

Section 5

Emergency Solutions Grant Program Policies



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These policies supersede any previously adopted policies and are subject to review and revision by the City of Modesto’s Citizens Housing and Community Development



City of Modesto Emergency Solutions Grant Policies

1.0 Purpose And Overview:

- 1.1 The Emergency Solutions Grant (ESG), as authorized by authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378) and regulated by 24 CFR Part 576, provides federal funds from the U.S. Department of Housing and Urban Development (HUD) to the City to support local programs in assisting individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness.
 - 1.1.1 ESG funds are available for five program components:
 - 1.1.1.1 Street Outreach (SO)
 - 1.1.1.2 Emergency Shelter (ES)
 - 1.1.1.3 Homelessness Prevention (HP) Rapid Re-Housing (RRH)
 - 1.1.1.4 ESG funds may also be used for administrative activities
- 1.2 This manual provides standards and guidance established by HUD and the City (City)for subrecipients receiving ESG funding from the City to ensure funds are administered in compliance with applicable statutory and regulatory requirements and standards as well as the City's strategic goals. The standards described in this manual include both general standards applicable to all ESG-funded program components as well as component-specific standards. Unless otherwise noted, subrecipients have discretion to establish additional standards for ESG funding implementations so long as these standards do not conflict with Federal ESG regulations, this manual, and other City requirements, policies, standards, and grant contract stipulations.
- 1.3 This manual incorporates standards, policies, and procedures that ESG subrecipients should be familiar with and adhere to when implementing their programs, including but not limited to requirements established by HUD and additional requirements established by law, regulations, Notice of Funding Availability (NOFA), contract language, and the City's Consolidated Plan. This manual provides guidance regarding the actions ESG subrecipients must take to be compliant with these requirements.
- 1.4 Each ESG subrecipient is required to develop project policies and procedures that govern their implementation of ESG funds. These policies and procedures should incorporate HUD requirements and the City's ESG policies and procedures, including this manual, and may incorporate additional policy requirements or limitations as long as these do not conflict with HUD or City requirements. Each ESG subrecipient and each subrecipient's subrecipient (referred to herein as sub-subrecipients or contractors) should additionally develop detailed procedures as necessary to ensure that staff are consistently implementing the policies, procedures, and requirements laid out by HUD and the City.

2.0 Applicable Laws and Regulations:

- 2.1 The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act revised the Emergency Shelter Grants program and renamed it the Emergency Solutions Grants (ESG) program. The HEARTH Act broadened the emergency shelter and homelessness prevention activities of the Emergency Solutions Grants program beyond those of its predecessor program, the Emergency Shelter Grants program, and added short- and medium-term rental assistance and services to rapidly re-house persons experiencing homelessness. The change in the program's name reflects the change in the program's focus from addressing the needs of homeless people in emergency or transitional shelters to assisting people to quickly regain stability in permanent housing after

experiencing a housing crisis or becoming homeless.

2.1.1 ESG funds are available for the following purposes:

- 2.1.1.1 Street Outreach;
- 2.1.1.2 Emergency Shelter;
- 2.1.1.3 Rapid Re-housing;
- 2.1.1.4 Homelessness Prevention; and
- 2.1.1.5 Homeless Management Information System (HMIS).

2.1.2 ESG funds are available for the following purposes:

- 2.1.2.1 Engage homeless individuals and families living on the street;
- 2.1.2.2 Improve the number and quality of emergency shelters for homeless individuals and families;
- 2.1.2.3 Help operate these shelters;
- 2.1.2.4 Provide essential services to shelter residents;
- 2.1.2.5 Rapidly re-house homeless individuals and families; and
- 2.1.2.6 Prevent families/individuals from becoming homeless.

2.1.3 ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term “unsheltered homeless people” means individuals and families who qualify as homeless under paragraph (1)(i) of the “homeless” definition under § 576.2.

2.1.4 The City receives ESG funds and may carry out the program directly and/or subgrant all or part of their ESG funds to private nonprofit organizations to carry out eligible program activities.

2.1.5 Emergency Solutions Grants are governed by following code of federal regulations: 24 CFR 576.400(a); 24 CFR 576.500(a); 24 CFR 576.400(e)(3); 24 CFR 576.401(a), (b), and (c); 24 CFR 576.500(a), (b), (c), and (e); 24 CFR 576.405(a); 24 CFR 576.405(b); 24 CFR 576.500(q); 24 CFR 576.406(e); 24 CFR 576.500(r); 24 CFR 576.406(e); 24 CFR 576.500(r).

2.2 Homeless Definitions 24 CFR § 576.2 Definitions:

2.2.1 At Risk of Homelessness is defined as:

2.2.1.1 An individual or family who:

- 2.2.1.1.1 Has an annual income below 30% of median family income for the area, as determined by HUD.
- 2.2.1.1.2 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 “homeless” definition in 24 CFR 576.2; and

2.2.1.1.2.1 Meets one of the following conditions:

- 2.2.1.1.2.1.1 Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
- 2.2.1.1.2.1.2 Is living in the home of another because of

- economic hardship;
- 2.2.1.1.2.1.3 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;
- 2.2.1.1.2.1.4 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;
- 2.2.1.1.2.1.5 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;
- 2.2.1.1.2.1.6 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); or
- 2.2.1.1.2.1.7 Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;
- 2.2.1.1.3 A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or
- 2.2.1.1.4 A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.
- 2.2.2 Consolidated Plan: is a plan prepared in accordance with 24 CFR part 91. An approved consolidated plan means a consolidated plan that has been approved by HUD in accordance with 24 CFR part 91.
- 2.2.3 Continuum of Care: is the group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are

organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area. Locally this group is the Community System of Care (CSOC).

2.2.4 Emergency Shelter: is any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.

2.3 Homeless is defined as:

2.3.1.1 An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

2.3.1.1.1 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;

2.3.1.1.2 An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or

2.3.1.2 An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

2.3.1.2.1 An individual or family who will imminently lose their primary nighttime residence, provided that:

2.3.1.2.2 The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

2.3.1.2.3 No subsequent residence has been identified; and

2.3.1.2.4 The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;

2.3.1.3 Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

2.3.1.3.1 Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

2.3.1.3.2 Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately

- preceding the date of application for homeless assistance;
- 2.3.1.3.3 Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
- 2.3.1.3.4 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 (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or
- 2.3.1.3.5 Any individual or family who:
- 2.3.1.3.6 Is fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- 2.3.1.3.7 Has no other residence; and lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.
- 2.3.2 Homeless Management Information System (HMIS): is the information system designated by the Continuum of Care to comply with the HUD's data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at-risk of homelessness.
- 2.3.3 Private Non-profit Organization: is a private nonprofit organization that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance. A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.
- 2.3.4 Program Income shall have the meaning provided in 2 CFR 200.80. Program income includes any amount of a security or utility deposit returned to the recipient or subrecipient.
- 2.3.5 Program Participant is an individual or family who is assisted under ESG program.
- 2.3.6 Program Year: is the consolidated program year established by the recipient under 24 CFR part 91.
- 2.3.7 Recipient: is any State, territory, metropolitan city, or urban county, or in the case of reallocation, any unit of general purpose local government that is approved by HUD to assume financial responsibility and enters into a grant agreement with HUD to administer assistance under this part.

2.3.8 Subrecipient: is a private nonprofit organization to which a recipient makes available ESG funds.

2.3.9 Victim Service Provider: is a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.

3.0 Consultation With Continuum Of Care CFR 24 § 576.400:

3.1 Coordination with Other Targeted Homeless Services: The City will annually confirm that each subrecipient's records reflect that it coordinated and integrated, to the maximum extent practicable, ESG-funded activities with the programs, including those listed under 24 CFR 576.400(b), that are targeted to homeless people in the area covered by the Continuum of Care (CoC) or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area. [24 CFR 576.400(b); 24 CFR 576.500(m)]

3.2 System and Program Coordination with Mainstream Resources: The City will annually confirm subrecipient's records reflect that it coordinated and integrated, to the maximum extent practicable, ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs for which homeless and at-risk persons might be eligible. [24 CFR 576.400(c); 24 CFR 576.500(m)]

3.3 Use of the Coordinated Assessment System: If the CoC for the area in which the program or project is located has established a coordinated assessment system that meets HUD's requirements, the City will confirm their records show:

3.3.1 The subrecipient (unless it is a victim service provider) uses that assessment system; and

3.3.2 All initial evaluations were conducted in accordance with the coordinated assessment system requirements.

3.3.3 ESG-funded victim service providers may choose not to use the CoC's coordinated assessment system. [24 CFR 576.400(d); 24 CFR 576.401(a); 24 CFR 576.500(g)]

3.4 Coordinated Assessment (Consistency with Written Standards): The City will confirm each subrecipient works with the CoC to ensure that the screening, assessment, and referral of program participants are consistent with the ESG written standards required under 24 CFR 576.400(e) [24 CFR 576.400(d)].

4.0 Recordkeeping And Reporting Requirements 24 CFR § 576.500:

4.1 The recipient must have policies and procedures to ensure the requirements of those required by 24 CFR part 200 are met. The policies and procedures must be established in writing and implemented by the recipient and its subrecipients to ensure that ESG funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable the recipient and HUD to determine whether ESG requirements are being met in accordance with 24 CFR § 576.500. Subrecipients as outlined in Appendix B Homeless Definitions and Record Keeping Requirements and Criteria.

5.0 Recordkeeping (Record Retention)

5.1 Recordkeeping (Subrecipients): If applicable, the City will confirm the subrecipient retains copies of all solicitations of and agreements with its subrecipients; including records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients. [24 CFR 576.500(v)]

5.2 Recordkeeping (Contractors): If a subrecipient procured goods and services, the City records will

reflect that it did so in compliance with the Uniform Administrative Requirements, including the codes of conduct and conflict of interest requirements, and did the subrecipient retain copies of all procurement contracts [24 CFR 576.404(b); 24 CFR 84.40 – 84.48; 24 CFR 85.36 and 24 CFR 576.500(v)]

6.0 Recordkeeping (Program Participant Eligibility)

6.1 **Recordkeeping (Eligibility)**: Annually the City confirms each subrecipient's records document that staff followed the recipient's policies and procedures to:

6.1.1 Conduct an initial evaluation and re-evaluations as required, and

6.1.2 Document eligibility in accordance with HUD's requirements. [24 CFR 576.400(e)(3); 24 CFR 576.401(a), (b), and (c); 24 CFR 576.500(a), (b), (c), and (e)].

6.2 **Recordkeeping (Program Participant Records)**: Annually the City reviews subrecipient records ensure that each program participant documents are in compliance with applicable requirements for providing services and assistance to that program participant under the program components and eligible activities provisions at 24 CFR 576.101 through 24 CFR 576.106. [24 CFR 576.500(f)]

Confidentiality: Annually the City confirms each subrecipient has written procedures to ensure confidentiality, including:

6.2.1 All records containing personally identifying information of any individual or family who applies for and/or receives ESG assistance are kept secure and confidential.

6.3 **Personal Identifying Information**: The ESG Program's primary regulatory body is 24 CFR Part 576, the ESG Program Interim Rule and requires that recipients (e.g. City) and subrecipients (including 'sub-subrecipients) ensure the following:

6.3.1.1 All records containing personal identifying information [PII] of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;

6.3.1.2 The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under ESG will not be made public except with written authorization of the person responsible for the operation of the shelter.

6.3.1.3 The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.

6.3.2 This requirement's functional impact is recipients and subrecipients must develop confidentiality policies and procedures in writing to keep confidential every ESG applicant's or participant's personal identifiable information (PII) they receive for any reason, including participant housing locations/addresses, as well as the locations/addresses of any domestic violence shelters. Recipients and subrecipients should reference Appendix A Personal Identifying Information Policy for guidance that outlines the City's PII requirements.

6.4 **Recordkeeping (Record Retention)**: Annually the City confirms its subrecipients retain copies of the required records for the greater of 5 years or the applicable time period below:

6.4.1 For emergency shelters subject to a 10-year minimum period of use: will retain its records at least 10 years from the date that ESG funds were first obligated for the major rehabilitation or conversion of the building; or

6.4.2 For program participant files: records will be maintained at least 5 years after the expenditure of all funds from the grant under which the program participant was

served. [24 CFR 576.500(y)]

7.0 Homeless Participation (Local Governments)

7.1 The City will confirm each subrecipient involves homeless individuals and families, to the maximum extent practicable, in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG (could include employment or volunteer services). [24 CFR 576.405(c)]

8.0 Non-Discrimination And Other Federal Requirements

8.1 Drug-Free Workplace: The City will confirm each subrecipient has a drug-free workplace statement per the requirements of 2 CFR part 2429. [24 CFR 5.105(d) and 24 CFR 576.407(a)]

8.2 Non-Discrimination, Section 504 of the Rehabilitation Act of 1973, and Other Equal Opportunity Requirements: the City records demonstrate that each subrecipient is in compliance with the applicable requirements in 24 CFR part 5, Subpart A, including the nondiscrimination and equal opportunity requirements at 24 CFR part 5.105(a). [24 CFR part 5, Subpart A; 24 CFR 576.407(a); 24 CFR 576.500.]

8.3 Affirmative Outreach: The City and its subrecipients shall:

8.3.1 Make known that the use of the facilities, assistance, and services are available to all on a nondiscriminatory basis, and establish additional procedures, as required under 24 CFR 576.407(b), to ensure that the “target population” who may qualify are made aware of the availability of these facilities, assistance, or services; and

8.3.2 Take appropriate steps to ensure effective communication with persons with disabilities; and

8.3.3 Take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency persons [24 CFR part 5, Subpart A; 24 CFR 576.407(b); 24 CFR 576.500(s)(1)]

8.4 Equitable Practices: Subrecipients must respond to the disproportionality in access to services, service provision, and outcomes and cannot simply rely on delivering a standardization of services to address inequity. Subrecipients have the responsibility to examine their data to ensure all eligible persons receive equitable services, support and are served with dignity, respect, and compassion regardless of circumstance, ability, or identity.

8.5 Applicability of Uniform Administrative Requirements and OMB Circulars: When reviewed the City must ensure that each subrecipient maintain records documenting compliance with the applicable requirements outlined in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [24 CFR 576.407(c); 24 CFR 576.500(s)(2)]

8.6 Audits: When reviewed, the City must ensure that each subrecipient is in compliance with the Single Audit Act of 1984, as amended, and implementing regulations. [24 CFR 84.26; 24 CFR 85.26; 24 CFR 576.407(c)]

8.7 Section 3: When reviewed, the City must make sure that each subrecipient in compliance with the applicable requirements of Section 3 of the Housing and Urban Development Act of 1968. [24 CFR part 135; 24 CFR 576.407(a); 24 CFR 576.405(c)];

8.8 Victims Of Domestic Violence: Dating Violence, Sexual Assault, Or Stalking 24 CFR § 576.409: When reviewed, the City will ensure that each subrecipient is in compliance with the requirements outlined in Section 37.0 of this policy.

9.0 Faith-Based Activities (Rehabilitation)

9.1 The City must ensure each subrecipient does not engage in inherently religious activities as part of

the programs or services funded under ESG. If the subrecipient conducted these activities, were they offered separately, in time or location, from the programs or services funded under ESG, and was participation voluntary for all program participants. [24 CFR 576.406(b); 24 CFR 576.500(r)]

- 9.2 The City must ensure that it did not discriminate against a program participant or prospective program participant on the basis of religion or religious belief. [24 CFR 576.406(d); 24 CFR 576.500(r)]
- 9.3 Annually, the City will ensure each subrecipient does not use ESG funds for the rehabilitation of sanctuaries, chapels, or other rooms that an ESG-funded religious congregation uses as its principal place of worship. [24 CFR 576.406(e); 24 CFR 576.500(r)]
- 9.4 When a structure is used for both eligible and inherently religious activities, the City ensures that the amount of ESG funds used was limited to the costs of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds. [24 CFR 576.406(e); 24 CFR 576.500(r)]

10.0 Monitoring And Financial Management and Cost Allowability:

- 10.1 The City (recipient) and its subrecipients must have written policies and procedures to ensure that ESG funds are used in accordance with ESG requirements and sufficient records to enable HUD and the recipient to determine whether ESG requirements are being met. [24 CFR 576.500(a)]
- 10.2 As the lead agency for ESG funds, the City will monitor all subrecipients on a regular basis through written contacts, phone conversations, electronic information transfers, face-to-face monitoring visits (at least once annually), and project file review, pursuant to applicable regulation.
- 10.3 Monitoring will be conducted to ensure statutory and regulatory requirements are being met and that information submitted to City is accurate and complete.
- 10.4 Monitoring is not limited to a one-time event but is rather an ongoing process that assess the quality of ESG funded program performance over the life of the Standard Agreement and involves continuous communication and evaluation.
- 10.5 Monitoring will normally be conducted utilizing a three (3) tiered approach, depending upon the risk involved:

10.5.1 Limited Review

- 10.5.1.1 A limited review will be conducted of all subrecipients and projects on an annual basis. The timing of this monitoring will be in alignment with an organization's submittal of a Quarterly Performance Report and an Invoice for Payment for expenses incurred against their City grant over the previous 90 days.
- 10.5.1.2 At least one quarter review will focus on the year-end financial statement or audit, and where applicable, the Single Audit. If the Single Audit contains audit findings or contains a management letter, the subrecipient will be selected for an In Depth Review. The goal of a Limited Review is to provide clarification to a specific unknown submission that cannot be determined from the subrecipient reports, and to identify areas of technical assistance needed by each subrecipient.

10.5.2 On-Site Monitoring Review

- 10.5.2.1 An on-site monitoring review will be a site visit to a subrecipient program assisted with HUD funds and will achieve a balance between programmatic and fiscal reviews, and much documentation review can be done prior to the on-site visit.

- 10.5.2.1.1 The on-site monitoring includes a tour of the program facilities as appropriate, an explanation of the services provided, discussions with program and administrative staff, and introduction to one or more actual beneficiaries, if possible.
- 10.5.2.1.2 As a result of this visit, staff will determine whether an in-depth review is needed for further clarification of one or more issues identified during the on-site visit.
- 10.5.2.2 **A Program review** will focus on the specific subrecipient program activities. Program staff may be asked to define the strategic plans for the related programs and, as applicable, how those plans are used to help clients in those programs.
- 10.5.2.3 **A Financial review** will make the connections between the program budget, expenditures and actual beneficiaries assisted, including evidence of case managers time in client files, reviewing payroll documents for the period clients are reported, determining eligibility of clients based on income documentation in client files, the general relationship between the contents of client files (excluding Attorney Client or HIPAA confidential data) and benefit data reported by the subrecipient on the same clients.
- 10.5.2.4 **The number of case files** to be reviewed will reflect approximately 10% of the total clients served in the program, or more if there appear to be any systemic issues that need to be addressed.
- 10.5.2.5 **Invoices** may be randomly selected for review and traced back from City reimbursement to the original organization's advance expenditure and client assisted (if appropriate).
 - 10.5.2.5.1 For example, exact dollars billed for housing accessibility modifications can be traced directly to one client. Conversely, a different review model is required when dollars billed provided case management for multiple homeless individuals. It is expected that staff will review original invoices, cancelled checks, and other such documentation evidencing the expenditure, the relationship to the CDBG program objective, the appropriate proportion of CDBG expenditure in comparison to other funding, and accounting receipt of the federal grant funds.

10.5.3 In-Depth Review

- 10.5.3.1 An in-depth review will be a concentrated and focused review around a particular activity or program area. This will typically be a concentrated review of a known high-risk area or critical function, such as but not limited to:
 - 10.5.3.1.1 Financial review for expenditures for ineligible activities,
 - 10.5.3.1.2 Financial review for expenditures that cannot be traced through supporting documentation,
 - 10.5.3.1.3 A program which requires donations as a condition of receiving service,
 - 10.5.3.1.4 Management practices in affordable housing,
 - 10.5.3.1.5 Section 504 compliance reviews upon receipt of a complaint from a person with disabilities,

- 10.5.3.1.6 A fair housing complaint from a home seeker treated differently while trying to obtain housing from the subrecipient,
- 10.5.3.1.7 Denial of services for no valid reason, or
- 10.5.3.1.8 Failure to meet prevailing wage requirements in construction activities subject to Davis Bacon, etc.

10.6 Monitoring Outcomes:

- 10.6.1 Clearance: No violation of the program regulations or Standard Agreement requirements
- 10.6.2 Concern: A condition, that if not corrected, may result in a violation of the program regulations or Standard Agreement requirements
- 10.6.3 Findings: A violation of the program regulations and/or Standard Agreement requirements
- 10.6.4 Failure to address findings in accordance with the recommended corrective action may result in the temporary denial of reimbursement, repayment of previous reimbursements, or termination of the agreement

10.7 At the conclusion of each monitoring review, staff will send each subrecipient written documentation of the monitoring review, summarizing what was reviewed, and indicating any findings of regulatory non-compliance or concerns of program weaknesses. Additionally, staff will provide technical assistance to correct any deficiencies noted, and will acknowledge the performance level of the program, and whether they will either meet or fall short of contract goals.

11.0 Homeless Management Information System (HMIS) 24 CFR § 576.107:

- 11.1 Data Collection and Recordkeeping: HMIS records must reflect that each subrecipient entered data on all persons it served under ESG and on all of its ESG activities into the applicable community-wide HMIS or, for victim services providers (and legal services providers that opt out), into a comparable database, in accordance with HUD's HMIS data standards. [24 CFR 576.400(f); 24 CFR 576.500(n); 2014 HMIS Data Standards]
- 11.2 Eligible costs (HMIS): If the subrecipient is not a victim service provider, or a legal service provider that uses a comparable database, ESG funds must only be used for costs eligible for the purpose of contributing data to the HMIS designated by the CoC. [24 CFR 576.107(a)(1)]
- 11.3 Data entry (Comparable database): If the subrecipient is a victim service provider, or a legal services provider that uses a comparable database, the data maintained is in the comparable database and not contributed or entered into an HMIS. [24 CFR 576.400(f)]
- 11.4 Eligible costs (Comparable database): If the subrecipient is a victim service provider, or a legal services provider that uses a comparable database, the funds must be used for establishing and operating a comparable database that complies with HUD's HMIS requirements, including collecting client-level data over time (i.e., longitudinal data) and generating unduplicated aggregate reports. [24 CFR 576.400(f); 24 CFR 576.107(a)(3); 24 CFR 576.107(b)]
- 11.5 Participation in HMIS: The subrecipient must ensure that data on all persons served and all activities assisted under ESG are entered into the applicable community-wide HMIS in the area in which those persons and activities are located, or a comparable database, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS. If the subrecipient is a victim service provider or a legal services provider, it may use a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to an HMIS.

12.0 Administrative Costs and Financial Management 24 CFR § 576.108:

- 12.1 Eligible activities: A subrecipients' expenses must be allowable, allocable, and reasonable. [24 CFR 576.100-576.109; 24 CFR 576.500(u)(2); 24 CFR 84.21(b)(6); 24 CFR 85.22]
- 12.2 Eligible Costs: Each subrecipient will charge staff and overhead costs directly related to carrying out activities eligible under one of the component to the applicable activity, and retain supporting documentation for all costs charged to the grant. [24 CFR 576.100(d); 24 CFR 576.108(a); 24 CFR 576.500(u)]
- 12.3 Eligible Administrative Costs: When a subrecipient receives Administrative funds:
 - 12.3.1 All the administrative costs must be eligible in accordance with 24 CFR 576.108; and
 - 12.3.2 The costs of carrying out the environmental review will be charged as an Administrative activity. [24 CFR 576.108(a)(1), (2), and (4)];
- 12.4 Training Costs: If any staff time was spent on training:
 - 12.4.1 It is only for providing training on ESG requirements, attending HUD-sponsored ESG training, training staff on using HMIS or a comparable database, or attending HUD-approved training on HMIS and the ESG program; and
 - 12.4.2 Is charged to the appropriate component (only HMIS for HMIS-related training, and Administrative costs for all other training). [24 CFR 576.108(a)(1), (2), and (4); 24 CFR 576.107]
- 12.5 Indirect Costs: If any indirect costs were charged to the grant, all allocations made to each eligible activity must be consistent with an indirect cost rate proposal developed in accordance with the Uniform Administrative Requirements. [24 CFR 576.109; 24 CFR 576.500(u)]
- 12.6 Eligible activities: A review of personnel costs charged to ESG, including a review of job descriptions, should reveal that, all staff time paid for with ESG funds was working on eligible ESG activities. [24 CFR 576.500(u)]

13.0 System and Performance Measures:

- 13.1 General performance measures have been established by the City for each program component, as described in the program component sections of this manual. Performance measures are based on applicable system and project-level goals established by HUD for the ESG program and City strategic priorities. The City may establish specific performance targets for certain measures. However, nothing prohibits a local CoC or subrecipient from establishing additional performance measures or higher performance expectations.
- 13.2 Subrecipients are encouraged to review data regularly related to equity and homelessness, such as tracking demographic data to determine if there are project-level disparities that need to be addressed. Subrecipients must consult their local CoC when establishing performance measures and targets. Subrecipients are required to report on performance as part of City reporting.
- 13.3 In addition to project-level performance, the City may request performance data for the CoC where an ESG funded project operates from HMIS. The chart at the end of this subheading outlines key federal performance measures, all of which will be incorporated into the Annual Action Plan, and the interaction of each measure with each ESG program component.
- 13.4 Key Performance Measures: The following criteria will be used to measure the performance of Subrecipients' ESG funded Programs:
 - 13.4.1 The length of time individuals and families remain homeless. Meeting this criteria will be based on demonstrating a reduction of the average and median length of time persons enrolled in emergency shelter, transitional housing, or safe haven projects experience

homelessness.

- 13.4.2 The extent to which individuals and families who leave homelessness experience additional spells of homelessness. Meeting this criteria will be based on demonstrating a reduction in the percent of persons who have left homelessness (i.e., exited continuum projects into permanent housing destinations)
- 13.4.3 The thoroughness of subrecipients in reaching homeless individuals and families. Meeting this Meeting this criteria will be based on narrative question(s) about the program's, geographic coverage of the community, and the program's street outreach efforts..
- 13.4.4 Successful placement from street outreach. Meeting this criteria will be based on demonstrating an increase in the percent of persons served in street outreach projects who exit to emergency shelter, safe haven, transitional housing, or permanent housing destinations.
- 13.4.5 Successful housing placement to or retention in a permanent housing destination. Meeting this criteria will be based on demonstrating an increase in the percent of persons served in emergency shelter, safe haven, transitional housing, or rapid re-housing projects exit to permanent housing destinations and persons served in permanent housing projects who retain permanent housing or exit to permanent housing destinations.

14.0 Program Components and Eligible Activities 24 CFR § 576.100:

- 14.1 ESG funds may be used for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and HMIS; as well as administrative activities. The five program components and the eligible activities that may be funded under each are set forth in § 576.101 through § 576.107. Eligible administrative activities are set forth in § 576.108.

15.0 Street Outreach 24 CFR § 576.101:

- 15.1 ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term “unsheltered homeless people” means individuals and families who qualify as homeless under paragraph (1)(i) of the “homeless” definition under § 576.2.
 - 15.1.1 Eligible costs: are limited to the costs of providing essential services necessary to reach out to unsheltered homeless people; connecting unsheltered homeless people with emergency shelter, housing, or critical services; and providing urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. [24 CFR 576.101(a)]
 - 15.1.2 Engagement costs of activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs. These activities consist of making an initial assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; and actively connecting and providing information and referrals to programs targeted to homeless

people and mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent supportive housing, and rapid re-housing programs. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.

- 15.1.3 Case Management: The cost of assessing housing and service needs, arranging, coordinating, and monitoring, the delivery of individualized services to meet the needs of the program participant. Eligible services and activities are as follows: using the centralized or coordinated assessment system as required under § 576.400(d); conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; counseling; developing, securing and coordinating services; obtaining Federal, State, and local benefits; monitoring and evaluating program participant progress; providing information and referrals to other providers; and developing an individualized housing and service plan, including planning a path to permanent housing stability.
- 15.1.4 Emergency Health Services: ESG funds used for emergency health services limited to the costs of direct outpatient treatment of medical conditions (as listed under 24 CFR 576.101(a)(3)) that is provided:
 - 15.1.5 Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living.
 - 15.1.6 ESG funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area.
 - 15.1.7 Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate emergency medical treatment; and providing medication and follow-up services.
- 15.1.8 Emergency Mental Health Services: ESG funds used for emergency mental health services limited to the costs associated with direct outpatient treatment (as listed under 24 CFR 576.101(a)(4)) that is provided:
 - 15.1.8.1 Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions operating in community-based settings, including streets, parks, and other places where unsheltered people are living.
 - 15.1.8.2 ESG funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community.
 - 15.1.8.3 Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances.
 - 15.1.8.4 Eligible treatment consists of crisis interventions, the prescription of psychotropic medications, explanation about the use and management of medications, and combinations of therapeutic approaches to address multiple problems.
- 15.1.9 Transportation: The transportation costs of travel by outreach workers, social workers,

medical professionals, or other service providers are eligible, provided that this travel takes place during the provision of services eligible under this section. The costs of transporting unsheltered people to emergency shelters or other service facilities are also eligible. These costs include the following:

- 15.1.9.1 The cost of a program participant's travel on public transportation.
- 15.1.9.2 If service workers use their own vehicles, mileage allowance for service workers to visit program participants;
- 15.1.9.3 The cost of purchasing or leasing a vehicle for the recipient or subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes and maintenance for the vehicle; and
- 15.1.9.4 The travel costs of recipient or subrecipient staff to accompany or assist program participants to use public transportation.

15.2 Services for special populations: ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1) through (a)(5) of this section. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

15.3 Key Performance Measures: The performance measures below ensure that SO projects align with the local CoC's system wide goal to end homelessness. Providers should gauge their progress and identify areas of improvement based on the following performance measures for their ESG funded programs:

Successful Placement from Street Outreach

Desired Outcome: Increase in the percent of persons who exit to an Emergency Shelter, Transitional Housing, or Permanent Housing Destination

Clients: In Street Outreach projects who exit from Street Outreach during reporting periods

Metric: Change in placements to permanent housing destinations, temporary destinations (except for a place not meant for human habitation), and some institutional destinations.

Measure: Using HMIS data, the number of persons who exited to permanent housing destinations, temporary destinations (except for a place not meant for human habitation), and some institutional destinations during the reporting period.

16.0 Emergency Shelter Component § 576.102:

16.1 ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, renovating buildings to be used as emergency shelter for homeless families and individuals, and operating emergency shelters.

16.2 Essential services: ESG funds may be used to provide essential services to individuals and families who are in an emergency shelter, as follows:

- 16.2.1 Case management. The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant is eligible. Component services and activities consist of;

- 16.2.1.1 Using the centralized or coordinated assessment system as required under § 576.400(d);
 - 16.2.1.2 Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility;
 - 16.2.1.3 Counseling;
 - 16.2.1.4 Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
 - 16.2.1.5 State, and local benefits;
 - 16.2.1.6 Monitoring and evaluating program participant progress;
 - 16.2.1.7 Providing information and referrals to other providers;
 - 16.2.1.8 Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and
 - 16.2.1.9 Developing an individualized housing and service plan, including planning a path to permanent housing stability.
- 16.2.2 Childcare: for program participants, including providing meals and snacks, and comprehensive and coordinated sets of appropriate developmental activities, are eligible. The children must be under the age of 13, unless they are disabled. Disabled children must be under the age of 18. The child-care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible.
- 16.2.3 Education services. When necessary for the program participant to obtain and maintain housing, the costs of improving knowledge and basic educational skills are eligible. Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED). Component services or activities are screening, assessment and testing; individual or group instruction; tutoring; provision of books, supplies and instructional material; counseling; and referral to community resources.
- 16.2.4 Employment assistance: Employment assistance and job training programs are eligible, including classroom, online, and/or computer instruction; on-the-job instruction; and services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. The cost of providing reasonable stipends to program participants in employment assistance and job training programs is an eligible cost. Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates. Services that assist individuals in securing employment consist of employment screening, assessment, or testing; structured job skills and job-seeking skills; special training and tutoring, including literacy training and prevocational training; books and instructional material; counseling or job coaching; and referral to community resources.
- 16.2.5 Outpatient health services. Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals. Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate health services are unavailable within the community. Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate medical treatment, preventive medical care, and health maintenance services, including

emergency medical services; providing medication and follow-up services; and providing preventive and non-cosmetic dental care.

- 16.2.6 Legal Services: Eligible costs are the hourly fees for legal advice and representation by attorneys licensed and in good standing with the bar association of the State in which the services are provided, and by person(s) under the supervision of the licensed attorney, regarding matters that interfere with the program participant's ability to obtain and retain housing.
- 16.2.6.1 Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate legal services are unavailable or inaccessible within the community.
- 16.2.6.2 Eligible subject matters are child support, guardianship, paternity, emancipation, and legal separation, orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking, appeal of veterans and public benefit claim denials, and the resolution of outstanding criminal warrants.
- 16.2.6.3 Component services or activities may include client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling.
- 16.2.6.4 Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost would be less than the cost of hourly fees. Filing fees and other necessary court costs are also eligible. If the subrecipient is a legal services provider and performs the services itself, the eligible costs are the subrecipient's employees' salaries and other costs necessary to perform the services.
- 16.2.6.5 Legal services for immigration and citizenship matters and issues relating to mortgages are ineligible costs. Retainer fee arrangements and contingency fee arrangements are ineligible costs.
- 16.2.7 Life skills training: The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance use, and homelessness are eligible costs. These services must be necessary to assist the program participant to function independently in the community. Component life skills training are budgeting resources, managing money, managing a household, resolving conflict, shopping for food and needed items, improving nutrition, using public transportation, and parenting.
- 16.2.8 Mental Health Services: Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions.
- 16.2.8.1 ESG funds may only be used for these services to the extent that other appropriate mental health services are unavailable or inaccessible within the community.
- 16.2.8.2 Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances. Problem areas may include family and marital relationships, parent-child problems, or symptom management.

- 16.2.8.3 Eligible treatment consists of crisis interventions; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.
- 16.2.9 Substance abuse treatment services: Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals.
- 16.2.9.1 ESG funds may only be used for these services to the extent that other appropriate substance abuse treatment services are unavailable or inaccessible within the community.
- 16.2.9.2 Eligible treatment consists of client intake and assessment, and outpatient treatment for up to 30 days. Group and individual counseling and drug testing are eligible costs. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs.
- 16.3 Transportation: Eligible costs consist of the transportation costs of a program participant's travel to and from medical care, employment, child care, or other eligible essential services facilities. These costs include the following:
- 16.3.1 The cost of a program participant's travel on public transportation;
- 16.3.2 If service workers use their own vehicles, mileage allowance for service workers to visit program participants
- 16.3.3 The cost of purchasing or leasing a vehicle for the recipient or subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes, and maintenance for the vehicle; and
- 16.3.4 The travel costs of recipient or subrecipient staff to accompany or assist program participants to use public transportation.
- 16.4 Services for special populations: ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1)(i) through (a)(1)(x) of this section. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.
- 16.5 Renovation: Eligible costs include labor, materials, tools, and other costs for renovation (including major rehabilitation of an emergency shelter or conversion of a building into an emergency shelter). The emergency shelter must be owned by a government entity or private nonprofit organization.
- 16.6 Shelter operations: Eligible costs are the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, food, furnishings, and supplies necessary for the operation of the emergency shelter. Where no appropriate emergency shelter is available for a homeless family or individual, eligible costs may also include a hotel or motel voucher for that family or individual.
- 16.7 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA): Eligible costs are the costs of providing URA assistance under § 576.408, including relocation payments and other assistance to persons displaced by a project assisted with ESG funds. Persons that receive URA assistance are not considered "program participants" for the purposes of this

part, and relocation payments and other URA assistance are not considered “rental assistance” or “housing relocation and stabilization services” for the purposes of this part.

- 16.8 Prohibition against involuntary family separation: The age, of a child under age 18 must not be used as a basis for denying any family's admission to an emergency shelter that uses Emergency Solutions Grant (ESG) funding or services and provides shelter to families with children under age 18.
- 16.9 Minimum period of use:
- 16.9.1 Renovated buildings: Each building renovated with ESG funds must be maintained as a shelter for homeless individuals and families for not less than a period of 3 or 10 years, depending on the type of renovation and the value of the building. The “value of the building” is the reasonable monetary value assigned to the building, such as the value assigned by an independent real estate appraiser. The minimum use period must begin on the date the building is first occupied by a homeless individual or family after the completed renovation. A minimum period of use of 10 years, required for major rehabilitation and conversion, must be enforced by a recorded deed or use restriction.
- 16.9.2 Major rehabilitation: If the rehabilitation cost of an emergency shelter exceeds 75 percent of the value of the building before rehabilitation, the minimum period of use is 10 years.
- 16.9.3 Conversion: If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the minimum period of use is 10 years.
- 16.9.4 Renovation other than major rehabilitation or conversion: In all other cases where ESG funds are used for renovation, the minimum period of use is 3 years.
- 16.10 Essential services and shelter operations: Where the recipient or subrecipient uses ESG funds solely for essential services or shelter operations, the recipient or subrecipient must provide services or shelter to homeless individuals and families at least for the period during which the ESG funds are provided. The recipient or subrecipient does not need to limit these services or shelter to a particular site or structure, so long as the site or structure serves the same type of persons originally served with the assistance (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or serves homeless persons in the same area where the recipient or subrecipient originally provided the services or shelter.
- 16.11 Maintenance of effort: The maintenance of effort requirements under § 576.101(c), which apply to the use of ESG funds for essential services related to street outreach, also apply for the use of such funds for essential services related to emergency shelter.
- 16.12 Key Performance Measures: The performance measures below ensure that Emergency Shelter projects align with the local CoC’s system wide goal to end homelessness. Providers should gauge their progress and identify areas of improvement based on the following performance measures for their ESG funded programs:

Successful Placement in Permanent Housing

Desired Outcome: Increase in the percent of persons who exit to Permanent Housing Destinations

Clients: In Emergency Shelter projects who exit during reporting periods.

Metric: Changes in placements to permanent housing destinations

Measure: Using HMIS data, the number of persons who exited to permanent housing destinations during the reporting period.

17.0 Homeless Prevention 24 CFR § 576.103

17.1 ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the “homeless” definition in § 576.2. This assistance, referred to as homelessness prevention, may be provided to individuals and families who meet the criteria under the “at risk of homelessness” definition, or who meet the criteria in paragraph (2), (3), or (4) of the “homeless” definition in § 576.2 and have an annual income below 30 percent of median family income for the area, as determined by HUD. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant's current permanent housing or move into other permanent housing and achieve stability in that housing. Homelessness prevention must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short-term and medium-term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

17.2 Key Performance Measures: The performance measures below ensure that Homeless Prevention projects align with the local CoC’s system wide goal to end homelessness. Providers should gauge their progress and identify areas of improvement based on the following performance measures for their ESG funded programs:

Successful Retention of Permanent Housing

Desired Outcome: Increase in the percent of persons who retain Permanent Housing Destinations

Clients: In Homeless Prevention projects who retain permanent housing during reporting periods.

Metric: Changes in retention of permanent housing.

Measure: Using HMIS data, the number of persons who retained permanent housing destinations during the reporting period.

18.0 Rapid Re-Housing Assistance 24 CFR § 576.104

18.1 ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. This assistance, referred to as rapid re-housing assistance, may be provided to program participants who meet the criteria under paragraph (1) of the “homeless” definition in § 576.2 or who meet the criteria under paragraph (4) of the “homeless” definition and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. The rapid re-housing assistance must be provided in accordance with the housing relocation and stabilization services requirements in §

576.105, the short- and medium-term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

18.2 Key Performance Measures: The performance measures below ensure that Rapid Re-Housing projects align with the local CoC's system wide goal to end homelessness. Providers should gauge their progress and identify areas of improvement based on the following performance measures for their ESG funded programs:

18.3

Successful Placement in or Retention of Permanent Housing

Desired Outcome: Increase in the percent of persons who obtain or retain Permanent Housing Destinations

Clients: In Rapid Re-Housing projects who obtain or retain permanent housing during reporting periods.

Metric: Changes in the percentage who obtained or retained permanent housing.

Measure: Using HMIS data, the number of persons who obtained or retained permanent housing destinations during the reporting period.

19.0 Housing Relocation And Stabilization Services 24 CFR § 576.105

19.1 Financial assistance costs: Subject to the general conditions under § 576.103 and § 576.104, ESG funds may be used to pay housing owners, utility companies, and other third parties for the following costs:

- 19.1.1 Rental application fees: ESG funds may pay for the rental housing application fee that is charged by the owner to all applicants.
- 19.1.2 Security deposits: ESG funds may pay for a security deposit that is equal to no more than 2 months' rent.
- 19.1.3 Last month's rent: If necessary to obtain housing for a program participant, the last month's rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month's rent. This assistance must not exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period.
- 19.1.4 Utility deposits: ESG funds may pay for a standard utility deposit required by the utility company for all customers for the utilities listed in paragraph (5) of this section.
- 19.1.5 Utility payments: ESG funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.
- 19.1.6 Moving costs: ESG funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance under paragraph (b) of this section and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.

- 19.1.7 If a program participant receiving short- or medium-term rental assistance under § 576.106 meets the conditions for an emergency transfer under 24 CFR 5.2005(e), ESG funds may be used to pay amounts owed for breaking a lease to effect an emergency transfer. These costs are not subject to the 24-month limit on rental assistance under § 576.106.
- 19.2 Services costs: Subject to the general restrictions under § 576.103 and § 576.104, ESG funds may be used to pay the costs of providing the following services:
- 19.2.1 Housing search and placement. Services or activities necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing, include the following:
- 19.2.1.1 Assessment of housing barriers, needs, and preferences;
 - 19.2.1.2 Development of an action plan for locating housing;
 - 19.2.1.3 Housing search;
 - 19.2.1.4 Outreach to and negotiation with owners;
 - 19.2.1.5 Assistance with submitting rental applications and understanding leases;
 - 19.2.1.6 Assessment of housing for compliance with Emergency Solutions Grant (ESG) requirements for habitability, lead-based paint, and rent reasonableness;
 - 19.2.1.7 Assistance with obtaining utilities and making moving arrangements;
 - 19.2.1.8 Tenant counseling.
- 19.3 Housing stability case management: ESG funds may be used to pay cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent housing or to assist a program participant in overcoming immediate barriers to obtaining housing. This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing. Component services and activities consist of:
- 19.3.1 Using the centralized or coordinated assessment system as required under § 576.400(d), to evaluate individuals and families applying for or receiving homelessness prevention or rapid re-housing assistance;
 - 19.3.2 Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility, for individuals and families applying for homelessness prevention or rapid re-housing assistance;
 - 19.3.3 Counseling;
 - 19.3.4 Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
 - 19.3.5 Monitoring and evaluating program participant progress;
 - 19.3.6 Providing information and referrals to other providers;
 - 19.3.7 Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
 - 19.3.8 Conducting re-evaluations required under § 576.401(b).
- 19.4 Mediation: ESG funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.

- 19.5 Legal services: ESG funds may pay for legal services, as set forth in § 576.102(a)(1)(vi), except that the eligible subject matters also include landlord/tenant matters, and the services must be necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.
- 19.6 Credit repair: ESG funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.
- 19.7 Maximum amounts and periods of assistance: The recipient may set a maximum dollar amount that a program participant may receive for each type of financial assistance under paragraph (a) of this section. The recipient may also set a maximum period for which a program participant may receive any of the types of assistance or services under this section. However, except for housing stability case management, the total period for which any program participant may receive the services under paragraph (b) of this section must not exceed 24 months during any 3-year period. The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.
- 19.8 Use with other subsidies: Financial assistance under paragraph (a) of this section cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.
- 19.9 Housing counseling: As defined in § 5.100, that is funded with or provided in connection with ESG funds must be carried out in accordance with § 5.111. When recipients or subrecipients provide housing services to eligible persons that are incidental to a larger set of holistic case management services, these services do not meet the definition of housing counseling, as defined in § 5.100, and therefore are not required to be carried out in accordance with the certification requirements of § 5.111

20.0 Short Term And Medium Term Assistance 24 CFR § 576.106:

- 20.1 Subject to the general conditions under § 576.103 and § 576.104, the recipient or subrecipient may provide a program participant with up to 24 months of rental assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination of this assistance.
- 20.1.1 Short-term rental assistance is assistance for up to 3 months of rent.
- 20.1.2 Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.
- 20.1.3 Payment of rental arrears consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.
- 20.1.4 Rental assistance may be tenant-based or project-based,
- 20.2 Subject to the requirements of this section, the recipient/subrecipient may set a maximum amount or percentage of rental assistance that a program participant may receive, a maximum number of months that a program participant may receive rental assistance, or a maximum number of times that a program participant may receive rental assistance. The subrecipient may also require program participants to share in the costs of rent.
- 20.3 Use with other subsidies: Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, rental assistance cannot be provided to a program participant who

is receiving tenant-based rental assistance, or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Rental assistance may not be provided to a program participant who has been provided with replacement housing payments under the URA during the period of time covered by the URA payments.

20.4 Rent restrictions: Rental assistance cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507.

20.4.1 For purposes of calculating rent, the rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under the lease (other than late fees and pet fees) and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located.

20.5 Rental assistance agreement: The recipient or subrecipient may make rental assistance payments only to an owner with whom the recipient or subrecipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the recipient or subrecipient a copy of any notice to the program participant to vacate the housing unit or any complaint used under State or local law to commence an eviction action against the program participant. Each rental assistance agreement that is executed or renewed on or after December 16, 2016 must include all protections that apply to tenants and applicants under 24 CFR part 5, subpart L, as supplemented by § 576.409, except for the emergency transfer plan requirements under 24 CFR 5.2005(e) and 576.409(d). If the housing is not assisted under another "covered housing program", as defined in 24 CFR 5.2003, the agreement may provide that the owner's obligations under 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), expire at the end of the rental assistance period.

20.6 Late payments: The or subrecipient must make timely payments to each owner in accordance with the rental assistance agreement. The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The recipient or subrecipient is solely responsible for paying late payment penalties that it incurs with non-ESG funds.

20.7 Lease: Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. For program participants living in housing with project-based rental assistance under paragraph (i) of this section, the lease must have an initial term of 1 year. Each lease executed on or after December 16, 2016 must include a lease provision or incorporate a lease addendum that includes all requirements that apply to tenants, the owner or lease under 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), as supplemented by 24 CFR 576.409, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c). If the housing is not assisted under another "covered housing program," as defined in 24 CFR 5.2003, the lease provision or lease addendum

may be written to expire at the end of the rental assistance period.

- 20.8 Tenant-based rental assistance: A program participant who receives tenant-based rental assistance may select a housing unit in which to live and may move to another unit or building and continue to receive rental assistance, as long as the program participant continues to meet the program requirements as described in 24 CFR 576.106.
- 20.9 Project-based rental assistance: If the recipient or subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before a program participant is identified to lease the unit, the recipient or subrecipient may enter into a rental assistance agreement with the owner to reserve the unit and subsidize its rent in accordance with 24 CFR 576.106.

21.0 Written Standards 24 CFR § 576.400:

- 21.1 The subrecipients must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs for which families and individuals at risk of homelessness and homeless individuals and families may be eligible.
- 21.1.1 All activities carried out will be in compliance with the applicable written policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations (e.g., victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest. [24 CFR 576.400(e)(1); 24 CFR 576.400(e)(2); 24 CFR 576.400(e)(3)(iii)]
- 21.1.2 All activities carried out will be in compliance with the applicable written policies and procedures for assessing, prioritizing, and reassessing individuals' and families' needs for essential services related to emergency shelter. [24 CFR 576.400(e)(1), (2), and (3)(iv)]
- 21.1.3 All activities carried out in compliance with the applicable written policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing assistance providers; other homeless assistance providers; and mainstream service and housing providers. [24 CFR 576.400(e)(1); 24 CFR 576.400(e)(2); 24 CFR 576.400(e)(3)(v)]
- 21.2 Homeless Prevention and Rapid Re-Housing:
- 21.2.1 The City and/or its subrecipients will periodically adopt written standards for the provision of homelessness prevention and rapid re-housing assistance, as required by 24 CFR 576.400(e)(1) and 24 CFR 576.400(e)(2).
- 21.2.2 These written standards cover the following topics (listed in 24 CFR 576.400(e)(3)):
- 21.2.2.1 Evaluating individuals' and families' eligibility for assistance under ESG;
- 21.2.2.2 Coordination among emergency shelter providers, essential services providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers;
- 21.2.2.3 Determining and prioritizing which eligible families and individuals would receive homelessness prevention assistance and which eligible families and individuals would receive rapid re-housing assistance;
- 21.2.2.4 Determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid

re-housing assistance;

21.2.2.5 Determining how long the program participant will be provided with rental assistance and whether and how the amount of that assistance would be adjusted over time;

21.2.2.6 Determining the type, amount, and duration of housing stabilization and/or relocation services to provide to the program participant.

21.2.3 The City will confirm the program participant records show that homelessness prevention and rapid re-housing assistance were provided in accordance with the applicable written standards. [24 CFR 576.400

21.3 Housing Relocation and Stabilization Services

21.3.1 Financial Assistance Costs: Must be eligible costs as listed in 24 CFR 576.105(a) and paid only to a housing owner, utility company, or other third party (not directly to the program participant). [24 CFR 576.105(a)].

21.3.2 Rental Assistance (Limit): Each program participant's total rental assistance, including any rental arrears and last month's rent, stay within the limit of 24 months during any 3-year period. [24 CFR 576.106(a)]

22.0 Evaluation Of Program Participant Eligibility and Needs 24 CFR § 576.401

22.1 Evaluations. The recipient or its subrecipient must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under § 576.400(d) and the written standards established under § 576.400(e).

22.2 Re-evaluations for homelessness prevention and rapid re-housing assistance. The recipient or subrecipient must re-evaluate the program participant's eligibility and the types and amounts of assistance the program participant needs not less than once every 3 months for program participants receiving homelessness prevention assistance, and not less than once annually for program participants receiving rapid re-housing assistance. At a minimum, each re-evaluation of eligibility must establish that:

22.2.1 The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and

22.2.2 The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.

22.3 The recipient or subrecipient may require each program participant receiving homelessness prevention or rapid re-housing assistance to notify the recipient or subrecipient regarding changes in the program participant's income or other circumstances (e.g., changes in household composition) that affect the program participant's need for assistance under ESG. When notified of a relevant change, the recipient or subrecipient must re-evaluate the program participant's eligibility and the amount and types of assistance the program participant needs.

22.4 Annual income: When determining the annual income of an individual or family, the recipient or subrecipient must use the standard for calculating annual income under 24 CFR 5.609.

22.5 Connecting program participants to mainstream and other resources: The recipient and its subrecipients must assist each program participant, as needed, to obtain:

- 22.5.1 Appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; and
- 22.5.2 Other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability, including:
 - 22.5.2.1 Medicaid (42 CFR chapter IV, subchapter C);
 - 22.5.2.2 Supplemental Nutrition Assistance Program (7 CFR parts 271–283);
 - 22.5.2.3 Women, Infants and Children (WIC) (7 CFR part 246);
 - 22.5.2.4 Federal-State Unemployment Insurance Program (20 CFR parts 601–603, 606, 609, 614–617, 625, 640, 650);
 - 22.5.2.5 Social Security Disability Insurance (SSDI) (20 CFR part 404);
 - 22.5.2.6 Supplemental Security Income (SSI) (20 CFR part 416);
 - 22.5.2.7 Child and Adult Care Food Program (42 U.S.C. 1766(t) (7 CFR part 226));
 - 22.5.2.8 Other assistance available under the programs listed in § 576.400(c).

22.6 Housing stability case management: While providing homelessness prevention or rapid re-housing assistance to a program participant, the recipient or subrecipient must:

- 22.6.1 Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability; and
- 22.6.2 Develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligible and likely to receive; and the relative affordability of available housing in the area.

23.0 Terminating Assistance 24 CFR § 576.402:

23.1 If a program participant violates program requirements, the recipient or subrecipient may terminate the assistance in accordance with a formal process established by the recipient or subrecipient that recognizes the rights of individuals affected. The recipient or subrecipient must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases in accordance with 24 CFR 576.402.

24.0 Shelter And Housing Standards 24 CFR § 576.403:

24.1 Minimum standards for emergency shelters and permanent housing for which Emergency Solutions Grant funding is used for should be in accordance with 24 CFR 576.403.

25.0 Displacement, Relocation, And Acquisition 24 CFR § 576.408:

25.1 Consistent with the other goals and objectives of Emergency Solutions Grant (ESG), the recipient and its subrecipients must assure that they have taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of a project assisted under Emergency Solutions Grant (ESG) in accordance with 24 CFR 576.408.

26.0 Protection For Victims Of Domestic Violence, Dating Violence, Sexual Assault, Or Stalking 24 CFR § 576.409:

26.1 Applicability of VAWA protections: The protections for victims of domestic violence, dating violence, sexual assault, or stalking who are applying for, or are the beneficiaries of, assistance under a HUD program covered by the Violence Against Women Act (VAWA), as amended (42 U.S.C.

13925 and 42 U.S.C. 14043e et seq.) (“covered housing program,” as defined in § 5.2003). Notwithstanding the title of the statute, protections are not limited to women but cover victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation. Consistent with the nondiscrimination and equal opportunity requirements at 24 CFR 5.105(a), victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD programs must also be operated consistently with HUD's Equal Access Rule at § 5.105(a)(2), which requires that HUD-assisted and HUD-insured housing are made available to all otherwise eligible individuals and families regardless of actual or perceived sexual orientation, gender identity, or marital status as defined in 24 CFR part 5, subpart L

26.2 Covered housing provider: For the ESG program, “covered housing provider,” as such term is used in HUD's regulations in 24 CFR part 5, subpart L, refers to:

26.2.1 The recipient or subrecipient that administers the rental assistance for the purposes of 24 CFR 5.2005(e);

26.2.2 The housing owner for the purposes of 24 CFR 5.2005(d)(1), (d)(3), and (d)(4) and 5.2009(a);

26.2.3 The housing owner and the recipient or subrecipient that administers the rental assistance for the purposes of 24 CFR 5.2005(d)(2); and

26.2.4 The housing owner and the recipient or subrecipient that administers the rental assistance for the purposes of 24 CFR 5.2007. However, the recipient or subrecipient may limit documentation requests under 24 CFR 5.2007 to only the recipient or subrecipient, provided that:

26.2.4.1 This limitation is made clear in both the notice described under 24 CFR 5.2005(a)(1) and the rental assistance agreement;

26.2.4.2 The entity designated to receive documentation requests determines whether the program participant is entitled to protection under VAWA and immediately advise the program participant of the determination; and

26.2.4.3 If the program participant is entitled to protection, the entity designated to receive documentation requests must notify the owner in writing that the program participant is entitled to protection under VAWA and work with the owner on the program participant's behalf. Any further sharing or disclosure of the program participant's information will be subject to the requirements in 24 CFR 5.2007.

26.3 Notification: As provided under 24 CFR 5.2005(a) each recipient or subrecipient that determines eligibility for or administers ESG rental assistance is responsible for ensuring that the notice and certification form described under 24 CFR 5.2005(a)(1) is provided to each applicant for ESG rental assistance and each program participant receiving ESG rental assistance at each of the following times:

26.3.1 When an individual or family is denied ESG rental assistance;

26.3.2 When an individual or family's application for a unit receiving project-based rental assistance is denied;

26.3.3 When a program participant begins receiving ESG rental assistance;

26.3.4 When a program participant is notified of termination of ESG rental assistance; and

26.3.5 When a program participant receives notification of eviction.

- 26.4 Emergency transfer plan: The subrecipient must develop the emergency transfer plan under 24 CFR 5.2005(e)
 - 26.4.1 Each subrecipient that administers ESG rental assistance.
 - 26.4.2 Once the applicable plan is developed in accordance with this section, the recipient and each subrecipient that administers ESG rental assistance must implement the plan in accordance with 24 CFR 5.2005(e).
- 26.5 Each emergency transfer plan must meet the requirements in 24 CFR 5.2005(e) and include the following program requirements:
 - 26.5.1 For families living in units receiving project-based rental assistance (assisted units), the required policies must provide that if a program participant qualifies for an emergency transfer, but a safe unit is not immediately available for an internal emergency transfer, that program participant shall have priority over all other applicants for tenant-based rental assistance, utility assistance, and units for which project-based rental assistance is provided.
 - 26.5.2 For families receiving tenant-based rental assistance, the required policies must specify what will happen with respect to the non-transferring family member(s), if the family separates in order to effect an emergency transfer.
- 26.6 Bifurcation: The following requirements shall apply in place of the requirements at 24CFR 5.2009(b):
 - 26.6.1 When a family receiving tenant-based rental assistance separates under 24 CFR 5.2009(a), the family's tenant-based rental assistance and utility assistance, if any, shall continue for the family member(s) who are not evicted or removed.
 - 26.6.2 If a family living in a unit receiving project-based rental assistance separates under 24 CFR 5.2009(a), the family member(s) who are not evicted or removed can remain in the assisted unit without interruption to the rental assistance or utility assistance provided for the unit.
- 26.7 Emergency shelters: The following requirements apply to emergency shelters funded under § 576.102:
 - 26.7.1 No individual or family may be denied admission to or removed from the emergency shelter on the basis or as a direct result of the fact that the individual or family is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the individual or family otherwise qualifies for admission or occupancy.
 - 26.7.2 The terms "affiliated individual," "dating violence," "domestic violence," "sexual assault," and "stalking" are defined in 24 CFR 5.2003.

27.0 Matching Requirements 24 CFR § 576.201:

- 27.1 The City is a metropolitan city, it makes matching contributions to supplement its ESG program in an amount that equals the amount of ESG funds provided by HUD. [24 CFR 576.201(a)(1)]
- 27.2 All matching contributions meet the following requirements:
 - 27.2.1 All requirements that apply to the ESG funds provided by HUD, except the expenditure limits;
 - 27.2.2 The matching contributions were provided after the date that HUD signed the grant agreement;
 - 27.2.3 Cash contributions were expended within the expenditure deadline and noncash contributions were made within the expenditure deadline;

- 27.2.4 Contributions used to match a previous ESG grant were not used to match a subsequent ESG grant;
- 27.2.5 Contributions that have been or will be counted as satisfying a matching requirement of another federal grant or award were not counted as satisfying ESG matching requirements; and
- 27.2.6 The statutes governing any of the federal funds the recipient used as matching contributions do not prohibit the use of those funds as match for ESG. [24 CFR 576.201(c)(1)-(5); 24 CFR 576.201(b)(2)(i); 24 CFR 576.203]

28.0 PROCUREMENT REQUIREMENTS

- 28.1 The City and its subrecipients are required to use established written procurement procedures. [24 CFR 84.44(a); 24 CFR 85.36(b)(1)]

29.0 EQUIPMENT AND EQUIPMENT DISPOSITION REQUIREMENTS

29.1 Sample Equipment Tracking Table

- 29.1.1 This or a similar tracking table will be utilized for any equipment acquired or disposed of utilizing ESG funding.
- 29.1.2

Complete the table below after selecting equipment transactions for review. (If additional rows are needed, please attach an additional sheet.)

Item	Date Acquired	Acquisition Cost	Federal Share of Acquisition Cost	Disposition Date	Disposition Proceeds	Federal Share of Disposition Proceeds (in \$)

29.2 Equipment Management

- 29.2.1 The City and its subrecipients maintain equipment records that contain the information required by the applicable regulations. [24 CFR 84.34; 24 CFR 85.32(d)(1); 24 CFR 576.407(c)]

29.3 Equipment Disposition

- 29.3.1 The City and its subrecipients' must have procedures requiring efforts to obtain the highest possible return for sale of equipment. [24 CFR 84.34(f)(6); 24 CFR 85.32(d)(5); 24 CFR 576.407(c)]

Appendix A

Personally Identifying information Policy



City of Modesto
Community Development Division
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housing@modestogov.com

Committee: Citizens Housing and Community Development Committee Approved:
City Council: Resolution No. Approved:

These policies supersede any previously adopted policies and are subject to review and revision by the City of Modesto's Citizens Housing and Community Development



CITY OF MODESTO PERSONALLY IDENTIFYING INFORMATION POLICY

1.0 PURPOSE AND OVERVIEW

1.1 The Emergency Solutions Grant (ESG) Program is a federal program operated by the U.S. Department of Housing and Urban Development (HUD) to make grants to states, local governments, and territories for the purposes of funding activities that directly serve people experiencing homelessness, including people at risk of homelessness. The City of Modesto (The City) is a direct recipient of ESG from HUD. The City administers an annual allocation of ESG and an additional one-time allocation of ESG made available under the CARES Act.

For the purposes of this document, “annual ESG” refers to The City’s annual allocation of ESG, “ESG-CV” refers to The City’s one-time allocation of CARES Act ESG, and “ESG” refers to the program in general and to aspects of the program that apply to both annual ESG and ESG-CV. This Appendix A to the ESG Program Personally Identifying Information Policy (the “PII Policy”) provides comprehensive guidance on that subject to ESG projects.

1.2 Applicability:

This Manual applies to ESG grants funded using:

- 1.2.1.1 Annual ESG
- 1.2.1.2 ESG CV;

2.0 GENERAL REQUIREMENTS

- 2.1.1 The ESG Program’s primary regulatory body is 24 CFR Part 576, the ESG Program Interim Rule¹. The ESG Program Interim Rule requires that recipients (e.g. City) and subrecipients (including ‘sub-subrecipients) ensure the following²:
- 2.1.2 All records containing personally identifying information [PII] of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;
- 2.1.3 The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under ESG will not be made public except with written authorization of the person responsible for the operation of the shelter
- 2.1.4 The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.
- 2.1.5 This requirement’s functional impact is recipients and subrecipients must develop

¹ <https://www.hudexchange.info/resource/1927/hearth-esg-program-and-consolidated-planconforming-amendments/>

² 24 CFR 576.500

confidentiality policies and procedures in writing to keep confidential every ESG applicant’s or participant’s personally identifiable information (PII) they receive for any reason, including participant housing locations/addresses, as well as the locations/addresses of any domestic violence shelters. Addressing this requirement is the primary purpose of this Policy.

2.2 Defining And Identifying Personally Identifying Information Care

- 2.2.1 PII is defined by OMB M-07-116, “Memorandum for the Heads of Executive Departments and Agencies, as follows:
- 2.2.2 “Information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual.”
- 2.2.3 PII is sometimes also called “personally identifiable information,” “personal protected information” or PPI, and other similar terms and acronyms.
- 2.2.4 Some examples of PII include:

Personally Identifiable Information

When Alone	When Combined w/Other PII
Names	Date and place of birth
Social security numbers	Race or ethnicity
Driver’s license numbers	Religion
Patient ID numbers	Geographical indicators
Addresses	Financial information
Personal telephone numbers	

Biometric data

- 2.2.5 Further, sensitive personally identifying information (SPII) is defined in HUD’s April 2015 “Protecting PII: Capacity Building Guidance on Protecting Privacy Information” as follows: “PII that when lost, compromised or disclosed could substantially harm an individual.” Some examples of SPII include social security numbers, medical records, credit/debit/bank account information, immigration status, criminal records, medical information, and any information that could be used to locate a person fleeing domestic violence. There is no comprehensive list of every piece of information that is PII or SPII. Instead, recipients and subrecipients must assess each participant record to determine whether it contains information that, either alone or when combined with other information in the record, constitutes PII or SPII.

2.3 Locating Personally Identifying Information PII can be found in any record containing participant information, and those records can in theory be found, stored, or accidentally left in any physical or digital location. For the purposes of the ESG program, PII is most often located in one of the following places:

- 2.3.1.1 In HMIS
- 2.3.1.2 In ESRI ArcGIS, survey 123
- 2.3.1.3 In long term physical storage.

2.3.2 However, PII is PII no matter where it is located, how you store it, or how well you secure it. Recipients and subrecipients must assess each ESG program record they generate or receive to determine whether they contain PII.

2.3.3 For service providers, the most common PII collection points are:

- 2.3.3.1 Upon first contact with a participant
- 2.3.3.2 At project intake
- 2.3.3.3 At lease-up
- 2.3.3.4 During the case management process (e.g. case notes)
- 2.3.3.5 At lease renewal and recertification
- 2.3.3.6 At project exit

2.3.4 The confidentiality protections in this policy do not extend to employees whose salary is paid for by ESG. Staff information, including names and salaries, is commonly shared between recipients and subrecipients, including during the grant application, contracting, and reimbursement request processes.

2.4 Protecting Personally Identifying Information Subrecipients are required by this Policy to develop policies and procedures for protecting PII in accordance with the principles in this section. The City's policies and procedures for protecting PII are established in Section IV of this Policy.

2.5 Most of the information in this section of this Policy is drawn from HUD's April 2015 "Protecting PII: Capacity Building Guidance on Protecting Privacy Information" guidance. For more information, please refer to that document.

2.5.1 **Limit Collection:** Do not collect PII unless you need it to meet a requirement. When you collect PII, only collect the information you need. Make sure you are authorized to collect the PII you are collecting. Authorization can come either from an internal authority (e.g. your supervisor), an external authority (e.g. a statute or regulation, written standards), or your organizational obligations (e.g. contracts, non-disclosure and confidentiality agreements).

2.5.2 **Manage Access:** Only share or discuss PII on a 'need to know' basis. Never discuss or release PII without authorization. Before discussing PII over the telephone or a video call, confirm that you are speaking to the right person and inform them that the

conversation will include PII. Avoid discussing PII if there are people around who aren't authorized to hear it. Hold meetings where PII might be discussed in secure spaces. Treat meeting minutes and notes as confidential until and unless you can verify that they do not contain PII. For meetings that do include PII: record their date, time, place, subject, chair, and attendees. Do not leave PII in a voicemail. Do not text PII. Do not send PII via unencrypted email or between email servers that do not share security protocols.

2.5.3 Protecting Physical Files: The City's ESG funded programs do not maintain physical or printed files in any form. For subrecipients the City reviews for the following Physical File protections: Clearly label all files containing PII. Store all files in lockable storage containers (e.g. lockable file cabinets). Lock them when not in use. Do not leave PII in open areas unattended. Do not access records containing PII except in work areas that are secure. Develop a centralized record of where PII is stored. Develop a policy that specifies when and how you will periodically check that the storage is secure, and the record is correct. Treat external digital media the same as physical files.

2.5.4 Protecting Electronic Files: Appropriate security measures must be adhered to during handling, transfer and storage of electronic files which contain PII. Appropriate measures include: Clearly distinguish between files that do and do not contain PII. Deploy appropriate security measures (e.g. file and digital media encryption, two factor authentication, limiting which users can access files containing PII). If the recipient/subrecipient uses an electronic system, it must maintain an adequate back-up system for the files and must ensure that privacy protections are established and followed that adhere to other federal privacy regulations, such as HIPAA (Health Insurance Portability & Accountability Act).

2.6 The City of Modesto 'Information Technology Department security team can provide guidance and assistance with implementing appropriate security measures.

2.6.1 Additional File Protection Guidance: Do not remove PII from authorized facilities without approval from an appropriate party (preferably in writing). Do not use interoffice or translucent envelopes to send PII within or between agency facilities; instead, use sealable (and sealed) envelopes marked to the recipient's attention. Double-wrap any envelopes sent through via the United States Postal Service (USPS) or equivalent service and mark them as confidential to the recipient's attention. Require a signature from the recipient when sending PII via courier or equivalent service.

2.6.2 Electronic Transmissions of PII: When faxing PII: use date stamps, confirm the recipient's fax number, confirm the recipient is available to receive the fax, and confirm that they receive the fax. Also, ensure that your fax machine does not store a record of the transmission that renders PII retrievable, shred your physical copy of the transmission once you have confirmed it arrived, and, whenever possible, use a fax machine with a secure transmission line. When emailing PII: confirm the recipient's email address,

confirm receipt of the email, and whenever possible, send PII exclusively between two secure (encrypted) email servers. (Consult with your organization's information technology experts if you aren't sure.) If you must send PII to an unencrypted email server, ensure that the PII is contained within an encrypted file attached to the email. Do not store PII on shared drives, calendars, your intranet, or any unsecured or publicly accessible location on the internet.

- 2.6.3 Record Management, Retention, and Disposal: Do not maintain records for longer than required (by statute, regulation, or contract) unless there is a compelling reason to do so and unless the extended period of retention is approved by the appropriate person within your agency. (For the record retention period for ESG participant information, refer to 24 CFR 576.500(x-z).) Once you have determined that a record can be disposed of, destroy the record permanently. Physical records should be shredded. Electronic records should be permanently erased; for more information about how to permanently erase an electronic record, consult with your information technology experts.
- 2.6.4 Data Breach Response: A data breach means that PII has been viewed by, leaked to, or accessed by someone who was not authorized to view, access, or receive it. Responses will depend on the City's Information Technology Department protocols. The City of Modesto's Helpdesk is to be notified as soon as there is a suspected breach at 209-571-5500. For City of Modesto subrecipients the following at minimum is required: City of Modesto will be notified immediately at 209-577-5211; Program Staff will notify the Information Technology Helpdesk at 209-571-5500 to ensure that at a minimum the City can verify that its systems are not compromised. HUD requests that ESG recipients and subrecipients report any breaches or suspected breaches of SPII within the ESG program to HUD's National Help Desk at 1-888-297-8689.

3.0 SUBRECIPIENT-SPECIFIC REQUIREMENTS

3.1 Subrecipients are required to develop a policy that meets the following requirements:

- 3.1.1 In general, the policy must provide for how the subrecipient will secure and keep confidential any participant PII it receives for any reason;
- 3.1.2 The policy must incorporate every element of Section II.D. of this Policy that states that an entity "must" or "shall" take a specific action, or is otherwise clear and specific that an entity must take a specific action.
- 3.1.3 Documentation of each program participant's qualification as homeless or at risk of homelessness and other program participant records must be retained in accordance with the requirements at 24 CFR part 576.500(y). Recipients/subrecipients may store files electronically but must be able to produce records in hard copy upon request or allow them to be viewed as part of an on-site or remote monitoring or audits conducted by designated federal agency staff or by the HUD Office of Inspector General.

3.1.4 Further, the City strongly encourages subrecipients' policies to incorporate every element of Section II.D. of this Policy that states that an entity "should" take a specific action.

3.2 Redacting PII: Subrecipients are required to redact all PII on all documents submitted to their grantors unless their grantor explicitly requests an unredacted document. This includes but is not limited to documents submitted as part of the monitoring process, including client files.

3.2.1 "Redacted" means that PII has been permanently erased, covered, or removed such that it cannot be retrieved by anyone in possession of the document. This is often accomplished by using correction fluid, correction tape, or an opaque black marker.

3.2.2 Note that when using an opaque black marker, a single layer is often not sufficient to completely redact a file. Instead, a file should be redacted using an opaque black marker, scanned, printed, and redacted a second time; the second redaction should permanently remove all redacted PII.

4.0 CITY-SPECIFIC REQUIREMENTS

4.1 In general, the City has adopted the recommendations in Section II.D. of this Policy. Those recommendations have been codified as specific procedures in this section of this Policy. City staff working on the ESG Program are required to adhere to the procedures in this section of this Policy.

4.2 Requirements: Do not collect PII unless you are required to do so by HUD, your supervisor, or an existing contract or grant agreement. When you collect PII, only collect the information you need to meet the aforementioned requirement. Do not collect PII unless you are explicitly authorized to do so in one of the following ways:

4.2.1 As part of a routine job duty that is part of your position description that requires the collection of PII (e.g. subrecipient monitoring);

4.2.2 As part of an irregular job duty, you are assigned in writing by your supervisor that requires the collection of PII;

4.2.3 As otherwise authorized or required in writing by your supervisor.

4.2.4 As required by HUD and or other federal partners, policies, or regulations.

4.3 Do not discuss or release PII to any party without authorization from your supervisor. Before discussing PII, ensure that you are speaking to the right person; this is especially important during remote meetings when you cannot see the person you are speaking to. Hold meetings involving PII in secure spaces, which can include online spaces where all participants are visible and known. If you are meeting with any person (inside or outside of the City of Modesto) who might not be authorized to receive the PII in question, inform them that the conversation will include PII and provide them an opportunity to excuse themselves. Treat meeting notes as confidential until you have reviewed them and determined they do not contain PII. For meetings that include PII, record their date, time, place, subject, chair, and all attendees.

- 4.4** Do not leave PII in a voicemail. Do not text PII. Do not send PII via instant messenger except via Microsoft Teams to someone who is authorized to receive it. Do not place PII on a calendar, in an unsecured shared drive, or in any unsecured location on the internet. Do not send PII to an unencrypted email server; if you are unsure whether a destination email server is encrypted, consult with the appropriate City information technology experts.
- 4.5** When emailing PII: confirm the recipient's email address in advance, encrypt the email adding the Do Not Forward option, and confirm their receipt of the email after you have sent it.
- 4.6** When faxing PII: confirm the recipient's address and that the recipient is ready to receive the transmission, confirm their receipt of the transmission, destroy your copy of the transmission after it has been received, and erase any record of the transmission within the fax machine. Whenever possible, use a fax machine with a secure line.
- 4.7** Do not remove physical files or use external digital media containing PII (e.g. thumb drives, external hard drives) from City facilities without authorization in writing from your supervisor. Do not send physical files or external digital media containing PII via USPS or any mailing service except courier. When using a courier, use a double-wrapped opaque envelope, address the package to the recipient's attention, and require the recipient's signature upon delivery.
- 4.8** Clearly label all physical files containing PII. Store all files in a lockable storage container, which may include a lockable filing cabinet, regardless of whether you are working from a City facility or from a remote location. Lock them when not in use. Do not leave PII unattended outside a lockable storage container. Do not access PII except in a secured area of a City facility or from a remote location where you can ensure no one without authorization can access it.
- 4.9** City shall develop a centralized record of where physical PII is stored at City facilities and in long term storage for physical file records. City shall review the centralized record at least annually to ensure that the record matches actual storage.
- 4.10** City shall develop an electronic filing system for storing digital PII records. The City shall develop a centralized record of where digital PII records are stored. City shall review the centralized record at least annually to ensure that the record matches actual storage. City shall further review this procedure with each staff person involved with the ESG Program at least annually to ensure they are correctly implementing it.
- 4.11** Whenever possible, digital records containing PII should be encrypted. Whenever possible a two-factor authentication to access any digital record containing PII should be implemented. The period of record retention for ESG is enumerated in 24 CFR 576.500(y). For any record containing PII: after that record's period of retention has expired, that record should be permanently destroyed unless there is a compelling reason to retain it and a period of extended retention is approved by someone with supervisory authority. Records shall be destroyed in accordance with standard City policies and procedures.

4.12 In the event of an internal data breach (i.e. a data breach instigated by or beginning with a City staff person) as defined in this Policy, City shall take the following actions:

4.12.1 Notify the City's Information Technology Team to determine the following:

4.12.1.1 Determine the nature and extent of the breach;

4.12.1.2 Re-secure the information to the extent possible by retrieving records, destroying copies, overseeing the process for permanently digitally erasing records, etc.;

4.12.1.3 Consult with the appropriate legal authority at City to determine what information should be disclosed about the breach to external stakeholders, including participants, and to what extent;

4.12.1.4 Act as quickly as possible in accordance with the legal advice provided in response to the above.

4.12.2 When original records are electronic and cannot be altered, there is no need to create and retain paper copies. When original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable.

4.12.2.1 In the event of a data breach involving a City subrecipient, the City shall:

4.12.2.1.1 Work with the subrecipient to determine the nature and extent of the breach;

4.12.2.1.2 Ensure the subrecipient is following their internal processes related to ESG data breaches

4.12.2.1.3 Consult with the appropriate legal authority at the City to determine any additional actions that should be taken;

4.12.2.1.4 Act as quickly as possible in accordance with the legal advice provided in response to the above, including encumbering subrecipients with any applicable or appropriate requirements.

5.0 APPENDIX A

Date Effective	Description
08.03.2023	Document updated, IT Review
07.24.2023	Document created, first revision

Appendix B
Homeless Definitions &
Recordkeeping Requirements

CRITERIA FOR DEFINING HOMELESS

Category 1	Literally Homeless	<p>(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> (i) Has a primary nighttime residence that is a public or private place not meant for human habitation; (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); <u>or</u> (iii) Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
Category 2	Imminent Risk of Homelessness	<p>(2) Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; <u>and</u> (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing
Category 3	Homeless under other Federal statutes	<p>(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ul style="list-style-type: none"> (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; <u>and</u> (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers
Category 4	Fleeing/ Attempting to Flee DV	<p>(4) Any individual or family who:</p> <ul style="list-style-type: none"> (i) Is fleeing, or is attempting to flee, domestic violence; (ii) Has no other residence; <u>and</u> (iii) Lacks the resources or support networks to obtain other permanent housing

Appendix B
Homeless Definitions &
Recordkeeping Requirements

RECORDKEEPING REQUIREMENTS

Category 1	Literally Homeless	<ul style="list-style-type: none"> • Written observation by the outreach worker; <u>or</u> • Written referral by another housing or service provider; <u>or</u> • Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter; • For individuals exiting an institution—one of the forms of evidence above <u>and</u>: <ul style="list-style-type: none"> ○ discharge paperwork <u>or</u> written/oral referral, <u>or</u> ○ written record of intake worker’s due diligence to obtain above evidence and certification by individual that they exited institution
Category 2	Imminent Risk of Homelessness	<ul style="list-style-type: none"> • A court order resulting from an eviction action notifying the individual or family that they must leave; <u>or</u> • For individual and families leaving a hotel or motel—evidence that they lack the financial resources stay; <u>or</u> • A documented and verified oral statement; <u>and</u> • Certification that no subsequent residence has been identified; <u>and</u> • Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing
Category 3	Homeless under other Federal statutes	<ul style="list-style-type: none"> • Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; <u>and</u> • Certification of no PH in last 60 days; and • Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved two or more times in the past 60 days; <u>and</u> • Documentation of special needs <u>or</u> 2 or more barriers
Category 4	Fleeing/ Attempting to Flee DV	<ul style="list-style-type: none"> • <i>For victim service providers:</i> <ul style="list-style-type: none"> ○ An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker. • <i>For non-victim service providers:</i> <ul style="list-style-type: none"> ○ Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; <u>and</u> ○ Certification by the individual or head of household that no subsequent residence has been identified; <u>and</u> ○ Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.