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Housing Instability for Noncustodial Parents: Policy Considerations

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KEY FINDINGS

- Many parents owing child support may struggle with housing instability, though little research has documented the extent of this phenomenon.
- Child support agencies can identify parents' housing instability at the time of child support order establishment, modification, or enforcement.
- Public housing agencies and Continuums of Care can examine their procedures, such as how they calculate income, determine voucher size, and use credit histories, to reduce barriers to accessing housing services for noncustodial parents with child support orders.
- Partnerships between housing providers, homelessness coalitions, and child support agencies show promise for addressing housing issues experienced by parents who owe child support.
- An estimated 21.5 percent of noncustodial parents are eligible for rental assistance, but only about 4.7 percent (or about 1 in 5) receive it. While approximately 24 percent of noncustodial parents living with other children qualify for rental assistance, only four percent receive it.

Introduction

When noncustodial fathers are engaged in the lives of their children, they are more likely to meet their financial obligations to help support those children. However, noncustodial parents who are unable to pay their child support obligation may face significant obstacles to doing so. While many factors can contribute to a parent's inability to support their child financially or emotionally, housing instability may be one. This exploratory project sought to better understand the extent to which housing instability is an issue for noncustodial parents in the formal child support program, and how federal programs see this issue from a policy

“Noncustodial parent” is the term most often used to refer to the parent who has a legal obligation to pay child support. The parent may have joint legal and physical custody of the child.

perspective. Data was collected prior to the COVID-19 pandemic and current policy and programmatic considerations may have changed given the impacts across domains.

Families are increasingly complex. Nearly 40 percent of all children in the United States are now born to unmarried mothers.ⁱ However, fathers and mothers both contribute to their children’s development in different ways, and fathers are critical to family stability and positive child and adolescent development.ⁱⁱ This is true for nonresident fathers, not just those in two-parent families.ⁱⁱⁱ Parent involvement can include both financial and emotional support for their children. Among the reasons that a parent may not be able to provide this support could be housing instability – for example, if a high percentage of the parent’s income is withheld for child support, leaving little for rent, or if the parent does not have a safe and stable home at which children can visit.

Little research to date has explored the prevalence of housing instability among parents who owe formal child support or strategies for helping parents meet child support obligations while they

“Housing instability” involves experiences or risk of homelessness, eviction, or other inability to find, maintain, and afford a stable residence.

experience housing instability. While a few studies have documented the role of low education

levels, limited work history, and criminal records, little research has explored the prevalence of housing instability among this population as a potential barrier to making child support payments. Research has shown that when noncustodial fathers are engaged in the lives of their children, they are more likely to meet their financial obligations. Yet, scant research explores how housing instability intersects with a noncustodial parent’s access to and visitation with their child.

To address these gaps, we looked at the following questions:

1. To what extent is housing instability an issue for noncustodial parents in the formal child support program?
2. Are any communities addressing housing instability and child support issues simultaneously? Are any communities addressing housing instability and access and visitation issues simultaneously? What lessons have been learned about delivery and coordination of housing and child support services?
3. What might be areas for policy considerations and future research? What might be recommendations for immediate programmatic actions at the federal level?

We also used the Transfer Income Model (TRIM3) to better understand noncustodial parents’ eligibility for and receipt of housing assistance. TRIM3 is a microsimulation model that uses data from the Annual Social and Economic Supplement of the Current Population Survey (CPS-ASEC).¹

What Is the Child Support Program?

The child support program (referred to as the IV-D program) is open to any parent or person who has custody of a child and needs help establishing paternity, obtaining a child support order or a medical support order, or collecting child support payments. It does not include obtaining the legal physical custody of a child, as that process is generally separate from child support for never-married families.

The child support program serves mostly lower-income families.

- Approximately 34 percent of families and 42 percent of children in the IV-D program were poor in 2015.
- Nearly half (48 percent) of all children who lived in poverty in 2015 were eligible for child support services.
- Custodial parents who participate in the IV-D program are much more likely to be poor, never married, under the age of 30 years, and of limited education than custodial parents outside the IV-D program.

See [“Characteristics of Families Served by the Child Support \(IV-D\) Program: 2016 U.S. Census Survey Results.”](#)

¹ Developed and maintained by the Urban Institute under contract with ASPE (<http://trim3.urban.org>). TRIM analyses for this brief were conducted by Linda Giannarelli, Laura Wheaton, and Katie Shantz at Urban Institute.

Specifically, we examined:

1. How many noncustodial parents are eligible for and receive housing assistance?
2. How much do noncustodial parents who are eligible for housing assistance pay in child support?
3. If child support payments were incorporated into rent calculations, what impact would that have on noncustodial parents' rent payments?

Prevalence of Housing Instability among Noncustodial Parents

There are no federal data that provide a complete picture of how many parents that owe child support may be experiencing housing instability. However, some federal agencies are beginning to try to understand more about this population. For example, three recent federally-funded studies asked low-income and under- or unemployed noncustodial parents if they were homeless, lived in a halfway house, or paid reduced rent. Across the studies, **between 52 percent and 72 percent of surveyed noncustodial parents said they experienced these forms of housing instability.** ^{iv}

At the local level, an intensive case management program for Washington state's child support program found in 2018 that 36 percent of the noncustodial parents served by the program self-reported being homeless.

While these surveys are not necessarily representative of all noncustodial parents, they help us begin to understand the extent of the issue. Another potential indicator of housing instability comes from a recent TRIM3 microsimulation analysis conducted for this project, which estimates that:

- 21.5 percent of noncustodial parents (or about 2.7 million parents) are eligible for housing assistance, while only 4.7 percent of all noncustodial parents (about 592,000 parents) receive housing assistance;
- Approximately 24 percent of noncustodial parents living with other children qualify for housing assistance, only four percent receive it.

For comparison, 23 percent of all low-income renters who pay more than 30 percent of their income toward housing or live in overcrowded or substandard housing receive housing assistance. ^v

This analysis also shows that noncustodial parents who pay child support, have income, and are eligible for housing assistance pay an average of about \$2,856 a year in child support (about 12 percent of their net household income). These figures are estimations based on nationally representative survey data with other adjustments. ^{vi}

Research on Strategies for Improving Noncustodial Parents' Housing Instability

While little research exists on strategies for improving the housing instability of noncustodial parents, some stakeholders are beginning to explore this issue. For example, the Department of Veterans Affairs (VA) funds the Supportive Services for Veteran Families (SSVF) grant, which aids veterans and their families experiencing or at risk of homelessness. Most grantees (60 percent) said they did not work with a child support agency in reaching out to families who may benefit from child support services, 51 percent said veterans served by SSVF left one or more jobs because of garnished wages, and 87 percent said child support agencies can better serve both noncustodial and custodial parents.

Moreover, two recent studies found positive impacts on housing stability for noncustodial parents that received specialized child support services. Noncustodial parents in one study received intensive case management, connections to employment and parenting programming, and child support services, such as review and modifications of child support order amounts, suspension of administrative enforcement actions, and debt compromise. These noncustodial parents had

improved well-being and were less likely to experience housing instability than those who did not receive these services.^{vii} Another study provided debt compromise for child support owed to the state and passed through all of the current child support payments to the custodial families that received public assistance. The evaluation showed that noncustodial parents' housing status and credit scores often improved as a result.^{viii}

Collectively, these studies show the promise of interventions for noncustodial parents facing housing instability, and they suggest a benefit to not just beginning to collect data on the size of this population, but in continuing to design and evaluate further interventions for this population.

In addition to more research, they also suggest the potential of exploring policy options for better supporting noncustodial parents facing housing instability.

Emerging Policy Issues for Key Stakeholders

This brief builds on the findings from the studies mentioned earlier and is based on conversations with experts in the federal government, as well as a convenience sample of jurisdictions and partner organizations.²

Conversations with federal stakeholders identified housing instability among parents paying and owing child support as a policy issue that deserves more attention. However, there was little information available at the federal level on how communities were addressing this issue or on the extent to which the population of unstably housed individuals overlapped with those owing formal child support. Experts did identify areas of opportunity to examine policy and potentially pilot new approaches to serving this population.

Opportunities for Child Support Agencies

Experts acknowledged that within the life of a child support case, there are multiple opportunities to consider the housing status of a noncustodial parent. In fact, some experts noted that this issue is broader than those which are often addressed through partnerships with fatherhood organizations or other community-based organizations. It deserves specific attention when thinking about parents' barriers to meeting their child support obligations.

Experts noted multiple opportunities to consider the housing status of the noncustodial parent in one of the initial stages, order establishment. These opportunities include the following:

- Consider housing costs, such as average rent payments, when setting order amounts.
- Ask the noncustodial parent if they are housed stably when setting the order. Do not just ask for the current address.

² This brief was informed by conversations with key experts from the following agencies and organizations: U.S. Department of Veterans Affairs Supportive Services for Veteran Families Program, U.S. Department of Housing and Urban Development (HUD) Office of Public and Indian Housing, HUD Office of Special Needs Assistance Programs, U.S. Interagency Council on Homelessness, U.S. Department of Health and Human Services Office of Child Support Enforcement (regional and headquarters staff and leadership), National Alliance to End Homelessness, National Legal Aid and Defender Association, City of Baltimore, and Washington State Department of Social and Health Services.

The Child Support Noncustodial Parent Employment Demonstration (CSPED), one of the studies mentioned, provides a glimpse into the housing instability of the nearly 10,000 noncustodial parents included in the study:

- Nearly 30 percent reported not paying rent where they lived.
- 2 percent reported living in a shelter, on the streets, or in an abandoned car or building.
- Nearly one-third lived with their parents or grandparents.
- 30 percent did not expect to live in the same place the following year.

See "[Characteristics of Participants in the Child Support Noncustodial Parent Employment Demonstration \(CSPED\) Evaluation.](#)"

- Consider how housing stability may impact the noncustodial parent’s ability to safely exercise parenting time, particularly when a state’s child support guidelines include a potential credit for overnight stays.
- Train staff to use a strengths-based, conversational approach to engage with noncustodial parents on this issue. Because a noncustodial parent may be sensitive to disclosing housing instability, make this discussion optional and not a required question on a child support form.

Experts also noted that housing stability could come up at other stages in the child support process, such as order modification and order enforcement, including civil contempt. These experts suggested raising housing status with the noncustodial parent, particularly as it may affect their ability to meet the child support obligation. The TRIM3 microsimulation analyses estimate that noncustodial parents who pay child support and are eligible for (but do not necessarily receive) housing subsidies pay an average of \$8,283 in rent each year, or about 30 percent of their net household income (HUD [considers](#) anything above this to be cost-burdened). Considering housing status and costs could also be an opportunity to connect the noncustodial parent to housing services in the community.

Credit reporting is often used as an enforcement tool, and it can have an effect on the noncustodial parent’s ability to secure housing. There are opportunities to examine how, and when, that information is reported to the credit bureau. Child support agencies may also explore the use of debt management or debt compromise programs for back-owed child support as part of a broader case management strategy to encourage self-sufficiency, which may be done in partnership with other community-based organizations working with the parents.

The federal Office of Child Support Enforcement (OCSE), part of HHS, is examining an intensive case management approach for parents who are behind on their child support payments, the Procedural Justice-Informed Alternatives to Contempt grant. Incarceration, often an outcome of contempt, carries the risk of losing housing. The procedural justice alternatives disrupt the likelihood of jail time and can keep a noncustodial parent from experiencing housing instability. Project staff have also indicated that housing stability is an issue that is coming up in case management, and the forthcoming evaluations may shed some light on how to address the issue. OCSE, VA, and the American Bar Association also collaborated to address homeless veterans’ child support issues to help remove barriers to housing and employment. OCSE developed a [toolkit](#) for working with veterans, especially homeless and at-risk veterans, to help them address outstanding child support issues. The toolkit’s recommendations may be used by child support programs, social service providers, and other partners who want to target services to broader noncustodial parent populations at risk of experiencing homelessness.

Opportunities for Public Housing Agencies

Public Housing Agencies

Local public housing agencies administer both Public Housing and Housing Choice Vouchers, among other programs. [Public Housing](#) provides rental housing for eligible low-income families. The [Housing Choice Voucher](#) program provides rental assistance enabling low-income families to afford decent, safe, and sanitary housing in the private market.

See "[Public and Indian Housing.](#)"

Experts identified three main areas for consideration when thinking about the housing stability of noncustodial parents in the context of programs run by public housing agencies (PHAs): income, unit size, and credit.

While child support received by custodial parents must be counted as income for the purpose of eligibility for housing assistance, experts noted that PHAs count the amount of child support income actually received.³ In addition, however, for

³ For example, if a court order requires the noncustodial parent to pay \$300 per month, but the custodial parent receives only \$100 per month in irregular payments, only \$1200 would be counted as income annually.

noncustodial parents participating in the Public Housing Program, PHAs also have the discretion to exclude child support *payments* made by noncustodial parents when calculating income to determine rent.⁴

Similarly, currently HUD does not collect data on tenants who *pay* child support (only on those who *receive* it), but PHAs could consider tracking this information. Rental subsidies are based on total income, so families may pay 30 percent of their adjusted income toward housing costs. If PHA-calculated income does not account for a child support order, it may appear that a noncustodial parent has more income (and thus owes more in rent) than they can actually afford. The TRIM3 microsimulation analysis indicates that rent required by the estimated 78,000 noncustodial parents who pay child support and receive housing subsidies would be about \$550 lower⁵ per year if child support payments were included in rent calculations.

Housing Choice Voucher (Section 8) programs also have flexibility to consider children who may visit or stay with a parent for part of the year when determining voucher size.

Experts also noted that reliance on credit checks within public housing and by private landlords in Housing Choice Voucher programs may pose a barrier to accessing HUD-funded housing for noncustodial parents with child support debt. This debt could show up on a credit report and hinder noncustodial parents' ability to obtain a unit, because of their perceived inability to pay rent. PHAs may wish to consider policies and messaging to private landlords regarding the benefits of follow-up conversations with parents to understand the context of credit check results. Such conversations may enable landlords to better understand the individual circumstances of each noncustodial parent and their expected ability to pay rent.

Opportunities for Continuums of Care and Homeless Assistance Programs

Experts also identified opportunities to address housing instability of noncustodial parents within the Continuum of Care (CoC) program. CoCs can address housing instability of noncustodial parents by accounting for the financial obligations associated with formal child support orders. For example, Coordinated Entry access points serve as critical referral points to other mainstream systems of care, and noncustodial parents would benefit from referrals to child support agencies, especially when there are dedicated Coordinated Entry staff and child support agency staff who are trained to address this population's housing instability.

As with public housing agencies, housing providers funded by CoCs and by HUD's Emergency Solutions Grants should also consider the effect of each of the following:

1. Child support payments when calculating rent;
2. Child support debt when conducting credit checks; and
3. Access to and visitation by children when selecting unit sizes.

Continuums of Care

A CoC is a network of people and organizations in a locally defined geographic area responsible for coordinating the response to homelessness. CoCs coordinate allocation of homelessness assistance funding received from HUD, including funds for transitional housing, rapid rehousing, and permanent supportive housing, among other types of assistance.

Opportunities for Collaboration

Experts overwhelmingly recommended stronger collaboration between child support agencies and housing providers. Participating on each other's boards and coalitions was a first step suggested by many experts. This collaboration could include child support agency staff

⁴ Such an exclusion would be included in their Admissions and Continued Occupancy Policy.

⁵ If child support payments are deducted from rent calculations, average rental payments for noncustodial parents receiving housing assistance fall by an estimated \$528 annually. If child support payments are disregarded, average rental payments fall by an estimated \$563 annually for those parents.

participating in the annual homelessness point-in-time count or other local homeless assistance events (e.g., Project Homeless Connect, VA Stand Down events). In San Diego, California, the San Diego Department of Child Support Services became involved at a Stand Down event in 2000, implementing an on-site veterans' court to help handle child support issues for participants. In Washington State, as in many other communities, some child support personnel maintain a database of local housing and homelessness resources in the community and make referrals as needed.

Data sharing and matching was identified as a promising area for enabling agencies and providers to more quickly identify and serve this population. One community had attempted to establish data sharing agreements at the local level, but they often found it difficult to overcome some of the perceived legal and bureaucratic hurdles. Strong leadership support was critical for moving these conversations forward. VA's [Project CHALENG](#) (Community Homelessness Assessment, Local Education and Networking Groups) brings together homelessness service providers, advocates, veterans, and other concerned citizens, including partnerships across the federal government to identify the needs of homeless veterans through surveys and to work to meet those needs through planning and cooperative action. OCSE and HUD are active partners in Project CHALENG. The data gathered are used to develop new programming and services and could be leveraged for future collaborations.

Legal Aid Providers

A few experts identified civil legal aid providers as having the ability to address housing stability and child support issues simultaneously. One caveat is that funding for legal aid is often tied to specific legal issues, so flexible funding would be helpful to meet the various needs of this population.

Veterans Affairs Medical Centers

Health centers serving veterans and military members were also noted as a potential location for on-site collaboration among housing, child support, and veterans' affairs service providers. Often the number of potential and actual referrals will drive decisions on the value of co-locating staff or having specific protocols.

Areas for Future Policy Analysis

Much remains to be learned about how child support policy affects the housing status of noncustodial parents, as well as how housing status affects the ability of noncustodial parents to meet their child support obligations. However, experts shared various policy considerations that could be piloted in local communities to determine how best to serve this population. The pandemic may have exacerbated the challenges faced by low-income parents who owe child support, and the effects on their housing stability is not yet fully understood. With many agencies and programs requiring, offering, or exercising flexibility within policy and program requirements during the pandemic, there may be additional lessons about both opportunities and challenges for better serving this population.

Child support agencies could explore the provision of **enhanced child support services**, such as lifting administrative enforcement actions (e.g., license suspension) and expedited review and modification of child support orders, for parents facing housing instability. They could also experiment with establishing **child support debt compromise programs** in collaboration with housing providers to encourage child support payments and economic stability.

Housing providers could consider **rent-setting policies** that take into account child support orders and corresponding expectations of noncustodial parents' abilities to pay rent. They could also explore ways to partner with child support agencies to help noncustodial parents find and maintain stable housing in the community.

At the community level, partners could work together to develop bidirectional referral protocols between VA health facilities, shelters or transitional housing programs, and child support agencies.

By considering these and other strategies, policymakers can gain a better understanding of the extent to which housing instability is affecting noncustodial parents' abilities to provide financial and emotional support to their children and can begin to find ways to help address these barriers.

ⁱ Centers for Disease Control and Prevention, National Center for Health Statistics. "Unmarried Childbearing." Retrieved March 4, 2020. <https://www.cdc.gov/nchs/fastats/unmarried-childbearing.htm>.

ⁱⁱ Higgs, E., Gomez-Vidal, C., & Austin, M. J. (2018). Low-Income Nonresident Fatherhood: A Literature Review With Implications for Practice and Research. *Families in Society*, 99(2), 110–120.

ⁱⁱⁱ Adamsons, K., & Johnson, S. K. (2013). An updated and expanded meta-analysis of nonresident fathering and child well-being. *Journal of Family Psychology*, 27(4), 589-599.

^{iv} Sorensen, Elaine. "Employment-Oriented Programs for Noncustodial Parents: What Works and What's Next?" 2019 National TANF State Directors' Meeting, September 19, 2019, Crystal Gateway Marriott, Arlington, VA.

^v Center on Budget and Policy Priorities. "Three Out of Four Low-Income At-Risk Renters Do Not Receive Federal Rental Assistance." <https://www.cbpp.org/three-out-of-four-low-income-at-risk-renters-do-not-receive-federal-rental-assistance>.

^{vi} U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement. "National Child Support Noncustodial Parent Employment Demonstration Program Grants (CSPED)." <https://www.acf.hhs.gov/css/grants/grant-updates-results/csped>.

^{vii} U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement. "National Child Support Noncustodial Parent Employment Demonstration Program Grants (CSPED)." <https://www.acf.hhs.gov/css/grants/grant-updates-results/csped>.

^{viii} Urban Institute. *Relief from Government-Owed Child Support Debt and Its Effects on Parents and Children: Evaluation of the San Francisco Child Support Debt Relief Pilot*. August 2019. https://www.urban.org/sites/default/files/publication/100812/relief_from_government-owed_child_support_debt_and_its_effects_on_parents_and_children_4.pdf.