

## Delaware Health and Social Services

Policy Memorandum 36

September 24, 2008

**Subject: Standardized Requirements During the Development Phase of Community Based Residential Homes for the DHSS/Division**

### **I. Background:**

DHSS has funded and supported community based residential homes and supervised apartments, for people with disabilities, for many years. The DHSS believes that community based residential options provide individuals with more opportunities to become valued citizens, develop self-worth and self-direction and engage in lifestyles that are healthy and productive. Community based residential homes support the mission of the DHSS; "To improve the quality of life for Delaware's citizens by promoting health and well-being, fostering self-sufficiency, and protecting vulnerable populations."

### **II. Purpose:**

The purpose of this policy is to delineate minimal requirements of contractors who are engaging in a contractual agreement to develop community based residential arrangements for those individuals served by Divisions within DHSS. This policy seeks to enhance the transparency of the operations within DHSS Divisions and their contractors.

### **III. Application:**

This policy applies to all DHSS Divisions who support community based housing to individuals qualified to receive their services. The policy also applies to individuals/entities that enter into a contractual arrangement (*contractors*) with the DHSS/Division to develop a community based residential home(s) and apartment(s). Contractors shall be responsible for their subcontractors' adherence with this policy and related protocol(s) established by the applicable Division.

### **IV. Procedures:**

1. Contractors shall obtain written approval from the DHSS/Division prior to their acquisition of a site selected for development.
2. Contractors shall develop community based residential homes and supervised apartments efficiently and within a timely manner so as to avoid excessive delays for the individuals planning to transition into the home.
3. Contractors shall ensure that the development site does not present safety hazards to residents or neighbors or create appearances that degrade neighboring properties.

4. Contractors shall adhere to the Fair Housing Act which makes discrimination unlawful for “protected” persons with disabilities (i.e., treated less favorably than people without disabilities). Community based residential homes and supervised apartments shall meet the design and construct requirements set forth in the Fair Housing Act.
5. Contractors shall adhere to all applicable local and state housing codes, including zoning laws, permitting procedures and historical preservation requirements.
6. Contractors shall secure all applicable business licenses, certificates and insurance coverage prior to the development of a community based residential housing. They shall further ensure that the aforementioned remain active.
7. Contractor shall obtain the required licensing/certification and Fire Marshal inspection prior to occupancy.
8. The Contractor’s conduct shall mirror community standards, ethical principles and professional standards. Business practices shall not degrade the individuals who will live in the community based residential home, the DHSS or the Division or be cause for community insult or offense.
9. The applicable Division shall monitor housing contract standards with the Contractor, to ensure compliance.
10. The applicable Division(s) shall monitor compliance with standards/regulations associated with the development of housing, environment and safety issues.
11. The applicable Division’s Quality Assurance/Improvement unit shall serve as a resource to the Contractor re: issues concerning residential licensing/certification and occupancy readiness.

**V. Responsibility**

1. Each Division who supports community based residential homes and supervised apartments shall develop procedures/protocols that are consistent with this DHSS policy and make such procedures/protocols available to Contractors of community based residential homes.
2. Contractors with the DHSS/Division are responsible for ensuring that subcontractors they employee adhere to the requirements set forth in this policy and the applicable Division’s procedures/protocol.

**VI. Effective:**

This policy shall be effective immediately.

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Vincent P. Meconi, Secretary

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Date