



**TRANSPIRE**  
TRAININGS & CONSULTING

**Gender Identity/Expression:  
Equal Access in Community Shelters  
& Housing Placements**

# Let's talk *Equal Access*

## LGBT Equal Access to HUD Programs



The U.S. Department of Housing and Urban Development enforces regulations that ensure its programs are open to all eligible individuals regardless of actual or perceived sexual orientation or gender identity.

# HUD/Equal Access - Overview

- All HUD housing/shelter programs must be made available to individuals/families without regard to actual or perceived sexual orientation, gender identity, or marital status.
- Providers must place clients according to gender identity
- Gender diverse clients' health and safety concerns must be centered when making placement decisions
- Trans/GNC clients *can* request to be housed based on sex assigned at birth, regardless of gender identity or presentation. (Why might a client want this?)
- Providers can *not* make assignments or re-assignments based on complaints of other sheltered persons or staff

# Defining Gender Expression

The ways in which a person communicates their gender to the outside world within a given culture; for example, clothing, communication patterns, mannerisms, interests, appearance, behavior.



*Big takeaway: Gender expression and/or gender identity is NOT an indication of sexual orientation.*

# Defining Gender Identity

- Internal, deeply felt sense of being either male, female, neither, both
- When gender identity is in alignment with physical anatomy, we call this *cisgender*.
- When gender identity differs from physical anatomy or expected social roles, this person may identify as *transgender*.

*Big takeaway: Gender identity is not an indication of someone's sexual or romantic orientation.*



# Non-Binary Gender Identities

- A term used by individuals who do not identify with the traditional expectations/gender roles of their assigned sex at birth, and who do not subscribe to the gender binary.
- Some non-binary individuals may identify as transgender, while others do not.
- You may also see “enby” or “NB” (*Note: When using ‘NB’ one must be cautious, as some may read this as “Non-Black”*)



# Inclusive and Affirming Language

- It is always best to ask people how they self-identify, including what pronouns and name they use
- It is very important to respect all people's identities, even when we may not understand the labels or pronouns they're using
- One should never assume another person's identity or experience of gender based on their appearance
- To be inclusive, stick to gender neutral language: *folks/folx, y'all, everyone, everybody, people, they/them, parents, partners, siblings, family, workers, servers, etc.*

# An Anti-Trans Society: Systemic Challenges facing Trans People

- Lack of **family/social** support
- Bullying/transphobia in various **systems**
- Association of trans/non-binary identities with mental illness and **pathology**
- **Discrimination** in accessing **healthcare** and services
  - Transgender/non-binary people are at high risk for **homelessness**, AND are often turned away from shelters (or are inappropriately housed) -- some shelters have continued to post signs barring trans people, despite Equal Access rules
- Inability to access gainful **employment**



## Gender Identity/Expression Placements, Assignments, Sheltering (MDHT/HUD)

- Providers must place clients in shelter/facility that corresponds to the gender with which the person identifies and/or presents themselves as
- Health and safety concerns must be taken into consideration (per the CLIENT)
- Trans/GNC clients can also request to be housed based on sex assigned at birth (regardless of gender identity or presentation)
- Providers will not make assignments or re-assignments based on complaints of other sheltered persons or staff

# Appropriate Inquiries Related to Gender (MDHT/HUD)

- Staff may ask a person for their gender for the purposes of placement by asking these questions:
  - How do you identify? (“male, female, non-binary...”)
  - Do you wish to be housed with men or women?
- When unsure about a client (visually or over the phone, etc.), staff may simply say that agency provides shelter based on the gender the person identifies and/or presents as.

# Inappropriate Inquiries (MDHT/HUD)

- May NOT request documentation/identification to prove sex or gender
- May NOT deny access to requested placement based on docs/ID's that staff already has
- May NOT ask questions about physical anatomy (breasts, penis, vagina), medical history, hormones, sex-altering surgeries
- May NOT consider a client 'ineligible' for sheltering because behavior does not conform to gender stereotypes, gender roles, and/or expectations around sex or gender

# Privacy (MDHT/HUD)

- Trans/GNC clients should not be isolated or segregated from others (unless this is requested)
- Providers must take reasonable steps to address safety or privacy concerns of client
  - Adding privacy partition/curtains
  - Allowing for private restroom usage
  - Providing separate times for dressing/showers, etc.
- Must ensure toilet stalls have operable locks/doors
- Must provide separate shower stalls with curtains and/or locking doors
- Advocacy & Self-Advocacy: FHEO Complaints  
1-800-669-9777 or 1-800-877-8339

# Case Scenario: Background

Elizabeth is a 23 year-old young transgender woman who has just recently started transitioning. Due to lack of resources, she often does not “pass” as female. Elizabeth is also undocumented and has been having a very hard time making any money. This is not the first time Elizabeth has experienced homelessness; she really despises the shelter system because she’s had a lot of bad experiences in shelters. However, after many tough nights on the street, where she endured tons of harassment, unpredictable South Florida weather, sleeplessness, and an ongoing struggle to manage her hygiene and appearance, she finally reaches out to a local LGBTQ organization in Miami for support.

# Case Scenario: Background

Within a few days, she's offered a bed at a local shelter; she gives in and accepts the bed. She meets her case manager, Joseph, at the shelter for the first time. The shelter has both male and female beds, and now Joseph has to decide where to place Elizabeth -- a male bed, or a female bed.

What questions should Joseph ask Elizabeth in order to better make his decision?

# Case Scenario: Questions

1. Should Joseph ask Elizabeth for her ID in order to decide where he should place her?
2. If there's a single room available, should Joseph just place Elizabeth there to make things easier for everyone?
3. Elizabeth expresses concerns about safety if placed with the male clients. How should Joseph address her concerns?

# Case Scenario: Questions

4. You are Joseph's supervisor at the shelter. One night, you spot Elizabeth entering the male dorms at curfew. You investigate further and find out that Joseph has placed Elizabeth in a male bed (despite her concerns). What do you do?

6. Now, there's a *new* problem -- how do you address complaints from other female clients about Elizabeth's presence?



# Q&A: Appropriate Placements *Within the Agency*

- What is your agency's practice around placements or activities based on assigned sex?
- What types of problems have you experienced with this in the past?
- What are some ways that it could work better?
- What are your thoughts/fears about changing practices?



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