Colbert and Williams Consent Decree Programs
Policies and Procedures:
Bridge Subsidy Participant Housing Concentration

Policy Number:	P4.04
Subject:	Bridge Subsidy Participant Concentration and Waivers
Section:	P4 Housing Search
Scope:	Comprehensive Program, Front Door Diversion Program
Effective Date:	10/1/2020
Last Revision:	10/1/2026

POLICY STATEMENT

Colbert and Williams Class Members who are assessed and recommended for transition or FDDP Participants diverted from Specialized Mental Health Rehabilitation Facilities (SMHRFs) have the right to live in an appropriate community-based setting of their choice. The Colbert and Williams Consent Decrees contain language restricting the number of Class Members and FDDP Participants who can reside in a single building.

To comply with federal law[i], the language of the Consent Decrees[ii], the annual Consent Decree Implementation Plans agreed-upon with the Department of Justice Court Monitor, and to align with requirements over similar federal housing program for persons with disabilities[iii], the IDHS has determined that no more than 25% of the units in a building should be occupied by Class Members or FDDP Participants receiving the Bridge Subsidy. Exceptions to this requirement can be made based on Class Member or FDDP Participant choice, provided that they have applied to at least two (2) housing options that do meet the concentration requirement.

Small building exception: Bridge Subsidy Participants may be housed in a building with between two (2) and four (4) units provided that no more than 50% of the units in that building are occupied by Bridge Subsidy Participants.

PROCEDURES

1. During the housing search, the Prime Agency or FDDP Provider must inquire with the landlord as to whether they have any other tenants receiving the Bridge Subsidy. If so, they should work with landlord and/or subsidy administrator to determine whether an additional move-in would put the building over 25% concentration of Class Members or FDDP Participants, therefore requiring a 4.10 Bridge Subsidy Waiver Request.
2. The Prime Agency or FDDP Provider will follow the Housing Location procedures for transitions or diversions:
    a. Complete and submit form 4.7 Inspection Request or 4.07a Inspection Request or Pre-inspection Notice to the appropriate Bridge Subsidy Administrator, including the information below (after confirming with the Subsidy Administrator as appropriate):
        i. Total number of units in building of potential housing unit.
        ii. Total number of Class Members or FDDP Participants with leases in the building
    b. Complete and submit all other relevant documents following the Housing Location procedures
3. The Prime Agency or FDDP Provider must submit a waiver request to the responsible Bridge Subsidy Administrator using form 4.10 Bridge Subsidy Waiver Request if 25% or more of the units will be occupied by Class Members or FDDP Participants.

4. The Bridge Subsidy Administrator will coordinate with IDHS to make a determination regarding approval of the waiver request. Outstanding demonstrated medical needs for the particular unit, waivers will generally be denied if:
    a. The requestor has not demonstrated they have applied to and received denials (or nonresponse) after 7 days from 2 units that are not over 25% concentration, and/or
    b. The building is over 30% concentrated.
5. The IDHS Housing Coordination Unit will track and report on all concentration waiver determinations.

RELATED CLINICAL DOCUMENTS

- 4.7 Inspection Request
- 4.10 Bridge Subsidy Waiver Request

Current versions of policies and clinical documents are available in the Webapp Library or at https://colbert-williams.nursing.uic.edu/.

REVISION & APPROVAL HISTORY

Revision Number	Revision Date	Nature of Revision	Approved By
1	8/28/2020	New Procedure	L. Jones
2	2/1/2021	Revision for clarity and consistency with internal policy	A. Johnson
3	5/19/2021	Clarified 50% maximum concentration for Williams Class Members in smaller buildings	L. Jones
4	7/14/2023	Reviewed and updated for FY24 procedures. Definitions removed from policy and added to CCMTP Policy Definitions document	V. King
5	7/19/2024	Updated language to include FDDP Participants	T. Fuller
6	10/14/2024	Reviewed during FY 25 Update.	V. King
8	8/22/2025	Removal of 'DMH' in reference to IDHS	M. Miller-Attang
9	10/1/2026	Changed title of policy from "Class Member Concentration and Waivers" to "Bridge Subsidy Participant Housing Concentration". Updated to add citations to relevant authorities on housing concentration, make clear that subsidy administrators (and not care agencies) must maintain housing concentration data, and clarified approval criteria and thresholds.	M. McCarthy

[i] 28 CFR § 35.130(d) states that "A public entity shall administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities."
[ii] Williams Consent Decree and Colbert Consent Decree
[iii] The "Frank Melville Supportive Housing Investment Act of 2010" states that, for properties funded under Section 811 after its passage, excepting group homes and independent living facilities, "the total number of dwelling units in any multifamily housing project (including any condominium or cooperative housing project) containing any unit for which assistance is provided… the aggregate number that are used for persons with disabilities, including supportive housing for persons with disabilities, or to which any occupancy preference for persons with disabilities applies, may not exceed 25 percent of such total."