

# Emergency Solutions Grant (ESG)



Revised  
October 2020

**Guidance for Emergency Solutions Grant  
As administered by the **insert program office****

**Insert program office  
Insert program office address**

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## I. BACKGROUND FOR ELIGIBLE ACTIVITIES (PROGRAM TYPES)

All Subrecipients of ESG funds are expected to comply with requirements for utilizing the centralized intake process once procedures are established with the Continuum of Care (CoC). Subrecipients are required to comply with all ESG requirements including; the provision of case management, helping program participants increase income, either via employment assistance or through the acquisition of mainstream benefits, and helping program participants move into and stay in permanent housing.

### a. Emergency Shelter

From the interim rule ESG regulations, “emergency shelter means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.” Shelter stays should be avoided, if possible, and when not possible, limited to the shortest time necessary to help participants regain permanent housing. Emergency shelter programs should be closely linked to an array of programs in order to accomplish this goal of stable permanent housing including, but not limited to, rapid re-housing, transitional housing, affordable housing placement, and employment. Linkages should also be made to applicable mainstream programs such as food stamps, TANF, etc.

(I) Subject to approval by the **insert program office** within your Subrecipient Agreement, ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters and operational costs of emergency shelters.

a. Case management. The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant is eligible. Component services and activities consist of: (A) Using the centralized or coordinated assessment system as required under § 576.400(d); (B) Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; (C) Counseling; (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits; (E) Monitoring and evaluating program participant progress; (F) Providing information and referrals to other providers; (G) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and (H) Developing an individualized housing and service plan, including planning a path to permanent housing stability.

b. Child care. The costs of child care for program participants, including providing meals and snacks, and comprehensive and coordinated sets of appropriate developmental activities, are eligible.

The children **must be** under the age of 13, unless they are disabled. Disabled children must be under the age of 18. The child-care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible.

c. Education services. When necessary for the program participant to obtain and maintain housing, the costs of improving knowledge and basic educational skills are eligible. Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED). Component services or activities are screening, assessment and testing; individual or group instruction; tutoring; provision of books, supplies and instructional material; counseling; and referral to community resources.

d. Employment assistance and job training. The costs of employment assistance and job training programs are eligible, including classroom, online, and/or computer instruction; on-the-job instruction; and services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. Learning skills includes those skills that can be used to secure and retain a job. Services that assist individuals in securing employment consist of employment screening, assessment, or testing; structured job skills and job-seeking skills; special training and tutoring, including literacy training and prevocational training; books and instructional material; counseling or job coaching; and referral to community resources.

e. Outpatient health services. Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals. Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate health services are unavailable within the community. Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate medical treatment, preventive medical care, and health maintenance services, including emergency medical services; providing medication and follow-up services; and providing preventive and non-cosmetic dental care.

f. Legal services. (A) Eligible costs are the hourly fees for legal advice and representation by attorneys licensed and in good standing with the bar association of the State in which the services are provided, and by person(s) under the supervision of the licensed attorney, regarding matters that interfere with the program participant's ability to obtain and retain housing. (B) Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate legal services are unavailable or inaccessible within the community. (C) Eligible subject matters are child support, guardianship, paternity, emancipation, and legal separation, orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking, and appeal of veterans and public benefit claim denials. (D) Component services or activities may include client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling. (E) Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost would be less than the cost of hourly fees. Filing fees and other necessary court costs are also eligible. If the Subrecipient is a legal services provider and performs the services itself, the eligible costs are the Subrecipient's employees' salaries and other costs necessary to perform the services. (F) Legal

services for immigration and citizenship matters and issues relating to mortgages are ineligible costs. Retainer fee arrangements and contingency fee arrangements are ineligible costs.

g. Life skills training. The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance use, and homelessness are eligible costs. These services must be necessary to assist the program participant to function independently in the community. Component life skills training are budgeting resources, managing money, managing a household, resolving conflict, shopping for food and needed items, improving nutrition, using public transportation, and parenting.

h. Mental health services. (A) Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions. (B) ESG funds may only be used for these services to the extent that other appropriate mental health services are unavailable or inaccessible within the community. (C) Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances. Problem areas may include family and marital relationships, parent-child problems, or symptom management. (D) Eligible treatment consists of crisis interventions; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.

i. Substance abuse treatment services. (A) Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals. (B) ESG funds may only be used for these services to the extent that other appropriate substance abuse treatment services are unavailable or inaccessible within the community. (C) Eligible treatment consists of client intake and assessment, and outpatient treatment for up to 30 days. Group and individual counseling and drug testing are eligible costs. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs.

j. Transportation. Eligible costs consist of the transportation costs of a program participant's travel to and from medical care, employment, child care, or other eligible essential services facilities.

These costs include the following: (A) The cost of a program participant's travel on public transportation; (B) If service workers use their own vehicles, mileage allowance for service workers to visit program participants; (C) The cost of purchasing or leasing a vehicle for the recipient or Subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes, and maintenance for the vehicle; and (D) The travel costs of recipient or Subrecipient staff to accompany or assist program participants to use public transportation.

k. Shelter operations. Eligible costs are the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, food, furnishings, and supplies necessary for the operation of the emergency shelter. Where no appropriate emergency shelter is available for a homeless family or individual, eligible costs may also include a hotel or motel voucher for that family or individual.

### **a.1. Family Separation and Emergency Shelter**

HUD issued regulations that all shelters are prohibited from denying access to families based on the age of a child. This requirement has been issued through the HEARTH Act and through the ESG Interim Rule. All HUD funded emergency shelters and transitional housing facilities will comply with this requirement. Noncompliance may result in removal of ESG funds. Please see the following for specific information.

HEARTH Act language on family separation:

#### **‘SEC. 404. PREVENTING INVOLUNTARY FAMILY SEPARATION.**

“(a) IN GENERAL. - ... any project sponsor receiving funds under this title to provide emergency shelter, transitional housing, or permanent housing to families with children under age 18 shall not deny admission to any family based on the age of any child under age 18.

“(b) EXCEPTION. - Notwithstanding the requirement under subsection (a), project sponsors of transitional housing receiving funds under this title may target transitional housing resources to families with children of a specific age only if the project sponsor -

“(1) operates a transitional housing program that has a primary purpose of implementing an evidence-based practice that requires that housing units be targeted to families with children in a specific age group; and

“(2) Provides such assurances, as the Secretary shall require, that an equivalent appropriate alternative living arrangement for the whole family or household unit has been secured.”

ESG Interim Rule language on family separation:

“(b) *Prohibition against involuntary family separation*. The age, of a child under age 18 must not be used as a basis for denying any family’s admission to an emergency shelter that uses Emergency Solutions Grant (ESG) funding or services and provides shelter to families with children under age 18.”

### **a.2. Minimum Standards for Emergency Shelter**

Any emergency shelter that receives ESG assistance for shelter operations must meet the following minimum safety, sanitation, and privacy standards. Grantees may also establish standards that exceed or add to these minimum standards.

## **1. Structure and materials**

The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.

## **2. Access**

The shelter must be accessible in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; the Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et seq.) and 28 CFR part 35; where applicable.

## **3. Space and security**

Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.

## **4. Interior air quality**

Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.

## **5. Water supply**

The shelter's water supply must be free of contamination.

## **6. Sanitary facilities**

Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.

## **7. Thermal environment**

The shelter must have any necessary heating/ cooling facilities in proper operating condition.

## **8. Illumination and electricity**

The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.

## **9. Food preparation**

Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.

## **10. Sanitary conditions**

The shelter must be maintained in a sanitary condition.

## **11. Fire safety**

There must be at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or other emergency.

### **b. Transitional Housing**

**Transitional housing (TH)** is designed to meet more intensive service needs to increase the housing stability of the population served. Transitional Housing stays are typically between 90 days and 2 years. Providers should link program participants to applicable mainstream programs such as food stamps, TANF, etc. with the goal of helping participants secure permanent housing.

Outreach providers should collaborate with TH providers to secure housing for clients coming from the street who need temporary housing and have significant barriers to housing stability. Rapid re-housing providers should collaborate with TH providers to identify RRH program participants.

### **c. Rapid Re-Housing**

**Rapid Re-Housing** programs are designed to help those who are homeless transition into permanent housing. The primary goal is to stabilize a program participant in permanent housing as quickly as possible and to provide wrap-around services after the family or individual obtains housing. Households receiving this funding must have an income level at or below 50% AMI. Enrollment in a rapid re-housing program should rely heavily on a case management plan to ensure long term stability for program participants. Providers are expected to implement a case management plan that will increase household incomes and/or increase access to mainstream benefits for program participants. Linkages should also be made to applicable mainstream programs such as food stamps, TANF, etc.

By ESG regulation at 24 CFR 576, ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. Rapid re-housing assistance must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short- and medium- term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

### **d. Homelessness Prevention**

**Prevention** is most efficiently implemented when targeted to those at greatest risk of losing housing. Households receiving this funding must have an income level below 30% AMI and must demonstrate that they do not have sufficient resources or support networks to prevent them from moving to an emergency shelter or other place defined under Category I of the homeless definition. Enrollment in a

prevention program should typically last around 2-6 months, although enrollments can be longer, and rely heavily on a case management plan to ensure long term stability for program participants. Subrecipients should negotiate with landlords as the first step in resolving eviction crises. Prevention implementations should effectively target households at greatest risk of homelessness and assist participants to increase household incomes during enrollment. Linkages should also be made to applicable mainstream programs such as food stamps, TANF, etc.

By regulation, ESG funds may be used to provide housing relocation and stabilization services and short and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the “homeless” definition in § 576.2. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant’s current permanent housing or move into other permanent housing and achieve stability in that housing.

#### **e. Street Outreach**

ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. The term “unsheltered homeless people” is defined as

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
  - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.**

There are 6 eligible activities for Street Outreach, as follows:

1. **Engagement** – the location, identification and relationship building with unsheltered homeless people and the engagement of them for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs. Eligible activities include assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, and actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.
2. **Case management** – the assessment of housing and service needs, and implementing individualized services to meet the needs of the program participant. Eligible services and activities are as follows: using the centralized or coordinated assessment system as required under § 576.400(d); conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; counseling; developing, securing and coordinating services; obtaining Federal, State, and local benefits; monitoring and evaluating program participant progress; providing information and

referrals to other providers; and developing an individualized housing and service plan, including planning a path to permanent housing stability.

3. Emergency health services. Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living. Eligible treatment consists of developing a treatment plan; assisting program participants to understand their health needs; providing directly or obtaining emergency medical treatment; and providing medication and follow-up services.
4. Emergency mental health services. Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions operating in community-based settings, including streets, parks, and other places where unsheltered people are living. ESG funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community. Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances. Eligible treatment consists of crisis interventions, the prescription of psychotropic medications, explanation about the use and management of medications, and combinations of therapeutic approaches to address multiple problems.
5. Transportation. The transportation costs of travel by outreach workers, social workers, medical professionals, or other service providers are eligible, provided that this travel takes place during the provision of services eligible under this section. The costs of transporting unsheltered people to emergency shelters or other service facilities are also eligible.
6. Services for special populations. ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1) through (a)(5) of this section.

### Implementation of Street Outreach

The **insert program office** anticipates and expects the bulk of all Street Outreach awards to be spent on street-based Engagement and Case Management. Should any Subrecipient wish to spend any significant amount of funds on any other eligible activity, they should contact this office to discuss this and receive written approval from the **insert program office** **before** making any decisions. Subrecipients should note that activities 3 and 4 of the eligible activities list refer to Emergency Health and Mental Health services, rather than services that may be delivered on a routine basis.

Street Outreach should be principally focused to one goal: that of supporting homeless households in achieving some form of permanent, sustainable housing. While Street Outreach teams may use incentives to encourage trust and build relationships, or to ensure that homeless households' emergency needs are

met, the awards made should not be used to support other programs that seek to alleviate the burden of living on the streets.

Outreach programs should consider the use of an assessment form in addition to Barriers to Housing Stability, one that is more suited to a street assessment. This should include the options of diversion and placements directly into permanent housing. At this time the **insert program office** is not mandating the use of any specific assessment tool, but assessments such as the Vulnerability Index have value in assisting Street Outreach staff in placing homeless individuals and families.

Outreach teams will have the most comprehensive knowledge of street based individuals / households within the locality. Outreach teams will be responsible for ensuring that a case plan is established for each household that is client centered, realistic and focused towards a goal of permanent housing.

Where one or more Outreach teams work in the same area, this office expects that agencies collaborate to provide complimentary services by:

1. Establishing a lead person / agency that will promote an agreed intervention for the individual / family.
2. The agency will lead the case management of the homeless individual until either the individual has been re-housed, or a more appropriate case manager is ready to take over.
3. Other agencies will reinforce this intervention so that agencies are not working against one another.

Outreach teams will be expected to establish close working relationships with other service providers, not only Emergency Shelters, but other mainstream and housing focused services, such as Rapid Re-Housing. Not every homeless household is expected to need admittance to an emergency shelter and Street Outreach teams should be prepared to implement a variety of interventions in securing permanent housing.

## **II. DEFINITION OF HOMELESSNESS, AT RISK OF HOMELESSNESS, AND CHRONIC HOMELESSNESS**

There are four definitions of homelessness, one definition of at-risk of homelessness, and one definition of chronic homelessness.

### **HOMELESS Definition**

**CATEGORY I:** An individual or family who lacks a fixed, regular, and adequate nighttime residence.  
{Qualifies for Emergency Shelter, Rapid Re-Housing, Transitional Housing, Outreach, Supportive Services programs}

An individual or family:

(A) With a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground

(B) 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**

(C) Who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

**CATEGORY 2:** An individual or family who will imminently lose their primary nighttime residence provided for whom:

{Qualifies for Emergency Shelter, Transitional Housing, Prevention programs}

(A) The residence will be lost within **14** days of the date of application for homeless assistance;

(B) No subsequent residence has been identified; **and**

(C) The individual or family lacks the resources or support networks, [e.g., family, friends, faith based or other social networks needed to obtain other permanent housing]

**CATEGORY 3:** Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless, but who meet the following four (4) criteria:

(A) Are defined as homeless under other legislation including:

- 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);

(B) 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;

- (C) 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**
- (D) 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:** Any individual or family who:

{Qualifies for Emergency Shelter, Transitional Housing, Rapid Re-Housing **if** they also meet CATEGORY I}

- (A) 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;
- (B) Has no other residence; **and**
- (C) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

**AT-RISK OF HOMELESSNESS**

For individuals and families who do not meet the definition of "homeless" under any of the categories established in the Homeless Definition final rule, the McKinney-Vento Act was amended to allow homeless prevention assistance to be provided to persons who are "at risk of homelessness."

To qualify, the individual or family must meet two threshold criteria and must exhibit one or more specified risk factors. The two threshold criteria are below.

The individual or family must have:

1. Income below 30 percent of median income for the geographic area; **AND**
2. Insufficient resources immediately available to attain housing stability. [*e.g., family, friends, faith-based or other social networks immediately available*] to prevent them from moving to an emergency shelter or another place described in category I of the homeless definition. **AND**
3. Meets one of seven risk factors.  
Risk factors are:

(A) Has moved frequently because of economic reasons--“2 or more times during the 60 days immediately preceding the application for homelessness prevention assistance.”

(B) Is living in the home of another because of economic hardship I

(C) 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.

(D) Lives in a hotel or motel; [“and the cost of the hotel or motel is not paid for by federal, state, or local government programs for low-income individuals or by charitable organizations.”]

(E) Lives in severely overcrowded housing; [in a single-room occupancy or efficiency apartment unit in which more than two persons, on average, reside or another type of housing in which there reside more than 1.5 persons per room, as defined by the U.S. Census Bureau.]

(F) Is exiting a publicly funded institution; or system of care, [such as a health-care facility, mental health facility, foster care or other youth facility, or correction program or institution.]

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness.

The **insert program consolidated plan** describes **housing characteristics linked with instability and an increased risk of homelessness in the following way:**

Severe cost burden is the greatest predictor of homelessness risk, with populations paying more than 50% of their income towards housing costs or having incomes at or below 50% AML.

## **CHRONICALLY HOMELESS**

*As defined in the published Final Rule of the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH): Defining "Chronically Homeless" effective January 4, 2016.*

**Federal Register / Vol. 80, No. 233 / Friday, December 4, 2015 / Rules and Regulations**

<https://www.hudexchange.info/resources/documents/Defining-Chronically-Homeless-Final-Rule.pdf>

An individual who or family in which the head of household meets the following criteria:

- A. Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
- B. 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 four separate occasions

in the last 3 years where the combined length of time homeless in those occasions is at least 12 months; and

C. Has a disability.

**Notes:**

1. Includes unaccompanied persons under the age of 18 who meet this definition
2. Occasion is defined by a break of at least seven nights not residing in an emergency shelter or safe haven, or residing in a place meant for human habitation (e.g., staying with a friend, in a hotel/motel paid for by program participant)
3. Stays in institution of fewer than 90 days do not constitute as a break and count toward total time homeless if individual met all of the criteria in A, B, and C above prior to entering that facility.

Disability

An individual with one or more of the following conditions:

- A. A physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury that:
  - (1) Is expected to be long-continuing or of indefinite duration;
  - (2) Substantially impedes the individual's ability to live independently; and
  - (3) Could be improved by the provision of more suitable housing conditions.
- B. A developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002); or
- C. The disease of acquired immunodeficiency syndrome (AIDS) or any condition arising from the etiologic agency for acquired immunodeficiency syndrome (HIV).

For all ESG activities, with the exception of Homelessness Prevention, only “homeless persons” are eligible to receive benefits.

### **III. DOCUMENTATION AND RECORD KEEPING REQUIREMENTS**

Subrecipients **must** keep ESG records for 5 years after the expenditure of all funds from the grant.

#### **HOUSING STATUS DOCUMENTATION**

ESG Subrecipients must establish and follow written intake procedures to ensure program compliance. The procedures must require documentation at intake of the evidence relied upon to establish and verify

homeless, at-risk or domestic violence status. THIRD PARTY SOURCE DOCUMENTS ARE THE PREFERRED METHOD OF VERIFYING AND DOCUMENTING HOUSING STATUS.

### a. Preferred Order of Documentation

The order of priority for evidence establishing and verifying homeless status is:

1. **Third-party documentation** – source documents provided by an outside source
2. **Staff/Intake worker observation** – documented by ESG staff
3. **Certification from the person seeking assistance** – ESG staff must certify efforts made to obtain third party documentation before allowing applicant to self-certify

Lack of third party documentation must not prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider.

### b. Housing Status Documentation Requirements and Certification Requirements

Homeless **CATEGORY I** acceptable evidence includes:

1. Housing Status Verification and Self-Certification (by the head of household seeking assistance) Forms
2. HMIS Verification of Homelessness
3. *HMIS can be used to verify homelessness by accessing a client record, determining that the*
  - *ESG applicant is (at the time of application for ESG funds) enrolled in a program for homeless individuals or families, and printing a screen shot of that HMIS evidence for the file. This method will primarily be used by rapid re-housing providers. **OR***
4. A written observation by an outreach worker of the conditions where the individual or family was living, a written referral by another housing or service provider.

Homeless **CATEGORY I and is exiting an institution** where he or she resided for 90 days or less, acceptable evidence includes:

- I. Evidence listed above for CATEGORY I **AND** ONE of the following:
  - (A) Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution. All oral statements must be recorded by the intake worker; **OR**

- (B) Where the evidence listed above in (A) is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in (A) and a certification by the individual seeking assistance that states he or she is exiting or has just exited an institution where he or she resided for 90 days or less.

Homeless **CATEGORY 2** evidence includes:

1. A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance **OR**
2. The equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law.

For applicants whose primary nighttime residence is a hotel or motel room **not** paid for by charitable organizations or federal, state, or local government programs:

- (A) Evidence that the individual or family lacks the resources necessary to reside there for **more than 14** days after the date of application for homeless assistance **OR**
- (B) An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than **14** days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible.

To be found credible, the oral statement must either:

1. Be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance **AND**
2. Be documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement.

If the intake worker is unable to contact the owner or renter:

1. The intake worker must provide written documentation certifying that he/she performed due diligence in attempting to obtain verification and written certification that the applicant's statement was true and complete.
2. Certification by the individual or head of household that no subsequent residence has been identified; **AND**

3. Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.

Homeless **CATEGORY 4** Acceptable evidence includes:

If the individual or family is receiving shelter or services provided by a victim service provider:

1. Housing Status Self Certification Form; **OR**
2. A certification by the intake worker.

Otherwise:

- a. The Housing Status Self Certification Form documenting that applicant is fleeing a domestic violence situation, has not identified a subsequent residence, and lacks the resources or support networks, e.g., family, friends, faith-based, or other social networks, needed to obtain housing where his/her safety would not be jeopardized **AND**
- b. Written observation by the intake worker, a written referral by a housing or service provider, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or any other organization from whom the individual or head of household has sought assistance for domestic violence, or records contained in HMIS.

**AT-RISK OF HOMELESSNESS** Acceptable evidence includes:

1. When determining the annual income of an individual or family, the recipient or Subrecipient must use the standard for calculating annual income under 24 CFR 5.609. Check guidance for further evidence requirements.
2. Evidence of the second eligibility criterion (“lacks sufficient resources...”) is:
  - a. **Source documents** - *notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears.*
  - b. To the extent that source documents are unobtainable, a **written statement by the relevant third party** - (e.g., *former employer, public administrator, relative*) or written certification by the intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria of the definition of “at risk of homelessness” **OR**
  - c. If source documents and third-party verification are unobtainable, a **written statement by intake staff** describing the efforts taken to obtain the required evidence.

3. Evidence for documenting at least one of the 7 risk factors is:
  - a. **Source documents** – (*notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears*).
  - b. To the extent that source documents are unobtainable, a **written statement by the relevant third party** - (*e.g., former employer, public administrator, relative*) or written certification by the intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria of the definition of “at risk of homelessness” **OR**
  - c. If source documents and third-party verification are unobtainable, a **written statement by intake staff** describing the efforts taken to obtain the required evidence (can include staff visit to applicant home to verify eligibility).

## IV. INTAKE, ELIGIBILITY ASSESSMENT AND RE-CERTIFICATION

### Intake

All ESG applicants must participate in an initial consultation to assess needs and to determine program eligibility. The consultation will include; verification of homelessness status or risk for homelessness, applicant’s barriers to housing stability, collection of HMIS universal data elements, and program elements as necessary.

Subrecipients will complete the following procedures:

- Check HMIS to determine if the applicant is currently receiving assistance from any other federal funding sources. Clients cannot receive funding for duplicate services at the same time. A printed HMIS screen can be used as documentation in the applicant’s file.
- Collect the required ESG documentation (evidence to establish and verify the client’s housing status; copy of documentation to establish annual income; certification that client has insufficient support networks; etc.) as relevant.
- Case Manager will record required HMIS data in the ClientTrack system (or HMIS) for all program participants.
- If client is not eligible for ESG, Subrecipients are required to include documentation regarding non-eligibility and to identify other appropriate service providers within the Continuum that can more effectively meet the applicant’s needs.

### a. Eligibility Assessment for Emergency Shelter, Transitional Housing and Outreach

Eligibility for these programs requires a verification of homelessness. See previous section on documenting housing status. There are no income eligibility requirements for emergency shelter,

transitional housing, outreach, or supportive services.

## **b. Income Eligibility Criteria for Prevention and Rapid Re-Housing**

To qualify for Rapid Re-Housing funding the household income must be:  
**at or below 50 percent** AMI for the geographic area.

To qualify for Prevention funding the household income must be:  
**below 30 percent** AMI for the geographic area.

Area Median Income is defined by HUD and updated annually. The most recent guidelines should be used each year.

The AMI limits can be downloaded by selecting the appropriate limit year. Once the new page has loaded, locate the section titled “HUD 30% Limit All Areas” by scrolling down and select the desired file format and download the file.

Documentation that applicants meet income eligibility guidelines is required for Prevention and Rapid Re- Housing programs. Worksheets have been created to help Subrecipients determine and document eligibility for both programs. A sample is contained in the “Forms” section of this guide and electronic versions are available from the **insert program office**. Total household income should include allowable sources from all household members.

## **c. Income Calculations and Changes**

### **Income Calculations**

Income calculations are modeled after the requirements for the HOME Investment Partnerships program (24 CFR 92.508) and other HUD regulations. Guidance and HUD’s income calculator can be found here:  
<https://www.hudexchange.info/incomecalculator/>

**Income inclusions and Exclusions:** 24 CFR 5.609(b and c)

[http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=24:1.1.1.1.5#sg24.1.5\\_1603.sg6](http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=24:1.1.1.1.5#sg24.1.5_1603.sg6)

### **Changes in Income**

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

#### d. Re-Certification

Re-Evaluations of Eligibility		
Component	Frequency	Requirements
Rapid Re-Housing	Eligibility and types/amounts of assistance must be re-evaluated not less than once <b>annually</b> .	At a minimum, each re-evaluation must establish and document: <ul style="list-style-type: none"> <li>The program participant does not have an annual income that exceeds 30% of median family income for the area.</li> <li>The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.</li> </ul>
Homelessness Prevention	Eligibility and types/amounts of assistance must be re-evaluated not less than once every <b>3 months</b> .	

\*A fourth month of assistance cannot be issued until re-certification is complete.

### V. TRAINING

The **insert program office** will provide training for ESG Subrecipient primarily in the first half of the grant year. Trainings are required and will cover program implementation, reporting requirements, reimbursement procedures, technical assistance and on-site monitoring visits. Additionally, all ESG Subrecipients are required to participate in the quarterly **insert program HMIS training** for the Pathways database. HMIS technical assistance and training will be provided by the HMIS Coordinator.

### VI. HOUSING SUPPORT STANDARDS

All recipients of ESG funding must meet HUD standards for housing support services. Utilizing a strength-based approach to promote housing stability, the standards are guided by a philosophy that values participant (meaning clients, consumers, etc.) choice within an atmosphere that promotes respect between staff and participant. The standards will inform processes within your program such as intake and assessment, service delivery and post discharge follow up.

To ensure compliance with this policy all agencies must become familiar with the required HUD standards. The ESG Program Manager for the **insert program office** will also offer ESG trainings and technical assistance for ESG Subrecipients.

### VII. CASE MANAGEMENT

Subrecipients are expected to provide case management to all ESG program participants, including connecting program participants to mainstream and other resources.

Subrecipients must assist each program participant, as needed, to obtain:

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

## Prevention and Rapid Re-Housing Case Management

Housing stability case management is required of Subrecipients providing homelessness prevention or rapid re-housing assistance.

Subrecipients must:

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

## VIII. RENTAL ASSISTANCE REQUIREMENTS

The **insert program office** will not establish a mandatory share of rent and utility costs that program participants must contribute while in rapid re-housing and prevention programs. This office will rely on the best judgment of Subrecipients to determine households for whom this approach is reasonable. We will also rely on Subrecipient judgment to determine reasonable amounts in those cases. Subrecipients will be expected to develop policies and procedures using the guidance provided by this office as the minimum standard. Examination of policies and procedures will be conducted by **insert program office** staff during on-site monitoring visits.

Because ESG funding is awarded on an annual basis, The **insert program office** will not allow program participants to receive rental assistance from Subrecipients for more than 12 months during a particular grant year. The **insert program office** reserves the right to make an exception to this rule in extreme cases in which Subrecipients provide evidence that the participant's welfare is endangered without access to this assistance. This office also reserves the right to re-visit this policy upon making changes to its funding allocation cycle.

## Rental Assistance Agreements

Short- and medium-term rental assistance programs require that a program participant and a housing owner have a written lease for the provision of rental assistance. In addition, the interim rule also requires a rental assistance agreement between the Subrecipient (agency) and the housing owner.

The Subrecipient may make rental assistance payments only to an owner with whom the Subrecipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the Subrecipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.

The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease.

The rental assistance agreement with the owner must terminate and no further rental assistance payments under that agreement may be made if:

1. The program participant moves out of the housing unit for which the program participant has a lease;
2. The lease terminates and is not renewed; or
3. The program participant becomes ineligible to receive ESG rental assistance.

The rental assistance agreement is in the Forms section of this guidebook and on the ESG Subrecipients Only webpage should be used.

## Late Payments

The Subrecipient must make timely payments to each owner in accordance with the rental assistance agreement. The Subrecipient is solely responsible for paying late payment penalties that it incurs with non-ESG funds. The **insert program office** will not reimburse late fees on operational costs.

## Leases

Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks.

## Rent Reasonableness and Fair Market Rent (FMR)

Rental assistance cannot be provided for a housing unit unless the total rent for the unit does not exceed the fair market rent established by HUD, as provided under 24 CFR 982.503, **and** complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507. These rent restrictions are intended to make sure that program participants can remain in their housing after their ESG assistance ends.

Rent reasonableness and FMR requirements **do not apply** when a program participant receives only financial assistance or services under Housing Stabilization and Relocation Services. This includes rental application fees, security deposits, an initial payment of "last month's rent," utility payments/deposits, and/or moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.

## Rent Reasonableness

The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units.

- Rent reasonableness can be determined by accessing resources such as market surveys, classified ads, and information from real estate agents.
- Supporting documentation includes a copy of the signed and dated Rent Reasonableness chart.
- The proposed unit must be compared to three (3) other units.

## Fair Market Rent (FMR)

FMRs are gross rent estimates. The U.S. Department of Housing and Urban Development (HUD) annually estimates FMRs for 530 metropolitan areas and 2,045 nonmetropolitan county FMR areas. HUD sets FMRs to assure that a sufficient supply of rental housing is available to program participants. By law HUD is required to publish new FMRs at the start of the federal fiscal year, on October 1.

Fair Market Rents are updated by HUD every year and can be found online at:

<http://www.huduser.org/portal/datasets/fmr.html>

When calculating the FMR, be sure to include the utility allowance provided by your local housing authority.

The monthly utility allowance is added only for those utilities that the tenant pays for separately from the rent (i.e. if range and refrigerator are included in the rental price, the monthly allowance for those items would not be used in the calculation).

The utility allowance does not include telephone, cable or satellite television service, and internet service. If all utilities are included in the rent, there is no utility allowance.

When calculating whether or not the “Contract Rent” (or the amount payable to the landlord) is at or below the FMR, be sure to add the contract rent to the utility allowance provided by the appropriate housing authority. The monthly utility allowance is calculated only for those utilities that the tenant pays for separately from the rent (i.e. if range and refrigerator are included in the rental price, the monthly allowance for those items would not be used in the calculation). The utility allowance does not include telephone, cable or satellite television service, and internet service. If all utilities are included in the rent, there is no utility allowance. To determine whether or not the proposed unit meets the FMR requirements use this formula:

#### *FMR Example*

Utility costs included in rent per PHA schedule = Maximum contract allowed rent

Example:

- FMR for 2 BR unit in County = \$874.00
- The proposed 2 bedroom apartment unit in County has a Contract Rent of \$650.00
- The HUD Utility Allowance for “heating, cooking, hot water, electricity and air conditioning” totals = \$176.00
- It should be noted that this unit does not have a “heat pump” and the contract rent payable to the landlord includes “water, sewer, trash service, a range and a refrigerator.” Otherwise, the Utility Allowance would be higher.
- For example:  $\$650.00 + \$176.00 = \$826.00$ . Since \$874.00 is the maximum rent allowed, the proposed unit meets the FMR standard and can be reviewed for rent reasonableness.

#### **Environmental Review**

The National Environmental Policy Act (NEPA) of 1969 was enacted by Congress to ensure that federal agencies consider and address environmental impacts resulting from the activities and projects they sponsor. Congress subsequently enacted a series of statutes dealing with specific environmental issues. The U.S. Department of Housing and Urban Development (HUD) developed its own set of regulations that implement NEPA and additional environmental statutes. All HUD federally-assisted projects are subject to environmental review requirements and documentation.

Subrecipients, or any contractor of the subrecipient, **may not** commit or expend **any** ESG funds until an environmental review that meets the standards outlined in 24 CFR Part 58 has been reviewed and approved by **insert program office**. Based on the level of review, most activities may be environmentally cleared quickly, and the funds budgeted for those activities can be then expended after clearance.

## Habitability Inspection

<https://www.hudexchange.info/resources/documents/ESG-Emergency-Shelter-and-Permanent-Housing-Standards.pdf>

## Minimum Standards for Permanent Housing

**The Habitability Checklist can be found in Section XVII. of this manual.**

The recipient or subrecipient cannot use ESG funds to help a program participant **remain in or move into** housing that does not meet the minimum habitability standards under §576.403(c). This restriction applies to all activities under the Homelessness Prevention and Rapid Re-housing components, including rental assistance and housing relocation and stabilization services. The same standards apply regardless of the amount of ESG funds involved.

In addition:

- If an eligible household needs homelessness prevention assistance to remain in its existing unit, the assistance can only be provided if that unit meets the minimum standards.
- If an eligible household needs homelessness prevention or rapid re-housing assistance to move to a new unit, the assistance can only be provided if the new unit meets the minimum standards. The unit the household is leaving does not need to be inspected.
- The housing must also comply with any other standards established by the recipient that exceed or add to these minimum standards.

The subrecipient must be sure to document compliance with the ESG habitability standards for Emergency Shelter activities in the program participant's file.

## Homelessness Prevention

When ESG Rental Assistance and/or Housing Relocation and Stabilization Services are provided under the Homelessness Prevention component to help a program participant **remain in or move into** permanent housing, the ESG minimum habitability standards apply to either the current unit (if the program participant is staying in place) or to a new unit (if the program participant is moving). Even if only a minimal amount of Housing Relocation and Stabilization Services assistance—such utility arrears/payments (Financial Assistance) or housing stability case management (Services)—is provided under the Homelessness Prevention component to assist a program participant to stay in their unit, the habitability standards apply to the unit and must be documented in the program participant's file.

## Rapid Re-housing

When ESG Rental Assistance and/or Housing Relocation and Stabilization Services are provided under the Rapid Re-housing component to help a program participant move into a new permanent housing unit, the habitability standards apply to the unit into which they are moving and must be documented in the program participant's file. If Rapid Re-housing services are being provided before a unit has been identified, no habitability inspection is required until there is a unit to inspect. If assistance with arrears for a prior unit is needed as part of the rapid rehousing assistance, no habitability inspection is required for the old unit on which the arrears are owed, so long as the program participant will be rapidly rehoused in a different unit.

### Timing & Frequency of Habitability Inspections

The timing and frequency of inspections depends on the type of activity, as described below.

**If the program participants need Homelessness Prevention assistance to stay in their current housing**, the housing must be inspected and found to meet the minimum habitability standards before the subrecipient incurs ESG costs for any of the following:

- Providing any service to the program participant;
- Entering into a rental assistance agreement with the owner; or
- Making any payment on behalf of

**Note:** The interim rule states that ESG funds may not be used to help someone move into or remain in a unit that does not meet the habitability standards. However, in some situations (e.g. when providing legal services), homelessness prevention assistance to stay in a unit must be provided quickly—even before the habitability inspection can be completed. In these cases, a subrecipient could use *non-ESG funds* to pay for an eligible program participant's rental arrears, rental assistance, or financial assistance, or provide services to keep an individual or family in their unit, **before an inspection is performed**, so long as the unit is inspected and determined to meet the habitability standards **before** any costs are charged to the ESG grant or matching funds. If the unit does not meet the habitability standards at the time of the inspection, recipients are prohibited from using ESG funds to pay for assistance provided before the unit meets the standards. In addition, funds spent before a unit meets the habitability standards may not be counted as match.

**If the program participant needs Homelessness Prevention or Rapid Re-housing assistance to obtain housing**, the unit into which the program participant is moving must be inspected before the program participant signs the lease and before the recipient/subrecipient provides any ESG rental assistance or housing relocation and stabilization services specific to the unit into which the program participant will be moving.

**In all cases**, if ESG funds are used for **ongoing** assistance (such as rental assistance, utility payments, etc.), the recipient/subrecipient must take reasonable measures to ensure the unit meets the minimum habitability standards for permanent housing for the duration of the assistance. If HUD monitors and

discovers that a unit does not meet the minimum standards, then HUD may determine that the recipient is out of compliance with the ESG requirements.

**For one-time assistance** (such as rental arrears, a security deposit, etc.), the unit for which assistance is being provided—either for households that remain in place or for households that are moving to a unit—must meet the minimum standards for permanent housing at the time the assistance is provided (e.g., when the rental arrears payment is made).

## **Lead Based Paint Disclosure and Remediation**

Childhood lead poisoning is a major environmental health problem in the United States, especially for low-income families in poor living conditions. If not detected early, children with high levels of lead in their bodies can suffer from damage to the brain and nervous system, behavioral and learning problems (such as hyperactivity), slowed growth, hearing problems, and headaches.

Subrecipients that receive funds for Emergency Shelter, Homeless Prevention and Rapid Re-Housing **MUST** comply with 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.

Most emergency shelters are exempt, because they fall under the definition of zero-bedroom dwellings, which are exempt under the Title X statute. If the shelter does not qualify for the zero-bedroom exemption, it is covered by the regulation.

A zero-bedroom dwelling is defined in section 35.110 as "any residential dwelling in which the living areas are not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory or single room occupancy housing, military barracks, and rentals of individual rooms in residential dwellings." The term "single room occupancy housing" is defined as "housing consisting of zero-bedroom dwelling units that may contain food preparation or sanitary facilities or both." Group homes are exempt if they consist of "rentals of individual rooms in residential dwellings."

If you provide funds for a shelter with units having one or more bedrooms, and that receive assistance for more than 100 days, it is required that you adopt and implement a policy that assures that the child-occupied spaces will be lead safe. If you provide funds for a shelter with zero-bedroom units, or a shelter receiving assistance for up to, but not more than, 100 days, the units are exempt from the regulation, but HUD recommends that you adopt and implement a policy that assures that the child-occupied spaces will be lead safe, when the units are occupied by children of less than 6 years of age.

For homeless prevention and rapid re-housing the rule is that a Lead-Based Paint Visual Assessment must be completed for all units that meet the three following conditions:

- The household living in the unit is being assisted with ESG financial assistance (rent assistance, utilities assistance, utility/security deposits, or arrears)

- The unit was constructed prior to 1978
- A child under the age of six, or a woman who could become pregnant is or may be living in the unit
- If any property meets all of the above three conditions, you should carry out appropriate measures per the Lead-Based Paint Visual Assessment

### Emergency Shelter Subrecipients

Subrecipients should refer to 24 CFR Part 35, subpart K of the implementing regulations for guidance on appropriate steps to carry out. Emergency Shelter Subrecipients **MUST** contact the **insert program office** immediately if they suspect that they are not in full compliance with these regulations.

### Homeless Prevention and Rapid Re-Housing Activities

Please refer to the Lead Based Paint Screening Worksheet located within this handbook. Please contact the **insert program office** if you require further assistance.

### Use with Other Subsidies

ESG financial assistance for rents and utilities 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 Uniform Relocation Act (URA) payments.

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.

## IX. HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)

HUD sets specific HMIS policies and procedures for the ESG program. The information can be found and may be updated occasionally on the ESG webpage of the HUD website. Additional HMIS guidance and materials can also be found on the webpage.

### a. Reporting Requirements

HUD is expected to release new data standards and reporting requirements for ESG within the current grant year. We cannot predict when this will occur, but are taking measures to ensure that data collected in HMIS will meet new requirements as best as we can anticipate. In the meantime, the HUD APR Report

in HMIS will be used as the benchmark for data collection by the **insert program office** and Subrecipients. End of year data will be taken directly from HMIS.

Domestic violence service providers are required to submit a HUD format Annual Performance Report (APR) taken directly from HMIS via email to the ESG Coordinator at the end of the Program Year. The report should be run for the entirety of the Program Year; from January 1, 2014 through December 31, 2014.

#### **b. Data Quality Checks and the Reimbursement Process**

Subrecipients will submit data quality reports when submitting ESG reimbursement requests. Data quality reports will measure the levels of missing data and answers of “Don’t Know/Refused” for Universal Data Elements and Program Data Elements, among other quality measures. HMIS data reviewed will include, but is not limited to, completion of client income and benefits at program enrollment and discharge, special needs, and bed utilization data.

Reimbursement requests for programs with unacceptable levels of data quality will be held by the **insert program office** until the Subrecipient informs the ESG Program Manager that data has been cleaned. At that time another data quality report will be run to measure levels of improvement.

Reports will examine all client data from the beginning of the grant through the date the reimbursement request is received. A sample data quality report is available in the back of this guidebook. You may contact the **insert program office** HMIS Coordinator for assistance with data cleaning or understanding this report.

#### **c. Data Quality Compliance for Domestic Violence (DV) Service Providers**

ESG Subrecipients who are domestic violence service providers and are providing ESG assistance to victims of domestic violence should not use HMIS, but should use HMIS to record client data. DV providers will submit the HUD APR to the **insert program office** when requesting reimbursement. Each report submitted should have a start date of January 1 and an end date of the last date of service included in the request. DV providers are expected to comply with the same Data Quality standards as agencies who are not serving victims of domestic violence.

#### **d. Follow-Up Contact after Program Discharge**

ESG Subrecipients (with the exception of Street Outreach providers) are expected to make follow-up contacts with program participants after program discharge at intervals designated in their contracts in order to determine current housing status. Subrecipients will set up Program Follow-ups attached to each ESG program in HMIS before enrolling participants into their programs in order to track follow-up outcomes.

## X. CoC COORDINATION WITH ESG

To ensure coordination of resources among Subrecipients, the **insert program office** utilizes the following approaches and procedures:

1. Common intake form based on HMIS intake— Subrecipients of ESG funds are required to use a common intake form provided by the **insert program continuum of care**. If Subrecipients have additional information that they would like to collect, they can make addendums to the form, but all data on this form must be captured.
2. Near-statewide HMIS prevents duplicative efforts –All Subrecipients will be required to use HMIS per the Interim Rule. This helps avoid duplication of services and HMIS client data, and provides an opportunity to document homelessness or risk of homelessness. Recipients of ESG funds are required to use the Pathways COMPASS HMIS to enter relevant data.
3. Required Barriers to Housing Stability Assessment – a common assessment is recorded and stored in HMIS at program enrollment/system entry by all ESG Subrecipients.
4. Required electronic referrals – providers will be required to record referrals in HMIS.

### Coordinated Assessment or Entry

The **insert program continuum of care** will be expected to develop and implement a centralized or coordinated assessment system. The ESG regulation requires all Subrecipients to participate in the system to initially assess the eligibility and needs of each household seeking homelessness assistance. ESG Subrecipients will be expected to implement this provision after their respective CoC has devised and implemented such an assessment system.

A centralized or coordinated assessment system covers the geographic area, is easily accessed by individuals and families seeking housing or services, is well advertised, and includes a comprehensive and standardized assessment tool. The assessment system may vary from community to community based on individual communities' needs. The CoC will develop a common assessment tool for use throughout the community.

HUD believes that centralized or coordinated assessment systems are important in ensuring the success of homeless assistance and homeless prevention programs in communities. In particular, such assessment systems help communities systematically assess the needs of program participants and effectively match each individual or family with the most appropriate resources available to address that individual or family's particular needs.

**Insert program continuum of care** will begin devising a system that will incorporate the above elements and consult with its stakeholders to ensure that the system aligns with their other obligations.

## XI. PERFORMANCE STANDARDS AND MEASURES

The **insert program office** has established the primary goal of **reducing the number of unsheltered homeless individuals and families in the Continuum of Care (CoC) ESG entitlement**. The information contained below outlines goals, strategies and performance measures to be utilized for all ESG Subrecipients.

### Overall Goals

- I. Reduce the number of unsheltered individuals and families, as established in the Homeless Point in Time Count, within the CoC ESG Entitlement by 1% each year. This goal will be achieved by placing emphasis on high utilization of emergency shelters and transitional housing beds. This will be measured in HMIS.
  - a) Reduce length of stay for clients in emergency shelters and transitional housing programs in order to provide services to additional households. Length of stay should generally be no longer than 90 days for shelters and 1 year for Transitional Housing. This will be measured in HMIS.
  - b) Increase placements into permanent housing for homeless individuals and families from Emergency Shelter and Transitional housing by 5% each year. This will be measured in HMIS.
2. Prevent individuals and families from becoming homeless – either unsheltered or sheltered, by 3% each year. Follow-up contacts will be made at 3 months and 6 months post discharge. This will be measured in HMIS.
3. Increase the percentage of individuals and families remaining in permanent housing for 3 months by 2% each year. This goal will be achieved by increasing income or access to mainstream benefits for program participants while in the ESG program. This will be measured in HMIS.

ESG programs with different eligible activities will require different assessment standards. A baseline for certain criteria, such as increase in cash and non-cash incomes over program enrollment, must first be established to measure performance. For categories with established baselines, standards are enumerated. The **insert program office** will review all available data annually to evaluate performance and adjust standards as appropriate.

\*For each Emergency Shelter program, performance will be measured based on the following standards:

- I. An overall bed utilization rate of 80%.

2. The average length of stay of the households served should be no longer than 60 days for those exiting to permanent destinations.
3. An increase in the percentage of discharged households that secure permanent housing at exit by 5% each year.
4. An increase in the percentage of households that increase cash and non-cash income during program enrollment.

For each Transitional Housing program, performance will be measured based on the following standards:

1. An overall bed utilization rate of 80%.
2. The average length of stay for households served should generally be no longer than nine months for those exiting to permanent housing.
3. An increase in the percentage of discharged households that secured permanent housing at exit by 5% each year.
4. An increase in the percentage of households that increase cash and non-cash income during program enrollment.

For each Rapid Re-Housing program, performance will be measured based on the following standards:

1. An increase in the percentage of discharged households that secured permanent housing at program exit by 2% each year.
2. An increase in the percentage of discharged households permanently housed three months after exit.
3. An increase in the percentage of households that increase cash and non-cash income during program enrollment.

For each Homeless Prevention program, performance will be measured based on the following standards:

1. An increase in the percentage of discharged households that maintained permanent housing at program exit by 3% each year.
2. An increase in the percentage of discharged households permanently housed three months after exit.

3. An increase in the percentage of households that increase cash and non-cash income during program enrollment.

For each Street Outreach program, performance will be measured based on the following standards:

1. An increase in the number of contacts with unduplicated individuals made during outreach.
2. An increase in the percentage of households that access emergency shelter or transitional housing.
3. An increase in the percentage of discharged households that access permanent housing.
4. An increase in the percentage of households that increase cash and non-cash income during program enrollment.

\* Shelters serving the chronically homeless or chemically dependent clients, or shelters with minimal barriers to entry may be held to different standards than other emergency shelters. The same applies for transitional housing and rapid re-housing programs.

## **XII. REQUIRED WRITTEN STANDARDS - POLICIES AND PROCEDURES**

The **insert program office** requires that each Subrecipient establish and consistently apply policies and procedures for each ESG program administered by the agency. All written standards require approval from the **insert program office** prior to implementation.

At a minimum these written standards must include:

### **REQUIRED for ALL PROGRAMS:**

1. Standard policies and procedures for evaluating eligibility.
2. Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid rehousing assistance providers; other homeless assistance providers; and mainstream service and housing providers (see § 576.400(b) and (c) for a list of programs with which ESG-funded activities must be coordinated and Integrated to the maximum extent practicable);
3. Participation in HMIS or HMIS. The grantee must ensure that data on all persons served and all activities assisted under ESG are entered into the Pathways Compass HMIS. If the grantee is a victim service provider, it may use HMIS, to collect client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data.

**Additional standards for STREET OUTREACH:**

1. Standards for targeting and providing essential services related to street outreach.

**Additional standards for EMERGENCY SHELTER:**

1. Policies and procedures for admission, diversion, referral, and discharge by emergency shelters, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, [e.g., victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest]
2. Policies and procedures for assessing, prioritizing, and reassessing needs for essential services related to emergency shelter

**Additional standards for PREVENTION and RAPID RE-HOUSING:**

1. Policies and procedures for determining and prioritizing homelessness prevention and rapid re-housing assistance;
2. Standards for determining what percentage or amount of rent and utilities costs, **if any**, each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;
3. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time, **if at all**
4. Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide, including the limits, **if any**, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months in the program; or the maximum number of times the program participant may receive assistance.

### **XIII. TERMINATION, COMPLAINTS, APPEALS AND CONFIDENTIALITY POLICIES**

As part of each program's policies and procedures, grantees must develop policies regarding termination of assistance to participants, complaints, appeals, and confidentiality procedures. Sample policies are in the Forms section of this manual.

## Terminating Assistance

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

## Prevention and Rapid Re-Housing Terminations

1. To terminate rental assistance or housing relocation and stabilization services to a program participant, the required formal process, at a minimum, must consist of:
2. Written notice to the program participant containing a clear statement of the reasons for termination;
3. A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; **AND**
4. Prompt written notice of the final decision to the program participant.

## Ability to Provide Further Assistance

Termination does not bar the grantee from providing further assistance at a later date to the same family or individual.

## XIV. DOCUMENTING PERSONS WITH DISABILITIES

*Person with disabilities* means a household composed of one or more persons at least one of whom is an adult who has a disability.

1. A person shall be considered to have a disability if he or she has a disability that:
  - (i) Is expected to be long-continuing or of indefinite duration;
  - (ii) Substantially impedes the individual's ability to live independently;
  - (iii) Could be improved by the provision of more suitable housing conditions; and
  - (iv) Is a physical, mental, or emotional impairment, including impairment caused by alcohol or drug abuse, posttraumatic stress disorder, or brain injury.
2. A person will also be considered to have a disability if he or she has a developmental disability, as defined in this section.

3. A person will also be considered to have a disability if he or she has acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome, including infection with the human immunodeficiency virus (HIV).
4. Notwithstanding the preceding provisions of this definition, the term person with disabilities includes, except in the case of the SRO component, two or more persons with disabilities living together, one or more such persons living with another person who is determined to be important to their care or well-being, and the surviving member or members of any household described in the first sentence of this definition who were living, in a unit assisted under this part, with the deceased member of the household at the time of his or her death. (In any event, with respect to the surviving member or members of a household, the right to rental assistance under this part will terminate at the end of the grant period under which the deceased member was a participant.)

*Developmental disability* means, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002):

- I. A severe, chronic disability of an individual that—
  - i. Is attributable to a mental or physical impairment or combination of mental and physical impairments
  - ii. Is manifested before the individual attains age 22
  - iii. Is likely to continue indefinitely
  - iv. Results in substantial functional limitations in three or more of the following areas of major life activity:
    - A. Self-care
    - B. Receptive and expressive language
    - C. Learning
    - D. Mobility
    - E. Self-direction
    - F. Capacity for independent living
    - G. Economic self-sufficiency **AND**
    - H. Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.
2. An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting three or more of the criteria described in paragraphs (I) (i) through (v) of the definition of "developmental disability" in this section if the individual, without services and supports, has a high probability of meeting those criteria later in life.

*Written documentation of disability status* includes:

1. Written verification from a professional who is licensed by the state to diagnose and treat that condition, that the disability is expected to be long-continuing or of indefinite duration and that the disability substantially impedes the individual's ability to live independently; **AND**
2. Written verification from the Social Security Administration, or the receipt of a disability check (e.g., Social Security Disability Insurance check or Veteran Disability Compensation).

Information on disability status should be obtained in the course of client assessment once the individual is admitted to a project, unless having a disability is an eligibility requirement for entry into the project. Where disability is an eligibility requirement, an intake staff-recorded observation of disability may be used to document disability status as long as the disability is confirmed by the aforementioned evidence within 45 days of the application for assistance.

## **XV. FAITH BASED ACTIVITIES**

- A. Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to receive ESG funds. Neither the Federal Government nor a State or local government receiving funds under ESG shall discriminate against an organization on the basis of the organization's religious character or affiliation.
- B. Organizations that are directly funded under the ESG program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under ESG. If an organization conducts these activities, the activities must be offered separately, in time or location, from the programs or services funded under ESG, and participation must be voluntary for program participants.
- C. Any religious organization that receives ESG funds retains its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that the religious organization does not use direct ESG funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide ESG-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, an ESG-funded religious organization retains its authority over its internal governance, and the organization may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
- D. An organization that receives ESG funds shall not, in providing ESG assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

- E. ESG funds may not be used for the rehabilitation of structures to the extent that those structures are used for inherently religious activities. ESG funds may be used for the 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 inherently religious activities, ESG funds 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 that an ESG-funded religious congregation uses as its principal place of worship, however, are ineligible for funded improvements under the program. Disposition of real property after the term of the grant, or any change in use of the property during the term of the grant, is subject to government-wide regulations governing real property disposition (see 24 CFR parts 84 and 85).
  
- F. If the recipient or a grantee that is a local government voluntarily contributes its own funds to supplement federally funded activities, the recipient or grantee has the option to segregate the Federal funds or commingle them. However, if the funds are commingled, this section applies to all of the commingled funds.

## **XVI. KEY PROGRAM REGULATIONS**

## Homeless Definition: Eligibility by Component

<b>Eligibility by Component</b> (Emergency Solutions Grant)	<b>Street Outreach</b>	<p>Individuals defined as Homeless under the following categories are eligible for assistance in SO:</p> <ul style="list-style-type: none"> <li>• Category 1 – Literally Homeless</li> <li>• Category 4 – Fleeing/Attempting to Flee DV (where the individual or family also meets the criteria for Category 1)</li> </ul> <p>SO projects have the following additional limitations on eligibility within Category 1:</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>
	<b>Emergency Shelter</b>	<p>Individuals and Families defined as Homeless under the following categories are eligible for assistance in ES projects:</p> <ul style="list-style-type: none"> <li>• Category 1 – Literally Homeless</li> <li>• Category 2 – Imminent Risk of Homeless</li> <li>• Category 3 – Homeless Under Other Federal Statutes</li> <li>• Category 4 – Fleeing/Attempting to Flee DV</li> </ul>
	<b>Rapid Re-Housing</b>	<p>Individuals defined as Homeless under the following categories are eligible for assistance in RRH projects:</p> <ul style="list-style-type: none"> <li>• Category 1 – Literally Homeless</li> <li>• Category 4 – Fleeing/Attempting to Flee DV (where the individual or family also meets the criteria for Category 1)</li> </ul>
	<b>Homelessness Prevention</b>	<p>Individuals and Families defined as Homeless under the following categories are eligible for assistance in HP projects:</p> <ul style="list-style-type: none"> <li>• Category 2 – Imminent Risk of Homeless</li> <li>• Category 3 – Homeless Under Other Federal Statutes</li> <li>• Category 4 – Fleeing/Attempting to Flee DV</li> </ul> <p>Individuals and Families who are defined as At Risk of Homelessness are eligible for assistance in HP projects.</p> <p>HP projects have the following additional limitations on eligibility with homeless and at risk of homeless:</p> <ul style="list-style-type: none"> <li>➤ Must only serve individuals and families that have an annual income below 30% of AMI</li> </ul>

**Quick Reference Guide: Homelessness Prevention and Rapid Re-Housing Assistance**  
**ESG Requirements**  
 Key Program Regulations **24 CFR Parts 84, 85, 91, & 576**

<b>Grant Uses</b>	
<b>Eligible Components</b>	<ol style="list-style-type: none"> <li>1. Street Outreach</li> <li>2. Emergency Shelter</li> <li>3. Homelessness Prevention (HP)</li> <li>4. Rapid Re-Housing (RRH)</li> <li>5. Homeless Management Information System (HMIS)</li> <li>6. Administrative Costs, capped at 7.5%</li> </ol>
<b>Metropolitan Cities, Urban Counties, and Territories</b>	<p>May carry out eligible activities through employees, procurement contracts, or subgrants to private nonprofit organizations. In addition, urban counties may carry out activities through any of their member governments.</p> <p>Public housing agencies are not eligible subrecipients, with no waivers.</p>
<b>Determining &amp; Documenting Participant Eligibility</b>	
<b>General Requirements Applicable to Both Rapid Re-Housing &amp; Homelessness Prevention</b>	
<b>Written Standards</b>	The recipient must develop written standards for administering rapid re-housing and homelessness prevention assistance and include these in the Consolidated Plan/Action Plan. See 24 CFR part 576.400(e) for more detail.
<b>Documenting eligibility determinations</b>	<p>Recipients must establish written policies &amp; procedures specific to recordkeeping (documenting eligibility assessments at intake and re-evaluation).</p> <p>Program must maintain documentation on all households seeking assistance. If determined ineligible, documentation must reflect reasons.</p>
<b>Terminating Assistance</b>	<p>Recipient or subrecipient must establish formal process, consisting of :</p> <ol style="list-style-type: none"> <li>1. Written notice to program participant</li> <li>2. Review of decision, including opportunity to present objection</li> <li>3. Prompt written notice of final decision.</li> </ol> <p>Must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination, so that a program participant's assistance is terminated only in the most severe cases.</p>

<b>Rapid Re-Housing (RRH) Eligibility Criteria</b>	
<b>Determining Eligibility</b>	Initial evaluations required for all households seeking RRH assistance. Re-evaluation of eligibility required at least annually. Additionally, a recipient can choose to require re-evaluation each time a participant experiences a change in income, household composition, or need for assistance.
<b>Eligibility for Rapid Re-housing Assistance</b>	RRH assistance is only available to individuals and families who meet the definition for literally homeless (Category I under the Homeless Definition Final Rule).
<b>Initial Assessment and Re-Evaluation</b>	<p>No income threshold at <b>initial evaluation</b>. Income must be at or below 30% of AMI at <b>annual re-evaluation</b>, and:</p> <ul style="list-style-type: none"> <li>• Must have no appropriate subsequent housing options.</li> <li>• Must lack sufficient resources and support networks to retain housing.</li> </ul> <p>Recipient or subrecipient must assess household need at initial assessment to establish the amount and types of assistance needed to obtain housing, and at and re-evaluation to establish the amount and types of assistance needed for retaining housing.</p>
<b>Homelessness Prevention (HP) Eligibility Criteria</b>	
<b>Determining Eligibility</b>	Initial evaluations required for all households HP assistance. Re-evaluations required at least every 3 months for HP participants. Additionally, a recipient can choose to require re-evaluation each time a participant experiences a change in income, household composition, or need for assistance.
<b>Eligibility for Homelessness Prevention</b>	<p><i>Note that assessment criteria are not identical between evaluations (initial vs. re-evaluation).</i> HP assistance can be available to individuals and families that are in <b>homeless</b> Categories 2, 3, and 4, but not literally homeless.</p> <p>HP assistance can also be available to individuals and families in <b>at-risk of homelessness</b> Categories 1, 2, and 3.</p>
<b>Initial Assessment and Re-Evaluation</b>	<p>At <b>initial assessment</b>, household must have income below 30% AMI, and:</p> <ul style="list-style-type: none"> <li>- must lack resources and support networks that would prevent them from moving into an emergency shelter or other place described in Category I of the homeless definition.</li> </ul> <p>At <b>re-evaluation</b>, household must have income that is at or below 30% of AMI, and :</p> <ul style="list-style-type: none"> <li>- must lack sufficient resources and support networks to retain housing without ESG assistance.</li> </ul> <p>Recipient or subrecipient must assess household need at initial and re-evaluation of eligibility to establish the amount and types of assistance needed for housing stability or to remain in permanent housing.</p>

<b>Dwelling/Unit Requirements</b>	
<b>Environmental Review Requirements</b>	Environmental Reviews according to 24 CFR Part 50 Categorically Excluded and NOT subject to 24 CFR Part 58.5 (CENST) must be conducted for all agency service locations and prevention and rapid re-housing clients prior to committing funds. Proposals which have significant adverse environmental impacts may be rejected.
<b>Habitability Standards</b>	Habitability assessment is required any time ESG funds are used to help a participant remain in or move into housing.
<b>Lead-Based Paint Requirements</b>	A lead-based paint visual assessment is required any time a child under the age of 6 will be living in the unit and it was constructed before 1978. Applicable statute and regulations: Must comply with LBP Poisoning Prevention Act of 1973 and applicable regulations found at 24 CFR 35, Parts A, B, H, J, K, M and R.
<b>Rent Reasonableness</b>	Rental assistance cannot be provided unless the unit's rent is reasonable in relation to the rents being charged for comparable units in the private (unassisted) market.
<b>Fair Market Rents</b>	Rental assistance cannot be provided unless rent complies with FMR, which is set by HUD annually.
<b>Lease and Assistance Agreement Requirements</b>	
<b>Rental Assistance Agreement</b>	Rental assistance cannot be provided without an agreement between the recipient or subrecipient and owner/property manager.
<b>Lease Requirements</b>	Lease between program participant and owner/property manager required. Written leases must be legally binding. Required unless financial assistance is limited solely to payment of rental arrears. Oral leases, if enforceable by State law, are acceptable when assistance is solely for rental arrears.
<b>Rental Assistance</b>	
<b>Type Tenant- vs. Project-Based Short-term Medium-term</b>	Rental assistance can be tenant-based or project-based. Up to 3 months of rent. For more than 3 months, up to 24 months in any 3 year period.
<b>Arrears</b>	One-time payment for up to 6 months of rent in arrears, including late fees on arrears.
<b>Late Payment Fees</b>	Only allowed with one-time arrears assistance. <i>Note:</i> ESG specifically prohibits late payment fees incurred by recipient/subrecipient under Rental Assistance Agreement with owners.
<b>Use with other subsidies</b>	Except for one-time payment of arrears on tenant's portion of rent payment, rental assistance cannot be provided to participant who is receiving tenant- or project-based rental assistance through other public sources during same time period, including units receiving operating subsidies. Also, rental assistance cannot be provided for the same time period covered by URA replacement housing payments.

<b>Maximum Amounts &amp; Period of Assistance</b>	<p>Limits apply to total assistance an individual receives, either as an individual or as part of a family. Must not exceed 12 months in any 3-yr period. Within the HUD limits, recipient has discretion to set limitations such as:</p> <ul style="list-style-type: none"> <li>• Maximum amount or % of rental assistance;</li> <li>• Maximum number of times served with rental assistance; and</li> <li>• Share of rent costs covered by participants.</li> </ul>
<b>Housing Relocation &amp; Stabilization Services</b>	
<b>Financial Assistance</b>	<p>Eligible financial assistance costs covered under Housing Relocation &amp; Stabilization Services (HRSS) listed below.</p>
<b>Rental Application Fee</b>	<p>Only fees charged by owner to all applicants.</p>
<b>Security deposits</b>	<p>Must not exceed two months' rent.</p>
<b>Last month's rent</b>	<p>If necessary, may be paid at the time owner is paid the security deposit and first month's rent. Must not exceed one month's rent.</p>
<b>Utility deposit</b>	<p>Standard deposit required by utility companies for gas, electric, water and sewage.</p>
<b>Utility payments</b>	<p>Up to 12 months per participant, per service, including up to 6 months of payments in arrears, per service.</p>
<b>Moving costs</b>	<p>Truck rental, hiring a moving company, temporary storage for up to 3 months, provided that fees are accrued after participant is determined eligible and before the participant moves into permanent housing. Storage fee arrears are not eligible.</p>
<b>Services</b>	<p>Service costs covered under Housing Relocation &amp; Stabilization Services below.</p>
<b>Outreach &amp; engagement</b>	<p>Eligible under the Street Outreach component only, not under the HP or RRH components.</p>
<b>Housing search and placement</b>	<p>Services or activities necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing.</p>
<b>Case Management</b>	<p>Costs under Housing stability case management include: assessing (initial and periodic re-evaluations), arranging, coordinating, and monitoring the delivery of services to facilitate housing stability for participants.</p> <p>Mandatory services:</p> <ol style="list-style-type: none"> <li>1. <b>Monthly meetings</b>, unless prohibited by Violence Against Women Act (VAWA) or Family Violence and Prevention Services Act (FVPSA), and</li> <li>2. <b>Housing stability planning</b> to assist participant retain permanent housing post-ESG assistance.</li> </ol> <p>Limits: Cannot exceed 30 days during the period participant is seeking permanent housing and 24 months during the period participant is living in permanent housing.</p>

<b>Mediation</b>	Between participant and owner, only eligible if necessary to prevent loss of permanent housing.
<b>Legal services</b>	Must be necessary to resolve a legal problem that prohibits the participant from obtaining permanent housing or will likely result in the loss of permanent housing. May include landlord/tenant matters; child support; guardianship, paternity, emancipation, and legal separation; orders of protection and other civil remedies for victims of DV; appeal of veterans and public benefit claim denials; and the resolution of outstanding criminal warrants.
<b>Ineligible legal services</b>	Related to immigration and citizenship, or related to mortgages.
<b>Credit repair Ineligible credit repair</b>	Credit counseling and other services necessary to assist with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. The payment or modification of a debt.
<b>Data Collection &amp; Evaluation</b>	
<b>HMIS</b>	Recipients and subrecipients must enter data on all persons served and all activities assisted under ESG into the applicable community-wide Continuum of Care HMIS or comparable database (Victim Service Providers). Activities funded by ESG must comply with HUD's standards on participation, data collection and reporting under a local HMIS. <b>See 576.107 for eligible activities.</b>
<b>Recordkeeping &amp; Reporting</b>	
<b>Recordkeeping Requirement</b>	Sufficient records must be established and maintained to demonstrate that ESG requirements are being met. Additional requirement to develop and implement written policies and procedures for recordkeeping that comply with the provisions established under CFR 24 Part 576.500 Recordkeeping and Reporting Requirements.
<b>Record retention period</b>	Documentation of participant eligibility and assistance provided must be retained for 5 years after the expenditure of all funds from the grant under which the program participant was served.
<b>Reporting Requirements</b>	<ul style="list-style-type: none"> <li>• Monthly HMIS reporting requirements. HMIS report submission required for 5 years regardless of continued funding.</li> <li>• Must submit annual performance reports to HUD via Consolidated Annual Performance and Evaluation Reporting (CAPER).</li> </ul>

## § 576.500 Recordkeeping and reporting requirements

**(a) In general.** The recipient must have policies and procedures to ensure the requirements of this part are met. The policies and procedures must be established in writing and implemented by the recipient and its subrecipients to ensure that ESG funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable the recipient and HUD to determine whether ESG requirements are being met.

**(b) Homeless status.** The recipient must maintain and follow written intake procedures to ensure compliance with the homeless definition in § 576.2. The procedures must require documentation at intake of the evidence relied upon to establish and verify homeless status. The procedures must establish the order of priority for obtaining evidence as third-party documentation first, intake worker observations second, and certification from the person seeking assistance third. However, lack of third-party documentation must not prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider. Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates on which entries are made.

(1) If the individual or family qualifies as homeless under paragraph (1)(i) or (ii) of the homeless definition in § 576.2, acceptable evidence includes a written observation by an outreach worker of the conditions where the individual or family was living, a written referral by another housing or service provider, or a certification by the individual or head of household seeking assistance.

(2) If the individual qualifies as homeless under paragraph (1)(iii) of the homeless definition in § 576.2, because he or she resided in an emergency shelter or place not meant for human habitation and is exiting an institution where he or she resided for 90 days or less, acceptable evidence includes the evidence described in paragraph (b)(1) of this section and one of the following:

(i) Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution. All oral statements must be recorded by the intake worker; or

(ii) Where the evidence in paragraph (b)(2)(i) of this section is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in paragraph (b)(2)(i) and a certification by the individual seeking assistance that states he or she is exiting or has just exited an institution where he or she resided for 90 days or less.

(3) If the individual or family qualifies as homeless under paragraph (2) of the homeless definition

in § 576.2, because the individual or family will imminently lose their housing, the evidence must include:

(i) (A) A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance; or the equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law;

(B) For individuals and families whose primary nighttime residence is a hotel or motel room not paid for by charitable organizations or federal, state, or local government programs for low-income individuals, evidence that the individual or family lacks the resources necessary to reside there for more than 14 days after the date of application for homeless assistance; or

(C) An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible. To be found credible, the oral statement must either: (I) be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement; or (II) if the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete;

(ii) Certification by the individual or head of household that no subsequent residence has been identified; and

(iii) Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.

(4) If the individual or family qualifies as homeless under paragraph (3) of the homeless definition in § 576.2, because the individual or family does not otherwise qualify as homeless under the homeless definition but is an unaccompanied youth under 25 years of age, or homeless family with one or more children or youth, and is defined as homeless under another Federal statute or section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), the evidence must include:

(i) For paragraph (3)(i) of the homeless definition in § 576.2, certification of homeless status by the local private nonprofit organization or state or local governmental entity responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.), section 330 of the Public Health Service Act (42 U.S.C. 254b), the Food and Nutrition

Act of 2008 (7 U.S.C. 2011 et seq.), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), as applicable;

(ii) For paragraph (3)(ii) of the homeless definition in § 576.2, referral by a housing or service provider, written observation by an outreach worker, or certification by the homeless individual or head of household seeking assistance;

(iii) For paragraph (3)(iii) of the homeless definition in § 576.2, certification by the individual or head of household and any available supporting documentation that the individual or family moved two or more times during the 60-day period immediately preceding the date of application for homeless assistance, including: recorded statements or records obtained from each owner or renter of housing, provider of shelter or housing, or social worker, case worker, or other appropriate official of a hospital or institution in which the individual or family resided; or, where these statements or records are unobtainable, a written record of the intake worker's due diligence in attempting to obtain these statements or records. Where a move was due to the individual or family fleeing domestic violence, dating violence, sexual assault, or stalking, then the intake worker may alternatively obtain a written certification from the individual or head of household seeking assistance that they were fleeing that situation and that they resided at that address; and

(iv) For paragraph (3)(iv) of the homeless definition in § 576.2, written diagnosis from a professional who is licensed by the state to diagnose and treat that condition (or intake staff-recorded observation of disability that within 45 days of date of the application for assistance is confirmed by a professional who is licensed by the state to diagnose and treat that condition); employment records; department of corrections records; literacy, English proficiency tests; or other reasonable documentation of the conditions required under paragraph (3)(iv) of the homeless definition.

(5) If the individual or family qualifies under paragraph (4) of the homeless definition in § 576.2, because the individual or family is fleeing domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence, then acceptable evidence includes an oral statement by the individual or head of household seeking assistance that they are fleeing that situation, that no subsequent residence has been identified and that they lack the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other housing. If the individual or family is receiving shelter or services provided by a victim service provider, the oral statement must be documented by either a certification by the individual or head of household; or a certification by the intake worker. Otherwise, the oral statement that the individual or head of household seeking assistance has not identified a subsequent residence and lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain housing must be documented by a certification by the individual or head of household that the oral statement is true and complete, and, where the safety of the individual or family would not be jeopardized, the domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening condition must

be verified by a written observation by the intake worker or a written referral by a housing or service provider, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or any other organization from whom the individual or head of household has sought assistance for domestic violence, dating violence, sexual assault, or stalking. The written referral or observation need only include the minimum amount of information necessary to document that the individual or family is fleeing, or attempting to flee domestic violence, dating violence, sexual assault, and stalking.

(c) **At risk of homelessness status.** For each individual or family who receives Emergency Solutions Grant (ESG) homelessness prevention assistance, the records must include the evidence relied upon to establish and verify the individual or family's "at risk of homelessness" status. This evidence must include an intake and certification form that meets HUD specifications and is completed by the recipient or subrecipient. The evidence must also include:

(1) If the program participant meets the criteria under paragraph (1) of the "at risk of homelessness" definition in §576.2:

(i) The documentation specified under this section for determining annual income;

(ii) The program participant's certification on a form specified by HUD that the program participant has insufficient financial resources and support networks; e.g., family, friends, faith-based or other social networks, immediately available to attain housing stability and meets one or more of the conditions under paragraph (1)(iii) of the definition of "at risk of homelessness" in § 576.2;

(iii) The most reliable evidence available to show that the program participant does not have sufficient resources or support networks; e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the "homeless" definition. Acceptable evidence includes:

(A) Source documents (e.g., notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears);

(B) To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., former employer, public administrator, relative) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria under paragraph (1)(ii) of the definition of "at risk of homelessness" in § 576.2; or

(C) To the extent that source documents and third-party verification are unobtainable, a written statement by the recipient's or subrecipient's intake staff describing the efforts taken to obtain the required evidence; and

(iv) The most reliable evidence available to show that the program participant meets one or more of the conditions under paragraph (1)(iii) of the definition of “at risk of homelessness” in § 576.2. Acceptable evidence includes:

(A) Source documents that evidence one or more of the conditions under paragraph (1)(iii) of the definition (e.g., eviction notice, notice of termination from employment, bank statement);

(B) To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., former employer, owner, primary leaseholder, public administrator, hotel or motel manager) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or more of the criteria under paragraph (1)(iii) of the definition of “at risk of homelessness”; or

(C) To the extent that source documents and third-party verification are unobtainable, a written statement by the recipient's or subrecipient's intake staff that the staff person has visited the applicant's residence and determined that the applicant meets one or more of the criteria under paragraph (1)(iii) of the definition or, if a visit is not practicable or relevant to the determination, a written statement by the recipient's or subrecipient's intake staff describing the efforts taken to obtain the required evidence; or

(2) If the program participant meets the criteria under paragraph (2) or (3) of the “at risk of homelessness” definition in § 576.2, certification of the child or youth's homeless status by the agency or organization responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.), section 330 of the Public Health Service Act (42 U.S.C. 254b), the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), as applicable.

**(d) Determinations of ineligibility.** For each individual and family determined ineligible to receive Emergency Solutions Grant (ESG) assistance, the record must include documentation of the reason for that determination.

**(e) Annual income.** For each program participant who receives homelessness prevention assistance, or who receives rapid re-housing assistance longer than one year, the following documentation of annual income must be maintained:

(1) Income evaluation form containing the minimum requirements specified by HUD and completed by the recipient or subrecipient; and

(2) Source documents for the assets held by the program participant and income received over the most recent period for which representative data is available before the date of the evaluation (e.g., wage statement, unemployment compensation statement, public benefits statement, bank statement);

(3) To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., employer, government benefits administrator) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period for which representative data is available; or

(4) To the extent that source documents and third party verification are unobtainable, the written certification by the program participant of the amount of income the program participant received for the most recent period representative of the income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.

**(f) Program participant records.** In addition to evidence of homeless status or “at risk of homelessness” status, as applicable, records must be kept for each program participant that document:

(1) The services and assistance provided to that program participant, including, as applicable, the security deposit, rental assistance, and utility payments made on behalf of the program participant;

(2) Compliance with the applicable requirements for providing services and assistance to that program participant under the program components and eligible activities provisions at § 576.101 through § 576.106, the provision on determining eligibility and amount and type of assistance at § 576.401(a) and (b), and the provision on using appropriate assistance and services at § 576.401(d) and (e); and

(3) Where applicable, compliance with the termination of assistance requirement in § 576.402.

**(g) Centralized or coordinated assessment systems and procedures.** The recipient and its subrecipients must keep documentation evidencing the use of, and written intake procedures for, the centralized or coordinated assessment system(s) developed by the Continuum of Care(s) in accordance with the requirements established by HUD.

**(h) Rental assistance agreements and payments.** The records must include copies of all leases and rental assistance agreements for the provision of rental assistance, documentation of payments made

to owners for the provision of rental assistance, and supporting documentation for these payments, including dates of occupancy by program participants.

**(i) Utility allowance.** The records must document the monthly allowance for utilities (excluding telephone) used to determine compliance with the rent restriction.

**(j) Shelter and housing standards.** The records must include documentation of compliance with the shelter and housing standards in § 576.403, including inspection reports.

**(k) Emergency shelter facilities.** The recipient must keep records of the emergency shelters assisted under the ESG program, including the amount and type of assistance provided to each emergency shelter. As applicable, the recipient's records must also include documentation of the value of the building before the rehabilitation of an existing emergency shelter or after the conversion of a building into an emergency shelter and copies of the recorded deed or use restrictions.

**(l) Services and assistance provided.** The recipient must keep records of the types of essential services, rental assistance, and housing stabilization and relocation services provided under the recipient's program and the amounts spent on these services and assistance. The recipient and its subrecipients that are units of general purpose local government must keep records to demonstrate compliance with the maintenance of effort requirement, including records of the unit of the general purpose local government's annual budgets and sources of funding for street outreach and emergency shelter services.

**(m) Coordination with Continuum(s) of Care and other programs.** The recipient and its subrecipients must document their compliance with the requirements of § 576.400 for consulting with the Continuum(s) of Care and coordinating and integrating ESG assistance with programs targeted toward homeless people and mainstream service and assistance programs.

**(n) HMIS.** The recipient must keep records of the participation in HMIS or a comparable database by all projects of the recipient and its subrecipients.

**(o) Matching.** The recipient must keep records of the source and use of contributions made to satisfy the matching requirement in § 576.201. The records must indicate the particular fiscal year grant for which each matching contribution is counted. The records must show how the value placed on third-party, noncash contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that the organization uses to support the allocation of regular personnel costs.

**(p) Conflicts of interest.** The recipient and its subrecipients must keep records to show compliance with the organizational conflicts-of-interest requirements in § 576.404(a), a copy of the personal conflicts of interest policy or codes of conduct developed and implemented to comply with the requirements in § 576.404(b), and records supporting exceptions to the personal conflicts of interest prohibitions.

**(q) Homeless participation.** The recipient must document its compliance with the homeless participation requirements under § 576.405.

**(r) Faith-based activities.** The recipient and its subrecipients must document their compliance with the faith-based activities requirements under § 576.406.

**(s) Other Federal requirements.** The recipient and its subrecipients must document their compliance with the Federal requirements in § 576.407, as applicable, including:

(1) Records demonstrating compliance with the nondiscrimination and equal opportunity requirements under §576.407(a), including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds and the affirmative outreach requirements in § 576.407(b).

(2) Records demonstrating compliance with the uniform administrative requirements in 24 CFR part 85 (for governments) and 24 CFR part 84 (for nonprofit organizations).

(3) Records demonstrating compliance with the environmental review requirements, including flood insurance requirements.

(4) Certifications and disclosure forms required under the lobbying and disclosure requirements in 24 CFR part 87.

**(t) Relocation.** The records must include documentation of compliance with the displacement, relocation, and acquisition requirements in § 576.408.

**(u) Financial records.** The recipient must retain supporting documentation for all costs charged to the ESG grant.

(1) The recipient and its subrecipients must keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under § 576.101-§ 576.109 and the cost principles in OMB Circulars A-87 (2 CFR part 225) and A-122 (2 CFR part 230).

(2) The recipient and its subrecipients must retain records of the receipt and use of program income.

(3) The recipient must keep documentation of compliance with the expenditure limits in § 576.100 and the expenditure deadline in § 576.203.

**(v) Subrecipients and contractors. (1)** The recipient must retain copies of all solicitations of and agreements with subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable. If the recipient is a State, the recipient must keep records of each recapture and distribution of recaptured funds under § 576.501.

(2) The recipient and its subrecipients must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 24 CFR 85.36 and 24 CFR 84.40-84.48.

(3) The recipient must ensure that its subrecipients comply with the recordkeeping requirements specified by the recipient and HUD notice or regulations.

**(w) Other records specified by HUD.** The recipient must keep other records specified by HUD.

**(x) Confidentiality. (1)** The recipient and its subrecipients must develop and implement written procedures to ensure:

(i) All records containing personally identifying information (as defined in HUD's standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;

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

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

(2) The confidentiality procedures of the recipient and its subrecipients must be in writing and must be maintained in accordance with this section.

**(y) Period of record retention.** All records pertaining to each fiscal year of ESG funds must be retained for the greater of 5 years or the period specified below. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.

(1) Documentation of each program participant's qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be

retained for 5 years after the expenditure of all funds from the grant under which the program participant was served;

(2) Where ESG funds are used for the renovation of an emergency shelter involves costs charged to the ESG grant that exceed 75 percent of the value of the building before renovation, records must be retained until 10 years after the date that ESG funds are first obligated for the renovation; and

(3) Where ESG funds are used to convert a building into an emergency shelter and the costs charged to the ESG grant for the conversion exceed 75 percent of the value of the building after conversion, records must be retained until 10 years after the date that ESG funds are first obligated for the conversion.

**(z) Access to records.** (1) *Federal government rights.* Notwithstanding the confidentiality procedures established under paragraph (w) of this section, HUD, the HUD Office of the Inspector General, and the Comptroller General of the United States, or any of their authorized representatives, must have the right of access to all books, documents, papers, or other records of the recipient and its subrecipients that are pertinent to the ESG grant, in order to make audits, examinations, excerpts, and transcripts. These rights of access are not limited to the required retention period but last as long as the records are retained.

(2) **Public rights.** The recipient must provide citizens, public agencies, and other interested parties with reasonable access (consistent with state and local laws regarding privacy and obligations of confidentiality and the confidentiality requirements in this part) to records regarding any uses of ESG funds the recipient received during the preceding 5 years.

**(aa) Reports.** The recipient must collect and report data on its use of ESG funds in the Integrated Disbursement and Information System (IDIS) and other reporting systems, as specified by HUD. The recipient must also comply with the reporting requirements at 2 CFR part 200 and the reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, (31 U.S.C. 6101 note), which are set forth in appendix A to 2 CFR part 170.

## **XVII. CHECKLISTS & FORMS**

## Request for Environmental Review

**SUBRECIPEINT MAY NOT UNDERTAKE ANY ACTIVITY WITH HUD OR NON-HUD FUNDS WITHOUT A COMPLETED ENVIRONMENTAL REVIEW.**

**Date of Request:** \_\_\_\_\_ **Requestor Name / Agency:** \_\_\_\_\_

**Funding Source:**  CDBG  HOME  ESG

**Property Address:** \_\_\_\_\_

**Project Description:** \_\_\_\_\_

**Project budget:** \$\_\_\_\_\_

### **PROPOSED PROJECT DESCRIPTION:**

DPA  TBRA  Supportive Services  Operating Costs  Acquisition (Property)  
 Demolition  New Construction  Rehabilitation

Is this vacant/undisturbed land?  Yes  No

If existing property: # Bedrooms: \_\_\_\_\_ # Baths: \_\_\_\_\_ Sq. Ft.: \_\_\_\_\_

If proposed activity results in ground disturbance, please provide a description (Include a description of all horizontal and vertical ground disturbance, such as haul roads, cut or fill areas, excavations, landscaping activities, ditching, utility burial, grading, water tower construction, etc., as applicable): \_\_\_\_\_

If new construction: # Bedrooms: \_\_\_\_\_ # Baths: \_\_\_\_\_ Sq. Ft.: \_\_\_\_\_

### **REQUIRED ATTACHMENTS (FOR ACQUISITION, DEMOLITION, NEW CONSTRUCTION, REHABILITATION)**

- Detailed scope work
- Site Plan
- Photographs of the property, include views of the front, back, right, left and property to the left, right, across the street and street views left and right
- Soil Surveys, if completed
- Engineer/Architect Environmental Assessment, if completed

## Homelessness Prevention & RRH Client File Reimbursement Documentation

<input type="checkbox"/>	Income Verification Documentation with the Income Calculation
<input type="checkbox"/>	Fair Market Rents (FMRs)
<input type="checkbox"/>	Rent Reasonableness determination
<input type="checkbox"/>	Client application - Agency application
<input type="checkbox"/>	Client-Landlord Lease
<input type="checkbox"/>	Agency-Landlord Lease
<input type="checkbox"/>	Habitability Checklist
<input type="checkbox"/>	Lead-Based Paint Documentation (if applicable)
<input type="checkbox"/>	HMIS Consent Form
<b>Housing Status Documentation Requirements and Certification Requirements</b> <b>Complete &amp; Submit Appropriate Certification Form w/ Source Documentation</b>	
<input type="checkbox"/>	<p><b>Rapid Re-Housing</b></p> <p>Individuals defined as Homeless under the following categories are eligible for assistance in RRH projects:</p> <ul style="list-style-type: none"> <li>• Category 1 – Literally Homeless</li> <li>• Category 4 – Fleeing/Attempting to Flee DV (where the individual or family also meets the criteria for Category 1)</li> </ul>
<input type="checkbox"/>	<p><b>Homelessness Prevention</b></p> <p>Individuals and Families defined as Homeless under the following categories are eligible for assistance in HP projects:</p> <ul style="list-style-type: none"> <li>• Category 2 –Imminent Risk of Homeless</li> <li>• Category 3 – Homeless Under Other Federal Statutes</li> <li>• Category 4 – Fleeing/Attempting to Flee DV</li> </ul> <p>Individuals and Families who are defined as <b>At Risk of Homelessness</b> are eligible for assistance in HP projects.</p> <ul style="list-style-type: none"> <li>➢ Must only serve individuals and families that have an annual income below 30% of AMI</li> </ul>

# Homelessness Prevention Eligibility Recordkeeping & Documentation

Recordkeeping & Documentation under the At-Risk Definition of Homelessness (24 CFR 576.2)

**Category 1:** Individuals and Families At-Risk

**Category 2:** Homeless Children & Youth under Other Federal Statutes

**Category 3:** Homeless Children & Youth under §725(2) of McKinney-Vento

## Category 1: Individuals & Families At-Risk

**3 conditions:**

**Clients must meet all 3 conditions. The service provider must provide and maintain sufficient documentation to demonstrate clients meet all 3 conditions.**

**I. Income below 30% AMI**

Income Inclusion	Documentation
1. Earned Income	<ul style="list-style-type: none"> <li>• Payment statement</li> <li>• Statement of income from employer/source of income</li> </ul>
2. Self-Employment/ Business Income	<ul style="list-style-type: none"> <li>• Most recent Financial Statement</li> </ul>
3. Interest & Dividend Income	<ul style="list-style-type: none"> <li>• Most recent interest or dividend income statement</li> </ul>
4. Pension/ Retirement Income	<ul style="list-style-type: none"> <li>• Most recent benefit notice, pension statement or other payment statement from pension provider</li> </ul>
5. Armed Forces Income	<ul style="list-style-type: none"> <li>• Payment statement</li> <li>• Statement of income from government official/agency</li> </ul>
6. Unemployment & Disability Income	<ul style="list-style-type: none"> <li>• Most recent benefit or disability income notice from SSI</li> <li>• Statement from SSI</li> </ul>
7. Public Assistance, Including TANF	<ul style="list-style-type: none"> <li>• Most recent benefit or income notice from public assistance administrator</li> <li>• Statement from public assistance administrator</li> </ul>
8. Alimony & Child Support	<ul style="list-style-type: none"> <li>• Court Order</li> <li>• Cancelled Checks</li> </ul>
9. No Income Reported	<ul style="list-style-type: none"> <li>• Self-certification</li> </ul>

**AND**

**2. Insufficient financial resources or support networks to prevent homelessness**

- Self-Certification, supported by other documentation when practical
- Examples include termination notice, unemployment compensation statement, bank statement, health care/utility bill showing arrears

**AND**

**3. Meets 1 of 7 risks specified in ESG Interim Regulations**

**Risk 1: Persistent housing instability (2 or more moves within 60 days) due to economic reasons.**

**Both the housing instability and economic hardship must be supported by documentation.**

- I. Housing history must demonstrate 2 or more moves within 60 days
  - a. Documentation source and type may include:

- i. HMIS Records
- ii. Referral from housing/ service provider
- iii. Letter from tenant/owner

**Intake observation is NOT appropriate for Risk Factor I.**

- 2. Economic reasons may include termination from employment, unexpected medical costs, inability to maintain housing including utilities, etc.
  - a. Documentation source and type may include
    - i. Notice of termination
    - ii. Health care bills indicating arrears
    - iii. Utility bills indicating arrears

**Intake observation is NOT appropriate for Risk Factor I.**

**Risk 2: Living in the home of another because of economic hardship**

- 1. Housing must be in the home of another (i.e., doubled up)
  - a. Letter from tenant/homeowner
  - b. Intake observation may be appropriate**
- 2. Economic hardship may include termination from employment, unexpected medical costs, inability to maintain housing including utilities, etc.
  - a. Documentation source and type may include
    - i. Notice of termination
    - ii. Health care bills indicating arrears
    - iii. Utility bills indicating arrears

**Risk 3: Housing loss within 21 days**

- 1. Notification to leave within 21 days must be written.
  - a. Only third party –source/written is appropriate**
  - b. If tenant/homeowner: eviction notice, court order to leave within 21 days
  - c. If living with another (doubled up): eviction letter from tenant/homeowner.

**Risk 4: Living in a rented hotel or motel (cost is not covered by charitable org/ gov program).**

- 1. Housing must be in hotel/motel
  - a. Letter from hotel/motel manager
  - b. Intake observation
- 2. Costs have not be covered by charitable organization or government program
  - a. Cancelled check

### **Risk 5: Living in a severely over-crowded unit as defined by US Census Bureau**

- I. Census Bureau Definition:
  - a. SRO or efficiency apt: more than 2 ppl
  - b. Larger housing: more than 1 ½ ppl per room
2. Must document # of rooms in unit AND # of individuals living in unit
  - a. Lease
  - b. Unit details from Tax Assessor's Office
  - c. Intake observation

### **Risk 6: Exiting publicly funded institution or system of care**

- I. Documenting discharge from health care facility, mental health facility, foster care or other youth facility or correction program
  - a. Discharge paperwork
  - b. Referral letter

### **Risk 7: Living in housing associated with instability & an increased risk of homelessness as described in approved Consolidated Plan**

- I. **Insert program consolidated plan** defines housing characteristics associated with instability and an increased risk as:
  - a. Severe cost burden is the greatest predictor of homelessness risk, with populations paying more than 50% of their income towards housing costs or having incomes at or below 50% AML.  
**Refer to Income Inclusion and Documentation Table on Page I.**

## **Category 2: Homeless Children & Youth**

### **Defined under another Federal Statute**

387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15));

- I. Verification of Homeless Status must be provided by agency administering applicable Federal program
  - a. **Third Party –Written ONLY**
  - b. Certification of homeless status (letter or standardized form)

## Category 3: Homeless Children & Youth including Families/ Guardians

### Defined under § 725(2) of McKinney-Vento

A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

#### I. **Third Party –Written ONLY**

- a. Certification of homeless status
- b. May be letter or referral
- c. Provided by agency administering Federal program
- d. Must confirm that family/guardian is residing with children/youth

### **Homeless Definition – Category 2 “Imminent Risk”**

**3 Conditions: Clients must meet all 3 conditions. The service provider must provide and maintain sufficient documentation to demonstrate clients meet all 3 conditions.**

#### I. Housing Loss within 14 days

- a. Documentation requirements vary by condition and type of housing

##### i. If tenants:

1. Third Party - Court Ordered Eviction notice to leave within 14 days.

##### ii. If in hotel/motel not paid for by charitable organizations or federal, state, or local government programs for low-income individuals

1. evidence that the individual or family lacks the resources necessary to reside there for more than 14 days after the date of application for homeless assistance; or
2. An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance.
  - a. The intake worker must record the statement and certify that it was found credible.
    - i. To be found credible, the oral statement must either:
      1. Be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement; or

2. If the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete;

**AND**

2. No subsequent residence identified
  - a. Self-Certification, supported by other documentation when practical

**AND**

3. Lack of resources and support networks to obtain other housing
  - a. Self-certification or other written documentation that the individual lacks the financial resources and support necessary to reside there for more than 14 days after the date of application for homeless prevention.

### **Homeless Definition - Category 3 Homeless Under Other Federal Statutes Clients**

**4 Conditions: Clients must meet all 4 conditions. The service provider must provide and maintain sufficient documentation to demonstrate clients meet all 4 conditions.**

Certification by the agency that the individual or family does not qualify as homeless under the homeless definition but is an unaccompanied youth under 25 years of age, or homeless family with one or more children or youth, and is defined as homeless under another Federal statute:

1. Certification of homeless status by the local private nonprofit organization or state or local governmental entity responsible for administering assistance under
  - a. Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.),
  - b. Head Start Act (42 U.S.C. 9831 et seq.),
  - c. Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.),
  - d. Section 330 of the Public Health Service Act (42 U.S.C. 254b),
  - e. Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
  - f. Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), or
  - g. Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.),

**AND**

2. Certification of no permanent housing in last 60 days;
  - a. Referral by a housing or service provider,
  - b. Written observation by an outreach worker, or
  - c. Certification by the homeless individual or head of household seeking assistance;

**AND**

3. 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 immediately preceding the date of application for homeless assistance, including
- a. Recorded statements or records obtained from each owner or renter of housing, provider of shelter or housing, or social worker, case worker, or other appropriate official of a hospital or institution in which the individual or family resided; or,
  - b. Where these statements or records are unobtainable, a written record of the intake worker's due diligence in attempting to obtain these statements or records.
  - c. Where a move was due to the individual or family fleeing domestic violence, dating violence, sexual assault, or stalking, then the intake worker may alternatively obtain a written certification from the individual or head of household seeking assistance that they were fleeing that situation and that they resided at that address

**AND**

4. Documentation of special needs or two or more barriers to employment:
- a. Obtain of a written diagnosis from a professional who is licensed by the state to diagnose and treat that condition (or intake staff-recorded observation of disability that within 45 days of date of the application for assistance is confirmed by a professional who is licensed by the state to diagnose and treat that condition).
  - b. Two or more barriers to employment which include: employment records; department of corrections records; literacy, English proficiency tests; lack of a high school degree or General Education Development (GED); a history of unstable employment; or document the applicant is 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,

## **Homeless Definition - Category 4 Fleeing/Attempting to Flee Domestic Violence**

I. For **Victim** Service Providers:

- a. 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.

2. For **non-Victim** Service Providers:

- a. An 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 care worker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified;

**AND**

- b. Certification by the individual or head of household that no subsequent residence has been identified;

**AND**

- c. Self-certification or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

## VERIFICATION OF HOMELESSNESS - EMERGENCY SHELTER, HOTEL/MOTEL VOUCHERS, SUPPORTIVE SERVICES ONLY

Participant Name:	Participant HMIS #:	ESG Project Entry Date:
<b>ESG Program Type for which Homelessness is Being Certified</b>		
<input type="checkbox"/> Emergency Shelter	<input type="checkbox"/> Supportive Services Only	
<input type="checkbox"/> Hotel/Motel Vouchers		

**Instructions:** Identify the housing status applicable to the participant household below and indicate the attached documentation for that housing status. Complete the Chronic Homeless Information section for each applicant.

Unless otherwise noted, the general order of priority for obtaining evidence is third-party documentation first, intake worker observations second, and certification by the person seeking assistance third.

CATEGORY I: LITERALLY HOMELESS			
Housing Status	Documentation Attached		
<input type="checkbox"/> Living on the street or sleeping in a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings (including a car, park, abandoned building, bus station, airport, or camp ground)	<input type="checkbox"/> Written referral by another housing or service provider (either on referring agency stationery or Third Party Verification form) <b>OR</b> <input type="checkbox"/> Completed Staff Certification form (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self-Certification form (3 <sup>rd</sup> priority)		
<input type="checkbox"/> Living in a shelter designed to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels/motels paid for by a charitable organization or government program)	<input type="checkbox"/> Written referral from previous shelter staff, charitable organization, or government program (either on referring agency stationery or Third Party Verification form) <b>OR</b> <input type="checkbox"/> HMIS shelter record <b>OR</b> <input type="checkbox"/> Completed Staff Certification form (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self-Certification form (3 <sup>rd</sup> priority)		
<input type="checkbox"/> Exiting an institution where the applicant resided for 90 days or less <b>and</b> resided in a place not meant for human habitation immediately before entering the institution	<p style="text-align: center; color: red; font-weight: bold;">Documentation must include one item from each column below.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> <p style="text-align: center; font-weight: bold;">Homeless Status Prior to Institution</p> <input type="checkbox"/> Written referral by another housing or service provider (either on referring agency stationery or Third Party Verification form) <b>OR</b>  <input type="checkbox"/> Completed Staff Certification form (2<sup>nd</sup> priority) <b>OR</b>  <input type="checkbox"/> Completed Self Certification form (3<sup>rd</sup> priority)                 </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> <p style="text-align: center; font-weight: bold;">Institutional Stay Documentation</p> <input type="checkbox"/> Discharge paperwork, written referral from institution, or Third Party Verification form showing dates of institutional stay <b>OR</b>  <input type="checkbox"/> Completed Staff Certification form verifying institutional stay (2<sup>nd</sup> priority) <b>OR</b>  <input type="checkbox"/> Completed Self Certification form verifying institutional stay (3<sup>rd</sup> priority)                 </td> </tr> </table>	<p style="text-align: center; font-weight: bold;">Homeless Status Prior to Institution</p> <input type="checkbox"/> Written referral by another housing or service provider (either on referring agency stationery or Third Party Verification form) <b>OR</b> <input type="checkbox"/> Completed Staff Certification form (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form (3 <sup>rd</sup> priority)	<p style="text-align: center; font-weight: bold;">Institutional Stay Documentation</p> <input type="checkbox"/> Discharge paperwork, written referral from institution, or Third Party Verification form showing dates of institutional stay <b>OR</b> <input type="checkbox"/> Completed Staff Certification form verifying institutional stay (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form verifying institutional stay (3 <sup>rd</sup> priority)
<p style="text-align: center; font-weight: bold;">Homeless Status Prior to Institution</p> <input type="checkbox"/> Written referral by another housing or service provider (either on referring agency stationery or Third Party Verification form) <b>OR</b> <input type="checkbox"/> Completed Staff Certification form (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form (3 <sup>rd</sup> priority)	<p style="text-align: center; font-weight: bold;">Institutional Stay Documentation</p> <input type="checkbox"/> Discharge paperwork, written referral from institution, or Third Party Verification form showing dates of institutional stay <b>OR</b> <input type="checkbox"/> Completed Staff Certification form verifying institutional stay (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form verifying institutional stay (3 <sup>rd</sup> priority)		

CATEGORY 2: IMMINENT RISK OF HOMELESSNESS	
Housing Status	Documentation Attached
<input type="checkbox"/> Will imminently lose primary nighttime residence within 14 days  <b>AND</b> No appropriate subsequent housing options have been identified  <b>AND</b> Household lacks the financial resources and support networks necessary to obtain immediate housing or remain in existing housing	<input type="checkbox"/> Court order resulting from eviction action notifying the individual or family that they must leave  <input type="checkbox"/> <b>AND</b> Staff Certification, Self-Certification, or other written documentation stating that no subsequent residence has been identified and the applicant lacks the financial resources and support necessary to obtain permanent housing  <input type="checkbox"/> <b>For applicants living in a hotel/motel paid by applicant</b> A letter from the hotel/motel manager, or third party oral statement documented on the Staff Certification form, showing that costs are paid by the applicant  <input type="checkbox"/> <b>AND</b> Staff Certification, Self-Certification, or other written documentation stating that no subsequent residence has been identified and the applicant lacks the financial resources and support necessary to obtain permanent housing  <p style="text-align: center;"><b><i>Whenever possible, include written documentation showing lack of financial resources (e.g. financial documents, bank statements, etc.).</i></b></p>

CATEGORY 4: FLEEING/ATTEMPTING TO FLEE DOMESTIC VIOLENCE	
Housing Status	Documentation Attached
<input type="checkbox"/> Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence  <b>AND</b> Has no other residence  <b>AND</b> Lacks the resources or support networks to obtain other permanent housing	<input type="checkbox"/> Completed Staff Certification form stating that the applicant is fleeing, has no subsequent residence, and lacks resources <b>OR</b> <input type="checkbox"/> Completed Self-Certification form stating that the applicant is fleeing, has no subsequent residence, and lacks resources  <p><b><i>For non-victim service providers, where the safety of the applicant is not jeopardized, oral statements must be verified. Whenever possible, include further written documentation showing lack of financial resources (e.g. financial documents).</i></b></p>

### CHRONIC HOMELESS INFORMATION

Does the individual or head of household meet **all** of the following criteria:

- Has been literally homeless, as defined in Category I above, for at least one year continuously or on at least four separate occasions in the last three years, **where the cumulative total of the four occasions is at least one year (Stays in institutions of 90 days or less will not constitute a break in homelessness, but such stays are included in the cumulative total)** in a place not meant for human habitation, a safe haven, or an emergency shelter;  
**AND**
- Has an adult head of household (or a minor head of household if no adult is present in the household) with a diagnosable substance use disorder, serious mental illness, developmental disability post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of 2 or more of those conditions.

Does the applicant meet both criteria for Chronic Homelessness?

- Yes\*
- No

***\*If yes, attach completed Certification of Chronic Homelessness or Self-Statement of Chronic Homelessness, with any applicable backup documentation.***

Form Completed By: \_\_\_\_\_

Date: \_\_\_\_\_

## VERIFICATION OF HOMELESSNESS PREVENTION

### Homeless Definition Category 2

Participant Name:	Participant HMIS #:	ESG Project Entry Date:

**Instructions:** Identify the housing status applicable to the participant household below and indicate the attached documentation for that housing status. If the participant is being verified as “at-risk of homelessness,” and does not meet the housing status qualifications below, use the At-Risk of Homelessness Certification form instead.

Unless otherwise noted, the general order of priority for obtaining evidence is third-party documentation first, intake worker observations second, and certification by the person seeking assistance third.

#### CATEGORY 2: IMMINENT RISK OF HOMELESSNESS

Housing Status	Documentation Attached
<input type="checkbox"/> Will imminently lose primary nighttime residence within 14 days  <b>AND</b> No appropriate subsequent housing options have been identified  <b>AND</b> Household lacks the financial resources and support networks necessary to obtain immediate housing or remain in existing housing	<input type="checkbox"/> Court order resulting from eviction action notifying the individual or family that they must leave <b>AND</b> <input type="checkbox"/> Staff Certification, Self-Certification, or other written documentation stating that no subsequent residence has been identified and the applicant lacks the financial resources and support necessary to obtain permanent housing  <b>For applicants living in a hotel/motel paid by applicant</b> <input type="checkbox"/> A letter from the hotel/motel manager, or third party oral statement documented on the Staff Certification form, showing that costs are paid by the applicant  <b>AND</b> <input type="checkbox"/> Staff Certification, Self-Certification, or other written documentation stating that no subsequent residence has been identified and the applicant lacks the financial resources and support necessary to obtain permanent housing  <b>Whenever possible, include written documentation showing lack of financial resources (e.g. financial documents, bank statements, etc.).</b>

#### CATEGORY 4: FLEEING/ATTEMPTING TO FLEE DOMESTIC VIOLENCE

Housing Status	Documentation Attached
<input type="checkbox"/> Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence  <b>AND</b> Has no other residence  <b>AND</b> Lacks the resources or support networks to obtain other permanent housing	<input type="checkbox"/> Completed Staff Certification form stating that the applicant is fleeing, has no subsequent residence, and lacks resources <b>OR</b> <input type="checkbox"/> Completed Self Certification form stating that the applicant is fleeing, has no subsequent residence, and lacks resources  <b>For non-victim service providers, where the safety of the applicant is not jeopardized, oral statements must be verified. Whenever possible, include further written documentation showing lack of financial resources (e.g. financial documents).</b>

## INCOME VERIFICATION

In addition to meeting the housing status requirements above, applicants for prevention must also have an income level that is at or below 30% of the Area Median Income (AMI) at the time of program application. This must be recertified every 90 days and annually.

Attached documentation showing income at or below 30% of AMI includes:

- Verification of Income form  
**AND**  
*Choose one below*
- Source documentation **OR**
- Self Declaration of Income (should ONLY be used rarely)

Form Completed By: \_\_\_\_\_

Date: \_\_\_\_\_

## AT-RISK OF HOMELESSNESS CERTIFICATION

This is to certify that the above named individual or household is currently at risk for homelessness based on the information provided below and signature indicating their current housing status. If the applicant is being verified as Category 2 or Category 4 homeless, use the Verification of Homelessness for Prevention instead.

**THIRD PARTY EVIDENCE, INCLUDING WRITTEN STATEMENTS, [(B) and (C) below], MUST BE ATTACHED TO THIS FORM IN ORDER TO CERTIFY AT-RISK STATUS.**

<b>ESG Applicant Name:</b>
Address from which applicant is being evicted:
<input type="checkbox"/> Individual without dependent children (complete one form for each adult household member) <input type="checkbox"/> Household with dependent children (complete one form for each adult household member) Number of persons in the household:
<b>Living Situation and Risk Factors</b>
The person/household named above is currently living in housing from which he/she/they is/are being evicted. ESG assistance provided will not overlap with other federal funding sources.  The individual or family: <ol style="list-style-type: none"> <li>1. Has income <u>below</u> 30 percent of median income for the geographic area (see income documentation form); <b>AND</b></li> <li>2. Lacks <u>sufficient resources</u> to attain housing stability. [e.g., family, friends, faith-based or other social networks immediately available] <u>to prevent them from moving to an emergency shelter</u> or another place described in category I of the homeless definition.</li> </ol> Evidence of the second eligibility criterion (#2 above) for this applicant is: <ul style="list-style-type: none"> <li><input type="checkbox"/> Source documents (e.g., notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears).</li> <li><input type="checkbox"/> To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., former employer, public administrator, relative) or written certification by the intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria of the definition of “at risk of homelessness” or</li> <li><input type="checkbox"/> If source documents and third-party verification are unobtainable, a written statement by intake staff describing the efforts taken to obtain the required evidence.</li> </ul> The person(s) listed above meet one or more of the following risk factors: <ul style="list-style-type: none"> <li><input type="checkbox"/> Has moved frequently because of economic reasons</li> <li><input type="checkbox"/> Is living in the home of another because of economic hardship</li> <li><input type="checkbox"/> Has been notified in writing that their right to occupy their current housing or living situation will be terminated <u>within 21 days</u> after the date of application</li> <li><input type="checkbox"/> Lives in a hotel or motel; “and the cost of the hotel or motel is not paid for by federal, state, or local government programs for low-income individuals or by charitable organizations”</li> <li><input type="checkbox"/> Lives in severely overcrowded housing; (in a single-room occupancy or efficiency apartment unit in which more than two persons, on average, reside or another type of housing in which there reside more than 1.5 persons per room, as defined by the U.S. Census Bureau.)</li> </ul>

- Is exiting a publicly funded institution; or system of care, (such as a health-care facility, mental health facility, foster care or other youth facility, or correction program or institution)
  - Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness
- Evidence of risk factors for this applicant is:

- Source documents (e.g., notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears).
- To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., former employer, public administrator, relative) or written certification by the intake staff of the oral verification by the relevant third party **or**
- If source documents and third-party verification are unobtainable, a written statement by intake staff describing the efforts taken to obtain the required evidence.

**Verifying Agency/Person**  
 I certify that I have provided verification as indicated above that the ESG applicant meets eligibility criteria and/or risk factors for being “at-risk of homelessness” as defined by HUD.

Printed Name:	Signature:
Date:	Title:
Organization:	Address:

## VERIFICATION OF HOMELESSNESS RAPID RE-HOUSING

Participant Name:	Participant HMIS #:	ESG Project Entry Date:

**Instructions:** Identify the housing status applicable to the participant household below and indicate the attached documentation for that housing status. Complete the Chronic Homeless Information section for each applicant.

Unless otherwise noted, the general order of priority for obtaining evidence is third-party documentation first, intake worker observations second, and certification by the person seeking assistance third.

CATEGORY I: LITERALLY HOMELESS		
Housing Status	Documentation Attached	
<input type="checkbox"/> Living on the street or sleeping in a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings (including a car, park, abandoned building, bus station, airport, or camp ground)	<input type="checkbox"/> Written referral by another housing or service provider (either on referring agency stationery or Third Party Verification form) <b>OR</b> <input type="checkbox"/> Completed Staff Certification form (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form (3 <sup>rd</sup> priority)	
<input type="checkbox"/> Living in a shelter designed to provide temporary living arrangements (including congregate shelters, transitional housing*, and hotels/motels paid for by a charitable organization or government program)	<input type="checkbox"/> Written referral from previous shelter staff, charitable organization, or government program (either on referring agency stationery or Third Party Verification form) <b>OR</b> <input type="checkbox"/> HMIS shelter record <b>OR</b> <input type="checkbox"/> Completed Staff Certification form (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form (3 <sup>rd</sup> priority)	
<input type="checkbox"/> Exiting an institution where the applicant resided for 90 days or less <b>and</b> resided in a place not meant for human habitation immediately before entering the institution	<b>Documentation must include one item from each column below.</b>	
	<p style="text-align: center;"><b>Homeless Status Prior to Institution</b></p> <input type="checkbox"/> Written referral by another housing or service provider (either on referring agency stationery or Third Party Verification form) <b>OR</b> <input type="checkbox"/> Completed Staff Certification form (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form (3 <sup>rd</sup> priority)	<p style="text-align: center;"><b>Institutional Stay Documentation</b></p> <input type="checkbox"/> Discharge paperwork or written referral from institution showing dates of institutional stay <b>OR</b> <input type="checkbox"/> Completed Staff Certification form verifying institutional stay (2 <sup>nd</sup> priority) <b>OR</b> <input type="checkbox"/> Completed Self Certification form verifying institutional stay (3 <sup>rd</sup> priority)

#### CATEGORY 4: FLEEING/ATTEMPTING TO FLEE DOMESTIC VIOLENCE

Applicants fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence must also meet the criteria for CATEGORY I: LITERALLY HOMELESS to qualify for rapid re-housing services.

Complete the section above for CATEGORY I: LITERALLY HOMELESS. Victim status must be included on documentation for CATEGORY I: LITERALLY HOMELESS.

#### INCOME VERIFICATION

In addition to meeting the housing status requirements above, applicants for Rapid Re-Housing must also have an income level that is at or below 50% of the Area Median Income (AMI) at the time of program application.

**Attached documentation showing income at or below 50% of AMI includes:**

- Verification of Income form  
**AND**  
Choose one below
- Source documentation **OR**
- Self Declaration of Income (should ONLY be used in rarely)

#### CHRONIC HOMELESS INFORMATION

Does the individual or head of household meet **all** of the following criteria:

- Has been literally homeless, as defined in Category I above, for at least one year continuously or on at least four separate occasions in the last three years, **where the cumulative total of the four occasions is at least one year (Stays in institutions of 90 days or less will not constitute a break in homelessness, but such stays are included in the cumulative total)** in a place not meant for human habitation, a safe haven, or an emergency shelter; **AND**
- Has an adult head of household (or a minor head of household if no adult is present in the household) with a diagnosable substance use disorder, serious mental illness, developmental disability post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of 2 or more of those conditions.

Does the applicant meet both criteria for Chronic Homelessness?

- Yes\*
- No

**\*If yes, attach completed Certification of Chronic Homelessness or Self-Statement of Chronic Homelessness, with any applicable backup documentation.**

Form Completed By: \_\_\_\_\_

Date: \_\_\_\_\_

## CHRONIC HOMELESSNESS CERTIFICATION

This document may be used to analyze whether or not an individual or family meets the definition of chronic homelessness. Documentation must be attached to verify status.

**ESG Applicant Name:** \_\_\_\_\_

- Household without dependent children (complete one form for each adult in household)  
 Household with dependent children (complete one form for each adult in household)

**Number of persons in the household:** \_\_\_\_\_

Applicant or head of household has the following disability based on the condition(s): (check all that apply)

- A diagnosable substance abuse disorder  
 A serious mental illness.  
 A developmental disability  
 A chronic physical illness or disability, including the co-occurrence of two or more of these conditions.

**AND**

- Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter

**AND**

Has been:

- Living as described above for at least 12 months or  
 Lived as described above on at least 4 separate occasions in the last 3 years, where the combined occasions equal at least 12 months and each break in homelessness lasted at least 7 nights **or**  
 Living in an institutional care facility for fewer than 90 days and met all of the criteria above (including 12 total months of literal homelessness) before entering that facility

*\*Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility.*

Beginning Date	Ending Date	# of Days	Location of Stay	Documented?
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
				Yes / No
<b>Total Days</b>				Yes / No

Based on this summary, I certify that the client:  is chronically homeless     is **NOT** chronically homeless

**ESG Staff Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## SELF CERTIFICATION OF HOMELESSNESS / FLEEING DOMESTIC VIOLENCE

This is to certify that the below named individual or household is currently homeless based on the check mark, other included information, and signature indicating their current living situation. **The entire form must be completed.**

### ESG Applicant Name:

- Individual without dependent children (complete one form for each adult household member)
  - Household with dependent children (complete one form for each adult household member)
- Number of persons in the household:

### Self-Certification

#### ESG applicant check only one:

- I [and my children, if applicable] am/are currently homeless and living on the street (e.g. a car, park, abandoned building, bus station, airport, or camp ground).
- I [and my children] am/are being evicted from the housing we are presently staying in and must leave this housing within the next 14 days.
- I [and my children, if applicable] am/are the victim(s) of domestic violence and am/are fleeing from abuse, have not identified a subsequent residence, and lack the resources or support networks, e.g., family, friends, faith based, or other social networks, needed to obtain housing where my/our safety would not be jeopardized.

**I certify that I have insufficient financial resources and support networks; e.g., family, friends, faith-based or other social networks, immediately available to obtain housing or to attain housing stability without ESG assistance. I certify that the information above and any other information I have provided in applying for ESG assistance is true, accurate and complete.**

ESG Applicant Signature: \_\_\_\_\_

Date:

### ESG Staff Due Diligence

I understand that third-party verification is the preferred method of certifying homelessness/risk for homelessness/victim status for an individual who is applying for ESG assistance. I understand self-declaration is only permitted when I have attempted to but cannot obtain third party verification.

*Documentation of attempts made for third party verification:*

ESG Staff Signature: \_\_\_\_\_

Date:

## STAFF CERTIFICATION OF HOMELESSNESS / FLEEING DOMESTIC VIOLENCE

This document is required for ESG sub-grantees verifying homelessness and/or domestic violence status through oral third party verification or staff observation. **Complete EITHER Option 1 OR Option 2.**

<b>ESG Applicant Name:</b>	
<input type="checkbox"/> Individual without dependent children (complete one form for each adult household member) <input type="checkbox"/> Household with dependent children (complete one form for each adult household member) <b>Number of persons in the household:</b>	
<b>Option 1: Third Party Oral Verification</b>	
<p>I understand that securing third party documentation is the preferred method of certifying homelessness or risk for homelessness for an individual who is applying for ESG assistance, but cannot obtain source documents. Below I am providing details of oral third party verification of eligibility or risk factors and certifying all statements to be true, accurate and complete.</p> <p>Oral verification by the relevant third party was made on _____ (date) through a conversation with _____ (Relevant Third-Party Representative).</p> <p>Verification of homelessness was provided:  <input type="checkbox"/> Over the phone                      <input type="checkbox"/> In person</p>	
<p>The following information was provided regarding the ESG applicant's homeless status, victim status, and available resources:</p>	
<p>I understand that obtaining third party documentation of eligibility or risk factors is the preferred method of certifying eligibility for an individual who is applying for ESG assistance, but cannot meet this standard. I made the following efforts to obtain third party documentation:</p>	
<b>Option 2: Staff Observation Verification</b>	
<p>I have observed the following conditions which serve as evidence related to the applicant's housing status, victim status and available resources. Due to the following factors I certify this applicant's eligibility for ESG assistance:</p>	
<p>I understand that obtaining third party verification of eligibility or risk factors is the preferred method of certifying eligibility for an individual who is applying for ESG assistance, but cannot meet this standard. I made the following efforts to obtain third party verification:</p>	
<b>ESG Staff Certification</b>	
ESG Staff Printed Name:	Signature:
Date:	ESG Staff Title:

## HOUSEHOLD RECERTIFICATION FORM

Households receiving ESG Prevention and Rapid Re-Housing assistance must be recertified every 90 days. At the end of each recertification the case manager must attach the new evidence to this form demonstrating the household is still eligible for the program. It is not acceptable to reattach the evidence from previous eligibility decisions.

*\*NOTE: Recertification criteria for rapid re-housing and prevention programs are different. See the ESG Desk Guide for further details.*

<b>ESG Client Name:</b>	
Client is enrolled in: <input type="checkbox"/> Prevention Program and must have household income below 30% AMI <input type="checkbox"/> Rapid Re-Housing Program and must have household income at or below 50% AMI <input type="checkbox"/> Rapid Re-Housing for one year and must have household income below 30% AMI	
Date of entry into program:	Case Manager:
Number of months (including arrears) household has received assistance:	
Date of this Re-Certification:	
<b><u>List the member(s) of this household:</u></b>	
<b>Adult(s):</b>	<b>Children (under 18):</b>
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____

<b>Status</b>	
Please update the household's current housing status AND attach the appropriate documentation:	
<input type="checkbox"/> Literally homeless <input type="checkbox"/> Imminently losing housing <input type="checkbox"/> Unstably housed and at risk of losing housing	<b>Documentation list:</b> 1. _____ 2. _____ 3. _____

**Income**

Please update the household's current income status AND attach the appropriate documentation:

- Household Income meets AMI requirements for program
- Household Income does not meet AMI requirements for program

**Documentation list:**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Households that do not meet the AMI requirements are no longer eligible to receive ANY ESG SERVICES. They must be discharged from the program.

**Resources**

For clients who are receiving ongoing ESG financial assistance, staff must document their inability to pay for the item BUT FOR the ESG assistance (i.e. bank/saving statements, medical bills, etc.).

- Household HAS **NO** other housing options, financial resources, or support networks identified.
- Household **HAS** other housing options, financial resources, or support networks identified.

**Documentation List**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**Housing Stability Goals**

Household agrees to work on the following goals to ensure a stable housing outcome:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**Staff Certification**

- Household is eligible for additional services
- Household is ineligible

If ineligible, list other community based agencies that household can access for further support:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

ESG Staff Printed Name:

ESG Staff Signature:

Date:

ESG Staff Title:

## SELF-DECLARATION OF INCOME

ESG Applicant Name: \_\_\_\_\_

This is to certify the income status for the above named individual. Income includes but is not limited to:

- The full amount of gross income earned before taxes and deductions.
- The net income earned from the operation of a business, i.e., total revenue minus business operating expenses. This also includes any withdrawals of cash from the business or profession for your personal use.
- Monthly interest and dividend income credited to an applicant's bank account and available for use.
- The monthly payment amount received from Social Security, annuities, retirement funds, pensions, disability and other similar types of periodic payments.
- Any monthly payments in lieu of earnings, such as unemployment, disability compensation, SSI, SSDI, and worker's compensation.
- Monthly income from government agencies excluding amounts designated for shelter, and utilities, WIC, food stamps, and child care.
- Alimony, child support and foster care payments received from organizations or from persons not residing in the dwelling.
- All basic pay, special day and allowances of a member of the Armed Forces excluding special pay for exposure to hostile fire.

### CHECK ONLY ONE BOX AND COMPLETE ONLY THAT SECTION

---

I certify, under penalty of perjury, that I currently receive the following income:

Source: _____	Amount: _____	Frequency: _____
Source: _____	Amount: _____	Frequency: _____
Source: _____	Amount: _____	Frequency: _____

ESG Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---

I certify, under penalty of perjury, that I do not have any income from any source at this time.

ESG Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---

### **ESG Staff Verification \*this section MUST be completed.**

I understand that third-party verification is the preferred method of certifying income for ESG assistance. I understand self-declaration is only permitted when I have attempted to but cannot obtain third party verification.

*Documentation of attempt made for third-party verification:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ESG Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## THIRD PARTY WRITTEN HOMELESS CERTIFICATION

If documentation on agency stationery is not available, this document may be used by housing and service providers (such as emergency shelters, institutional care facilities, police officers, business owners, etc.) to document the housing status of a homeless applicant for ESG services. Only an authorized individual from the agency that provided the housing or services to the applicant can complete this form. **Complete EITHER Option 1 OR Option 2.**

<b>ESG Applicant Name:</b>	
<input type="checkbox"/> Individual without dependent children (complete one form for each adult household member) <input type="checkbox"/> Household with dependent children (complete one form for each adult household member)	
<b>Number of persons in the household:</b>	
<b>Option 1: Documentation of Stay at a Facility/Program</b>	
<b>Verification of Stay:</b> I certify that the above named individual(s) resided at our facility as follows:  Entry Date: _____ Exit Date: _____ or <input type="checkbox"/> Currently staying at facility/program	
<b>Facility or Program Type:</b> This facility or homeless service program is classified as one of the following: <ul style="list-style-type: none"> <li><input type="checkbox"/> Emergency shelter</li> <li><input type="checkbox"/> Transitional Housing</li> <li><input type="checkbox"/> Institutional care facility (e.g. jail, substance abuse or mental health treatment facility, hospital, or other similar facility; stay must be less than 90 days)</li> <li><input type="checkbox"/> Other (describe):</li> </ul> <p><i>Certifying emergency shelters must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory (e.g. newly established Emergency Shelter).</i></p>	
<b>Option 2: Documentation of Unsheltered Living Situation</b>	
I certify that the above named individual(s) is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g. a car, park, abandoned building, bus station, airport, or camp ground).	
<b>Description of current living situation:</b>  <p><i>The certifying agency must be recognized by the local (CoC) as an agency that has a program designed to serve persons living on the street or other places not meant for human habitation. (Examples may be street outreach workers, day shelters, soup kitchens, Health Care for the Homeless sites, etc.)</i></p>	
<b>Verifying Agency/Person</b> I certify that the information documented above is true and accurate.	
Printed Name:	Signature:
Date:	Title:
Organization:	Address:
Phone:	Email Address:

# Lead Screening Worksheet

## About this Tool

The Lead Screening Worksheet is intended to guide grantees through the lead-based paint inspection process to ensure compliance with the rule. ESG staff can use this worksheet to document any exemptions that may apply, whether any potential hazards have been identified, and if safe work practices and clearance are required and used. A copy of the completed worksheet along with any additional documentation should be kept in each program participant's case file. Please see the ESG Lead-Based Paint Requirements Summary for additional information.

## INSTRUCTIONS

To prevent lead-poisoning in young children, ESG grantees must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R. Under certain circumstances, a visual assessment of the unit is not required. This screening worksheet will help program staff determine whether a unit is subject to a visual assessment, and if so, how to proceed. A copy of the completed worksheet along with any related documentation should be kept in each program participant's file. Note: ALL pre-1978 properties are subject to the disclosure requirements outlined in 24 CFR 35, Part A, regardless of whether they are exempt from the visual assessment requirements.

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/healthy\\_homes/enforcement/disclosure](http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/enforcement/disclosure)

### **BASIC INFORMATION**

Name of Participant

Address

Unit Number

City

State

Zip

ESG Program Staff:

## **PART I: DETERMINE WHETHER THE UNIT IS SUBJECT TO A VISUAL ASSESSMENT**

If the answer to one or both of the following questions is 'no,' a visual assessment is not triggered for this unit and no further action is required at this time.

Place this screening worksheet and related documentation in the program participant's file.

If the answer to both of these questions is 'yes,' then a visual assessment is triggered for this unit and program staff should continue to Part 2.

1. Was the leased property constructed before 1978?

Yes    No

2. Will a child under the age of six be living in the unit occupied by the household receiving ESG assistance?

Yes    No

If the answer to one or both of the above questions is 'no, no further action is required at this time.

## PART 2: DOCUMENT ADDITIONAL EXEMPTIONS

If the answer to any of the following questions is **'yes,'** the property is exempt from the visual assessment requirement and no further action is needed at this point. Place this screening sheet and supporting documentation for each exemption in the program participant's file. If the answer to all of these questions is **'no,'** then continue to HUD's Lead Rule Compliance Advisor which can be found at <http://portalapps.hud.gov/CorvidRpt/HUDLBP/welcome.html>

1. Is it a zero-bedroom or SRO-sized unit?  
Yes    No
  
2. Has X-ray or laboratory testing of all painted surfaces by certified personnel been conducted in accordance with HUD regulations and the unit is officially certified to not contain lead-based paint?  
Yes    No
  
3. Has this property had all lead-based paint identified and removed in accordance with HUD regulations?  
Yes    No
  
4. Is the client receiving Federal assistance from another program, where the unit has already undergone (and passed) a visual assessment within the past 12 months (e.g., if the client has a Section 8 voucher and is receiving ESG assistance for a security deposit or arrears)?  
  
Yes (Obtain documentation for the case file.)     No
  
5. Does the property meet any of the other exemptions described in 24 CFR Part 35.115(a).  
Yes    No  
Please describe the exemption and provide appropriate documentation of the exemption.

➤ **If the answer to all of these questions is **'no,'** then continue to HUD's Lead Rule Compliance Advisor which can be found at <http://portalapps.hud.gov/CorvidRpt/HUDLBP/welcome.html>**

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(Agency Representative Signature)

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(Printed Name & Title)

---

(Date)

## ESG Minimum Habitability Standards for Emergency Shelters and Permanent Housing: Checklists

### About this Tool

The Emergency Solutions Grants (ESG) Program Interim Rule establishes different habitability standards for emergency shelters and for permanent housing (the Rapid Re-housing and Homelessness Prevention components).

#### **Emergency Shelter Standards.**

Emergency shelters that receive ESG funds for renovation or shelter operations must meet the minimum standards for safety, sanitation, and privacy provided in §576.403(b).

In addition, emergency shelters that receive ESG funds for renovation (conversion, major rehabilitation, or other renovation) also must meet state or local government safety and sanitation standards, as applicable.

**Permanent Housing Standards.** The recipient or subrecipient cannot use ESG funds to help a program participant remain in or move into housing that does not meet the minimum habitability standards under §576.403(c). This restriction applies to all activities under the Homelessness Prevention and Rapid Re-housing components.

Recipients and subrecipients must document compliance with the applicable standards. Note that these checklists do not cover the requirements to comply with the Lead-Based Paint requirements at §576.403(a). For more discussion about how and when the standards apply, see ***ESG Minimum Standards for Emergency Shelters and Permanent Housing***.

The checklists below offer an optional format for documenting compliance with the appropriate standards. These are intended to:

1. Provide a clear summary of the requirements and an adaptable tool so recipients and subrecipients can formally assess their compliance with HUD requirements, identify and carry out corrective actions, and better prepare for monitoring visits by HUD staff.
2. Provide a tool for a recipient to monitor that its subrecipient is in compliance with HUD requirements. Where non-compliance is identified, the ESG recipient can use this information to require or assist the subrecipient to make necessary changes.

Prior to beginning the review, the subrecipient should organize relevant files and documents to help facilitate their review. For instance, this may include local or state inspection reports (fire-safety, food preparation, building/occupancy, etc.), or policy and procedure documents related to emergency shelter facility maintenance or renovations.

Carefully read each statement and indicate the shelter's or unit's status for each requirement (Approved or Deficient). Add any comments and corrective actions needed in the appropriate box. The reviewer should complete the information about the project, and sign and date the form. This template includes space for an "approving official," if the recipient or subrecipient has designated another authority to approve the review. When the assessment is complete, review it with program staff and develop an action plan for addressing any areas requiring corrective action.

## Minimum Standards for Emergency Shelters

**Instructions:** Place a check mark in the correct column to indicate whether the property is approved or deficient with respect to each standard. A copy of this checklist should be placed in the shelter's files.

Approved	Deficient	<b>Standard</b> (24 CFR part 576.403(b))
<input type="checkbox"/>	<input type="checkbox"/>	1. <i>Structure and materials:</i> a. The shelter building is structurally sound to protect the residents from the elements and not pose any threat to the health and safety of the residents. b. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance uses Energy Star and WaterSense products and appliances.
<input type="checkbox"/>	<input type="checkbox"/>	2. <i>Access.</i> Where applicable, the shelter is accessible in accordance with: a. Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; b. The Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 CFR part 100; and c. Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et seq.) and 28 CFR part 35.
<input type="checkbox"/>	<input type="checkbox"/>	3. <i>Space and security:</i> Except where the shelter is intended for day use only, the shelter provides each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.
<input type="checkbox"/>	<input type="checkbox"/>	4. <i>Interior air quality:</i> Each room or space within the shelter has a natural or mechanical means of ventilation. The interior air is free of pollutants at a level that might threaten or harm the health of residents.
<input type="checkbox"/>	<input type="checkbox"/>	5. <i>Water Supply:</i> The shelter's water supply is free of contamination.
<input type="checkbox"/>	<input type="checkbox"/>	6. <i>Sanitary Facilities:</i> Each program participant in the shelter has access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
<input type="checkbox"/>	<input type="checkbox"/>	7. <i>Thermal environment:</i> The shelter has any necessary heating/cooling facilities in proper operating condition.
<input type="checkbox"/>	<input type="checkbox"/>	8. <i>Illumination and electricity:</i> a. The shelter has adequate natural or artificial illumination to permit normal indoor activities and support health and safety. b. There are sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
<input type="checkbox"/>	<input type="checkbox"/>	9. <i>Food preparation:</i> Food preparation areas, if any, contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
<input type="checkbox"/>	<input type="checkbox"/>	10. <i>Sanitary conditions:</i> The shelter is maintained in a sanitary condition.
<input type="checkbox"/>	<input type="checkbox"/>	11. <i>Fire safety:</i> a. There is at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors are located near sleeping areas. b. All public areas of the shelter have at least one working smoke detector. c. The fire alarm system is designed for hearing-impaired residents. d. There is a second means of exiting the building in the event of fire or other emergency.
<input type="checkbox"/>	<input type="checkbox"/>	12. If ESG funds were used for renovation or conversion, the shelter meets state or local government safety and sanitation standards, as applicable.
N/A	N/A	13. Meets additional recipient/subrecipient standards (if any).

## CERTIFICATION STATEMENT

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

Property meets all of the above standards.

Property does not meet all of the above standards.

**COMMENTS:**

ESG Recipient Name:

ESG Subrecipient Name:

Emergency Shelter Name:

Street Address:

City:                      State:                      Zip:

Evaluator Signature:

Date of review:

Evaluator Name:

Approving Official Signature (if applicable):

Date:

Approving Official Name (if applicable):

## Minimum Standards for Permanent Housing

**Instructions:** Place a check mark in the correct column to indicate whether the property is approved or deficient with respect to each standard. The property must meet all standards in order to be approved. A copy of this checklist should be placed in the client file.

Approved	Deficient	<b>Standard</b> (24 CFR part 576.403(c))
<input type="checkbox"/>	<input type="checkbox"/>	1. <i>Structure and materials:</i> The structure is structurally sound to protect the residents from the elements and not pose any threat to the health and safety of the residents.
<input type="checkbox"/>	<input type="checkbox"/>	2. <i>Space and security:</i> Each resident is provided adequate space and security for themselves and their belongings. Each resident is provided an acceptable place to sleep.
<input type="checkbox"/>	<input type="checkbox"/>	3. <i>Interior air quality:</i> Each room or space has a natural or mechanical means of ventilation. The interior air is free of pollutants at a level that might threaten or harm the health of residents.
<input type="checkbox"/>	<input type="checkbox"/>	4. <i>Water Supply:</i> The water supply is free from contamination.
<input type="checkbox"/>	<input type="checkbox"/>	5. <i>Sanitary Facilities:</i> Residents have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
<input type="checkbox"/>	<input type="checkbox"/>	6. <i>Thermal environment:</i> The housing has any necessary heating/cooling facilities in proper operating condition.
<input type="checkbox"/>	<input type="checkbox"/>	7. <i>Illumination and electricity:</i> The structure has adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There are sufficient electrical sources to permit the safe use of electrical appliances in the structure.
<input type="checkbox"/>	<input type="checkbox"/>	8. <i>Food preparation:</i> All food preparation areas contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
<input type="checkbox"/>	<input type="checkbox"/>	9. <i>Sanitary condition:</i> The housing is maintained in sanitary condition.
<input type="checkbox"/>	<input type="checkbox"/>	10. <i>Fire safety:</i>
<input type="checkbox"/>	<input type="checkbox"/>	a. There is a second means of exiting the building in the event of fire or other emergency.
<input type="checkbox"/>	<input type="checkbox"/>	b. The unit includes at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors are located, to the extent practicable, in a hallway adjacent to a bedroom.
<input type="checkbox"/>	<input type="checkbox"/>	c. If the unit is occupied by hearing-impaired persons, smoke detectors have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.
<input type="checkbox"/>	<input type="checkbox"/>	d. The public areas are equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, day care centers, hallways, stairwells, and other common areas.
N/A	N/A	11. Meets additional recipient/subrecipient standards (if any).

## CERTIFICATION STATEMENT

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

- Property meets all of the above standards.
- Property does not meet all of the above standards.

**COMMENTS:**

ESG Recipient Name:

ESG Subrecipient Name:

Emergency Shelter Name:

Street Address:

City:

State:

Zip:

Evaluator Signature:

Date of review:

Evaluator Name:

Approving Official Signature (if applicable):

Date:

Approving Official Name (if applicable):

## Emergency Solutions Grant DOCUMENTS REQUIRED FOR REIMBURSEMENT

- Monthly Expenditure Report must be signed by Executive Director/ Program Director
- Monthly Expenditure Report must identify the amount of reimbursement requested and show cumulative expenses and remaining balance.
- A matching source equal to the total amount of the monthly reimbursement request must be included on the report coversheet.
- A summary page detailing each line item in the reimbursement request is a requirement for each monthly expense report. Including, an itemized list of program supplies and amounts (check numbers, type of expense, expense amount, date of transaction, corresponding invoice number, etc.).
- Copies of receipts for requested reimbursement. \*\*Receipt dates must correspond with monthly reimbursement request. \*\*\*
- Documentation which identifies supplies paid in advance by the organization. Documents can include: Copy of Checks [Front/Back Copies of Checks 90 days or older], Organizational Bank Statements or Credit Card Statements.
- If requesting reimbursement for staff costs, payroll journals, and timesheets documenting actual hours worked administering program activities must be submitted with the reimbursement request. It must contain the employee and direct supervisor signatures. Proof of payment to the employee is also required: Copy of Checks [Front/Back Copies of Checks 90 days or older], or Organizational Bank Statements.
- Prevention and Rapid Re-Housing case file documentation if applicable.
- Monthly HMIS Activity report.

Email reports to: **insert program email**

### ***Reminders***

- Other than signatures and timesheets, hand-written documentation is prohibited.
- Do not combine months if you are submitting two or more at the same time.
- Reports are due by the 15<sup>th</sup> of each month.
- Failure to submit reports on time will result in a delay in processing until the following month.
- **Agency performance is evaluated by the rate of which grant funds are expended and the timeliness of monthly report submissions.**

# MONTHLY EXPENDITURE REPORT

Month:

NAME OF AGENCY:				
Type of Expense:	Approved Budget	Expenses [This Month]	Cumulative Expenses	Balance
<b>EMERGENCY SHELTER COMPONENT</b>				
<b>Essential Services</b>				
1. Case Management	\$0.00	\$0.00	\$0.00	\$0.00
2. Child care	\$0.00	\$0.00	\$0.00	\$0.00
3. Education Services	\$0.00	\$0.00	\$0.00	\$0.00
4. Employment Assistance/Job Training	\$0.00	\$0.00	\$0.00	\$0.00
5. Outpatient Health Services	\$0.00	\$0.00	\$0.00	\$0.00
6. Legal Services	\$0.00	\$0.00	\$0.00	\$0.00
7. Life Skills Training	\$0.00	\$0.00	\$0.00	\$0.00
8. Mental Health Services	\$0.00	\$0.00	\$0.00	\$0.00
9. Substance Abuse Treatment Services	\$0.00	\$0.00	\$0.00	\$0.00
10. Transportation	\$0.00	\$0.00	\$0.00	\$0.00
<b>Shelter Operations</b>				
1. Minor or Routine Repairs	\$0.00	\$0.00	\$0.00	\$0.00
2. Rent/Lease Payments	\$0.00	\$0.00	\$0.00	\$0.00
3. Security	\$0.00	\$0.00	\$0.00	\$0.00
4. Fuel	\$0.00	\$0.00	\$0.00	\$0.00
5. Equipment	\$0.00	\$0.00	\$0.00	\$0.00
6. Insurance	\$0.00	\$0.00	\$0.00	\$0.00
7. Utilities	\$0.00	\$0.00	\$0.00	\$0.00
8. Food	\$0.00	\$0.00	\$0.00	\$0.00
9. Furnishings/Bedding	\$0.00	\$0.00	\$0.00	\$0.00
10. Custodial Supplies	\$0.00	\$0.00	\$0.00	\$0.00
11. Office Supplies and Printing	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Emergency Shelter</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>HOMELESSNESS PREVENTION AND RAPID RE-HOUSING COMPONENT</b>				
<b>Financial Assistance</b>				
1. Rental Application Fees	\$0.00	\$0.00	\$0.00	\$0.00
2. Security Deposit	\$0.00	\$0.00	\$0.00	\$0.00
3. Last Month's Rent	\$0.00	\$0.00	\$0.00	\$0.00
4. Utility Deposit / Payments	\$0.00	\$0.00	\$0.00	\$0.00
5. Moving Costs	\$0.00	\$0.00	\$0.00	\$0.00
<b>Service Costs</b>				
1. Housing Search/ Placement	\$0.00	\$0.00	\$0.00	\$0.00
2. Housing Stability Case Management	\$0.00	\$0.00	\$0.00	\$0.00
3. Mediation and legal service	\$0.00	\$0.00	\$0.00	\$0.00
4. Credit Repair/Budgeting	\$0.00	\$0.00	\$0.00	\$0.00
<b>Rental Assistance</b>				
1. Short Term Rental Assistance (up to 3 Months)	\$0.00	\$0.00	\$0.00	\$0.00
2. Medium Term Rental Assistance (4-24 Months)	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Homelessness and Rapid Re-housing Component</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>HMIS COORDINATION</b>				
1. Computer hardware, software, or software licenses	\$0.00	\$0.00	\$0.00	\$0.00
2. Equipment	\$0.00	\$0.00	\$0.00	\$0.00
3. Participation Fees charged by HMIS Lead	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total HMIS Coordination</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL GRANT REQUEST</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Matching Funds</b>	\$0.00	Source:		
	\$0.00	Source:		
	\$0.00	Source:		

\_\_\_\_\_  
Signature for the Subrecipient

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Signature – insert program office

\_\_\_\_\_  
Date Signed

Email reports to: **insert program email**

# EMERGENCY SOLUTIONS GRANT PROGRAM

## Budget Revision Request Form

Once the budget in the Subrecipient Agreement is approved, no changes to a Project Budget shall be made without prior written approval from the **insert program office. insert program office** may approve changes to a Project Budget provided the requested change complies with the provisions of the ESG Subrecipient Agreement.

**General Instructions:**

1. Complete all Sections of this form and attach the proposed budget.
2. All proposed Budget Revisions must include a justification, to be completed on Page 2. All justifications should demonstrate an improvement in the delivery of ESG Services.
3. Submit all Budget Revision Request forms with the attached proposed budget to the ESG Program Manager for review.
4. Upon receipt of a complete Budget Revision Request, allow a minimum of five (5) days for processing. For Contract Amendments, allow a minimum of thirty (30) days for processing.

Subrecipient Agreement, Exhibit 8, ESG Budget:

<b>BUDGET REVISION #:</b>	
<b>CHECK APPLICABLE BOXES:</b>	
<input type="checkbox"/> <b>LINE ITEM REVISION</b> Transfers funds between Budget Line Items under the same Component.	
<input type="checkbox"/> <b>BUDGET REVISION</b> Cumulative Transfers between different Components (10% <b>or less</b> of the Total Grant Amount).	
<input type="checkbox"/> <b>CONTRACT AMENDMENT</b> Changes the Scope of the Program. Cumulative Transfers between different Components ( <b>exceeding 10%</b> of Total Grant Amount).	
<b>GRANTEE:</b>	<b>CONTRACT NUMBER:</b>
<b>ADDRESS:</b>	<b>CITY, STATE AND ZIP CODE:</b>
<b>AREA CODE AND PHONE</b>	<b>E-MAIL ADDRESS:</b>
<b>NUMBER:</b> <b>EXT.</b> <b>FAX NUMBER:</b>	

**Justification for “Proposed” Budget Revision(s):**

**Provide a justification for each “Proposed” Revision.**

*I hereby agree that this Budget Revision Request constitutes allowable costs in accordance with terms of the approved Subrecipient Agreement. I certify that the proposed budget revision:*

- *Does not substantially change the specific clients served by the approved Project/Activities;*
- *Continues to meet the priorities and criteria imposed during the Application Selection Process;*
- *Results in a product/service substantially the same as the originally-approved product/service, and costs the same as or less than the originally-approved product/service;*
- *Results in the product/service substantially being completed by the same date as allowed for in the originally proposed product/service;*

Print Name of Authorized Grantee Representative	Title
Signature of Authorized Grantee Representative	Date

**CDBG PROGRAM OFFICE USE ONLY**

ESG Program Manager Signature Date	<b>Approved</b>	<b>Denied</b>