

# Oregon Housing and Community Services

## Emergency Solutions Grant Operations Manual

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Housing Stabilization Division

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## I. Program Summary

### A. Purpose

The Emergency Solutions Grant (ESG) provides federal funds to assist individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness. ESG funds are available for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and data collection through the Homeless Management Information System; as well as administrative activities. The ESG program is authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 – 11378).

### B. Program Standards

Subgrantees are required to comply with the department's state minimum standards for providing ESG assistance and when established, those standards relevant to ESG that are required by their Continuum of Care. The following minimum program standards are required for delivering the ESG program as outlined in CFR 576.400 (c) (3):

#### 1. Evaluating Eligibility for Assistance

Subgrantees are required to participate in and comply with their Continuum of Care centralized or coordinated intake and assessment system including utilizing standard COC assessment tools and protocols once they are established. Subgrantees may choose to utilize a different intake and assessment system for victims of domestic violence and other crimes where safety is a predominant concern.

The minimum eligibility process will include an initial phone or in person screening to determine whether or not the applicant meets one of HUD's categorical definitions of homeless or at risk of homelessness. If yes, then a more comprehensive assessment will be completed in person by Subgrantee staff to verify applicants' homeless status and determine which ESG service components they qualify for and that will address their housing need. Eligibility determinations must be documented in client files and preferably through third-party documentation. Intake worker observation or participant self-certification can be used when due diligence by staff and client is documented in the file indicating third-party verification is unavailable.

Re-evaluations of eligibility for continued receipt of homelessness prevention and rapid re-housing assistance are required—every three (3) months for prevention and annually for rapid re-housing. Minimally, each re-evaluation of eligibility must verify that the client household does not have an annual income that exceeds thirty (30) percent of HUD determined median family income for the service area **and** the household continues to lack sufficient resources and support networks needed to retain housing without ESG assistance. If a client household informs, but is not required to notify the Subgrantee of a change in income or other circumstances that may affect eligibility, there is no immediate effect on the program participant's eligibility and assistance can continue at the discretion of the subgrantee until the next required re-evaluation. There

is no HUD or OHCS requirement that the client notify the subgrantee of changes to income prior to the required re-evaluations as specified above.

### **Targeting and Providing Essential Services Related to Street Outreach**

Subgrantees are required to target unsheltered homeless individuals and/or families whose primary nighttime residence is a public or private place not meant for human habitation. It is recommended that preference be given to those special populations who are most vulnerable to being harmed by living in unsafe and unprotected places, i.e. victims of domestic and other forms of violence, youth, families with children, disabled, elderly, etc.

Engagement activities must include an initial assessment of needs and eligibility in order to prioritize the type and source of assistance required with safety and urgent health needs being the highest priority. Emergency health services, including mental health, can be funded with ESG only to the documented extent that other non-ESG funded appropriate health services are inaccessible or unavailable within the service area. Based on need and assessment, qualifying individuals and/or families will be offered essential services beyond emergency health and other crisis intervention assistance that include case management, transportation, and housing stabilization. Whenever feasible, rapid re-housing will be a priority over the provision or referral to emergency shelter or transitional housing.

## **2. Emergency Shelter Operations**

### ***Admission***

Subgrantees are required to have standardized screening and intake criteria in writing for determining eligibility for admission to emergency shelter. The criteria must be in compliance with Fair Housing Law and cannot force involuntary family separation by denying family admission based on the age of a child less than 18 years. The admission process requires an initial assessment to determine the homeless status of the applicant based on HUD's four categorical definitions of homeless (24 CFR 576.2) and meeting other Subgrantee determined eligibility criteria. The assessment process and tools must meet the service area's Continuum of Care centralized or coordinated assessment requirements (24 CFR 576.400(d) once developed.

### ***Diversion from Shelter***

Based on screening results, individuals and families should be diverted when appropriate to the most stable housing available including supportive or subsidized permanent housing using the Housing First or Rapid Re-housing service models.

### ***Essential Services and Referral***

Emergency shelter participants must have access to essential services either through direct service delivery by the Subgrantee and/or provision of information and referral to other service providers. Essential services include: case management; child care; education services, employment assistance and job training; outpatient health services; legal services; life skills training; mental health services; substance abuse treatment

services; transportation; services for special populations and mainstream income and health benefits where appropriate.

***Length of Stay and Discharge***

Provision of essential services and shelter must be available for homeless individuals and families for at least the time period during which the ESG funds are provided. Limitations on individual and family shelter stays, if any, must be identified in writing in the Subgrantees' policies and procedures governing shelter operations.

***Safety and Accommodations for Special Populations***

Any shelter facility that receives ESG assistance for conversion, major rehabilitation, renovation or operations is required to meet all federal, state and local government safety, sanitation and accessibility standards including compliance with the safety, sanitation and privacy requirements contained in 24 CFR 576.403.

Subgrantees are required to develop and implement written procedures and communication tools/materials that ensure persons of any particular race, color, ethnicity, religion, sex, age, national origin, familial status, or disability who may qualify for shelter and essential services are aware of and have access to such facilities and assistance. Reasonable accommodations for persons with disabilities must be available in order to ensure disabled participants have an equal opportunity to utilize the shelter and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act.

Subgrantees are also required to have written procedures in place that ensure access to shelter facilities, assistance and services for limited English proficiency (LEP) persons. It is highly recommended that Subgrantees develop and implement an agency Language Access Plan following guidelines provided in the Fair Housing Guide for Shelter and Transitional Housing Providers which can be accessed at [www.fhco.org](http://www.fhco.org) or HUD guidelines located at:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/promotingfh/lep-faq](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq).

Domestic violence victims and other persons in need of victim services must have access to a safe setting and have their identity protected. Subgrantees are required to implement procedures to ensure confidentiality of records pertaining to any individual who is provided family violence prevention, treatment or other services. Subgrantees must also certify that the address of a family/individual violence shelter will not be made public without permission of the shelter agency.

Subgrantee emergency shelter policies and procedures must:

- Prohibit disclosing personally identifying victim information to any third party without consent of the victim;
- Ensure victim consent is reasonably time-limited, written and specific as to who information will be shared;

- Identify and utilize an alternative HMIS to collect program data that will prevent the disclosure of personally identifying victim information; **and**
- Include confidentiality policies and procedures that require staff to refrain from discussing client information in public and ensure client records are secure and only accessible to authorized staff.

### **3. Assessing, Prioritizing and Reassessing Needs for Essential Services**

#### **Related to Emergency Shelter**

Subgrantees are required to have a written standard assessment process and tool(s) that are applied to all eligible recipients of shelter essential services. Prioritization for services must align with service area homeless and/or community needs assessment plans. When developed, Subgrantees are required to comply with their services area(s) Continuum of Care assessment and prioritization requirements (576.400(d)), including verifying and documenting eligibility.

Shelter essential services include: case management; child care; education services; employment assistance and job training; outpatient health services; legal services; life skills training; mental health services; substance abuse treatment services; transportation; and services for special populations. Provision of services should be determined based on client need and in alignment with Subgrantee's targeted populations.

Provision of essential services and shelter must be available to shelter residents for at least the time period during which the ESG funds are provided. Services do not need to be limited to a particular site as long as the site serves the same categories and types of homeless originally provided with essential services or serves homeless persons in the same service area where the Subgrantee originally provided the services.

### **4. Coordination Among Homeless Assistance Providers, Mainstream Service Providers and Housing Providers**

The state's Continuums of Care are community-based homeless assistance program planning networks whose responsibilities include the promotion of access to and effective utilization of homeless and mainstream programs by the homeless. Subgrantees are required to be active members of their respective COC and contribute to the identification, development and coordination of resources that will promote and increase the efficiency and effectiveness of the community's homeless system.

Subgrantees must coordinate and integrate, to the extent possible, their ESG-funded assistance with other programs serving homeless and at-risk of homelessness people within their service area (refer to 24 CFR 576.400). Documentation of such coordination will minimally include written COC verification of review and support of the Subgrantee's plan for utilizing ESG funds as part of the Subgrantee's biennial funding application to the state.

## **5. Determining and Prioritizing Eligibility for Homeless Prevention and Rapid Re-housing Assistance**

Determination of eligibility for homeless prevention requires an in-person assessment (in compliance with COC coordinated/centralized assessment procedures when established) to verify that applicants meet HUD's categorical definition for imminent risk of homelessness, homeless under other federal statutes, fleeing/attempting to flee domestic violence, or at-risk of homelessness **and** have an annual income at 30% or below of area median income. Homeless status and income eligibility must be documented in client files through third-party verification unless written justification is provided showing that due diligence was conducted substantiating that third-party was not available/accessible. Additionally, the assessment must indicate that prevention assistance would likely allow the applicant to regain stability in their current permanent housing or access other permanent housing and achieve stability.

Prioritization for homeless prevention assistance must comply with Continuum of Care standards once developed. Minimally, prioritization should align with vulnerable homeless and at-risk of homelessness populations identified in Subgrantee's service area homeless plan(s) and/or community assessment(s).

Determination of eligibility for rapid re-housing requires an initial assessment to verify that clients meet HUD's categorical definition for literally homeless or fleeing/attempting to flee domestic violence and are literally homeless. Homeless status must be documented in client files in accordance with HUD documentation standards with preference given to third-party verification where available.

Prioritization for rapid re-housing must comply with Continuum of Care standards once developed and be supported by Subgrantee service area homeless plans and/or community assessment data. When appropriate, local prioritization should also align with HUD's homeless strategic plan goals for ending chronic homelessness, homelessness among Veterans, and families with children and youth homelessness.

## **6. Determining Client's Share of Rent and Utility Costs**

Subgrantees must comply with existing Continuum of Care standards once developed for determining client's required share of rent and utility costs. State minimum standards require that whatever rent assistance model is chosen must be consistently implemented for all households within each ESG funded program. Acceptable models include a client flat rate (specific dollar amount) contribution, percent of gross household income (typically not to exceed 30%) or a graduated client share over a fixed time at intervals predetermined by the Subgrantee and communicated in advance to the client. Subgrantees can choose to not require any client contribution toward rent or utility costs unless their Continuum of Care standards require such contribution.

Utility assistance is limited to 24 months within a 3-year period and can be used to pay the cost of utility deposits, utility arrears, and gas, electric, water and sewage services. Assistance can only be provided if the utility account is in the name of a member of the

client household or there is documented proof of household responsibility for utility payments. Utility arrears assistance for homeless prevention requires a shut off notice and for rapid re-housing must result in utilities being turned on at the new permanent housing location. The client's share of the utility costs, in the absence of COC standards, is at the discretion of the Subgrantee who is encouraged to assist clients in accessing energy assistance programs for which they are eligible as a first option in providing utility assistance. It is recommended that utility deposits be returned to households when feasible.

## **7. Determining Duration and Amount of Rental Assistance Provided to Client**

The duration of rental assistance is limited to twenty-four months within a 3-year time period. Short-term assistance can be provided up to three (3) months and medium-term assistance is limited to twenty-four (24) months. The amount of rent assistance provided must be the least amount needed to stabilize clients in their permanent housing. Subgrantees have the discretion to further set a maximum number of months that a client may receive rental assistance and the maximum dollar amount of assistance. The process for determining such conditions must be applied consistently for all households within each ESG funded program, incorporated into the Subgrantee's ESG policies and procedures and communicated in advance to eligible clients.

## **C. HMIS Data Collection**

All data on persons served and all activities funded with ESG must be entered into the applicable Continuum of Care designated HMIS in the area in which those persons and activities are located, or a comparable database, as provided under 24 CFR part 580. The purpose of HMIS is to record and store client-level information about the numbers, characteristics, and needs of homeless and at risk homelessness persons who receive program assistance. Additional information about HMIS requirements is provided in this manual.

## **D. Continuum of Care Coordination**

HUD requires collaboration between ESG recipients/subrecipients and Continuums of Care in planning, funding, implementing and evaluating homeless assistance and homelessness prevention programs locally. Subgrantees are required to be active participants in their respective Continuum of Care and comply with Program Standard #5—*Coordination Among Homeless Assistance Providers, Mainstream Service Providers and Housing Providers*.

Subgrantees are expected to coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to homeless people in the area covered by their Continuum of Care and/or service area. These programs include (24 CFR 576.400 and 24 CFR 91.100(d)(e)) but are not exclusive to:

- Shelter Plus Care Program
- Supportive Housing Program
- Section 8 Moderate Rehabilitation Program for SRO Program for Homeless Individuals

- Veterans Affairs Supportive Housing
- Education for Homeless Children and Youth Grants for State and Local Activities
- Grants for the Benefit of Homeless Individuals
- Healthcare for the Homeless
- Programs for Runaway and Homeless Youth
- Projects for Assistance in Transition from Homelessness
- Services in Supportive Housing Grants
- Emergency Food and Shelter Program
- Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program
- Homeless Veterans Reintegration Program
- Domiciliary Care for Homeless Veterans Program
- VA Homeless Providers Grant and Per Diem Program
- Health Care for Homeless Veterans Program
- Homeless Veterans Dental Program
- Supportive Services for Veteran Families Program
- Veteran Justice Outreach initiative
- As well as 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, such as:
  - Public housing programs
  - Housing programs receiving tenant-based or project-based assistance
  - Supportive Housing for Persons with Disabilities
  - HOME Investment Partnerships Program
  - Temporary Assistance for Needy Families
  - Health Center program
  - State Children’s Health Insurance Program
  - Head Start
  - Mental Health and Substance Abuse Block Grants
  - Services funded under the Workforce Investment Act.

## II. Client Eligibility

### A. Assessment

All applicants must be assessed to determine eligibility for receipt of ESG funded services and assistance in accordance with *Program Standard #1—Evaluating Eligibility for Assistance*. Client assessment and determination of ESG eligibility includes the cost of staff time to complete an intake and/or assessment, either as a sole provider or through a coordinated assessment system even if it's determined from the evaluation the applicant is not eligible for ESG program assistance. When ESG funds are used to provide coordinated/centralized assessment, a Subgrantee is encouraged to utilize ESG funding with non-ESG funding in proportionate to the percentage of clients who are determined ESG eligible versus those referred to other programs. Other service costs associated with applicants determined to be ineligible for ESG assistance are not allowable including follow-up and case management.

### B. Household Composition

Homeless or at-risk of homelessness households who meet one or more of HUD determined categorical homeless definitions or criteria are eligible to receive program assistance. Household composition includes an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit. In all cases a household must lack sufficient resources and support networks necessary to obtain or retain housing without the provision of ESG assistance in order to be program eligible.

The type of ESG assistance for which an eligible household qualifies is determined by the stability of their current housing or their homeless status.

### C. Categorical Homeless Definitions and Criteria

Eligible applicants for program services must meet one of the following categorical definitions of homeless or criteria for being at-risk of homelessness:

**Category 1: Literally homeless**--a household that lacks a fixed, regular, and adequate nighttime residence, meaning:

- Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used for as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground); **or**
- 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**
- 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 the institution.

**Category 2: Imminent risk of homelessness**--a household that will imminently lose their primary nighttime residence, provided that:

- The residence will be lost within 14 days of the date of application for homeless assistance; **and**
- No subsequent residence has been identified; **and**
- The household lacks the resources or support networks needed to obtain other permanent housing.

**Category 3: Homeless Under Other Federal Statutes**-- Unaccompanied youth under 25 years of age, or family who do not otherwise qualify as literally homeless or imminent risk of homelessness, but who:

- 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); **and**
- 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; **and**
- 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**
- 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.

**Category 4: Fleeing, or attempting to flee, domestic violence**-- a household who:

- Is fleeing, or is 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; **and**
- Has no other residence; **and**
- Lacks the resources or support networks to obtain other permanent housing.

## **D. Criteria for At Risk of Homelessness Qualification**

Applicants for program services for at-risk individuals or households must meet the following definition of At Risk of Homelessness:

- Have an annual income at or below 30% of median household income for the area; **and**

- Do not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the “homeless” definition; **and** meet one of the following conditions:
- Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance; **or**
- Is living in the home of another because of economic hardship; **or**
- 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; **or**
- Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; **or**
- Lives in an SRO 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 one and a half persons per room; **or**
- 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**
- Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in OHCS’ approved Consolidated Plan.

A youth who does not qualify as homeless under the above eligibility criteria, is eligible if they:

- Qualify 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))m 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**
- Qualify 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.

The appendix in this manual has a convenient chart that identifies under which definition, Homeless or At Risk of Homelessness, an applicant might be eligible for services.

## **E. Criteria for Chronically Homeless Qualification**

Chronically homeless is defined as a person or family who 1) is homeless and lives or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter; 2) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least 1 year or on at least 4 separate occasions in the last 3 years; and 3) has an adult head of household (or a minor head of household if no adult is present in the household) who has at least one of the following: a diagnosable substance use disorder, serious mental illness, developmental disability (as

defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of two or more of those conditions. Additionally, the statutory definition includes a chronically homeless person who currently lives or resides in an institutional care facility including a jail, substance abuse or mental health treatment facility, hospital or other similar facility, and has resided there for fewer than 90 days if such person met the other criteria for homeless prior to entering that facility. (See 42 U. S. C. 11360(2))

When an individual or household has not been continuously homeless for at least one year, but has been homeless on at least four separate occasions in the last 3 years, each separate occasion must be at least 15 days in duration to ensure consistency for counting and eligibility purposes. HUD has determined that the 15-day minimum is an appropriate measure to distinguish the chronically homeless from the homeless population in general, so as to recognize chronically homeless people who have spent a significant amount of time as homeless.

A household will qualify as chronically homeless if the head of household has met all the requirements in the first paragraph of this section even if the household's size and composition fluctuates during the course of the head of household's homeless experience.

## **F. Income Determination and Requirements**

### **1) Income Eligibility**

There are no initial income eligibility requirements to receive program services, with the exception of homeless prevention assistance, which requires applicants to be at or below 30% AMI at time of intake. To qualify for continuation of rapid re-housing assistance, an applicant must have an annual income at or below 30% AMI at the time of re-evaluation.

### **2) Calculating Gross Annual Income**

Annual Income is the gross amount of income anticipated to be received by a household during the coming year based on the household's circumstances at the time of program intake and assessment. Annual Income determination is consistent with the Housing Choice Voucher definition of annual Income found at 24 CFR 5.609.

When determining the annual income of a household to establish eligibility for ESG assistance, Subgrantee must count the income of all adults in the household, including nonrelated individuals, within the limitations imposed by 24 CFR 5.609. Not everyone living in the unit is considered a member of the household for the purposes of determining a household's income. Excluded persons include: foster children, foster adults, live-in aides, children of live-in aides and an unborn child. A child subject to a shared-custody agreement should be counted as a household member if the child resides with the household at least 50 percent of the time.

Income generated by an asset, such as the interest on a savings or checking account is considered household income even if the household elects not to receive it. For example,

though an applicant may elect to reinvest the interest or dividends from an asset, the interest or dividends are still counted as income anticipated to be received during the coming 12 months. Asset income is discussed in 24 CFR 5.609. Income producing assets include: bank accounts; life insurance policies; lump sum additions (legal settlement, refund, etc.); personal property held as investments; retirement/pension funds; trusts; assets disposed of for less than fair market value; and stocks, bonds or mutual funds.

## **G. Eligibility Documentation and Recordkeeping**

Subgrantees must establish written intake procedures that include requirement of written documentation verifying eligibility for program services in accordance with the following preferred order of documentation:

**Third-party Verification**—source documents provided by an outside source.

Third party documentation is the preferable form of verification and includes but is not exclusive to written statement or document from employer, landlord, public benefit worker, or agency service provider. Written verification sent directly to program staff or via the applicant is preferred.

**Intake/Case Manager Worker Observation**—documented by ESG staff.

Staff documentation may include oral statements made by a social worker, case manager, or other appropriate official at an institution, shelter, or other facility and documented by the program intake worker/case manager. Use of oral statements is allowable when third-party documentation is not available.

**Participant Self-certification**—applicant signed document certifying eligibility.

Self-certification requires a written and signed document by the individual or head of household seeking assistance attesting to the eligibility facts for which they are certifying. A third party may be designated by a participant to sign documents on their behalf when they are unable to do so. If needed, Subgrantee must provide access to language interpretation services and assistive devices necessary for participants to understand the documents they are certifying.

Self-certification documentation is only used when documented staff efforts verify that third-party or worker observation documentation is not available. However, lack of third-party documentation must not prevent an individual or household from being immediately admitted to emergency shelter, receiving street outreach services or immediately accessing domestic violence/victim service shelter and assistance.

Documentation verifying eligibility must be available in client files or if kept electronically, available upon request. See the appendices in this manual for examples of appropriate documentation of applicant eligibility.

### III. Allowable Program Service Components and Activities

#### A. Service Components and Homeless Eligibility

ESG funds can pay for five program service components: Street Outreach; Emergency Shelter; Homelessness Prevention; Rapid Re-housing; and Homeless Management Information System (HMIS). The following chart shows which service components are available for homeless and/or at-risk households.

Component	Serving	
	Those who are Homeless	Those who are At-Risk of Homelessness
1) Street Outreach	✓	
2) Emergency Shelter	✓	
3) Homelessness Prevention		✓
4) Rapid Re-housing	✓	
<b>Collecting Data</b>		
5) Homeless Management Information System (HMIS)	✓	✓

#### B. Street Outreach

Street outreach is service delivery for the specific purpose of reaching out to unsheltered homeless people; connecting them with emergency shelter, housing, or critical services; and providing urgent, non-facility-based care. Street outreach must be provided in accordance with Program Standard #2—*Targeting and Providing Essential Services Related to Street Outreach*.

Individuals defined as unsheltered must meet the criteria for: Category 1, literally homeless; or Category 4, fleeing/attempting to flee domestic violence (where the individual or household also meet the criteria for category 1); and are:

- living on the streets (or other places not meant for human habitation); **and**
- unwilling or unable to access services in emergency shelter.

##### 1) Essential Services

###### **Engagement Services**

Engagement Services are activities to locate, identify, and build relationships with unsheltered homeless people to offer immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and other housing programs. Eligible costs include:

- Conducting an initial assessment of applicant needs and eligibility;
- Providing crisis counseling;
- Addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries;
- Actively connecting and providing information and referrals to needed services; **and**

- Cell phone costs of outreach workers.

### ***Case Management***

Case Management activities to assess housing and service needs and arrange, coordinate and/or monitor the delivery of individualized services. Eligible costs include:

- Assessment and intake including using centralized or coordinated assessment systems;
- Conducting initial evaluations including, verifying and documenting eligibility;
- Counseling;
- Developing/securing/coordinating services;
- Helping obtain Federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers; **and**
- Developing an individualized housing stabilization plan that leads to the attainment of stable permanent housing.

### ***Emergency Health***

Emergency health services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. An example of customary emergency health services is outpatient treatment of urgent medical conditions by licensed medical professionals in community-based settings (e.g.; streets, parks, and campgrounds) to those eligible participants unwilling or unable to access emergency shelter or an appropriate healthcare facility. Eligible costs include:

- Assessing health problems and developing treatment plans;
- Assistance in understanding health needs;
- Providing directly or assisting to obtain appropriate emergency medical treatment; **and**
- Providing medication and follow-up services.

### ***Emergency Mental Health***

Emergency mental health services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community; i.e.; outpatient treatment of urgent mental health conditions by licensed professionals in community-based setting (e.g.; streets, parks, and campgrounds) to those eligible participants unable or unwilling to access emergency shelter or an appropriate health care facility. Eligible costs include:

- Crisis intervention;
- Prescription of psychotropic medications;
- Explanation about the use and management of medications; **and**
- Combinations of therapeutic approaches to address multiple problems.

### ***Transportation***

Travel expenses incurred by outreach workers, social workers, medical professionals or other service agency employees during the provision of allowable street outreach services are eligible costs. They include:

- Transporting unsheltered people to emergency shelters or other service facilities;
- Public transportation for participants;
- Mileage allowance for outreach workers using their own vehicles to visit program participants;
- Purchasing or leasing a vehicle for use in conducting outreach activities, including the cost of gas, insurance, taxes, and maintenance for the vehicle; **and**
- Costs of staff to accompany or assist program participants to use public transportation.

## 2) Services for Special Populations

Services for special populations are essential services that have been tailored to address the special needs of homeless youths, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers, domestic violence shelters, and other organizations that serve persons who meet the HUD homeless definition and have special needs. Eligible costs include:

- Engagement;
- Case Management;
- Emergency Health Services;
- Emergency Mental Health Services; **and**
- Transportation.

## C. Emergency Shelter

Emergency shelter means any appropriate facility that has the primary use of providing temporary or transitional shelter for the homeless in general or for specific populations of the homeless and the use of which does not require occupants to sign leases or occupancy agreements. Emergency Shelter must be provided in compliance with Program Standard #3—*Emergency Shelter Operations* and Program Standard #4—*Assessing, Prioritizing and Reassessing Needs for Essential Services Related to Emergency Shelter*. ESG funds can be used to provide essential services; renovation; and shelter operations.

### 1) Essential Services

Emergency shelter essential services are services to homeless families and individuals in emergency shelters. Program applicants meeting the definition of homeless in Categories 1, 2, 3, and 4 are eligible for emergency shelter services.

Eligible uses for funds within the Emergency Shelter Essential Services category include:

#### **Case Management**

Case Management activities assess, arrange, coordinate, and monitor individualized services developed for program participants. Eligible costs include:

- Using centralized or coordinated assessment systems;

- Conducting initial evaluations including, verifying and documenting eligibility;
- Counseling;
- Developing, securing and coordinating services and obtaining Federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers;
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; **and**
- Developing an individualized housing and service plan, including planning a path to permanent housing stability.

### ***Child Care Costs***

The cost of child care is eligible if the child is under the age of 13, or disabled children under the age of 18. The child-care center must be licensed by the jurisdiction in which it operates. Eligible costs include:

- Childcare costs;
- Providing meals and snacks; **and**
- Comprehensive and coordinated sets of appropriate developmental activities.

### ***Education***

Education is instruction or training to enhance participants' ability to obtain and maintain housing, consumer education, health education, substance abuse prevention, literacy, ESL, GED preparation and various life skills. Eligible costs include:

- Screening, assessment, and testing;
- Individual/group instruction;
- Tutoring;
- Books, supplies, and instructional materials;
- Counseling; **and**
- Referral to community resources.

### ***Employment Assistance and Job Training***

Job Assistance services help participants to secure employment and placement in job training programs. Eligible costs include:

- Classroom, online, and/or computer instruction;
- On the job instruction;
- Job finding and skill building;
- Reasonable stipends to program participants in employment assistance and job training programs;
- Books and instruction materials;
- Employment screening; assessment or testing;
- Structured job seeking support;

- Special training and tutoring; including literacy training and pre-vocational training;
- Counseling or job coaching; **and**
- Referral to community resources.

### ***Outpatient Health***

Outpatient Health Services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Eligible costs include:

- Assessing health problems and developing treatment plans;
- Assistance in understanding health needs;
- Providing directly or assisting to obtain appropriate medical treatment, preventive medical care, health maintenance services, including emergency medical services;
- Providing medication and follow-up services; **and**
- Providing preventive and non-cosmetic dental care.

### ***Legal services***

Legal advice and representation are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. This would include necessary legal services regarding matters that interfere with the program participant's ability to obtain and retain housing. Legal issues would include child support, guardianship, paternity, emancipation, 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 resolution of outstanding criminal warrants. Eligible costs include:

- Hourly fees for legal advice and representation by licensed attorneys and certain other fees-for-service;
- Client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling; **and**
- Filing fees and other necessary court costs.

Legal services to address immigration, citizenship, and mortgage issues including retainer fee arrangements, and contingency fee arrangement are **not** eligible costs.

### ***Life Skills Training***

Life Skills Training teaches 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. Allowable services must support the program participant to function independently in the community. They include:

- Budgeting resources;
- Managing money;
- Managing a household;
- Resolving conflict;
- Shopping for food and needed items;

- Improving nutrition;
- Using public transportation; **and**
- Parenting.

### ***Mental Health Services***

Mental Health Services are eligible activities to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Services are direct outpatient treatment of mental health conditions by licensed professionals. Eligible costs include:

- Crisis intervention;
- Individual, household, or group therapy sessions;
- Prescription of psychotropic medications and explanation about the use and management of medications; **and**
- Combinations of therapeutic approaches to address multiple problems.

### ***Substance Abuse Treatment***

Substance Abuse Treatment is an eligible activity to the extent that other appropriate services and treatment are unavailable or inaccessible within the community. Services must be provided by licensed or certified professionals, and be designed to prevent, reduce, eliminate or deter relapse of substance abuse or addictive behaviors. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs. Eligible costs include:

- Client intake and assessment;
- Outpatient treatment for up to 30 days;
- Group and individual counseling; **and**
- Drug testing

### ***Transportation***

Costs of travel by program participants to and from medical care, employment, childcare or other facilities that provide eligible essential services are eligible. Staff travel costs incurred to support provision of essential services are also allowable. Eligible costs include:

- Public transportation for participants;
- Mileage allowance for service workers using their own vehicles to visit program participants; **and**
- Purchasing or leasing a vehicle used for transport of participants and/or staff serving participants, including the cost of gas, insurance, taxes, and maintenance for purchased or leased vehicles.

### ***Services for Special Populations***

Services for Special Populations means otherwise eligible essential services that are tailored to address the special needs of homeless youth, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis

centers, domestic violence shelters and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking. Also eligible are services provided to persons living with HIV/AIDS in emergency shelters. Eligible costs include:

- Case management;
- Childcare;
- Education services;
- Employment assistance and job training;
- Outpatient Health services;
- Legal services;
- Life Skills training;
- Mental health services;
- Substance abuse treatment services; **and**
- Transportation.

## 2) Shelter Facility Rehabilitation, Conversion and Renovation

For costs of rehabilitation, conversion or renovation to be eligible for payment with ESG funds, the building must be used for an emergency shelter for homeless families and individuals. A government entity or private non-profit organization must own the emergency shelter building before and after the renovation or rehabilitation. Buildings renovated with ESG funds as a shelter for homeless individuals and families are required to function as a shelter for a minimum period of time, depending on the type of renovation and the value of the building. See the table below. Eligible Costs include:

- Labor;
- Materials;
- Tools; **and**
- Other costs for renovation, including soft costs.

<b>Rehabilitation and Renovation Minimum Period of Use</b>		
	<b>Use Requirement</b>	<b>Determining Criteria</b>
Major Rehabilitation	10 years*	Rehab costs exceed 75% of the value of the building before rehabilitation.
Conversion	10 years*	Conversion costs exceed 75% of the value of the building after conversion.
Renovation, including rehab and conversion costs that do not meet 10 Year criteria.	3 years	Renovation costs are 75% or less of the value of the building before renovation.
<u>*Recorded deed or use restriction required.</u>		

All shelters must meet minimum habitability standards. See **Habitability Standards** section of this manual. Shelters renovated with ESG funds are also required to meet state or local government safety and sanitation standards, as applicable, including the use of energy-efficient appliances and materials.

ESG funds may not be used for rehabilitation or renovation of structures that will be used for inherently religious activities. ESG funds may pay for rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and religious activities, the amount of ESG funds used may not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds. Sanctuaries, chapels, or other rooms used as a principal place of worship are ineligible for funded improvements paid by ESG.

For all shelter rehabilitation, conversion, or renovation, Subgrantee and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

### 3) Shelter Operations

Shelter operations are costs to operate and maintain emergency shelters and also provide other emergency lodging when appropriate. Eligible Costs include:

- Minor or routine maintenance;
- Rent;
- Security;
- Fuel;
- Equipment;
- Insurance;
- Utilities;
- Food;
- Furnishings;
- Supplies necessary for the operation of the emergency shelters; **and**
- Hotel/Motel voucher, only for families and individuals where no emergency shelter is available.

#### 4) Assistance Required under “URA”

Subgrantee must ensure they have taken all reasonable steps to minimize the displacement of persons or commercial entities as a result of a project assisted with ESG funds. No tenant occupant of housing that is converted into an emergency shelter may be required to relocate temporarily for a project assisted with ESG, or be required to move to another unit in the same building/complex. When a tenant is required to move because of a project assisted with ESG under conditions that trigger the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act (42 U.S.C. 4601-4655), the tenant should be treated as permanently displaced and offered relocation assistance and payments consistent with the Act.

Any person who disagrees with Subgrantee’s determination concerning whether the person qualifies as a displaced person or the amount of relocation assistance offered, may file a written appeal of that determination with Subgrantee under 49 CFR 24.10. A low-income person who disagrees with the determination may submit a written request for review of that determination to the nearest HUD field office.

Subgrantee must keep records documenting compliance with the displacement, relocation, and acquisition requirements of the ESG program. See 24 CFR 576.408.

#### D. Essential Services Comparison between Outreach and Shelter

Services through the street outreach component are not the same as services provided through emergency shelter systems. The chart below compares appropriate services for each component.

Comparison of Essential Services	
Street Outreach (Unsheltered Homeless persons)	Emergency Shelter Services (Sheltered Homeless persons)
Engagement	----
Case Management	Case Management
----	Childcare
----	Education Services
----	Employment Assistance/Training
Emergency Health Care	Outpatient Health Services
----	Legal Services
----	Life Skills Training
Emergency Mental Health Care	Mental Health Services
Services for Special Populations	Services for Special Populations
----	Substance Abuse Treatment
Transportation	Transportation

#### E. Homelessness Prevention and Rapid Re-housing

Homelessness Prevention Services are intended to prevent persons who are housed from becoming homeless by helping them regain stability in their current housing or other permanent housing. Eligible participants must be at imminent risk of homelessness,

homeless under other federal statutes, fleeing/attempting to flee domestic violence or meet the criteria for being at-risk of homelessness and have annual incomes at or below 30% of area median income. Rapid re-housing services are intended to help eligible participants who are literally homeless, including fleeing/attempting to flee domestic violence, to transition from the streets or shelter as quickly as possible into permanent housing and achieve housing stability. Eligible participants for either service component must lack the resources or support networks to help them retain or obtain other appropriate, stable housing. Eligibility determination and prioritization must comply with Program Standard #6—*Determining and Prioritizing Eligibility for Homelessness Prevention and Rapid Re-housing Assistance*.

Eligible activities for both service components include housing relocation and stabilization services and short- and medium-term rental assistance. These activities must comply with Program Standard #7—*Determining Client’s Share of Rent and Utility Costs* and Program Standard #8—*Determining Duration and Amount of Rental Assistance Provided to Client*.

If a client was first assisted under homelessness prevention and then became homeless, Subgrantee must exit the client from the homelessness prevention component and enter the individual or household into the rapid re-Housing component.

### 1) Homelessness Prevention and Rapid Re-housing Comparison

The chart below shows the differences between Homelessness Prevention and Rapid Re-Housing service components.

	Homelessness Prevention	Rapid Re-Housing
Eligible Participants	<b>Category 2</b> – Imminent Risk <b>Category 3</b> – Other Federal Statutes <b>Category 4</b> – Fleeing/Attempting to Flee Domestic Violence <b>OR</b> <b>At-Risk of Homelessness</b>	<b>Category 1</b> – Literally Homeless <b>OR</b> <b>Category 4</b> – Fleeing/Attempting to Flee Domestic Violence
Purpose	<ul style="list-style-type: none"> <li>To <u>prevent</u> persons who are housed from becoming homeless</li> <li>To help such persons <u>regain stability</u> in their current housing or other permanent housing</li> </ul>	<ul style="list-style-type: none"> <li>To help homeless persons living on the streets or in an emergency shelter <u>transition</u> as quickly as possible into permanent housing, and then</li> <li>To help such persons <u>achieve stability</u> in that housing</li> </ul>
Reassessment	<ul style="list-style-type: none"> <li>Every 3 months</li> <li>Must have income at <u>or below 30%</u> AMI, AND</li> <li>Lack resources and support network</li> </ul>	<ul style="list-style-type: none"> <li>Every 12 months</li> <li>Must have income <u>at or below 30%</u> AMI, AND</li> <li>Lack resources and support network</li> </ul>
Eligible Activities	Housing Relocation and Stabilization Services and Financial Assistance	Housing Relocation and Stabilization Services and Financial Assistance
	Short- and Medium-Term Rental	Short- and Medium-Term Rental

	Assistance	Assistance
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## 2) Housing Relocation and Stabilization Financial Assistance

ESG funds may be used to pay landlords, utility companies and other third parties for the following housing related costs:

- **Rental application fee** charged by the landlord to all applicants;
- **Security deposit**, equal to or not more than 2 month's rent;
- **Last month's rent**, paid to landlord at the time security deposit and first month's rent are paid. The amount must not exceed one month's rent and is included in participant's total rental assistance amount;
- **Moving costs**, including truck rental, hiring a moving company, and temporary storage fees. Storage fees may be up to 3 month's rent, providing costs are not incurred until after program participation begins and before move-in. Moving costs may not include arrearage temporary storage fees;
- **Standard utility deposit** (gas, electric, water, sewer) required by the utility company for all customers;
- **Standard utility payments** (gas, electric, water, sewer) up to 24 months during any 3-year period, including up to 6 months of arrearages per service. Utility account must be in the name of a member of the client household or there is other verification of the household's responsibility for the utilities.
- **Payment of utility arrearages** for a previous address require that the utility account be in the name of a member of the client household or other verification of the household's responsibility for payment. Payment cannot exceed \$1,500 and must have verification in the client's file from the utility company confirming that, once payment is received, the utility company will provide utilities to the client. Staff are encouraged to assist clients in negotiating a payment plan or payment forgiveness for any amount exceeding the \$1500. Payment of utility arrearages for Homelessness Prevention participants requires a current shut off notice.

Subgrantee may develop a written policy regarding to whom the landlord and utility companies will refund security and utility deposit payments. Any policy must be applied consistently for all program participants. Any deposit funds returned to Subgrantee is program income and must be documented as match.

Financial assistance 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. Financial assistance refers to: rental application fees, security deposits, last month's rent, utility deposits, utility payments and moving costs.

## 3) Housing Relocation and Stabilizations Services

ESG funds may be used to provide the following services:

- **Housing search and placement** including assessment of client housing barriers, needs, and preferences; housing search and landlord recruitment, assistance with rental applications and agreements, ensuring housing compliance with habitability and other housing related requirements;
- **Housing Stability Case Management** including client eligibility and service needs assessment, development of individualized housing and service plans, conducting required re-evaluations and follow-up, and coordinating access to other federal, state and local benefits;
- **Mediation** services to prevent the tenant from losing their housing including mediation between tenant and landlord, household members, neighbors or others impacting the tenant's housing stability;
- **Legal Services** pertaining to certain legal matters as identified in 24 CFR 576.102(a)(1)(vi) that are necessary to resolve in order for program participant to obtain or maintain stable housing; **and**
- **Credit Repair** including credit counseling, household budgeting, money management, obtaining credit reports and resolving credit related barriers to housing stability.

#### 4) Short- and Medium-Term Rental Assistance

A participant can be provided up to 24 months of rental assistance during any 3-year period. Rental assistance may include payment of rent arrearages for tenant or project based housing. Duration of rental assistance must minimally comply with program standards including:

- **Short-Term Assistance** is for up to 3 months' rent;
- **Medium-Term Assistance** is more than 3 months, no more than 24 months; **and**
- **Payment of Arrearages** must be a one-time payment of up to 6 months' rent, including late fees.

Subgrantee must comply with department minimum standards and Continuum of Care standards once developed regarding rental assistance. Subgrantee may establish their own written requirements beyond these standards upon review and approval by OHCS. Any Subgrantee determined requirements must be applied consistently for all program participants within each ESG-funded program and be available to the public as a written policy.

Rental Assistance can be either tenant-based or project-based. Tenant-based rental assistance allows program participants to select a housing unit. If the participant chooses to move to another location within the service area, the rental assistance can go with them to the new unit. Project-based rental assistance requires the Subgrantee or a contracted agency to identify permanent housing units that meet ESG requirements. Subgrantee enters into a rental assistance agreement with the owner to reserve the unit and provides the unit at a subsidized rent to eligible program participants.

Under rapid re-housing a Subgrantee may provide tenant-based rental assistance to a program participant that chooses a unit in which the Subgrantee has an ownership interest. However, the Subgrantee cannot exclusively direct a program participant to a unit it owns, nor can it carry out the initial evaluation to determine eligibility for the assistance. The Subgrantee would need to provide documentation that the program participant had a choice of other units. A Subgrantee must receive a HUD approved waiver to provide project-based assistance for a unit where the Subgrantee has ownership interest (refer to Section VI, Part C for more detail). A waiver is also required to provide homelessness prevention rent assistance to a participant residing in a unit owned by the Subgrantee. Waiver requests must be submitted to OHCS for review and submission to HUD.

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.

## **5) Rental Agreement and Lease**

Short- and medium-term rental assistance requires both a rental assistance agreement between the Subgrantee and landlord **and** a lease between the program participant and landlord. Subgrantees are required to make rental assistance payments only to a landlord with whom Subgrantee has entered into a rental assistance agreement. The rental assistance agreement sets out the terms under which rental assistance will be paid. A rental assistance agreement is a separate document from the rental lease. There is no requirement that the term of the lease coincide with the term of the rental assistance agreement as long as they are both in effect during the time ESG-funded rental assistance is provided. (The exception is that no current lease is needed for payment of rent arrears.)

A rental assistance agreement must set forth the terms under which rental assistance will be provided, including the following requirements:

- The landlord shall give the agency 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;
- Payment due date, grace period, and late payment penalty requirements will be the same as documented in the program participant's lease;
- If the rental assistance is tenant-based or project-based;
- If the Subgrantee incurs late payment penalties, it is the sole responsibility of the agency to pay those penalties, using non-ESG funds;
- If the Subgrantee requires the program participant to pay a portion of the monthly rental cost, the amount of rent to be paid by each party;

- The amount to be paid by the Subgrantee for payment of rent arrears, number of months covered, any other terms and conditions of the payment, and certification the program participant is eligible and landlord has provided sufficient evidence of the rent arrears.

Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely to pay rent arrears. The lease must be between the landlord and program participant and signed by both parties. 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, the lease must have an initial term of one year.

If the grantee provides rental assistance to a program participant in a unit it owns, the grantee must request a waiver of the rental assistance agreement requirement. The waiver is necessary because the rental agreement must be between the Subgrantee and housing owner and it is not possible for the Subgrantee to create such an agreement with itself. Waiver requests must be submitted to OHCS for review and submission to HUD.

Subgrantee must terminate the rental assistance agreement and provide no further rental assistance payments if: the program participant moves out of the leased housing unit; the lease terminates and is not renewed; or the program participant becomes ineligible to receive ESG rental assistance.

## **6) Rent Reasonableness Determination**

Subgrantee must determine whether the gross rent of a particular unit is a reasonable rent in comparison to rent for other comparable unassisted units. To make this determination, Subgrantee must consider 1) the location, quality, size, unit type, and age of the contract unit; and 2) any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease. The unit's gross rent must be comparable to the rent reasonableness rent for the unit to be considered for rental assistance.

Subgrantee must determine the review method(s) they will use to establish the rent reasonableness standards for their area (e.g.; A list of comparable rents can be compiled by using a market study of rents charged for units of different sizes or by reviewing advertisements for comparable rental units). To learn how public housing authorities establish rent reasonableness for the Housing Choice Voucher program, review Chapter 9 of the HUD Housing Choice Voucher Program Guidebook. The link to the Guidebook is in the appendices of this manual.

Comparable rents vary over time with market modifications. Rent Reasonableness standards must be reviewed periodically and adjusted to align with these rent market changes.

The Rent Reasonableness review completed for each unit must be documented in the client case file. A sample rent reasonableness form is included in the ESG forms available on the OHCS web site.

## **7) Fair Market Rent (FMR) Requirement**

HUD establishes FMRs to determine rent ceilings for HUD-funded rental assistance programs. HUD publishes the FMR schedule annually for 530 metropolitan areas and 2,045 non-metropolitan county areas. The link to HUD's FMR index is included in the appendices in this manual.

Gross rent for units in which ESG provides rental assistance must be the same or less than the FMR for that location. If Subgrantee's service area includes more than one county, Subgrantee must use the appropriate FMR for the county in which the assisted rental unit is located. The applicable FMR data should be copied and placed in the client file to document the FMR for that participant's unit size and geographic area.

## **8) Calculating Gross Rent**

Whether a household is seeking to maintain its current housing or relocate to another unit to avoid homelessness, or exiting homelessness into new permanent housing, the process for determining acceptable rent amounts is the same: the gross rent (rent plus appropriate utility allowance) must 1) be no greater than the Fair Market Rent set by HUD and 2) fit within the limitations resulting from a rent reasonableness analysis. The rent for the unit being assisted with program funds cannot exceed the lesser of the FMR or the rent reasonableness standard. If the gross rent for the unit exceeds either the rent reasonableness standard or FMR, the Subgrantee is prohibited from using ESG funds for any portion of the rent, even if the household is willing and/or able to pay the difference.

Fair Market Rent and rent reasonableness requirements do not apply when a program participant receives only financial assistance or services. This includes rental application fees, security deposits, utility payments/deposits, moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.

A utility allowance is a projection of the cost of utilities the client will pay monthly while renting their unit. Subgrantee must determine the amount of utility allowance to be used in the calculation of gross rent. The local public housing authority maintains a utility allowance chart which considers the number of bedrooms and types of utilities in a unit (e.g.; gas and/or electric, water, sewer, and trash). Any utilities included in the rent payment must not also be included in the utility allowance calculation. Telephone, cable or satellite television service, and internet service are not counted as utility costs.

To calculate the gross rent of a unit:

$$\begin{array}{r} \text{total contract rent amount of the unit} \\ \pm \\ \text{allowable* fees required for occupancy under the lease} \\ \pm \\ \text{monthly utility allowance established by local public housing authority} \\ \hline \text{Gross Rent Amount} \end{array}$$

\*excludes late fees and pet fees

**Example:**

A case manager wants to rapidly re-house a mother and son and has identified a 2-bedroom unit at a rent of \$1,200 per month, not including utilities. The utility allowance for that size and type of unit is \$150. Therefore, the gross rent is \$1,350. A check of three similar units in the neighborhood reveals that the reasonable rent is \$1,400 for that area of the city. However, the FMR for the jurisdiction is \$1,300. This means the household cannot be assisted with ESG in this unit because the gross rent exceeds the FMR.

Once a housing unit is determined to meet the FMR and rent reasonableness requirements, program funds may be used to pay for the actual utility costs. The utility allowance calculation is only used to determine whether the unit meets the FMR standard.

## 9) Eligibility Re-certification

Reassessments are required for homelessness prevention and rapid re-housing participants. Homelessness prevention reassessments are required every three months and must verify that a household continues to have an annual income at or below 30% of area median income and lacks the resources or support to retain or obtain appropriate permanent housing. Rapid re-housing assessments are required at least once per year to verify that a household's income is at or below 30% area median income and they lack the resources and support networks to retain or obtain appropriate permanent housing. If a client informs, but is not required by the Subgrantee to notify staff of a change in income or other circumstances that may affect eligibility, there is no immediate effect on the client's eligibility and assistance can continue until the next required re-evaluation.

## 10) Housing Stability Case Management

ESG funds may be used to pay the cost of assessing, arranging, coordinating and monitoring the delivery of individualized housing stabilization services to a program participant already in permanent housing (not to exceed 24 months) or to assist a program participant to overcome immediate barriers to obtaining housing (not to exceed 30 days). Subgrantees are encouraged to provide case management to all clients receiving homelessness prevention and rapid re-housing services. Clients receiving

short- and medium-term rental assistance are required to be case-managed and have a housing stability service plan. Case management includes the following services:

- Using a centralized or coordinated assessment system (upon the CoC's development or approval of this system);
- Conducting initial evaluation, including verification and documentation of eligibility;
- Developing, securing and coordinating services;
- Obtaining federal, state, and local benefits;
- Monitoring and evaluating participant's progress in the program;
- Developing an individualized housing stability service plan; **and**
- Conducting re-evaluations of participant's eligibility and types and amounts of assistance needed.

## **F. Homeless Management Information System (HMIS)**

### **1) Reporting Requirements**

ESG funded client and activity data must be entered into the Subgrantee's Continuum of Care HMIS (ServicePoint) or alternative database for clients who are victims of violence. Data entry and reporting expectations include:

- Timely and accurate data entry into HMIS ;
- Acquiring and documenting informed written consent from program participants;
- Protecting program participants' confidentiality;
- Using the HMIS as a tool to analyze data to inform and improve the delivery of services.

Subgrantees are required to submit quarterly program reports by the 20<sup>th</sup> of the month following the end of each quarter in accordance with OHCS directives for content and format. A year-end report is also required 90 ninety days after the close of the state fiscal year. At the discretion of OHCS, other reports may be required when deemed necessary to provide adequate program utilization and performance information.

ESG funds can be used for the following HMIS costs:

- The costs of using the centralized or coordinated assessment system but not the costs of developing or operating the system;
- Staff costs related to the operation and usage of HMIS;
- computer hardware and software costs including purchase of HMIS software licenses;
- Space and equipment costs related to HMIS; **and**
- Costs related to monitoring and reviewing data quality, data analysis and reporting.

### **2) Victim Services Data Collection**

Service providers who work with domestic violence clients or other victims of violence are required to collect client-level data consistent with HMIS data collection

requirements, but use a comparable database that protects client confidentiality. Subgrantees are required to aggregate violence victim data for ESG reporting purposes.

### **3) Performance Measures and Follow-Up Contact**

In alignment with the federal and state strategic plans to end homelessness, OHCS has established performance measures that require the collection of housing status data at the time of program exit and six months after program exit. While performance measures are in the process of being further identified and defined, Subgrantees are currently required to report on two measures:

- Increased housing stability as measured by the percentage of total program participants served who reside in permanent housing at time of exit from program; **and**
- Increased housing stability as measured by the percentage of program participants who at program exit reside in permanent housing and maintain permanent housing for six months from time of exit.

Both measurements should be entered into HMIS. Preliminary performance benchmarks have been set at 30% for all program participants who exit to permanent housing and 80% for those exiting to permanent housing that remain in permanent housing at six month follow-up. These outcome measurements will be in addition to reporting of required universal data elements that track client characteristic and service data.

Reporting of the two performance measures will be provided in the year-end report and is client household-based, not funding source. In other words, measurement will occur at time of client's program exit whether or not the program is exclusively ESG or partially ESG funded.

Locating and following up with clients can be challenging. Strategies that have shown the best results include the following:

- ✓ Follow-up is provided by the case manager or staff with whom the client knows and has worked with;
- ✓ Informing the client at time of intake/assessment of the need and value of follow-up and requesting their permission to contact them and/or other identified contacts after they exit the program;
- ✓ Securing multiple points of contact for the client prior to their exit such as a friend, family member, employer, landlord or someone who the client is likely to stay in touch with during the six month period;
- ✓ Utilizing the Subgrantee's LIHEAP list of clients to verify permanent housing since LIHEAP can only be delivered to those residing in permanent housing; and
- ✓ Development of MOUs with other agencies such as DHS, Housing Authorities, CDCs, etc. to determine the housing status of clients.

Regardless of the method of follow-up utilized, Subgrantees must obtain client permission to contact others through a signed release of information.

## G. Ineligible Activities and Assistance

Ineligible activities that cannot be funded with ESG include, but are not exclusive to:

- replacement of existing mainstream resources;
- payments made directly to program participants;
- payments on a mortgage or land contract;
- payment of rent for eligible individuals or families for the same period of time and for the same cost types being assisted through any other federal, state, or local housing subsidy program;
- payments on credit card bills or other consumer debt, including child support or garnishments;
- provision of cash assistance;
- payment of costs of discharge planning programs in mainstream institutions such as hospitals, nursing homes, jails, or prisons; **and**
- payment for religious activities (**Note:** While organizations that are religious or faith-based are eligible to receive ESG funds, religious activities must be conducted separately, in time and location, from ESG-funded activities and participation must be voluntary for program participants).

## IV. Housing and Facility Standards

### A. Occupancy Standards

Occupancy standards provide consistent criteria for determining the size of the permanent housing unit for which the household is eligible and thus, the amount of assistance to be provided.

Subgrantee may choose to use the occupancy guidelines set by the Housing Choice Voucher Program, 24 CFR 982 Subpart I: 982.401(d), or develop their own standards. Subgrantee must develop a written policy outlining their occupancy standards requirements and use those standards consistently.

There may be circumstances where it is not appropriate for two persons to share a bedroom. As examples, these occur when the household includes:

- Persons of different generations, persons of the opposite sex, and unrelated adults;
- A live-in care attendant who is not a member of the household; or
- Members with medical problems who need privacy or space for medical equipment.

### B. Habitability Standards

All housing units supported with program funds must meet HUD Habitability Standards. Habitability Standards are different from the Housing Quality Standards (HQS) used for HOME and HOME TBA programs. Because the HQS criteria are more stringent than the Habitability Standards, Subgrantee could use either standard for shelter or rental assistance funded with ESG. Housing also needs to be compliant with local housing codes relating to occupancy, health, and safety standards and the program must comply with the more stringent of the two.

#### 1) Permanent Housing

Minimum habitability standards for permanent housing include requirements for:

- structure and materials;
- personal space and security;
- interior air quality;
- water supply;
- sanitary facilities;
- heating and cooling operating equipment;
- natural and electrically produced light;
- area for food preparation;
- safe and sanitary project maintenance; **and**
- fire safety.

For households moving into a new unit, the unit must meet habitability standards before the lease is signed and the household moves in. For households already residing

in a unit, the unit must meet habitability standards before financial or rental assistance can be provided.

## **2) Shelters**

In addition to established housing codes, habitability standards for shelters in which ESG funds are used for conversion, major rehabilitation or renovation include requirements for the following:

- structure and materials;
- access to and within the shelter;
- personal space and security;
- interior air quality;
- water supply;
- sanitary facilities;
- heating and cooling operating equipment;
- natural and electrically produced light;
- area for food preparation;
- safe and sanitary facility maintenance; **and**
- fire safety/smoke detectors.

More information about habitability requirements is included in the appendices section of this manual.

## **C. Lead-Based Paint Requirements**

Federal lead-based paint requirements apply any time federal funds are used for housing assistance and the living space or unit was built prior to 1978. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M and R apply to all shelters assisted with ESG funding and all housing occupied by program participants.

Subgrantee must provide the lead hazard information pamphlet to any resident who will be residing in a unit built before 1978. The tenant must receive the pamphlet before moving into the unit. If Subgrantee can document the tenant received the pamphlet previously, Subgrantee is not required to provide it again.

For units older than 1978 which will house one or more children under the age of 6, landlord and tenant must complete a Lead-Based Paint Disclosure form. The form describes any known current or previous lead-based paint hazards, and documents tenant's receipt of records and the lead hazard information pamphlet. Additionally, a visual lead-based paint assessment must be completed by a person trained in this inspection process. The inspection may be completed in conjunction with the habitability inspection if the inspector is qualified. At Intake, it should be noted on the Application Form if there will be any child in

the household younger than 6 years. This information should be provided to the habitability inspector prior to their examination of the proposed rental unit.

Essential service activities, such as, counseling, case management, street outreach, referrals to employment, etc., are exempt and excluded from the lead-based paint inspection requirements.

#### **D. Environmental Review**

Subgrantee and its contractors shall not rehabilitate, convert, or renovate a shelter or prospective shelter until HUD has performed an environmental review under 24 CFR part 50 and Subgrantee has received HUD approval to continue. Subgrantee shall supply all available, relevant information necessary for HUD to perform any environmental review required by 24 CFR Part 50. Subgrantee must carry out mitigating measures required by HUD or select alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).

Environmental reviews must also be completed for any project-based housing assistance paid with ESG funding.

## **V. Client Confidentiality**

### **A. General Requirements**

All information about the applicant/client is confidential. Disclose information only for the purpose of determining program eligibility, providing benefits, or investigating possible violation of federal, state and local regulation(s) associated with ESG delivery and never in a setting where members of the public can hear the conversation.

Subgrantees must have policies and procedures that ensure all client information and records are secure and confidentially maintained. Subgrantees' officers, employees and agents must be aware of and comply with Subgrantees' confidentiality policies and procedures.

### **B. Electronic Confidentiality**

Electronic collection of client information requires procedures for ensuring confidentiality. The following guidelines apply to the use of a computer:

- The computer terminal(s) used must be located in a secure location, limiting access to only those persons who have a legitimate interest in and are responsible in viewing client records.
- The computer monitor must be cleared (or a screen saver activated) immediately after accessing a client record.
- The computer terminal must be on a "locked" mode or turned off if the terminal is unattended.
- Access to the HMIS program shall be given to authorized staff persons and only insofar as access is necessary for performing the work required for the ESG program.

### **C. Victims of Domestic Violence**

Subgrantee must implement procedures to ensure confidentiality of records pertaining to any individual who is provided family violence prevention or treatment services. Victim information cannot be disclosed to any third party without consent of the victim.

To protect clients, victim services providers must enter required client-level data into a database that complies with HMIS requirements, but does not share information with ServicePoint directly. Victim services providers are still required to aggregate data for ESG reporting purposes.

Subgrantee must instruct all staff that the address of a domestic violence provider's shelter location will not be made public without permission of the provider.

### **D. Release of Information**

Client information (including identifying the person is a client) should not be released without written authorization from the client. A Release of Information form must be completed by the applicant at the time of intake.

Client refusal to provide such authorization cannot be the basis for denying program services to otherwise eligible clients.

Release forms must be time-limited and specific as to with whom and what information will be shared.

## **VI. Termination, Grievance and Conflict of Interest Policies**

### **A. Termination or Denial of Assistance**

Subgrantee must have written denial, termination, and grievance policies and procedures. The policies and procedures should be readily available to program participants either in writing or by posting them in a public place. Copies and explanation of the policies and procedures be provided directly to any client when denial, termination or other action affects the client's ability to receive assistance. The notice must provide the specific reason(s) for the action and provide a process the applicant can follow to request a review of the decision.

If Subgrantee is terminating rental assistance to the program participant, they must immediately notify the landlord of the date rental assistance for their tenant will end.

Termination from assistance does not prevent Subgrantee from providing further assistance, later, to the same household or individual if they are determined eligible for such assistance.

### **B. Grievance and Appeals Process**

Subgrantee is required to have an established process for addressing client grievances. At a minimum, the process must include the following components:

- Allow the participant a minimum of thirty days within which to request an administrative review;
- Inform the participant of their right to present written or oral objections;
- Inform OHCS of the request for administrative review within 10 days of receiving the request;
- Inform the participant and OHCS in writing of the review determination within ten days of the determination.

Any person or persons designated by Subgrantee can complete the administrative review, other than the person who made or approved the decision under review or a subordinate of this person.

OHCS retains the right to require modification of any review or appeal process that OHCS determines does not meet basic principles for notification, instruction, time allowance, impartiality or other necessary component.

### **C. Conflict of Interest**

#### **1) Organizational**

The provision of any type or amount of ESG assistance may not be conditioned on an individual's or household's acceptance or occupancy of emergency shelter or housing owned by Subgrantee or an affiliated organization. A Subgrantee is prohibited from conducting a participant's intake assessment to determine program eligibility if the

participant resides in housing where the Subgrantee has ownership interest. Subgrantee would need to find another independent organization that is also an ESG grantee to do the intake assessment and ensure that all program participants are eligible even if the Subgrantee has a waiver of the conflict of interest requirements. Conflict of interest waivers regarding rent assistance and rental agreement requirements can only be approved by HUD. If a Subgrantee wishes to apply for a waiver, they should contact the OHCS homeless program coordinator or manager for guidance in submission of a waiver request which must be approved by OHCS who will then submit to HUD. See 24 CFR 576.404(a).

Subgrantee must keep records to show compliance with ESG program organizational conflicts-of-interest requirements.

## **2) Individual**

For the procurement of goods and services, Subgrantee must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) or 24 CFR 84.42 (for private nonprofit organizations).

Persons for whom the Conflict of Interest requirements apply include any person who is an employee, agent, consultant, officer, or elected or appointed official of the Subgrantee Agency. No person who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the Program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.

Upon the written request of OHCS, HUD may grant an exception to the provisions of this paragraph on a case-by-case basis. Subgrantees wishing an exception must submit requests to OHCS for review and forwarding to HUD. There is no guarantee that an exception will be approved.

## VII. Affirmative Outreach

Subgrantee must communicate and make known that use of ESG funded facilities, assistance and services are available to all on a nondiscriminatory basis. Subgrantee must develop and implement affirmative outreach written procedures and communication tools and materials to inform persons without regard to race, color, ethnicity, religion, sex, age, national origin, familial status, or disability, how to obtain access to facilities and services. If it appears the procedures Subgrantee intends to use to accomplish this will not reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those activities and services, Subgrantee must establish additional procedures to ensure those persons are made aware of assistance opportunities. Outreach efforts must comply with Program Standard #3—*Emergency Shelter Operations (Safety and Accommodations for Special Populations)*.

Reasonable accommodations for persons with disabilities must be available in order to ensure disabled participants have an equal opportunity to utilize housing, including shelters, and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act.

## VIII. Recordkeeping

### A. Client File Documentation

Sufficient records must be established and maintained to enable OHCS and HUD to determine whether ESG requirements are being met. Subgrantee must make sure any Subrecipients assisting Subgrantee with the ESG program also maintain appropriate and complete records.

Documentation of client eligibility and services received must be maintained in printed or electronically-saved client case files, including files for applicants found to be ineligible. File documentation will be the basis of OHCS monitoring to ensure Subgrantee is in compliance with program requirements and HUD regulations.

At the minimum, client files must contain the following, if applicable to Subgrantee's service to the program participant:

- Verification of use of centralized or coordinated assessment system;
- Signed Release of Information;
- Intake form and assessment of household needs;
- homeless or at risk of homelessness verification;
- Evidence applicant has no subsequent housing options and lacks sufficient resources to retain housing, but is not homeless;
- Rent Reasonableness documentation;
- Habitability Standards verification;
- Lead-based Paint visual assessment;

- Signed Lease Agreement;
- Signed Rental Assistance Agreement;
- Verification of client income and assets;
- Amount and type of essential emergency shelter services provided;
- Re-evaluations of eligibility;
- Housing Plan and housing assistance provided;
- Verification of outstanding rent arrears;
- Case notes;
- Evidence of referrals;
- Documentation of payments made on client's behalf; **and**
- Written notice of program termination.

## **B. Electronic Files**

If client file documents and signatures or policy documents are collected and maintained electronically, required documentation must be made available to OHCS in paper form when requested.

## **C. Records Retention**

Subgrantees shall retain all program records pertinent to client services and expenditures paid with ESG funds in a manner consistent with the requirements of state and federal law. This includes, but is not limited to, those requirements listed in Administrative Rule, Operations Manual and Special Schedules. Currently, program records including client files must be retained for five (5) years. Fiscal records, which include books, documents, papers, plans, and agency records that document all program expenditures, must be retained for a minimum of six (6) years, or such longer period as may be required due to any audit, controversy or litigation arising out of, or relating to, program use.

## **D. Available Forms**

Program forms and reference documents are available for download from the OHCS web site. Subgrantee may use these standard forms or acceptable equivalents when administering its ESG funded program. Any alternate form must collect all data requested on the standard form. OHCS encourages the use of the standard forms for consistency and ease of monitoring and compliance.

# **IX. Financial Management**

## **A. Administration**

Subgrantees may use up to 2.5% of reimbursed costs during the grant period for administrative costs inclusive of what may be shared with subcontractors (Subrecipients). Allowable administrative costs are those costs associated with the general management of the organization. These costs may include, but are not exclusive to: executive management; human resources; accounting, board expenses; general insurance; agency-wide audit; and

space and equipment costs attributable to the agency as a whole. Administrative costs must be charged to grant cost centers based on either a cost allocation plan or through use of an approved indirect cost rate in accordance with 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (also known as the “Super Circular”).

## **B. Program Match**

Except as provided in the next paragraph, OHCS will require Subgrantee to make matching contributions in an amount that equals the amount of ESG funds allocated by OHCS.

The first \$100,000 of OHCS’s ESG award from HUD is excluded and does not require match. OHCS may transfer through a waiver process the benefit of this exception to its Subgrantee agencies that are least capable of providing matching contributions. Subgrantees desirable of a waiver must contact the OHCS Homeless Coordinator.

Obtain matching contributions from any source, including any Federal (non-ESG) source, as well as state, local, and private sources. Use of any Federal source must not prohibit those funds from being used as ESG match and not already be matched with ESG funds. Subgrantee must ensure the laws governing any funds used as matching contributions do not prohibit the use of those funds as match.

All sources listed as match must meet these criteria:

- The matching contribution must be made after the date that HUD and OHCS sign the ESG Grant Agreement;
- Cash contributions must be expended within the expenditure deadline in 576.203;
- Non-cash contributions must be made within the expenditure deadline in 576.203.
- Contributions used to match a previous ESG grant may not be used to match a subsequent ESG grant;
- Contributions that have been or will be counted as satisfying a match requirement of other federal funds may not be used as match for ESG funding;
- The matching funds must be used for ESG eligible clients and activities; **and**
- If ESG funds are used to satisfy matching requirements of another federal program, funding from that program cannot be used to satisfy the matching requirements of ESG.

Possible sources of match, other than federal, state or local grants include:

- Cash;
- The value or fair rental value of any donated material or building;
- The value of any lease on a building;
- Any salary paid to staff to carry out the program of the recipient; **and**
- The value of the time and services contributed by volunteers.

Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work by Subgrantee. If Subgrantee does not have employees performing

similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.

The value of any real property, equipment, goods or services can be used as match provided the costs would be allowable if Subgrantee had purchased them. Some non-cash contributions would be considered indirect costs if purchased by Subgrantee; match for these contributions may be given only if Subgrantee has established a special indirect cost rate for allocating the value of those contributions to individual projects or programs.

Costs paid by program income shall count as match if the costs are eligible ESG costs that supplement Subgrantee's ESG program.

Subgrantee must keep records of the source and use of contributions made to satisfy the matching requirement. Records must indicate the fiscal year grant for which each matching contribution is counted, as well as how the value of non-cash contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that Subgrantee uses to support the allocation of regular personnel costs.

## **C. Funds Disbursement**

### **1) Use of OPUS**

The OPUS System is a web-based centralized data system designed to meet business-processing needs. Subgrantee staff must complete training before being authorized to use the fiscal operations program of OPUS. Training is provided by the Fiscal Grant Specialist at OHCS.

OHCS maintains an OPUS Manual and OPUS Help Desk. Staff can be reached at:

**Email:** [opushelp@hcs.state.or.us](mailto:opushelp@hcs.state.or.us)

**Ph:** (503) 986-2099

**Toll Free:** (800) 453-5511 Option 6

### **2) Request for Funding Documentation**

Subgrantee must retain supporting documentation of all costs charged to the ESG grant and be able to provide evidence that grant funds were spent on allowable costs.

### **3) Funds Spend Down**

Subgrantee will be expected to fully obligate or expend ESG funds from a previous funding cycle before spending funds from a current funding cycle. OHCS will periodically review Subgrantee's ESG spending, using OPUS data. OHCS may deallocate a portion of Subgrantee's ESG funds if Subgrantee cannot ensure that funds will be spent by the end of the expenditure period.

## **X. Monitoring**

### **A. Process**

OHCS will monitor Subgrantee's program administration once every three years or sooner if circumstances dictate a more frequent review is needed. Fiscal monitoring will be conducted annually unless an earlier review is warranted. Subgrantee will be notified thirty days in advance of the monitoring visit and informed of what documents and records will be reviewed and any required staff or Board interviews. After the monitoring visit, OHCS will provide Subgrantee with a written monitoring report inclusive of any findings, concerns or comments. Subgrantee must provide timely corrective action to findings and failure to do so may result in the withholding and/or return of ESG funds to OHCS or other possible remedies as described in the Master Grant Agreement signed by Subgrantee and OHCS.

### **B. Subgrantee Monitoring of Subrecipients**

Subgrantee shall perform onsite monitoring their Subrecipients at least once during and not later than the third quarter of the term of the Master Grant Agreement. Subgrantee must maintain and provide access to Subrecipient written monitoring procedures and reports as requested by OHCS.

### **C. Records Access**

Subgrantee and its Subrecipients shall permit OHCS, The Oregon Secretary of State's Office, the federal government, and the duly authorized representatives of such entities access to, and the right to copy, all program client and fiscal records for such purposes as research, data collection, evaluations, monitoring, and auditing. At the sole discretion of OHCS, access to records shall include the removing of records from Subgrantee's office. Access to records is not limited to the required retention period, but last as long as the records are retained.

Subgrantee must provide citizens, public agencies, and other interested parties with reasonable access to records regarding any uses of ESG funds the Subgrantee received during the preceding five years.

## **XI. Acronyms and Definitions**

### **A. Acronym List**

Acronyms commonly used are:

CAA	Community Action Agency
CFR	Code of Federal Regulations
COC	Continuum of Care
DHS	Department of Human Services, Oregon
ESG	Emergency Solutions Grant
FMR	Fair Market Rent
HH	Household
HMIS	Homeless Management Information System
HPRP	Homelessness Prevention and Rapid Re-Housing Program
HQS	Housing Quality Standards
HUD	United States Department of Housing and Urban Development
IDIS	Integrated Disbursement and Information System
OAR	Oregon Administrative Rules
ORS	Oregon Revised Statutes
SRO	Single Room Occupancy
TTA/T &TA	Training and Technical Assistance
URA	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
VA	Veteran's Administration

### **B. Definitions**

**Domestic Violence**: this definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance or friend, unless those persons are family members, intimate partners or household members. (Note: This definitional aligns with TANF rules and regulations)

**HMIS**: means Homeless Management Information System. OHCS uses ServicePoint as their HMIS; however, for Domestic Violence Shelters use a comparable database (see "HMIS" section of this manual).

**Recipient:** the state entity receiving funds directly from HUD through an executed grant agreement for the Emergency Solutions Grant Program also referred to as Oregon Housing & Community Services (OHCS).

**Shelter:** “Emergency shelter,” means any facility whose purpose is to provide temporary shelter for the homeless including congregate shelters, hotels/motels paid for by charitable organizations, or federal, state and/or local government programs, which do not require occupants to sign leases or occupancy agreements.

**Subgrantee Agency:** Community Action Agencies (or other qualified entities) that receive funding from the Recipient (OHCS) and provides direct client services. Subgrantee Agencies may contract direct client services to Subrecipients.

**Subrecipient(s):** Subrecipients are entities that, by contract with the Subgrantee Agency, provide ESG direct client services and receive funding directly from the Subgrantee Agency. In its agreements with Subgrantee Agency, Subrecipients will comply with all requirements for the Emergency Solutions Grant.

**Support Network:** examples include family, friends and faith-based or other social networks.

**Temporary Living:** residing in a facility for fewer than 90 days

**Unaccompanied Youth:** unaccompanied youth are less than 25 years of age and homeless under other Federal statutes **and:**

- (A) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;
- (B) Have experienced persistent instability as measured by two moves or more in the preceding 60 days; **and**
- (C) Can be expected to continue in such status for an extended period due to special needs or barriers.

## **XII. Appendices**

The following appendices are attached to this Manual:

**Appendix 1:** Links to Applicable Rules and Regulations

**Appendix 2:** Homeless and At Risk of Homelessness Definitions

**Appendix 3:** Income Documentation Requirements

**Appendix 4:** Homeless and At-Risk of Homelessness Documentation

**Appendix 5:** Assessing Housing Options/Resources

**Appendix 6:** Homeless Prevention Documentation

**Appendix 7:** Rapid Re-Housing Documentation

## Appendix 1: Applicable Rules and Regulations

All the following as may be amended from time to time:

1. 24 CFR 5 subpart F: [Occupancy Requirements for Section 8 Project-Based Assistance](#)
2. 24 CFR part 91: [Consolidated Submissions for Community Planning and Development Programs](#)
3. 24 CFR part 576: [Emergency Solutions Grant Program](#)
4. 24 CFR part 121: [Homeless Management Information System \(HMIS\)](#)
5. 24 CFR part 982: [Fair Market Rent and Rent Reasonableness](#)
6. ORS 456.515 through 456.725: [Housing and Community Services Department](#)
7. ORS 458.505 through 458.545: [Community Services Programs](#)
8. OAR 813-145: [Emergency Solutions Grant Program](#)
9. This manual as a guideline for ESG program management.
10. Lead-Based Paint: <http://www2.epa.gov/lead> and [24 CFR part 35](#)
11. Lead-Based Paint pamphlet:  
[http://portal.hud.gov/hudportal/documents/huddoc?id=DOC\\_11875.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_11875.pdf)
12. Annual Median Income:  
<https://www.hudexchange.info/resource/4018/2014-hud-median-income-limits-30/>
13. HUD Resource Exchange: <https://www.hudexchange.info/esg/>
  - ESG program guidance
  - Federal regulations
  - Tools and technical assistance
  - Listserv opportunities
  - Frequently Asked Questions
14. Personal Responsibility and Work Opportunity Reconciliation Act of 1996:  
<http://www.gpo.gov/fdsys/pkg/PLAW-104publ193/content-detail.html>
15. Housing Choice Voucher Guidebook:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips/guidebooks/7420.10G](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/guidebooks/7420.10G).
16. CFRs cited are amended from time to time and can be found at:  
<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2Findex.tpl>
17. ORS cited are amended from time to time and can be found at:  
[https://www.oregonlegislature.gov/bills\\_laws](https://www.oregonlegislature.gov/bills_laws)
18. OARs cited are amended from time to time and can be found at:  
<http://arcweb.sos.state.or.us/pages/rules/access/numerically.html>
19. OMBs cited are amended from time to time and can be found at:  
[http://www.whitehouse.gov/omb/circulars\\_default](http://www.whitehouse.gov/omb/circulars_default)

## Appendix 2A: Criteria for Defining Homelessness



# Homeless Definition

<b>CRITERIA FOR DEFINING HOMELESS</b>	<b>Category 1</b>	<b>Literally Homeless</b>	<p>(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> <li>(i) Has a primary nighttime residence that is a public or private place not meant for human habitation;</li> <li>(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></li> <li>(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</li> </ul>
	<b>Category 2</b>	<b>Imminent Risk of Homelessness</b>	<p>(2) Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> <li>(i) Residence will be lost within 14 days of the date of application for homeless assistance;</li> <li>(ii) No subsequent residence has been identified; <u>and</u></li> <li>(iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing</li> </ul>
	<b>Category 3</b>	<b>Homeless under other Federal statutes</b>	<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"> <li>(i) Are defined as homeless under the other listed federal statutes;</li> <li>(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;</li> <li>(iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; <u>and</u></li> <li>(iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers</li> </ul>
	<b>Category 4</b>	<b>Fleeing/ Attempting to Flee DV</b>	<p>(4) Any individual or family who:</p> <ul style="list-style-type: none"> <li>(i) Is fleeing, or is attempting to flee, domestic violence;</li> <li>(ii) Has no other residence; <u>and</u></li> <li>(iii) Lacks the resources or support networks to obtain other permanent housing</li> </ul>

## Appendix 2B: Criteria for Defining At-Risk of Homelessness

Applicable Program	Category	Definition Title	Definition
ESG	Category 1	Individuals and Families	<p>(1) An individual or family who:</p> <ul style="list-style-type: none"> <li>(i) Has an annual income at* or below 30% AMI; <u>AND</u>;</li> <li>(ii) Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the “Homeless” definition; <u>AND</u></li> <li>(iii) Meets one of the following conditions: <ul style="list-style-type: none"> <li>(a) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance; OR</li> <li>(b) Is living in the home of another due to economic hardship; OR</li> <li>(c) Has been notified that their right to occupy their current housing or living situation will be terminated with 21 days after the date of application for assistance; OR</li> <li>(d) Lives in a hotel/motel and the cost is not paid for by charitable organizations or federal, state, or local government programs for low-income individuals; OR</li> <li>(e) Lives in an SRO or efficiency apartment which there resides more than 2 persons or lives in a larger housing unit in which there resides more than one and a half persons per room; OR</li> <li>(f) Is exiting a publicly funded institution or system of care; OR</li> <li>(g) Otherwise lives in housing with characteristics associated with instability and an increased risk of homelessness as identified in the Recipient’s Con Plan</li> </ul> </li> </ul>
ESG	Category 2	Unaccompanied Children and Youth	<p>(1) A child or youth that does not qualify as homeless under the “Homeless” definition, but qualifies as homeless under other Federal Statutes</p>
ESG	Category 3	Families with Children and Youth	<p>(1) An unaccompanied youth who does not qualify as homeless under the “Homeless” definition, but qualifies as homeless under Section 725(2) of the McKinney-Vento Homeless Assistance Act, and the parent(s) or guardian(s) of that child or youth living with him or her</p>

[https://www.hudexchange.info/resources/documents/AtRiskofHomelessnessDefinition\\_Criteria.pdf](https://www.hudexchange.info/resources/documents/AtRiskofHomelessnessDefinition_Criteria.pdf)

**\*Per clarification and approval from HUD.**

## Appendix 2C: Eligibility by ESG Component

Applicable Program	Component	Definition
ESG	<p align="center"><b>Street Outreach</b></p>	<p>Individuals or families defined as Homeless under the following categories are eligible for assistance in Street Outreach:</p> <ul style="list-style-type: none"> <li>• Category 1 – Literally Homeless</li> <li>• Category 4 – Fleeing/Attempting to Flee Domestic Violence (where the individual or family also meets the criteria for Category 1)</li> </ul> <p>Street Outreach projects have the following additional limitations on eligibility within Category 1</p> <p>Individuals and families must be living on the streets (or other places not meant for human habitation) and be unwilling or unable to access services in emergency shelter</p>
	<p align="center"><b>Emergency Shelter</b></p>	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in Emergency Shelter:</p> <ul style="list-style-type: none"> <li>• Category 1 – Literally Homeless</li> <li>• Category 2 – Imminent Risk of Homelessness</li> <li>• Category 3 – Homeless Under Other Federal Statutes</li> <li>• Category 4 – Fleeing/Attempting to Flee Domestic Violence</li> </ul>
	<p align="center"><b>Rapid Re-Housing</b></p>	<p>Individuals or families defined as Homeless under the following categories are eligible for assistance in Rapid Re-Housing Projects:</p> <ul style="list-style-type: none"> <li>• Category 1 – Literally Homeless</li> <li>• Category 4 – Fleeing/Attempting to Flee Domestic Violence (where the individual or family also meets the criteria for Category 1)</li> </ul>
	<p align="center"><b>Homelessness Prevention</b></p>	<p>Individuals or families defined as Homeless under the following categories are eligible for assistance in Homelessness Prevention projects:</p> <ul style="list-style-type: none"> <li>• Category 2 – Imminent Risk of Homelessness</li> <li>• Category 3 – Homeless Under Other Federal Statutes</li> <li>• Category 4 – Fleeing/Attempting to Flee Domestic Violence</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• Individuals and Families who are defined as At-Risk of Homelessness are eligible for assistance in Homelessness Prevention projects</li> </ul> <p>Homelessness Prevention projects have the following additional limitations on eligibility with homeless and at-risk of homelessness: Must only serve individuals and families that have an annual income <u>at*</u> or <u>below</u> 30% Area Median Income</p>

\*Per clarification and approval from HUD.

## Appendix 3: Income Documentation Requirements

Type of Income	Include in Income Calculation	Acceptable Types of Documentation	Documentation Requirements and Process	
Wages, salary, etc.	Yes	Copy of most recent paystub(s)	<ul style="list-style-type: none"> <li>▪ Obtain copy(ies) of most recent pay stub(s) from applicant</li> <li>▪ Include copy(ies) in participant file</li> </ul>	
		OR		
		Written verification of income	<ul style="list-style-type: none"> <li>▪ Mail, fax, email written verification of income request directly to employer(s)</li> <li>▪ Obtain signed and dated verification of income from employer(s)</li> <li>▪ Include verification of income in file</li> </ul>	
		OR <i>(if written third-party documentation cannot be obtained)</i>		
		Oral verification of income	<ul style="list-style-type: none"> <li>▪ Contact employer(s) by phone or in person to obtain oral verification.</li> <li>▪ Document oral verification of income</li> <li>▪ Include verification of Income in file.</li> </ul>	
		OR <i>(if written documentation or oral third-party verification is not obtained)</i>		
		Self-declaration of income	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration of income from applicant</li> <li>▪ ESG worker must document attempt to obtain third-party verification (written or oral) and sign self-declaration of income</li> <li>▪ Include self-declaration of income in file</li> </ul>	
Business income <sup>1</sup>	Yes	Copy of most recent federal or state tax return showing <u>net</u> business income	<ul style="list-style-type: none"> <li>▪ Obtain copy of most recent federal or state tax return from applicant</li> <li>▪ Include copy in file</li> </ul>	
		OR <i>(if written documentation cannot be obtained)</i>		
		Self-declaration of income	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration of income from applicant</li> <li>▪ ESG worker must document attempt to obtain third-party verification (written or oral) and sign self-declaration of income</li> <li>▪ Include self-declaration of income in file</li> </ul>	
<p><sup>1</sup> It can be a challenge for Subgrantee Agency/Subrecipient to obtain third-party verification of self-employment income. When third-party verification is not available, Subgrantee Agency/Subrecipient should always accept the most recently filed tax returns.</p>				

Type of Income	Include in Income Calculation	Acceptable Types of Documentation	Documentation Requirements and Process	
Interest and dividend income	Yes	Copy of most recent interest or dividend income statement	<ul style="list-style-type: none"> <li>▪ Obtain copy(ies) of most recent interest or dividend income statement from applicant</li> <li>▪ Include copy(ies) in file</li> </ul>	
		OR		
		Copy of most recent federal or state tax return showing interest, dividend or other net income	<ul style="list-style-type: none"> <li>▪ Obtain copy of most recent federal or state tax return from applicant.</li> <li>▪ Include copy in file.</li> </ul>	
		OR <i>(if written documentation cannot be obtained)</i>		
		Self-declaration of income	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration of income from applicant.</li> <li>▪ ESG worker must document attempt to obtain third-party verification (written or oral) and sign self-declaration of income.</li> <li>▪ Include self-declaration of income in file.</li> </ul>	
Pension and/or retirement income	Yes	Copy of recent statement or benefit notice from Social Security Administration (SSA), pension provider, or other source	<ul style="list-style-type: none"> <li>▪ Obtain copy(ies) of most recent benefit notice, pension statement or other payment statement from applicant</li> <li>▪ Include copy(ies) in file</li> </ul>	
		OR		
		Written verification of income	<ul style="list-style-type: none"> <li>▪ Mail, fax, email verification of income request directly to Social Security, pension provider or other source</li> <li>▪ Obtain signed and dated verification of income from income source</li> <li>▪ Include Verification of Income in file</li> </ul>	
		OR <i>(if written third party documentation cannot be obtained)</i>		
		Oral verification of income	<ul style="list-style-type: none"> <li>▪ Contact source(s) by phone or in person to obtain oral verification of income</li> <li>▪ Document oral verification of income</li> <li>▪ Include Verification of Income in file</li> </ul>	
OR <i>(if written documentation or oral third-party verification cannot be obtained)</i>				

Type of Income	Include in Income Calculation	Acceptable Types of Documentation	Documentation Requirements and Process
		Self-declaration of income	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration of income from applicant</li> <li>▪ ESG worker must document attempt to obtain third-party verification (written or oral) and sign self-declaration of income</li> <li>▪ Include self-declaration of income in file</li> </ul>
Unemployment and disability income	Yes	Copy of most recent unemployment, worker’s compensation, SSI, SSDI, or severance payment statement or benefit notice	<ul style="list-style-type: none"> <li>▪ Obtain copy(ies) of most recent payment statement(s) and/or benefit notice(s) from applicant</li> <li>▪ Include copy(ies) in file</li> </ul>
		OR	
		Written verification of income	<ul style="list-style-type: none"> <li>▪ Mail, fax, email verification of income request directly to unemployment administrator, worker’s compensation administrator, or former employer</li> <li>▪ Obtain signed and dated verification of income from income source</li> <li>▪ Include verification of income in file</li> </ul>
		OR <i>(if written third party documentation cannot be obtained)</i>	
		Oral verification of income	<ul style="list-style-type: none"> <li>▪ Contact source(s) by phone or in person to obtain oral verification of income</li> <li>▪ Document oral verification of income</li> <li>▪ Include Verification of Income in file</li> </ul>
		OR <i>(if written documentation or oral third-party verification cannot be obtained)</i>	
TANF/public assistance	Yes	Copy of most recent TANF payment statement or	<ul style="list-style-type: none"> <li>▪ Obtain copy(ies) of most recent benefit notice(s) or payment statement(s)</li> </ul>

Type of Income	Include in Income Calculation	Acceptable Types of Documentation	Documentation Requirements and Process
		benefit notice	from applicant ▪ Include copy(ies) in file
OR			
		Written verification of income	▪ Mail, fax, email verification of income request directly to TANF administrator ▪ Obtain signed and dated verification of income from income source ▪ Include verification of income in file
OR <i>(if written third party documentation cannot be obtained)</i>			
		Oral verification of income	▪ Contact source(s) by phone or in person to obtain oral verification of income ▪ Document oral verification of income ▪ Include Verification of Income in file
OR <i>(if written documentation or oral third-party verification cannot be obtained)</i>			
		Self-declaration of income	▪ Obtain signed and dated original self-declaration of income from applicant ▪ ESG worker must document attempt to obtain third-party verification (written or oral) and sign self-declaration of income ▪ Include self-declaration of income in file
Armed Forces income	Yes	Copy of pay stubs, payment statement, or other government-issued statement indicating income amount	▪ Obtain copy(ies) of most recent payment stubs(s), statements, or other government-issued statement from applicant ▪ Include copy(ies) in file
		OR	
		Written verification of income	▪ Mail, fax, email verification of income request directly to appropriate armed services representative ▪ Obtain signed and dated verification of income from income source ▪ Include Verification of Income in file
OR <i>(if written third-party documentation cannot be obtained)</i>			

Type of Income	Include in Income Calculation	Acceptable Types of Documentation	Documentation Requirements and Process
		Oral verification of income	<ul style="list-style-type: none"> <li>▪ Contact source(s) by phone or in person to obtain oral verification of income</li> <li>▪ Document oral verification of income</li> <li>▪ Include Verification of Income in file</li> </ul>
		OR <i>(if written documentation or oral-third party verification cannot be obtained)</i>	
		Self-declaration of income	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration of income from applicant</li> <li>▪ ESG worker must document attempt to obtain third-party verification (written or oral) and sign self-declaration of income</li> <li>▪ Include self-declaration of income in file</li> </ul>
No Income Reported	N/A	Self-declaration of income	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration of income from applicant</li> <li>▪ ESG worker must document attempt to obtain third-party verification (written or oral) and sign self-declaration of income</li> <li>▪ Include self-declaration of income in file</li> </ul>

## Appendix 4A: Homeless Acceptable Documentation

<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>RECORDKEEPING REQUIREMENTS</b></p> 	<b>Category 1</b>	Literally Homeless	<ul style="list-style-type: none"> <li>• Written observation by the outreach worker; <u>or</u></li> <li>• Written referral by another housing or service provider; <u>or</u></li> <li>• Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter;</li>   <li>• For individuals exiting an institution—one of the forms of evidence above <u>and</u>:                             <ul style="list-style-type: none"> <li>○ discharge paperwork <u>or</u> written/oral referral, <u>or</u></li> <li>○ written record of intake worker’s due diligence to obtain above evidence <u>and</u> certification by individual that they exited institution</li> </ul> </li> </ul>
	<b>Category 2</b>	Imminent Risk of Homelessness	<ul style="list-style-type: none"> <li>• A court order resulting from an eviction action notifying the individual or family that they must leave; <u>or</u></li> <li>• For individual and families leaving a hotel or motel—evidence that they lack the financial resources to stay; <u>or</u></li> <li>• A documented and verified oral statement; <u>and</u></li>   <li>• Certification that no subsequent residence has been identified; <u>and</u></li> <li>• Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing</li> </ul>
	<b>Category 3</b>	Homeless under other Federal statutes	<ul style="list-style-type: none"> <li>• 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></li> <li>• Certification of no PH in last 60 days; <u>and</u></li> <li>• 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></li> <li>• Documentation of special needs <u>or</u> 2 or more barriers</li> </ul>
	<b>Category 4</b>	Fleeing/ Attempting to Flee DV	<ul style="list-style-type: none"> <li>• <i>For victim service providers:</i> <ul style="list-style-type: none"> <li>○ 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.</li> </ul> </li> <li>• <i>For non-victim service providers:</i> <ul style="list-style-type: none"> <li>○ 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></li> <li>○ Certification by the individual or head of household that no subsequent residence has been identified; <u>and</u></li> <li>○ Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.</li> </ul> </li> </ul>

## Appendix 4B: At-Risk of Homelessness Acceptable Documentation

<p><b>Record Keeping Requirements</b></p>	<p><b>Category 1</b></p>	<p><b>Individual or Household</b></p>	<p><b>Self-certification ,or other written documentation, that the program participant has insufficient financial resources and support networks immediately available to attain housing stability, AND</b></p> <p>Includes source documents (e.g., notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears, <b>OR</b></p> <ol style="list-style-type: none"> <li>1. Written statement by relevant third party or the written certification by the Subgrantee Agency/Subrecipient’s intake worker/case manager of the oral verification by the relevant third party that the applicant meets the criteria for the definition of “at-risk of homelessness”; <b>OR</b></li> <li>2. Written statement by the Subgrantee Agency/Subrecipient’s intake worker/case manager describing the efforts taken to obtain the required evidence; <b>AND</b> The most reliable evidence available to show that the program participant meets one or more of the conditions to meet the criteria for the definition of “at-risk of homelessness.” Acceptable evidence includes:             <ol style="list-style-type: none"> <li>a. Source documents of eviction notice, notice of termination from employment, bank statement, <b>OR</b></li> <li>b. Written statement by relevant third party or the written certification by the Subgrantee Agency/Subrecipient’s intake worker/case manager of the oral verification by the relevant third party that the applicant meets one or more of the criteria for the definition of “at-risk of homelessness”, <b>OR</b></li> <li>c. Written statement by the Subgrantee Agency/Subrecipient’s intake worker/case manager that the staff person has visited the applicant’s residence and determined that the applicant meets one or more of the criteria for the definition of “at-risk of homelessness” or, if a visit is not practicable or relevant to the determination, a written statement by the Subgrantee Agency/Subrecipient’s intake worker/case manager describing the efforts taken to obtain the required evidence.</li> </ol> </li> </ol>
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<b>Record Keeping Requirements</b>	<b>Category 2</b>  <b>OR</b>  <b>Category 3</b>	<b>Child or youth who qualifies as homeless under other statutes</b>  <b>OR</b>  <b>Child or youth who qualifies as homeless under section 725(2) of the McKinney-Vento Homeless Assistance Act</b>	<p>Certification of the child or youth’s homeless status by the agency or organization responsible for administering assistance under one of the following:</p> <ul style="list-style-type: none"> <li>• Runaway and Homeless Youth Act (42 USC 5701 <i>et seq.</i>)</li> <li>• Head Start Act (42 USC 9831 <i>et seq.</i>)</li> <li>• Subtitle N of the Violence Against Women Act of 1994 (42 USC 14043e <i>et seq.</i>)</li> <li>• Section 330 of the Public Health Service Act (42 USC 254b)</li> <li>• Food and Nutrition Act of 2008 (7 USC 2011 <i>et seq.</i>)</li> <li>• Section 17 of the Child Nutrition Act of 1966 (42 USC 1786)</li> <li>• Subtitle B of the title VII of the McKinney-Vento Homeless Assistance Act (42 USC 11431 <i>et seq.</i>)</li> </ul>
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## Appendix 5: Assessing Housing Options/Resources

Housing Options and Resources	Meets ESG Requirements	Acceptable Types of Documentation	Documentation Requirements and Process
<b>Other Subsequent Housing Options</b>	Yes, if no appropriate subsequent housing options have been identified	Assessment of housing options by ESG or other authorized ESG staff	<ul style="list-style-type: none"> <li>▪ Assess with applicant all other appropriate (i.e., safe, affordable, available) subsequent housing options</li> <li>▪ Verify that no other appropriate subsequent housing options are available</li> <li>▪ <i>Assessment Must:</i> <ul style="list-style-type: none"> <li>○ Be documented by ESG case manager or other authorized staff</li> <li>○ Include assessment summary or other statement indicating that applicant has no other appropriate housing options</li> <li>○ Be signed and dated by ESG case manager or other authorized staff</li> </ul> </li> <li>▪ Include assessment and verification of no other subsequent housing options in file</li> </ul>
<b>AND</b>			
<b>Financial Resources and Support Networks</b>	Yes, if participant lacks the financial resources and support networks needed to obtain immediate housing or remain in existing housing	Assessment of financial resources and support networks by ESG case manager or other authorized ESG staff	<ul style="list-style-type: none"> <li>▪ Assess with applicant all financial resources and support networks (i.e., friends, family or other personal sources of financial or material support)</li> <li>▪ Verify that applicant lacks financial resources and support networks to obtain other appropriate subsequent housing or remain in existing housing</li> <li>▪ <i>Assessment Must</i> <ul style="list-style-type: none"> <li>○ Be documented by ESG case manager or other authorized staff</li> <li>○ Include review of current account balances in checking and savings accounts held by applicant household</li> <li>○ Include assessment summary or other statement indicating that applicant lacks financial resources and support networks to obtain other appropriate subsequent housing or remain in existing housing</li> <li>○ Be signed and dated by ESG case manager or other authorized staff</li> </ul> </li> <li>▪ Include assessment and verification of insufficient financial resources and support networks in file</li> </ul>

## Appendix 6: Homelessness Prevention Documentation

Living Situation	At Risk of Homelessness per ESG Criteria	Acceptable Types of Documentation <sup>1</sup>	Documentation Requirements and Process
<p><b>Current living situation including:</b></p> <ul style="list-style-type: none"> <li>▪ Rented by Applicant</li> <li>▪ Owned by Applicant</li> <li>▪ Other Housing Occupied by Applicant without Paying Rent (including housing shared with friends or family)</li> <li>▪ Hospital or other institution</li> <li>▪ Hotels or Motels not paid for by Federal, State or local government or charitable programs</li> </ul>	<p>Yes, but only if without ESG assistance household will lose housing and become homeless (i.e., require emergency shelter or sleep in a place not meant for human habitation)</p>	<p>Copy of eviction notice from landlord/property manager of unit or court order based on eviction action that notifies the applicant that they must leave</p> <p>AND</p> <p>Copy of lease naming applicant as leaseholder</p>	<ul style="list-style-type: none"> <li>▪ Obtain copy of eviction notice (typed or handwritten) or court order AND copy of lease</li> <li>▪ <i>Eviction Notice/Court Order Must:</i> <ul style="list-style-type: none"> <li>○ Identify the ESG applicant and unit where ESG applicant is the leaseholder</li> <li>○ Indicate that applicant must leave their housing</li> <li>○ Be signed and dated by owner/landlord or court</li> </ul> </li> <li>▪ Include eviction notice or court order and copy of lease in participant file</li> </ul>
		<p>Copy of notice indicating building in which applicant is renting or otherwise residing is being foreclosed on</p> <p>AND</p> <p>Copy of lease naming applicant as leaseholder</p>	<ul style="list-style-type: none"> <li>▪ Obtain copy of foreclosure notice (may include notice from landlord/property manager, court, published in local newspaper or other print or on-line public record documentation) <b>AND</b> copy of lease</li> <li>▪ <i>Foreclosure Notice Must:</i> <ul style="list-style-type: none"> <li>○ Identify the building or unit where ESG applicant is the leaseholder or is otherwise residing</li> <li>○ Indicate that housing is being foreclosed on</li> <li>○ If written notice to applicant, be signed and dated by the landlord or property manager</li> </ul> </li> <li>▪ Include notice and copy of lease in participant file</li> </ul>
		<p>Copy of eviction letter from host family or friend who owns or rents the housing that notifies the applicant that they must leave</p> <p>AND</p> <p>Copy of lease naming host family/friend as</p>	<ul style="list-style-type: none"> <li>▪ Obtain copy of eviction letter (typed or handwritten) AND copy of lease</li> <li>▪ <i>Eviction Letter Must:</i> <ul style="list-style-type: none"> <li>○ Identify the ESG applicant and unit where ESG applicant is residing</li> <li>○ Indicate that applicant must leave owner's/renter's housing</li> <li>○ Be signed and dated by the host owner/renter</li> </ul> </li> <li>▪ Include eviction letter and copy of lease in participant file</li> </ul>

Living Situation	At Risk of Homelessness per ESG Criteria	Acceptable Types of Documentation <sup>1</sup>	Documentation Requirements and Process
<p><b>Current living situation including:</b></p> <ul style="list-style-type: none"> <li>▪ Rented by Applicant</li> <li>▪ Owned by Applicant</li> <li>▪ Other Housing Occupied by Applicant without Paying Rent (including housing shared with friends or family)</li> </ul>	<p>Yes, but only if without ESG assistance household will lose their housing and become homeless (i.e., require emergency shelter or sleep in a place not meant for human habitation)</p>	leaseholder	
		Copy of utility shut-off notice from utility company	<ul style="list-style-type: none"> <li>▪ Obtain copy of utility shut-off notice</li> <li>▪ <i>Shut-Off Notice Must:</i> <ul style="list-style-type: none"> <li>○ Identify the ESG applicant and unit where ESG applicant is the leaseholder</li> <li>○ Indicate that utility shut off/disconnection is imminent (e.g. within XX days) will be shut-off</li> <li>○ Be signed and dated by utility company representative and/or include utility company contact information</li> </ul> </li> <li>▪ Include utility shut-off notice in participant file</li> </ul>
		<p>Copy of notice from landlord/property manager, public health, code enforcement, fire marshal, child welfare or other government entity that housing is condemned</p> <p>AND</p> <p>Copy of lease naming applicant as leaseholder</p>	<ul style="list-style-type: none"> <li>▪ Obtain copy of notice (may include notice published in local newspaper or government jurisdiction’s website) AND copy of lease</li> <li>▪ <i>Notice Must:</i> <ul style="list-style-type: none"> <li>○ Identify the building or unit where ESG applicant is the leaseholder or is otherwise residing</li> <li>○ Indicate that housing is condemned (i.e., unfit for human habitation)</li> <li>○ If written notice, be signed and dated by the landlord property manager, public health, code enforcement, fire marshal, child welfare, or other government entity</li> </ul> </li> <li>▪ Include notice and copy of lease in participant file</li> </ul>
		Copy of foreclosure notice from lending institution	<ul style="list-style-type: none"> <li>▪ Obtain copy of foreclosure notice.</li> <li>▪ <i>Foreclosure Notice Must:</i> <ul style="list-style-type: none"> <li>○ Be on financial institution letterhead</li> <li>○ Identify the ESG applicant and residence where ESG applicant is the homeowner</li> <li>○ Indicate that applicant must leave their</li> </ul> </li> </ul>

Living Situation	At Risk of Homelessness per ESG Criteria	Acceptable Types of Documentation <sup>1</sup>	Documentation Requirements and Process
<ul style="list-style-type: none"> <li>▪ Hospital or other institution</li>   <li>▪ Hotels or Motels not paid for by Federal, State or local government or charitable programs</li> </ul>			<ul style="list-style-type: none"> <li>housing                             <ul style="list-style-type: none"> <li>○ Be signed and dated by financial institution</li> </ul> </li> <li>▪ Include foreclosure notice in participant file</li> </ul>
		Written statement from hospital or other institution	<ul style="list-style-type: none"> <li>▪ Obtain letter from hospital or other institution</li> <li>▪ <i>Letter Must:</i> <ul style="list-style-type: none"> <li>○ Be on hospital or other institution letterhead</li> <li>○ Include statement verifying current hospital/institution stay of ESG applicant</li> <li>○ Indicate the individual has no housing (other than emergency shelter) to return to upon discharge</li> <li>○ Indicate the institution has followed all appropriate discharge procedures and cannot find housing for the individual</li> <li>○ Be signed and dated by hospital/institution representative</li> </ul> </li> <li>▪ Include hospital/institution letter in participant file</li> </ul>
		Self-declaration  <i>NOTE: Self-Declaration is only acceptable if third party documentation cannot be obtained</i>	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration from applicant</li> <li>▪ ESG worker must document attempt to obtain third party documentation and sign self-declaration form</li> <li>▪ Include self-declaration in participant file</li> </ul>

Acceptable documentation depends on what factors Subgrantee Agency/Subrecipient select to determine whether an applicant will lose their housing but for ESG assistance. The list is not all-inclusive.

## Appendix 7: Rapid Re-Housing Documentation

Living Situation	Homeless per ESG Criteria	Acceptable Types of Documentation <i>(in order of preference)</i>	Documentation Requirements and Process	
<p><b>Sleeping in an Emergency Shelter</b></p> <p>Note: This only includes Emergency Shelter programs identified in the Continuum of Care’s (CoC) most recent Housing Inventory Chart submitted to HUD or otherwise recognized by the CoC as part of the CoC inventory (e.g. newly established Emergency Shelters)</p>	Yes	HMIS record of shelter stay	<ul style="list-style-type: none"> <li>▪ Obtain HMIS record showing shelter stay concurrent with ESG program entry date</li> <li>▪ Include HMIS record in ESG participant file</li> </ul>	
		<p><b>OR</b></p> <p><i>(if HMIS record cannot be obtained)</i></p>		
		Written homeless certification	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original Homeless Certification from shelter provider</li> <li>▪ Include Homeless Certification in ESG participant file</li> </ul>	
		<p><b>OR</b></p> <p><i>(if HMIS record and ESG Homeless Certification cannot be obtained)</i></p>		
Emergency shelter provider letter	<ul style="list-style-type: none"> <li>▪ Obtain letter from emergency shelter provider</li> <li>▪ <i>Letter Must:</i> <ul style="list-style-type: none"> <li>○ Be on shelter provider letterhead</li> <li>○ Identify shelter program</li> <li>○ Include statement verifying current shelter occupancy of ESG participant, including most recent entry and exit (if applicable) dates</li> <li>○ Be signed and dated by shelter provider</li> </ul> </li> <li>▪ Include emergency shelter provider letter in participant file</li> </ul>			
<p><b>Place Not Meant for Human Habitation (e.g., cars, parks, abandoned buildings, streets/sidewalks)</b></p>	Yes	Written homeless certification	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original Homeless Certification from homeless street outreach provider</li> <li>▪ Include Homeless Certification in ESG participant file</li> </ul>	
		<p><b>OR</b></p> <p><i>(if ESG Homeless Certification cannot be obtained)</i></p>		
		Homeless street outreach provider letter	<ul style="list-style-type: none"> <li>▪ Obtain letter from homeless street outreach provider. The letter may be from the ESG-funded rapid re-housing provider if the provider also provides outreach to persons on the street as part of engagement and admission activities</li> <li>▪ <i>Letter Must:</i> <ul style="list-style-type: none"> <li>○ Be on outreach provider letterhead</li> <li>○ Identify outreach program</li> <li>○ Include statement verifying current homeless status</li> </ul> </li> </ul>	

Living Situation	Homeless per ESG Criteria	Acceptable Types of Documentation <i>(in order of preference)</i>	Documentation Requirements and Process
			of ESG participant <ul style="list-style-type: none"> <li>○ Be signed and dated by outreach provider</li> <li>▪ Include outreach provider letter in participant file</li> </ul>
<b>OR</b> <i>(if ESG Homeless Certification and provider letter cannot be obtained)</i>			
		Self-declaration of homelessness	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration from applicant</li> <li>▪ ESG worker must document attempt to obtain written third party verification and sign self-declaration form</li> <li>▪ Include self-declaration in participant file</li> </ul>
<b>Hospital or Other Institution</b>	Yes, if also meet the following two conditions:  1. stay in a hospital or other institution has been for 90 days or less <b>AND</b> 2. was sleeping in an emergency shelter or other place not meant for human	Letter from hospital or other institution	<ul style="list-style-type: none"> <li>▪ Obtain letter from hospital or other institution</li> <li>▪ <i>Letter Must:</i> <ul style="list-style-type: none"> <li>○ Be on hospital or other institution letterhead</li> <li>○ Include statement verifying current hospital/institution stay of ESG participant</li> <li>○ Include hospital/institution admission and discharge dates verifying that stay has been for 90 days or less</li> <li>○ Be signed and dated by hospital/institution representative</li> </ul> </li> <li>▪ Include hospital/institution letter in participant file</li> </ul>
		<b>AND</b> <i>(to verify homeless status prior to hospital or other institution admission)</i>	
		HMIS record of shelter stay <i>(if previously sleeping in emergency shelter)</i>	<ul style="list-style-type: none"> <li>▪ Obtain HMIS record showing shelter stay concurrent with ESG program entry date</li> <li>▪ HMIS record must indicate shelter stay immediately prior to (i.e. the day before or same day as) hospital/institution admission date</li> <li>▪ Include HMIS record in ESG participant file</li> </ul>
		<b>OR</b> <i>(if HMIS record cannot be obtained)</i>	

Living Situation	Homeless per ESG Criteria	Acceptable Types of Documentation <i>(in order of preference)</i>	Documentation Requirements and Process
	habitation (cars, parks, streets, etc.) prior to entry into the hospital or institution	Written homeless certification <i>(if previously sleeping in emergency shelter or place not meant for human habitation)</i>	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original Homeless Certification from shelter provider or homeless street outreach provider</li> <li>▪ Certification must verify homelessness (residing in shelter or place not meant for human habitation) immediately prior to (i.e. the day before or same day as) hospital/institution admission date</li> <li>▪ Include Homeless Certification in ESG participant file</li> </ul>
<b>OR</b> <i>(if HMIS record and ESG Homeless Certification cannot be obtained)</i>			
		Emergency shelter provider or Homeless street outreach provider letter <i>(if previously sleeping in emergency shelter or place not meant for human habitation)</i>	<ul style="list-style-type: none"> <li>▪ Obtain emergency shelter provider letter</li> <li>▪ Letter Must:                             <ul style="list-style-type: none"> <li>○ Be on shelter provider letterhead</li> <li>○ Identify shelter program</li> <li>○ Include statement verifying shelter stay immediately prior to (i.e. the day before or same day as) hospital/institution admission date</li> <li>○ Be signed and dated by shelter provider</li> </ul> </li> <li>▪ Include documentation in ESG participant file</li> </ul>
<b>OR</b> <i>(if HMIS record, ESG Homeless Certification, or provider letter cannot be obtained)</i>			
		Self-declaration of homelessness <i>(ONLY if previously sleeping in place not meant for human habitation)</i>	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration from applicant</li> <li>▪ Self-declaration must verify homelessness (residing in shelter or place not meant for human habitation) immediately prior to (i.e. the day before or same day as) hospital/institution admission date</li> <li>▪ ESG worker must document attempt to obtain written third party verification and sign ESG Self-Declaration form</li> <li>▪ Include self-declaration in participant file</li> </ul>

Living Situation	Homeless per ESG Criteria	Acceptable Types of Documentation <i>(in order of preference)</i>	Documentation Requirements and Process
<p><b>Transitional Housing</b></p> <p>Note: This only includes Transitional Housing programs serving homeless persons (per HUD’s definition) and listed in the Continuum of Care’s (CoC) most recent Housing Inventory Chart submitted to HUD or otherwise recognized by the CoC as part of the CoC inventory (e.g. newly established Transitional Housing programs)</p>	<p>Yes, if graduating or timing out from Transitional Housing program</p>	<p>Written homeless certification</p>	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original Homeless Certification from transitional housing provider</li> <li>▪ Include Homeless Certification in ESG participant file</li> </ul>
		<p><b>OR</b> <i>(if ESG Homeless Certification cannot be obtained)</i></p>	
<p><b>Domestic Violence</b></p>	<p>Yes, if ESG assistance is needed to leave domestic violence situation</p>	<p>Self-declaration of homelessness</p>	<ul style="list-style-type: none"> <li>▪ Obtain signed and dated original self-declaration from applicant</li> <li>▪ ESG worker must document attempt to obtain written third party verification and sign self-declaration form</li> <li>▪ Include self-declaration in participant file</li> </ul>