as prescribed in this title.
- (b)
 - (1) Except as provided in paragraph (3) of this subsection, a person described in paragraph (2) of this subsection who is discharged or released from a period of active duty before completing the shorter of—
 - (A) 24 months of continuous active duty, or
 - (B) the full period for which such person was called or ordered to active duty is not eligible by reason of such period of active duty for any benefit under this title or any other law administered by the Secretary.
 - (2) Paragraph (1) of this subsection applies—
 - (A) to any person who originally enlists in a regular component of the Armed Forces after September 7, 1980; and
 - (B) to any other person who enters on active duty after October 16, 1981, and has not previously completed a continuous period of active duty of at least 24 months or been discharged or released from active duty under section 1171 of title 10.

§5303A. Minimum active-duty service requirement

- (3) Paragraph (1) of this subsection does not apply—
 - (A) to a person who is discharged or released from active duty under section 1171 or 1173 of title 10;
 - (B) to a person who is discharged or released from active duty for a disability incurred or aggravated in line of duty;
 - (C) to a person who has a disability that the Secretary has determined to be compensable under chapter 11 of this title;
 - (D) to the provision of a benefit for or in connection with a service-connected disability, condition, or death;
 - (E) to benefits under chapter 19 of this title;
 - (F) to benefits under section 2011, 2012, 2013, 2044, or 2061 of this title;
 - (G) to benefits under chapter 30 or chapter 37 of this title by reason of—
 - (i) a discharge or release from active duty for the convenience of the Government, as described in sections 3011(a)(1)(A)(ii)(II) and 3012(b)(1)(A)(iv) of this title;
 - (ii) a discharge or release from active duty for a medical condition which preexisted service on active duty and which the Secretary determines is not service connected, as described in clauses (A)(ii)(I) and (B)(ii)(I) of section 3011(a)(1) of this title and in section 3012(b)(1)(A)(ii) of this title;
 - (iii) an involuntary discharge or release from active duty for the convenience of the Government as a result of a reduction in force, as described in clauses (A)(ii)(III) and (B)(ii)(III) of section 3011(a)(1) of this title and in section 3012(b)(1)(A)(v) of this title; or
 - (iv) a discharge or release from active duty for a physical or mental condition that was not characterized as a disability and did not result from the individual's own willful misconduct but did interfere with the individual's performance of duty, as described in section 3011(a)(1)(A)(ii)(I) of this title; or
 - (H) to benefits under chapter 43 of this title.



HOMELESS

Homeless: means a Veteran who is homeless as that term is defined in subsection (a) or (b) of section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).

42 U.S. Code § 11302

- (A) In general

For purposes of this chapter, the terms “homeless”, “homeless individual”, and “homeless person” means— [1]

- (1) an individual or family who lacks a fixed, regular, and adequate nighttime residence;
- (2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- (3) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
- (4) an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;
- (5) an individual or family who—
 - (A) will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by—
 - (i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;
 - (ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or

42 U.S. Code § 11302

- (iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;
 - (B) has no subsequent residence identified; and
 - (C) lacks the resources or support networks needed to obtain other permanent housing; and
- (6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who—
 - (A) have experienced a long term period without living independently in permanent housing,
 - (B) have experienced persistent instability as measured by frequent moves over such period, and
 - (C) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.
- (B) Domestic violence, dating violence, sexual assault, stalking, and other dangerous, traumatic, or life-threatening conditions relating to such violence

Notwithstanding any other provision of this section, the Secretary shall consider to be homeless any individual or family who—

- (1) is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized;
- (2) has no other safe residence; and
- (3) lacks the resources to obtain other safe permanent housing.

AT RISK FOR HOMELESSNESS

At Risk for Homelessness: 38 CFR 79.15(b)(1-9) goes on to provide a list of conditions of which at least one must be met to be considered 'at-risk for homelessness'.

38 CFR 79.15(b)(1-9)

- **79.15 Eligible veterans.**
 - (a) To be eligible for legal services under this part, an individual must be a:
 - (1) Homeless veteran or
 - (2) Veteran at risk for homelessness.
 - (b) "At risk for homelessness" in this part means an individual who does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the definition of "homeless" in 24 CFR 576.2 and meets one or more of the following conditions:
 - (1) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance;
 - (2) Is living in the home of another because of economic hardship;
 - (3) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (4) Is constructively evicted from their current housing because of untenable conditions created by the landlord such as shutting off electricity and water or discriminatory acts;
 - (5) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
 - (6) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;

38 CFR 79.15(b)(1-9)

- (7) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution);
- (8) Is fleeing, or is attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual, including a child, that has either taken place within the individual's primary nighttime residence or has made the individual afraid to return to their primary nighttime residence; or
- (9) Otherwise lives in housing that has characteristics associated with instability and an increased risk for homelessness.





**For More Information
If you are a Veteran who is homeless
or at risk of homelessness and would
like to learn more about our free legal
services, please contact us:**

One Stop Career Center of P.R., Inc.

787-826-3042 | 939-277-5262.

787-296-1785 Ext. 306

lsv.referral@onestopcareerpr.org



San Juan Office
Plaza Universidad 2000 839
Calle Añasco Suit 3 & 5 San Juan, PR 00925
787-296-1785



Arecibo Office
URB Vista Azul G54
Calle 4 STE 1 Arecibo, PR 00612
787-881-2951



National Call Center
for Homeless Veterans

877-424-3838

va.gov/homeless

If you are experiencing or at risk of homelessness, call the National Call Center for Homeless Veterans at 1-877-4AID VET (877-424-3838).



For 24/7 confidential crisis support for Veterans and their loved ones, contact the Veterans Crisis Line by dialing 988 and pressing 1.

You don't have to be enrolled in VA benefits or health care to connect.

Additional Resources

- Find your local VA medical center at www.va.gov/directory/guide/home.asp.
- Visit www.va.gov/homeless/lsv.asp to learn more about the LSV-H grant program.
- Learn more about VA's homeless programs at www.va.gov/homeless.

