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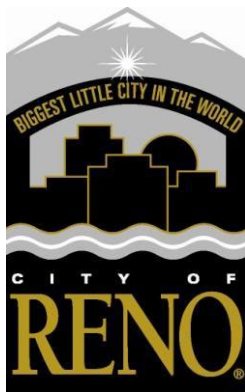
DRAFT Annual Action Plan

FY 2023-2024

RENO, NEVADA

EIN/TIN #: 88-600 0201

D-U-N-S #: 07-612-1904



City of Reno



Washoe County HOME Consortium

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Reno (Reno) and the Washoe County HOME Consortium (WCHC) work together to provide safe, decent and affordable housing and a suitable living environment especially for low- to moderate-income (LMI) households and the special needs population living in the region.

In the Reno and Washoe County region, the City of Reno receives the Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) directly from HUD. CDBG can only be allocated within city boundaries. ESG is allocated to support residents within the City boundaries who are at risk of becoming homeless. The HOME Investment Partnerships (HOME) grant is allocated regionally to support affordable housing activities in the county and in the cities of Reno and Sparks. The City of Reno is the lead agency for preparing the WCHC Consolidated Plan. As such, this Annual Action Plan (AAP) contains both the City of Reno's CDBG and ESG allocation plan and the WCHC HOME allocation plan. The PY 2023 AAP outlines the activities that will help to accomplish the goals that address the priority needs identified in the 5-Year Consolidated Plan.

The City worked closely with partner municipalities, the local housing authority, the local Continuum of Care and its members, stakeholder organizations, as well as citizens through the Citizen Participation Process to identify the priority needs and form the goals in the AAP. Through the fulfillment of the goals outlined in this plan, the City will improve the quality of life for LMI households and special needs citizens in the community.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The City of Reno has developed its strategic plan based on an analysis of the data presented in the 5-Year Consolidated Plan and an extensive community participation and consultation process. Through these efforts, the City has identified four priority needs with associated goals to address those needs. The priority needs with associated goals include:

Expand/Improve Public Infrastructure & Facilities

1A Expand Public Infrastructure

1B Improve Public Infrastructure Capacity

1C Improve Access to Public Facilities

Preserve & Develop Affordable Housing

2A Increase Homeownership Opportunities

2B Increase Affordable Rental Housing Opportunities

Public Services & Quality of Life Improvements

3A Provide Supportive Services for Special Needs

3B Provide Vital Services for LMI Households

Homelessness Housing & Support Services

4A Provide Homeless Rapid Re-Housing Assistance

4B Provide Assistance to Homeless Shelters

4C Provide for Street Outreach

In addition to its entitlement allocations of CDBG, HOME, and ESG, the City will use prior year resources for affordable housing development in the form of approximately \$451,060 of HOME program income and \$443,408 in prior year HOME funds.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City, with other public, private, and nonprofit community housing providers and non-housing service agencies, have made significant contributions to provide safe, decent, and affordable housing and a suitable living environments especially for LMI individuals in the community. However, affordable housing, improvements to public facilities and infrastructure, and vital public services for LMI households and special needs persons remains one of the most prolific needs facing the City of Reno, as documented by the Consolidated Plan and the most recent 2020 Consolidated Annual Performance and Evaluation Report (CAPER).

The CAPER provides an assessment of progress towards the five-year goals and the one-year goals of HUD entitlement grants CDBG, HOME and ESG. Through CDBG funds the City was able to support over 29,000 LMI residents through improvements to neighborhood facilities, parks and recreation facilities and homeless facilities. The City has also been able to address affordable housing through rental housing construction with HOME funds. Assistance went towards LMI renters and providing re-entry housing to residents experiencing homelessness. Finally, ESG activities benefitted a total of 2,701 individuals and families experiencing homelessness or at risk of homelessness with homeless overnight shelter operations. These shelter operations were provided by Volunteers of America. Additionally, 161 persons were assisted with rapid re-housing rental activities. RRH activities were primarily through

the Restart Homeless Services program, Volunteer of America's Bridge Housing Program, and the City's Rental/Deposit Assistance ESG-CV Program. Additionally 74 individuals were assisted through a street outreach program also provided by Restart Homeless Services.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City of Reno adheres closely to its HUD approved Citizen Participation Plan which allows for citizens to participate in the development of the City's Consolidated Plan and AAP.

During the development and through the citizen participation process of the Consolidated Plan, the City gathered responses to help form the priority needs of for the five years of the Plan. An online Stakeholder Survey and Community survey was open online to receive input on the community and housing development needs. Stakeholder organizations also discussed the priority needs for public infrastructure, public facilities, housing, public services and for the homeless. The needs identified were recorded in the 2020-2024 5-Year Consolidated Plan.

For the PY 2023 AAP, the City held a 30-day public comment review period from April 14, 2023 through May 15, 2023 to give members of the public an opportunity to review and make comments on the plan. A copy of the draft plan could be viewed at the Community Development Department office at 1 East First Street, Reno, NV and on the City's website. Written comments could be returned to the contacts listed in the PR-05 of this plan. There were no comments received from the public.

A public hearing was held at City Council on May 10, 2023 at 10:00 AM to discuss and approve the Annual Action Plan. There were no comments received from the public.

Details of the citizen participation process for the 2023 AAP is located in the AP-12 Participation section of this plan.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

All comments were accepted. There were no comments received from the public.

A summary of comments is attached in the AD-25 Citizen Participation Appendix.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments that were submitted during development of the Annual Action Plan and 30-day public comment period were accepted.

7. Summary

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	RENO	City Manager's Office, Housing & Neighborhood Development
HOME Administrator	RENO	Washoe County HOME Consortium
ESG Administrator	RENO	Community Development Department

Table 1 – Responsible Agencies

Narrative (optional)

The City of Reno is the lead agency in the Washoe County HOME Consortium (WCHC). The WCHC is a consortium between Washoe County, Reno and Sparks for the purpose of receiving and managing HOME funds only. The City of Reno also receives a direct allocation of Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) funds.

Consolidated Plan Public Contact Information

Contact information for the WCHC (HOME funding):

Elaine Wiseman
 City of Reno, Community Development Department
 1 East First Street
 P.O. Box 1900
 Reno, NV 89505
 wisemane@reno.gov

Contact information for CDBG:

Jayna Litz
City of Reno, Community Development Department
1 East First Street
P.O. Box 1900
Reno, NV 89505
litzj@reno.gov

Contact information for ESG:

Hettie Read
City of Reno, Community Development Department
1 East First Street
P.O. Box 1900
Reno, NV 89505
readh@reno.gov

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

This section summarizes the citizen participation process of consulting with stakeholders and residents in the region during development of the Plan. A summary of how the cities and county support a coordinated system of housing and service delivery is provided.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City of Reno is an active participant in the Northern Nevada CoC and the CoC's governing board the Northern Nevada CoC Leadership Council (NNCLC). NNCLC is a coalition of homeless services, support services, local and state governmental representatives, developers, faith-based service providers, law enforcement and the medical community to discuss better ways to work together to meet community needs. City of Reno staff attends the NNCLC meetings and support NNCLC's activities to enhance coordination among providers in the region.

The Northern Nevada CoC and the City's efforts to enhance coordination include, but are not limited to, the following:

- City staff have worked closely with the NNCLC who work to end homelessness and collaborate with community providers. The City of Reno's Clean and Safe team have organized outreach efforts in partnership with local law enforcement and worked to engage and house our unsheltered homeless.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Staff participates in the efforts of many community groups, including the Northern Nevada Continuum of Care (CoC), Northern Nevada CoC Leadership Council (NNCLC), Regional Alliance to end Homelessness (RAH), as well as other human service collaboratives. City staff acted as the co-chair for the CoC's Landlord and Tenancy Support Working Group, which was a group formed after the need was identified in the CoC's annual strategic plan. Throughout the year staff participates in multiple efforts targeting specific special needs populations, such as the Access Advisory, Nevada Committee on Aging, and Senior Citizen Advisory committees. This participation is continuous, as opposed to targeted just when developing the action plan. This participation allows staff to gauge the ongoing needs of specific target populations throughout the community.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

City of Reno staff work closely with NNCLC to determine how to most effectively allocate ESG to meet the needs of persons who are homeless. City staff regularly collaborate with members of the NNCLC, and worked with community partners to fund rapid rehousing, and street outreach programs utilizing ESG-CV funds. With the ESG-CV funds the City staff worked with community partners to determine the greatest need, and then quickly entered into agreements to fund programs to meet those needs. The programs included a new rapid rehousing program for individuals, a bridge housing program to increase emergency shelter beds, and additional street outreach workers to address the needs of our areas unsheltered homeless.

ESG funds are not allocated to the Homeless Management Information System (HMIS) costs; however, all ESG funded activities must be entered into the Nevada HMIS (or a comparable system for domestic violence providers). ESG funded Activities must maintain a minimum HMIS data quality percentage of ninety (90). The City of Reno is the CoC grantee for HMIS in Washoe County and is involved heavily in the Steering Committee which is the authorized body to adopt HMIS operating and Administrative procedures.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	City of Reno
	Agency/Group/Organization Type	Housing Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Reno is the lead agency to develop the Consolidated Plan.
2	Agency/Group/Organization	WASHOE COUNTY
	Agency/Group/Organization Type	Housing Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consulted with the housing needs assessment and is the lead agency in the Washoe County HOME Consortium.
3	Agency/Group/Organization	City of Sparks
	Agency/Group/Organization Type	Other government - Local

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consulted with the housing needs assessment and is a member of the Washoe County HOME Consortium.
4	Agency/Group/Organization	Reno Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Reno Housing Authority is the local PHA and consulted with the housing needs assessment and public housing.
5	Agency/Group/Organization	Regional Alliance to end Homelessness
	Agency/Group/Organization Type	Services-homeless Continuum of Care
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Regional Alliance to end Homelessness is the local CoC. Consulted with the housing needs assessment and homeless strategy.

6	Agency/Group/Organization	Awaken
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This organization consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
7	Agency/Group/Organization	Communities In Schools of Western Nevada
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This organization consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
8	Agency/Group/Organization	CSADC
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This organization consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
9	Agency/Group/Organization	Dayton & Associates, LLC
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This organizations consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan
10	Agency/Group/Organization	Greenstreet
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This organization consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
11	Agency/Group/Organization	NEVADA HOUSING DIVISION
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
12	Agency/Group/Organization	Northern Nevada HOPES
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
13	Agency/Group/Organization	Praxis Consulting Group, LLC
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
14	Agency/Group/Organization	Regional Transportation Commission of Washoe County
	Agency/Group/Organization Type	Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Non-Housing Community Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
15	Agency/Group/Organization	Renown Health
	Agency/Group/Organization Type	Services-Health Health Agency
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
16	Agency/Group/Organization	Ridge House
	Agency/Group/Organization Type	Services-Health
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.

17	Agency/Group/Organization	Safe Embrace
	Agency/Group/Organization Type	Services-Victims of Domestic Violence Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
18	Agency/Group/Organization	Silver Sage Manor, Inc.
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
19	Agency/Group/Organization	Silver State Fair Housing Council
	Agency/Group/Organization Type	Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
20	Agency/Group/Organization	Truckee Meadows Housing Solutions
	Agency/Group/Organization Type	Services - Housing Services-Education Services-Employment

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
21	Agency/Group/Organization	Truckee Meadows Regional Planning Agency
	Agency/Group/Organization Type	Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
22	Agency/Group/Organization	Volunteers of America
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.

23	Agency/Group/Organization	Washoe County Health District
	Agency/Group/Organization Type	Services-Health Health Agency
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
24	Agency/Group/Organization	Washoe County Human Services
	Agency/Group/Organization Type	Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.
25	Agency/Group/Organization	Well Care
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-Health Health Agency
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency consulted through a stakeholder survey to help determine the community and housing develop needs in the Consolidated Plan.

Identify any Agency Types not consulted and provide rationale for not consulting

There were no agency types not consulted. All comments were welcome.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Northern Nevada CoC Leadership Council (NNCLC)	The NNCLC supports rapid rehousing programs and permanent supportive housing initiatives. NNCLC also conducts the annual PIT count of the homeless population across Reno, Sparks and Washoe County.
City of Reno Downtown Action Plan	City of Reno	City of Reno Downtown Action Plan (DAP) identifies priorities for downtown improvements to guide the City and the community in the next investment cycle. Priorities include the economy (housing and jobs), the environment (physical improvements) and the experience (improvements to programs, safety and cleaning, and parking and transportation).
City of Reno Downtown Market Assessment	City of Reno	City of Reno Downtown Market Assessment (DMA) provides a summary of findings from economic, demographic and real estate market trends in the downtown area. The findings help to guide the priorities of the Strategic Plan.
Truckee Meadows MetroQuest Senior Survey Results	Truckee Meadows Regional Planning Agency	The MetroQuest Senior Survey Results helped to determine the priorities of the Strategic Plan in regards to the elderly population. Creation of affordable and workforce housing will support regional goals of increasing housing affordable at 80% of AMI.
Northern Nevada EPIC Report	Northern Nevada Economic Planning Indicators Committee	The Northern Nevada EPIC Report collects data to form population and economic forecasts of the region and help to inform priorities in the Strategic Plan.
Washoe County HOME Consortium TRC Funding Priority	Washoe County HOME Consortium	Washoe County HOME Consortium Technical Review Committee (TRC) Priorities provides Level 1 and Level 2 funding priorities in the Consortium along with reasoning for the priorities. These priorities help to inform the priorities in the Strategic Plan.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
DCG Reno Sparks 2019 Year Review Commercial Market	Dickson Commercial Group DCG	The DCG Reno Sparks 2019 A Year in Review Commercial Market Report provides insight into the housing and commercial market of the Reno/Sparks/Washoe County area and help to inform priorities in the Strategic Plan.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City of Reno adheres closely to its HUD approved Citizen Participation Plan which gives guidance to the City’s citizen participation process for the development of the Annual Action Plan as well as other HUD grant program publications. The citizen participation process for the Annual Action Plan included a 30-Day public review period to give members from the community an opportunity to review and make comments on the Plan. A public hearing was held at City Council to review and approve the Plan.

The table below details the citizen participation outreach efforts made by the City.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Comment Period	Non-targeted/broad community	A 30-day public comment review period was held from April 14, 2023 to May 15, 2023 to give members of the public an opportunity to review and make comments on the plan. A copy of the draft plan could be viewed at the Housing and Neighborhood Development office at 1 East First Street, Reno, NV and on the City website. Written comments could be returned to the contacts listed in the PR-05 of this plan.	All comments were accepted. There were no comments received from the public.	All comments were accepted.	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Hearing	Non-targeted/broad community	A public hearing was held at City Council on May 10, 2023 at 10:00 AM to discuss and approve the Annual Action Plan.	All comments were accepted. There were no comments received from the public.	All comments were accepted.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

In 2023, Reno and the Washoe County HOME Consortium (WCHC) expect to receive the following entitlement grants:

- Community Development Block Grant (CDBG): \$2,010,659
- HOME Investment Partnerships Program (HOME): \$1,627,662
- Emergency Solutions Grant (ESG): \$181,952

Additionally, program income for HOME is expected to be \$200,000. Prior year resources will be used in the form of approximately \$451,060 in HOME program income and \$443,408 in prior year HOME funds.

The Annual Action Plan reports on the goal outcomes and activities the City (and its participating jurisdictions for HOME) expects to achieve in the coming year. All of the activities mentioned in this Annual Action Plan are based on current priorities and quantified by level of need. By addressing these priorities, the City and HOME Consortium will work to meet local objectives stated in the 5-Year Consolidated Plan. All proposed projects and activities are intended to principally benefit the residents of Reno and the region who have extremely low, low,

and moderate incomes, as well as populations that have special needs.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	2,010,659	0	0	2,010,659	2,010,659	The expected amount available remainder is 1x the annual allocation.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	1,627,662	451,060	443,408	2,522,130	1,627,662	The HOME allocation is managed by the Washoe County Consortium. The expected amount available remainder is 1x the annual allocation.

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Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	181,952	0	0	181,952	181,952	The expected amount available remainder is 1x the annual allocation.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Reno's Public Works Department maintains a comprehensive list of city-owned lots. These lots may be used, sold, or traded in the future to help address both the affordable housing and community development needs identified in the plan. In addition, the City is continuously searching for additional properties that may be more conducive to the needs identified in this plan. The City also owns the Community Assistance Center (CAC), which was previously the homeless shelter in the region. The CAC is currently vacant and the City is in process of identifying what the future use will be.

The required ESG match will be in the form of non-federally funded administrative salaries and other expenses by the agencies utilizing the funding, including trust funds to provide additional rental and housing assistance and local funds to support shelter operations.

Discussion

N/A

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	1A Expand Public Infrastructure	2020	2024	Non-Housing Community Development		Expand/Improve Public Infrastructure & Facilities	CDBG: \$670,220	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 6000 Persons Assisted
2	1B Improve Public Infrastructure Capacity	2020	2024	Non-Housing Community Development		Expand/Improve Public Infrastructure & Facilities	CDBG: \$670,220	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 6000 Persons Assisted
3	1C Improve Access to Public Facilities	2020	2024	Non-Housing Community Development		Expand/Improve Public Infrastructure & Facilities	CDBG: \$670,219	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 6000 Persons Assisted
4	2B Increase Affordable Rental Housing Opportunities	2020	2024	Affordable Housing		Preserve & Develop Affordable Housing	HOME: \$2,522,130	Rental units constructed: 32 Household Housing Units

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Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	4A Provide Homeless Rapid Re-Housing Assistance	2020	2024	Homeless		Public Services & Quality of Life Improvements	ESG: \$181,952	Homelessness Prevention: 150 Persons Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	1A Expand Public Infrastructure
	Goal Description	
2	Goal Name	1B Improve Public Infrastructure Capacity
	Goal Description	
3	Goal Name	1C Improve Access to Public Facilities
	Goal Description	
4	Goal Name	2B Increase Affordable Rental Housing Opportunities
	Goal Description	
5	Goal Name	4A Provide Homeless Rapid Re-Housing Assistance
	Goal Description	

Projects

AP-35 Projects – 91.220(d)

Introduction

Below is a summary of projects proposed for PY 2023 funding:

Projects

#	Project Name
1	CDBG: Administration (20%)
2	CDBG: Public Facilities & Infrastructure (50%)
3	CDBG: LMI Housing (30%)
4	HOME: Administration (10%)
5	HOME: CHDO Reserves (15%)
6	HOME: Non-CHDO Development Activities
7	ESG2023: Homelessness Prevention and Services

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Funding allocations from all sources are made annually based upon evaluations of current conditions and need. For grant funds this process takes into account regulatory requirements, the goals established in the 5-Year Strategic Plan, and an awareness of community initiatives as well as Council priorities. CDBG funding is used primarily to enhance low- and moderate-income neighborhoods. In PY 2023, funds are being used to assist eligible downtown and suburban residential neighborhoods. As part of the HUD AAP adoption process the City goes through a progression of steps for identifying the CDBG projects to be included in the AAP. This starts with the solicitation of potential projects from internal departments. These projects are brought forward to the CDBG Sub-Committee then the CIP Committee for recommendations. The projects are then brought to the City Manager before they go back to the Sub-Committee who make the final recommendation to the Council as a whole. Affordable housing allocations are determined through a multi-step process in response to application submitted. The WCHC Technical Review Committee (TRC), consisting of one staff member and two community representatives from each jurisdiction plus one at-large member and one representative of the Truckee Meadows Regional Planning Agency, receives, evaluates, and makes recommendations on the allocation of WCHC HOME money and State HOME money. These recommendations are forwarded to WCHC Directors for approval and the Regional Planning Governing Board for ratification. During this process, proposed projects and programs are evaluated for compliance and how they address identified needs and goals. Proximity to services is also considered in evaluating applications for housing development

funds. Throughout each program year, the City of Reno and WCHC focus efforts on serving those most in need through the support of activities that increase the availability of affordable housing opportunities, and the assistance of those experiencing homelessness or at risk of becoming homeless. Proximity to services is considered in evaluating housing developments for funding.

DRAFT

AP-38 Project Summary
Project Summary Information

1	Project Name	CDBG: Administration (20%)
	Target Area	
	Goals Supported	1A Expand Public Infrastructure 1B Improve Public Infrastructure Capacity 1C Improve Access to Public Facilities
	Needs Addressed	Expand/Improve Public Infrastructure & Facilities
	Funding	CDBG: \$402,131
	Description	Citywide admin of the CDBG program in the PY 2023.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Citywide
	Planned Activities	Staff salaries, planning, general admin. (HUD Matrix Code: 21A)
2	Project Name	CDBG: Public Facilities & Infrastructure (50%)
	Target Area	
	Goals Supported	1A Expand Public Infrastructure 1B Improve Public Infrastructure Capacity 1C Improve Access to Public Facilities
	Needs Addressed	Expand/Improve Public Infrastructure & Facilities
	Funding	CDBG: \$1,005,330
	Description	The City will work to expand public infrastructure through development activities for LMI persons and households. Activities can include adding ADA compliance for curb ramps and sidewalks and roadway expansion projects. The City will also work to expand and improve access to public facilities through development activities for LMI persons and households and for special needs population (elderly, persons with a disability, victims of domestic abuse, etc.). Public facilities may include neighborhood facilities, community centers and parks and recreation facilities.
	Target Date	6/30/2024

	Estimate the number and type of families that will benefit from the proposed activities	Public Facility or Infrastructure Activities: 18,000 LMI Persons Assisted
	Location Description	
	Planned Activities	Planned activities include neighborhood facilities, public facilities, and infrastructure. (HUD Matrix Code: 03C, 03E, 03F, 03J, 03K, 03L)
3	Project Name	CDBG: LMI Housing Activities (30%)
	Target Area	
	Goals Supported	1A Expand Public Infrastructure 2B Increase Affordable Rental Housing Opportunities
	Needs Addressed	Preserve & Develop Affordable Housing
	Funding	CDBG: \$603,198
	Description	Rental development and/or acquisition rehab to target households at workforce housing income levels.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Rental development and/or acquisition and rehab of affordable units
3	Project Name	HOME: Administration (10%)
	Target Area	
	Goals Supported	2B Increase Affordable Rental Housing Opportunities
	Needs Addressed	Preserve & Develop Affordable Housing
	Funding	HOME: \$162,766
	Description	Staff salaries, planning and general admin.
	Target Date	6/30/2024

	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	
	Planned Activities	Staff salaries, planning and general admin.
4	Project Name	HOME: CHDO Reserves (15%)
	Target Area	
	Goals Supported	2B Increase Affordable Rental Housing Opportunities
	Needs Addressed	Preserve & Develop Affordable Housing
	Funding	HOME: \$244,150
	Description	The City will reserve 15% of HOME program funds for CHDO affordable home development projects.
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Rental development w/ eligible CHDOs: Number of Household Housing Units to be identified
	Location Description	
	Planned Activities	Ownership and/or rental development w/ eligible CHDOs
5	Project Name	HOME: Non-CHDO Development Activities
	Target Area	
	Goals Supported	2B Increase Affordable Rental Housing Opportunities
	Needs Addressed	Preserve & Develop Affordable Housing
	Funding	HOME: \$2,277,980
	Description	The City will work to complete Non-CHDO Development Activities which will include affordable rental and/or homeownership development activities.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Rental units constructed: 32 Household Housing Unit

6	Location Description	
	Planned Activities	Affordable rental development activities.
	Project Name	ESG2023: Homelessness Prevention and Services
	Target Area	
	Goals Supported	4A Provide Homeless Rapid Re-Housing Assistance
	Needs Addressed	Public Services & Quality of Life Improvements
	Funding	ESG: \$181,952
	Description	The City will provide for homeless prevention services through rental assistance. No more than 7.5% of ESG funds may be used for Admin. Admin funds will go towards overseeing ESG program activities and also providing bus passes.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Homeless Prevention rental assistance: 150 Households Assisted
	Location Description	
	Planned Activities	Planned activities will go towards: ESG Admin: 7.5%, Homeless Prevention: 92.5%

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

CDBG is targeted according to need, not necessarily geographic location. The City of Reno uses its Capital Improvements Plan (CIP) to develop community development priorities and uses CDBG funding for improvements in HUD-designated low and moderate income (LMI) areas. Other considerations are availability and timing of funding, and availability of partners for the implementation of projects. In PY 2023, public facilities projects will consist of pedestrian ramps improvements; public facility rehabilitation in low- and moderate-income areas; and other ADA improvements. HOME dollars are allocated based on housing need. HOME funds are used throughout the Consortium's geographic area to support development of affordable housing.

Geographic Distribution

Target Area	Percentage of Funds

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City of Reno and the Washoe County HOME Consortium do not allocate funds on a geographical basis. However, CDBG funds that are used for area-wide projects are spent in geographical areas that have predominantly low- and moderate-income families. For housing, every effort is made to ensure housing options are available in a variety of neighborhoods, including a range of economic and racial/ethnic compositions. Although numerous needs are typically identified within the community, limited human and financial resources make it necessary to prioritize housing, economic development, and community development projects that will have the biggest impact on the community and to optimally leverage the scarce resources. Projects are therefore distributed throughout the community and serve a broad population of clients. Projects undertaken in low-income neighborhoods are intended to improve quality of life through reinvestment in, and removal of, blighting conditions and through the availability of affordable, high quality living opportunities. Housing dollars are prioritized for residents most in need and within corridors designed to facilitate reasonable access to services.

Discussion

As mentioned, CDBG funding is targeted based solely on prioritized need and opportunity, without the targeting any specific location. The City departments that are responsible for drafting and implementing the Capital Improvement Plan (CIP), including (but not limited to) Public Works, Parks and Recreation, and Finance departments, are asked to submit project needs and concepts in the last quarter of each calendar year. In the past two years a formal process was developed to ensure that CDBG allocations occurred in a more transparent and equitable way. Community development priorities, the availability

and timing of funding, and the availability of partners for the implementation of projects were all considered and taken into account in allocating funding. HOME dollars are allocated without special preference for HUD-defined concentrated areas.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The allocation of HOME and HESG dollars in PY 2023, will be dedicated to the expansion of affordable rental housing through the construction of new multi-family housing projects and rental assistance through homelessness prevention.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	100
Special-Needs	0
Total	100

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	100
The Production of New Units	32
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	132

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

Rental units constructed: 32 Household Housing Units

Homeless prevention rental assistance: 100 Households Assisted

AP-60 Public Housing – 91.220(h)

Introduction

This section outlines actions that the Reno Housing Authority (RHA) has planned during PY 2023 to address the needs of public housing and to encourage participants to become self-sufficient.

Actions planned during the next year to address the needs to public housing

The Housing Authority of the City of Reno (RHA) serves the region by providing affordable rental housing and administering the Housing Choice Voucher and Project Based Voucher assistance programs. RHA owns and operates over 750 Public Housing units; 285 of these units are designed for seniors and persons with disabilities. RHA administers 2,519 Housing Choice Vouchers to low-income residents, 303 Veterans Affairs Supportive Housing (VASH) Vouchers, along with 27 moderate rehabilitation units. RHA has been able to maintain and make improvements to its Public Housing units through the Capital Fund Program. In addition, RHA has a variety of other multi-family housing units and over 160 scattered site single-family homes. RHA is a model housing authority, having earned “high performer” status from the US Department of Housing and Urban Development (HUD). HUD inspections of RHA’s eight public housing properties consistently result in high performing scores. The RHA was awarded ARPA funds by the City of Reno and is constructing a new affordable housing complex for veterans that will consist of 12 units.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

RHA has a long history of providing self-sufficiency services to clients. The RHA has renamed and restructured the Family Self Sufficiency program to the Workforce Development program. RHA works with participants by providing workshops and trainings to achieve their goals, including employment, self-sufficiency, and in some cases home ownership. RHA staff work with the entire family, including the youth. The city actively collaborates with RHA to continue to explore additional affordable housing development opportunities. RHA promotes ongoing resident activities, including year-round youth programs at the family sites and regular Resident Council meetings at all public housing sites. RHA solicits input from residents at each of the Resident Council meetings regarding improvements within their complex and future resident activities. Resident service contracts are executed with residents to help maintain certain aspects of their complex. The City of Reno and Washoe County HOME Consortium frequently collaborate with RHA to implement housing programs and projects, including an Economic Development Initiative, the Neighborhood Stabilization Program, and HOME-funded development projects. The RHA is one of 39 housing authorities across the country participating in the U.S. Department of Housing and Urban Development's (HUD) Moving to Work (MTW) program. MTW allows agencies to propose and test innovative, locally designed approaches to administering housing programs and self-sufficiency strategies. Using MTW flexibility, RHA proposes and implements alternatives to

certain federal regulations, which are spelled out in an agreement between HUD and the agency.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The RHA is not designated as troubled. Per review of HUD's Inventory Management System (IMS)/ PIH Information Center (PIC) public housing profile site at: https://www.hud.gov/program_offices/public_indian_housing/systems/pic/haprofiles the RHA is identified as a "High Performer".

Discussion

N/A

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

This section outlines the goals and actions for reducing and ending homelessness; addressing emergency shelter and/or transitional housing needs of the homeless; and helping homeless persons and other special needs populations to successfully transition into permanent housing.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Reno is an active participant in the Northern Nevada Continuum of Care (CoC) and holds a seat on the CoC governing board. The CoC continues to provide much-needed permanent supportive housing in the community. The Northern Nevada CoC Leadership Council (NNCLC) acts as the governing board for the CoC, and meets monthly. The CoC stakeholder group is called the Regional Alliance to end Homelessness (RAH) and also meets monthly. NNCLC meetings, RAH meetings, public forums, and strategic planning activities all focus on increasing awareness of homelessness and housing-first strategies among service providers. As a result, chronic homelessness is now referenced in the Washoe County Human Services Strategic Plan and in the priorities and assessment reports for the Fund for a Healthy Nevada and the State of Nevada Grants Management Unit. The City supported regional street outreach efforts by funding two street outreach workers through Restart, the outreach workers engaged over 288 people experiencing unsheltered homelessness. The City also has the Clean and Safe team, an outreach team who works to engage people experiencing unsheltered homelessness to help them access housing and other services.

The City Manager's Office developed a program called City Walks which aims at providing outreach to our community, assessing issues and providing solutions. More specifically, the Housing and Neighborhood Development division assists in outreach with our unsheltered population in our community by providing them with resources, housing options, as well as referrals to social services and programs. Individuals or families are also provided with transportation to the Cares Campus, Our Place, or other nonprofit organizations. Some households have been assisted with applying for affordable housing, naturally occurring affordable housing, or subsidized housing.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City implements processes to support transitions to permanent housing rather than relapsing back into street homelessness. One of the strategies is to find solutions and increase the income of chronically homeless individuals to assist in their transition to permanent housing and independent living. To achieve this objective, NNCLC members have evaluated admission and discharge policies of

existing programs to determine barriers to stay for chronically homeless participants. Continued efforts will be undertaken to implement the SOAR (SSI/SSDI Outreach, Access, and Recovery) program in earnest and improve the ability of workers to assist eligible clients in gaining access to Social Security Disability, SNAP, and Medicaid.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

As mentioned above, NNCLC members have evaluated admission and discharge policies of existing programs for chronically homeless, homeless persons and their families, veterans and unaccompanied youth. Continued efforts will be undertaken to implement the SOAR (SSI/SSDI Outreach, Access, and Recovery) program in earnest and improve the ability of workers to assist eligible clients in gaining access to a variety of benefits and help families individuals and families from becoming homeless again. There are several aggressive, regularly scheduled outreach activities that take place each week for persons living on the street through the Mobile Outreach Safety Team (the MOST Team), a local partnership between mental health and law enforcement agencies, and the Veterans' Administration Health Care for Homeless Veterans program. Once outreach occurs, persons will be connected immediately to the most appropriate resources based upon individuals' unique needs. All outreach activities will be conducted with resources that can immediately provide either a direct service or connection to appropriate resources. For example, transportation will be offered to assist individuals in accessing medical care, shelter, food, clothing, Washoe County Social Services, and other mainstream resources. If a need is identified during the outreach episode that cannot be addressed immediately, case management and follow up will occur to ensure the individual receives the services they need in a timely manner.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The region's primary strategy is to increase the number of affordable units constructed with HOME and CDBG assistance, however the City of Reno is proactively seeking supplemental solutions to improve this. Starting from the previous planning cycle, the City of Reno formed the Mayor's Affordable Housing Taskforce, consisting of representatives from non-profits, private industry, and government

agencies. As a result of this taskforce, the City is committed to using land to leverage a partnership with a developer for the construction of an extremely low-income housing project.

Discussion

N/A

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

This section outlines the actions planned to remove or ameliorate any barriers to affordable housing.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In early 2016, the City of Reno, City of Sparks, and Washoe County released the finalized HUD-required Analysis of Impediments to Fair Housing Choice (AI). The updated AI contains a revised Fair Housing Action Plan (FHAP) to address identified impediments. The City's plan was considered in the development of the 5-Year Consolidated Plan and barriers to affordable housing will be addressed in the planning period including this AAP. The findings and actions planned to mitigate impediments are summarized below.

Research for the AI included:

- Demographic patterns including racial and ethnic segregation and concentrated areas of poverty, housing patterns, including the provision of publicly assisted housing;
- Land use regulations and zoning ordinances that affect the siting and types of housing;
- Access to housing and community amenities by residents with disabilities; and
- Enforcement of fair housing laws and fair housing resources in the region.

The analysis found that zoning codes and land use regulations of the jurisdictions do not create significant barriers to housing choice. The code review found only minor recommendations for improvements. In sum, zoning and land use regulations could be amended to reduce remaining barriers by:

City of Reno

- Improving the definition of family to avoid distinctions based on the relation of the household members; instead focus on the “functional aspects of a family relationship.”
- Ensuring that planned unit development regulations do not specifically exclude group homes.

City of Sparks

- Incorporating elements of the old zoning and land use code that gave special attention to

accessible housing in the discussion of special permit approval into the current code.

Washoe County

- Improving the definition of family to avoid distinctions based on the relation of the household members; instead focus on the “functional aspects of a family relationship.”

The six impediments to fair housing choice identified in the AI were:

- Persons with disabilities have difficulty obtaining reasonable accommodations in housing
- Limited availability of public transit and inaccessible infrastructure create access barriers for persons with disabilities
- Affordable rental housing is lacking
- There is a lack of public engagement in fair housing
- Housing in lower income areas is in poor condition, often because absentee landlords fail to maintain their properties
- Some homeowners’ associations and landlords engage in discriminatory practices

In addition, securing water availability and funding to extend public transit were identified as two of the highest priority issues to be addressed. Densities in many high opportunity and future growth areas are restricted because of water constraints, municipal service, and fiscal concerns.

Discussion:

N/A

AP-85 Other Actions – 91.220(k)

Introduction:

Other policy actions and programs to assist low-income households in the region are discussed below.

Actions planned to address obstacles to meeting underserved needs

The City of Reno will continue to play a leadership role in coordinating housing and service provision for the region, including mitigating homelessness. The City will be proactive in identifying and applying for additional public and private resources to meet underserved residents. City leadership has been and will continue to work closely with the private sector to increase their understanding of the greatest needs in the region and find creative public-private partnerships to address needs. In addition, staff will continue to hold workshops to assist homeless households with housing applications, work closely with RAH, and expand client resources and educate city leaders on the housing and community development needs in the region. Collaboration with non-profit service providers and especially Washoe County Social Services will continue to be a priority in identifying and meeting underserved needs.

Actions planned to foster and maintain affordable housing

Projects that support the creation and preservation of affordable housing will be a priority. During PY 2023, HOME funds will be used to support the preservation and development of affordable housing. The City's rental and deposit assistance programs also contribute to the development of affordable housing. The Reno Mayor's initiatives on downtown revitalization, affordable housing, and the mitigation of chronic homelessness are vital components in the drive to foster and maintain affordable housing. In addition, the City works with the Nevada Housing Division in the identification of housing needs, trends, and strategies to establish and prioritize affordable housing opportunities.

Actions planned to reduce lead-based paint hazards

The City of Reno and WCHC will continue to ensure that all housing projects funded with CDBG, HOME, and ESG funds will comply with the revised Federal guidelines regarding notification and abatement requirements. WCHC requests for funding will require developers to sign Lead-Based Paint (LBP) Certifications and Assurances and that renovation firms be certified under the EPA's Renovation, Repair, and Painting Rule and trained in lead-safe work practices.

Actions planned to reduce the number of poverty-level families

Past actions to address poverty will be continued. Public Works will continue to offer jobs under the Reno Works program.

The City of Reno will continue to work with EDAWN and Truckee Meadows Community College to

provide job training opportunities to low income unemployed residents. Continued collaboration with the Northern Nevada CoC will focus on reducing the number of poverty-level families.

HOME dollars will be prioritized to housing projects that serve extremely and very low-income households. Planning an extremely low income permanent supportive housing development for north Reno will continue in PY 2023.

Actions planned to develop institutional structure

The City of Reno and Washoe County HOME Consortium staff will continue to be part of and support the CoC. The City and Washoe County HOME Consortium will also support the activities of the Reno Housing Authority as needed. Internally, city departments will coordinate to allocate funds to support city-wide efforts that address housing and community development needs (e.g., collaboration with those preparing the annual budget and capital improvement plan; coordination with Public Works on public facility improvements needed in low- and moderate-income neighborhoods). The City has revised its approach to CDBG fund allocation in recent years and has been successful in helping the City deliver on goals. Staff training on the CDBG and HOME programs will continue to be important to overall program delivery.

Actions planned to enhance coordination between public and private housing and social service agencies

Please see above.

Discussion:

N/A

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

This section provides the program specific requirements for the CDBG, HOME & ESG programs for the City of Reno.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(I)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The Washoe County HOME Consortium (WCHC) currently provides soft loans from the HOME

program for construction and/or rehabilitation of multi-family rental properties in accordance with 24 CFR 92.205.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

When a homeowner who received HOME assistance to acquire his/her home sells the property, WCHC follows the recapture regulations as 100% of homebuyer assistance goes directly to the homeowner and not to the contractor or developer. Historically, WCHC did provide assistance through down payment assistance programs; however, no funds are currently used for such programs. During the period of affordability, if the property is sold, HOME funds are recaptured and reallocated to additional HOME eligible projects. In cases of foreclosure, HOME funds are recaptured from net sales proceeds.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

At the present time, HOME funds are only allocated to construction and/or rehabilitation projects. Each owner/applicant enters into a written agreement with the Washoe County HOME Consortium that identifies the required length of affordability and the provisions to recapture the funds if the requirement is not met. These funds are recaptured and reallocated to further assist affordable housing projects.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

- Rehabilitation must be the primary purpose of the request for refinancing. Therefore, projects must include per unit rehabilitation costs that meet or exceed the minimum of \$1,000/unit required for rehabilitation investment in Consortium and non-Consortium assisted units.
- The developer must demonstrate through proformas, project budgets, and other financial documents that the refinancing is necessary to permit or continue affordability under 24 CFR 92.252.
- The developer must demonstrate through a minimum 15-year proforma and project budget that as a result of the refinancing the project is sustainable and the targeted population can be served over an extended period of time.
- The developer must keep all HOME-assisted units at the project affordable for a minimum of 15 years, although the Consortium may impose a longer affordability period. Specific occupancy and rent limitations will be set on a case-by-case basis during project review.
- Staff will conduct a site tour and/or review current photos of the property and units to determine

that significant disinvestment has not occurred at the property.

- HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

**Emergency Solutions Grant (ESG)
Reference 91.220(l)(4)**

1. Include written standards for providing ESG assistance (may include as attachment)

Please refer to the jurisdiction's attached ESG Program Manual.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

Our CoC has been using a coordinated entry system since May of 2016. The system utilizes assessments specialized to address the needs of individuals, families, and youth. The system has a single prioritized waitlist, and the waitlist is managed by a Washoe County staff member who acts as the community matchmaker. When a housing opening is identified the, the community matchmaker identifies the client at the top of the waitlist, and connects the individual or family with a housing provider. The community matchmaker hosts bi-monthly meetings with case managers and housing providers throughout the CoC to discuss housing openings, help find clients who may be hard to reach, and to problem solve any issues that may arise. All CoC funded housing projects are required to use our coordinated entry system for their housing referrals. This method allows for us to further implement the community's model of Housing First.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

N/A

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The jurisdiction is able to meet the homeless participation requirement.

5. Describe performance standards for evaluating ESG.

In order to ensure integration with our Continuum of Care, ESG sub-recipients must attend at least 75% of CoC meetings held annually. 90% of reimbursement requests and quarterly reports must be submitted on time. ESG recipients must participate in at least four meetings per year and provide a

summary annually of related meetings attended and any partnerships formed. Sub-recipients shall also provide information to the CoC. Client data will be entered into HMIS with no less than 90% accuracy. 95% of program participants will be entered into the HMIS within one week of assistance.

ESG Performance standards for the emergency shelter include an average length of stay in the shelter of less than 75 days, and at least 25% of homeless clients exiting to permanent housing at discharge from shelter.

ESG Performance standards for the Rapid Re-Housing Program include: 25% of clients having an increased income at exit from the re-housing program; 75% of clients placed in permanent housing remaining in that housing after 7 months; and 75% of clients receiving rapid re-housing assistance having transitioned to non-ESG funded permanent housing.

Attachments

Citizen Participation Comments

Public Notice

City of Reno and the Washoe County HOME Consortium
Proposed Annual Action Plan FY 2023-2024
30-Day Public Comment Period and Public Hearing

In accordance with the federal regulations 24 CFR, Part 91, the City of Reno is preparing a draft 2023-2024 Annual Action Plan for its Community Planning and Development Programs. This document is a requirement for direct financial assistance under the Department of Housing and Urban Development (HUD) funding programs including the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) and Emergency Solutions Grant (ESG).

The proposed FY 2023-2024 Annual Action Plan establishes priorities and provides information on activities that will be funded with the City's CDBG and ESG allocation for FY 2023-2024. The plan also identifies how affordable housing activities will be carried out by the Washoe County HOME Consortium and the City of Reno.

Public Comment Period: The plan will be available for a 30-day public review and comment period beginning April 14, 2023. Written or verbal comments must be received by 5pm on Monday, May 15, 2023. The Annual Action Plan is available on the City of Reno website at <https://www.reno.gov/government/departments/community-development/housing-homeless-resources/reports-plans-and-grants> or by contacting the Housing and Neighborhood Development Division at 775-334-3112 or email litzj@reno.gov.

Public Hearings: The City of Reno will hold a public hearing before the Reno City Council, to be held at One East First Street, Reno, NV 89501 Council Chambers:

Public Hearing: Wednesday, May 10, 2023 at 10:00 A.M.

Para obtener información en Español, llame al (775) 334-3112.

Those who require the information in an alternative format or who require special accommodations at the public hearing may contact the Housing and Neighborhood Development Division at 775-334-3112 or email litzj@reno.gov to request assistance.



Order Confirmation for Ad #: 0005663363

Customer: CITY OF RENO - LEGALS
Address: 1 E 1ST ST FL 2
 RENO NV 89501 USA
Acct. #: REN-0000000783
Phone: 7753342030
 cityclerk@reno.gov
 CITY OF RENO - LEGALS
Ordered By: Jayna Litz

OrderStart Date: 04/12/2023

Order End Date: 04/12/2023

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>	<u>Size</u>
0	1					2 X 29.00
<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>	
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04/11/2023

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	1	04/12/2023	04/12/2023
04-12-23,			
	1	04/12/2023	04/12/2023
04-12-23,			

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 04/11/2023

Public Notice

City of Reno and the Washoe County HOME Consortium
 Proposed Annual Action Plan FY 2023-2024
 30-Day Public Comment Period and Public Hearing

In accordance with the federal regulations 24 CFR, Part 91, the City of Reno is preparing a draft 2023-2024 Annual Action Plan for its Community Planning and Development Programs. This document is a requirement for direct financial assistance under the Department of Housing and Urban Development (HUD) funding programs including the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) and Emergency Solutions Grant (ESG).

The proposed FY 2023-2024 Annual Action Plan establishes priorities and provides information on activities that will be funded with the City's CDBG and ESG allocation for FY 2023-2024. The plan also identifies how affordable housing activities will be carried out by the Washoe County HOME Consortium and the City of Reno.

Public Comment Period: The plan will be available for a 30-day public review and comment period beginning April 14, 2023. Written or verbal comments must be received by 5pm on Monday, May 15, 2023. The Annual Action Plan is available on the City of Reno website at <https://www.reno.gov/government/departments/community-development/housing-homeless-resources/reports-plans-and-grants> or by contacting the Housing and Neighborhood Development Division at 775-334-3112 or email litzj@reno.gov.

Public Hearings: The City of Reno will hold a virtual public hearing before the Reno City Council, to be held via teleconference.
 ? Public Hearing: Wednesday, May 10, 2023
 at 10:00 A.M.

Para obtener información en Español, llame al (775) 334-3112.

Those who require the information in an alternative format or who require special accommodations at the public hearing may contact the Housing and Neighborhood Development Division at 775-334-3112 or email litzj@reno.gov to request assistance.

April 12, 2023 #5663363

Annual Action Plan
2023

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EMERGENCY SOLUTIONS GRANTS PROGRAM HANDBOOK

(REVISED February 2022)

City of Reno

Housing & Neighborhood Development

One East First Street, Reno, NV 89501

Annual Action Plan
2023

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ESG Certifications

The City of Reno, under the Emergency Solutions Grants (ESG) Program, certifies that it will ensure that it and its subrecipients of ESG funds comply with the following requirements:

- (1) In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the City will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long as the City serves the same type of persons(e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area;
- (2) Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary;
- (3) The City will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal, State, local, and private assistance available for these individuals;
- (4) The City will follow the requirements of 2 CFR part 200 and obtain matching amounts required under 24 CFR 576.201; 2 CFR 200.306
- (5) The City has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter;
- (6) To the maximum extent practicable, the City will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the program, and in providing services for occupants of facilities assisted under the program;
- (7) All activities the City undertakes with assistance under ESG are consistent with the consolidated plan; and

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Preface (Discussion of Consultation)

In compliance with 24 CFR 91.110(e), the City consulted with the Continuum of Care determining how to allocate its Emergency Solutions Grants (ESG) program for eligible activities; developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and developing funding, policies, and procedures for the operation and administration of the HMIS. From this consultation, the funding allowed for street outreach and shelter activities, Homeless Prevention, Rapid Re-housing and HMIS, having an emphasis on Rapid Re-housing, working groups have been developed to determine how to approach the development of written standards, criteria for evaluating outcomes and performance standards, and for HMIS. However, through this consultation process it was also determined that while these processes are being developed throughout this year, the City will provide a form whereby each individual applicant can briefly describe its written standards for the activities for which it applies, the performance standards set forth in Section 427 for selection criteria of the HEARTH Act will be utilized, and the continuum will continue to be required to endorse applicants from within its area in an effort to ensure compliance with its participation and HMIS requirements.

I. DEFINITIONS

At risk of homelessness:

- (1) An individual or family who:
 - (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
 - (ii) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the ‘homeless’ definition in this section; and

(iii) Meets one of the following conditions:

- (A) Has moved because of economic reasons two 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;
- (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 for assistance;
- (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
- (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
- (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
- (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the subrecipient's approved consolidated plan;

(2) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C.5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C.254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C.2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C.1786(b)(15)); or

(3) 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 (42U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Consolidated plan means a plan prepared in accordance with 24 CFR part 91. An approved consolidated plan means a consolidated plan that has been approved by HUD in accordance with 24 CFR part 91.

Continuum of Care means the group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area.

(a) **Consultation with Continuums of Care.** The subrecipient must consult with each Continuum of Care that serves the subrecipient's State in determining how to allocate ESG funds each program year; developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and developing funding, policies, and procedures for the administration and operation of the HMIS.

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. Any project funded as an emergency shelter under a Fiscal Year 2010 Emergency Shelter grant may continue to be funded under ESG.

Homeless:

(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;
- (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low income individuals); or
- (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

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

- (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
- (ii) No subsequent residence has been identified; and
- (iii) 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;

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

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

- (ii) 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;
- (iii) 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
- (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

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

Chronically homeless:

An individual or family that :

- (i) Is homeless and resides in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
- (ii) Has been homeless and residing in a place for at least one year or on at least four separate occasions in the last 3 years, ;
- (iii) That the individual or family has a head of 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.;

(1) An individual who has been living in an institutional care facility if the individual has been living in the facility for fewer than 90 days and has been living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately before entering the institutional care facility. The individual also must have been living as described above continuously for at least 12 months, or on at least four separate occasions in the last 3 years where the combined occasions total a length

of time of at least 12 months. Each period separating the occasions must include at least 7 nights of living in a situation other than a place not meant for human habitation, in an emergency shelter, or in a safe haven.

(2) **Chronically homeless families;** are families with adult heads of households who meet the definition of chronically homeless individuals. If there is no adult in the family, the family would still be considered chronically homeless if the minor head of household meets all the criteria of a chronically homeless individual. A chronically homeless family includes those whose composition has fluctuated while the head of household has been homeless.

Homeless Management Information System (HMIS) means the information system designated by the Continuum of Care to comply with the HUD's data collection, management, and reporting standards and used to collect participant level data and data on the provision of housing and services to homeless individuals and families and persons at risk of homelessness.

Live-in aide is a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who is determined to be essential to the care and well-being of the persons, is not obligated for the support of the persons, and would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403)

Metropolitan city means a city that was classified as a metropolitan city under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available. This term includes the District of Columbia.

Private nonprofit organization means a private nonprofit organization that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance. A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.

Program income shall have the meaning provided in 2 CFR 200.80. Also, refer to 2 CFR 200.307.

Program participant means an individual or family who is assisted under the ESG program.

Program year means the consolidated program year established by the State under 24 CFR part 91. The State defined program year begins July 1 and ends on June 30 of the following year.

Request for reimbursement (RFR) is the document a subrecipient must complete and submit to the City for payment. Supporting documents of expenditures must be attached to the RFR and submitted for processing. Incomplete RFRs will result in a delay of payment. Only complete RFRs will be paid on.

State means each of the several States and the Commonwealth of Puerto Rico. The State is also a recipient that is approved by HUD to assume financial responsibility and enter into a grant agreement with HUD to administer assistance under this part.

Subrecipient means a unit of general purpose local government or private nonprofit organization to which the State makes available ESG funds.

Territory means each of the following: the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

Unit of general purpose local government means any city, county, town, township, parish, village, or other general purpose political subdivision of a State.

Urban County means a county that was classified as an urban county under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available.

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

II. PROGRAM DESCRIPTION

Purpose

The ESG program is authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371–11378) as amended by the HEARTH Act. The program authorizes the Department of Housing and Urban Development (HUD) to make grants to States, units of general purpose local government, and territories for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re-housing assistance. (24 CFR 576.1)

The purpose of this handbook is to provide guidance to Subgrantees of the ESG Program. Every effort has been made to ensure the accuracy of the material in this handbook. If any discrepancy exists

between the language in this manual and in any applicable statute, regulation, or policy issuance, please contact the City for clarification. This handbook establishes general and uniform standards for grant compliance. This handbook, in conjunction with each grant application, grant agreement, budget and/or all relevant federal and state statutes and regulations will apply to the ESG Program.

All Subrecipients are required to adhere to the guidance set forth in this handbook in conjunction with all federal, state and local regulations as it relates to the ESG Program and executed grant agreement. Subrecipients shall also refer to the Uniform Administrative Requirements, Cost and Audit Requirements for Federal Awards, which is codified at 2 CFR Part 200.

Method of Distribution/Available Funding

The City of Reno will administer the ESG program, which replaced the previous Emergency Shelter Grant program and incorporates elements of the Homelessness Prevention and Rapid Re-housing Program (HPRP). While still providing support for emergency shelters and services to the homeless, the new ESG program focuses more funding on preventing initial and recurrent homelessness, shortening the duration of homelessness, assisting in the transition from homelessness to independent living, and providing outreach, needs assessment and other services for the homeless.

Homeless Management Information Systems (HMIS) activities may be applied for within the homeless prevention and rapid re-housing mentioned funding constraints.

Eligible Entities & Application Submission Requirements

All public and private non-profit organizations (**with certification from the unit of local government in their area**) that provide services to the homeless and those at-risk of becoming homeless are eligible to apply for ESG funds. One application per organization should be submitted to the City for consideration. Private non-profit organizations must be certified as a 501(c) organization and be registered in the state of Nevada as a charitable organization.

Applications for ESG program funds must be prepared in accordance with the instructions provided in the Request for Applications (RFA) and in conjunction with requirements set forth in this handbook. The contents of the application should be concise and objective. When statistics are cited, the source of the data must be completely referenced.

The City must receive an original unbound or electronic application. Applicants have the option of submitting **an application electronically** to Hettie Read, Management Analyst at readh@reno.gov. Upon receipt of an electronic copy, the City will notify the applicant of receipt. If your organization does not receive confirmation of receipt from the City, please contact our office.

If using US Postal Services, UPS, FedEx, other Courier service, or hand delivery, mail the ESG application and supporting documents to:

The City of Reno

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One East First Street

Reno, NV 89501

Late applications will not be reviewed. Each applicant will be informed of their application status once the application reviews are complete. All program and application information is subject to change should HUD provide additional guidance on the ESG program. **Faxes are not allowed.**

Any questions regarding the ESG program should be directed to Hettie Read, Management Analyst for ESG, at (775) 433-9502.

Performance Standards

The City will utilize the performance standards set forth in the selection criteria as outlined in Section 427 of the HEARTH Act, which may directly correlate to the above mentioned goals and action steps. The HEARTH Act Section 427 includes, but is not limited to the following criteria:

- The length of time individuals and families remain homeless.
- The extent to which individuals and families who leave homelessness experience additional spells of homelessness.
- The thoroughness of grantees in the geographic area in reaching homeless individuals and families.
- Overall reduction in the number of homeless individuals and families.
- Jobs and income growth for homeless individuals and families.
- Success at reducing the number of individuals and families who become homeless.

Prohibition of Discharge Planning

Pursuant to the McKinney-Vento Act, to the maximum extent practicable, persons discharged from publicly funded institutions or systems of care should not be discharged into homelessness, including the streets, shelter, or to HUD McKinney-Vento funded homeless projects. ESG-funded shelters are prohibited from assisting with the discharge of a person(s) from any system of care (i.e. prisons, jails,

hospitals, substance abuse treatment centers, foster care) that will immediately result in homelessness—residing in the shelter facility.

Prohibition Against Involuntary Family Separation

The age of a child under age 18 must not be used as a basis for denying a family's admission to an emergency shelter that receives ESG funding or services and provides shelter to families with children under age 18. All ESG-funded shelters that either provide shelter to families or women and their children must do so regardless of the age of the child. The family unit must be accepted, inclusive of children under the age of 18.

Prohibition Against Program Income

ESG subrecipients are prohibited from keeping program income and using the funds for other uses not related to the ESG program. The City requires that all program income earned in a program year must be properly documented and recorded, and reported to the City. Subrecipients may use program income as match in the program year the program income was earned. Supporting documents of the program income earned must be submitted to the City as part of the RFR package.

Match Requirement

Subrecipients must make matching contributions to supplement the ESG program equal to the amount of ESG funds initially applied for, and subsequently provide supporting documentation of matching contributions as ESG funds are expended. To be recognized as match for ESG, each contribution must meet the requirements under 2 CFR 200.306, except that:

- (1) Notwithstanding 2 CFR 200.306(b)(4), matching contributions are not subject to the expenditure limits in 24 CFR 576.100; and
- (2) Notwithstanding 2 CFR 200.306(b)(5), the State may use funds from another federal program as match for ESG, unless doing so would violate a specific statutory prohibition or the subrecipient counts ESG funds as match for that program.

2 CFR 200.306(b) states that for all federal awards, any shared costs or matching funds and all contributions, including cash and third party in-kind contributions, must be accepted as [part of the non-Federal entity's cost sharing or matching when such contributions meet all of the following:

- (1) Are verifiable from the non-Federal entity's records;
- (2) Are not included as contributions for any other Federal award;
- (3) Are necessary and reasonable for accomplishment of project or program objectives;
- (4) Are allowable under Subpart E- Cost Principles of this Part;

- (5) Are not paid by Federal government under another Federal award, except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- (6) Are provided for in the approved budget when required by the Federal awarding agency; and
- (7) Conform to other provisions of this Part, as applicable.

All records pertaining to resources used as match for ESG must be maintained and made available to ESG upon request. More specifically, subrecipients must keep records of the source and use of contributions made to satisfy the matching requirement in 24 CFR 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. (24 CFR 576.500(o).

Means of Carrying Out Grant Activities

Subrecipients can only carry out all eligible activities through their employees, procurement contracts, or subgrants to private nonprofit organizations. **A subrecipient of the City is not allowed to subgrant ESG funds.**

Obligation, Expenditure, and Payment Requirements

Obligation of funds

All projects must begin within two (2) months of the date the City makes the funds available to the applicant. If the program has not started within two (2) months of the award date, without written and justifiable cause, the City reserves the right to rescind the grant award. In addition, subrecipients must provide the City with written notification of closure within fifteen (15) days prior to actual closure. The state reserves the right to recapture ESG funds under the following circumstances:

1. Those who do not meet the performance requirements outlined in the approved project;
2. Those who are unable to comply with the regulatory deadlines on obligation and disbursement as outlined at 24 CFR Part 576.55(a) (2); and
3. Those who otherwise, without appropriate justification, have failed to implement the project as set forth in their approved ESG Grant Application.

Applicants are required to submit a timetable outlining the tasks required for accomplishment of project goals. The timetable submitted will be used to monitor project performance.

Expenditures

The grant period for ESG projects is one year; effective on the date the City makes funds available to the subgrantee. In general, projects requesting funds for rehabilitation may encounter a delay in obtaining results for the environmental review from the various agencies involved. Environmental reviews generally take 60-90 days to complete. Applicants may want to consider this factor in determining where to use local match.

ESG funds must be expended within one year of the date the City makes the funds available. All subrecipients are required to submit a request for reimbursement at least quarterly or as often as monthly. All of the subrecipient's grant must be expended for eligible activity costs by the end of the grant agreement (refer to the grant agreement for the specific date). For the purposes of this paragraph, expenditure means either an actual cash disbursement for a direct charge for a good or service or an indirect cost or the accrual of a direct charge for a good or service or an indirect cost.

Payments to subrecipients.

Disbursement of funds will follow a cost reimbursement procedure and will be for actual funds expended. The grant period will begin (approximately) July 1, and end June 30, of the following year.

Request for reimbursement (RFR) must include the following:

- Correctly completed RFR forms.
- Copies of invoices and evidence of payment for the eligible costs for which reimbursement is being sought.
- Evidence of payment can include canceled check copies and/or bank statements. The general ledger is not considered evidence of payment for ESG expenditures. Additionally, when bank statements are submitted as evidence of payment, there should be sufficient notation of which items are relevant to the request.
- When participant services costs are requested i.e. financial assistance for rent, the subrecipient must provide a copy of the applicable documents from the participant files to support the eligible expenditures.
- Subrecipients are required to submit a data completeness report (DCR) with each RFR so that program participation and data can be monitored throughout the duration of the program year.

Subrecipients are required to submit the final request for reimbursement and support documentation to the City by the close of the business day August 15, of that program year. The first and final RFR must be endorsed by the Executive Director and Board Chairperson. The expenditures must not exceed the June 30, program period.

Reallocation

The City reserves the right to reallocate ESG program funds as provided for in the federal regulations governing the program in order to ensure that the funds provide the maximum benefit to Washoe County's homeless population. Funding (grant award) reallocations will be made based on the state's determination of the best use of available funds. The City will consider the amount of available funds, subrecipient programmatic performance, subrecipient expenditure levels, and strategic programmatic needs in reallocating available funds.

III. ESG COMPONENTS

Subrecipients may use ESG funds for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and HMIS. The five program components and the eligible activities that may be funded under each are set forth in 24 CFR 576.101 through 576.107.

Subject to the cost principles in the the City Policy and Procedural Manual and other requirements in this part, employee compensation and other overhead costs directly related to carrying out street outreach, emergency shelter, homelessness prevention, rapid re-housing, and HMIS are eligible costs of those program components. These costs are not administrative costs.

Street Outreach Component (24 CFR 576.101)

Subject to the expenditure limit in 24 CFR 576.100(b), ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term "unsheltered homeless people" means individuals and families who qualify as homeless under 24 CFR 576.2 (1)(i). The eligible costs and requirements for essential services of this component consist of:

- 1) Engagement. The costs of activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs. These activities consist of making an initial assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; and actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent supportive housing, and rapid re-housing programs. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.

2) Case management. The cost of assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant. Eligible services and activities are as follows: using the centralized or coordinated assessment system as required under 24 CFR 576.400(d); conducting the initial evaluation required under 24 CFR 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.
- ESG funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area.
- Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate emergency medical treatment; and providing medication and follow-up services.

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. These costs include the following:

- The cost of a program participant's travel on public transportation;
- If service workers use their own vehicles, mileage allowance for service workers to visit program participants;
- The cost of leasing a vehicle for the 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
- The travel costs of subrecipient staff to accompany or assist program participants to use public transportation.

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. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

All subrecipients of ESG funds must provide services to homeless individuals and families for at least the period during which ESG funds are provided.

If the subrecipient is a unit of general purpose local government, its ESG funds cannot be used to replace funds the local government provided for street outreach and emergency shelter services during the immediately preceding 12-month period, unless HUD determines that the unit of general purpose local government is in a severe financial deficit.

Upon the subrecipient's request, HUD will determine whether the unit of general purpose local government is in a severe financial deficit, based on the subrecipient's demonstration of each of the following:

- The average poverty rate in the unit of general purpose local government's State was equal to or greater than 125 percent of the average national poverty rate, during the calendar year for which the most recent data are available, as determined according to information from the U.S. Census Bureau.

- The average per-capita income in the unit of general purpose local government's State was less than 75 percent of the average national per capita income, during the calendar year for which the most recent data are available, as determined according to information from the Census Bureau.
- The unit of general purpose local government has a current annual budget deficit that requires a reduction in funding for services for homeless people.
- The unit of general purpose local government has taken all reasonable steps to prevent a reduction in funding of services for homeless people. Reasonable steps may include steps to increase revenue generation, steps to maximize cost savings, or steps to reduce expenditures in areas other than services for homeless people.

Emergency Shelter Component (24 CFR 576.102)

Subject to the expenditure limit in 24 CFR 576.100(b), ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, renovating buildings to be used as emergency shelter for homeless families and individuals, and operating emergency shelters. ESG funds may be used to provide essential services to individuals and families who are in an emergency shelter, as follows:

- 1) Case management. The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant is eligible. Component services and activities consist of:
 - a) Using the centralized or coordinated assessment system as required under 24 CFR 576.400(d);
 - b) Conducting the initial evaluation required under 24 CFR 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.

2) 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 State in which it operates in order for its costs to be eligible.

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

4) 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. The cost of providing reasonable stipends to program participants in employment assistance and job training programs is an eligible cost. Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates. Services that assist individuals in securing employment consist of employment screening, assessment, or testing; structured job skills and job-seeking skills; special training and tutoring, including literacy training and prevocational training; books and instructional material; counseling or job coaching; and referral to community resources.

5) Outpatient health services. Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals. 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.

6) 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) 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, appeal of veterans and public benefit claim denials, and the resolution of outstanding criminal warrants.

d) Component services or activities may include participant 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.

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

8) 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.

9) 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 participant 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.

10) 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 leasing a vehicle for the 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 subrecipient staff to accompany or assist program participants to use public transportation.

11) Services for special populations.

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

a) **Renovation.** Eligible costs include labor, materials, tools, and other costs for renovation (including major rehabilitation of an emergency shelter or conversion of a building into an emergency shelter). The emergency shelter must be owned by a government entity or private nonprofit organization.

b) **Shelter operations.** Eligible costs are the costs of general maintenance (including minor or routine repairs, to fix and maintain machines, mechanical equipment, and buildings; paint, minor repairs to flooring, and work on plumbing, electrical, and air-conditioning and heating systems.), 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.

c) **Assistance required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).** Eligible costs are the costs of providing URA assistance under 24 CFR 576.408, including relocation payments and other assistance to persons displaced by a project assisted with ESG funds. Persons that receive URA assistance are not considered “program participants” for the purposes of this part, and relocation payments and other URA assistance are not considered “rental assistance” or “housing relocation and stabilization services” for the purposes of this part.

Each building renovated with ESG funds must be maintained as a shelter for homeless individuals and families for not less than a period of 3 or 10 years, depending on the type of renovation and the value of the building. The “value of the building” is the reasonable monetary value assigned to the building, such as the value assigned by an independent real estate appraiser. The minimum use period must begin on the date the building is first occupied by a homeless individual or family after the completed renovation. A minimum period of use of 10 years, required for major rehabilitation and conversion, must be enforced by a recorded deed or use restriction.

a) *Major rehabilitation.* If the rehabilitation cost of an emergency shelter exceeds 75 percent of the value of the building before rehabilitation, the minimum period of use is 10 years.

b) *Conversion.* If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the minimum period of use is 10 years.

c) *Renovation other than major rehabilitation or conversion.* In all other cases where ESG funds are used for renovation, the minimum period of use is 3 years.

Essential services and shelter operations. Where the subrecipient uses ESG funds solely for essential services or shelter operations, the subrecipient must provide services or shelter to homeless individuals and families at least for the period during which the ESG funds are provided. The subrecipient does not need to limit these services or shelter to a particular site or structure, so long as the site or structure serves the same type of persons originally served with the assistance (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or serves homeless persons in the same area where the subrecipient originally provided the services or shelter.

The maintenance of effort requirements under 24 CFR 576.101(c), which apply to the use of ESG funds for essential services related to street outreach, also apply for the use of such funds for essential services related to emergency shelter.

Homelessness Prevention Component (24 CFR 576.103)

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 24 CFR 576.2. This assistance, referred to as homelessness prevention, may be provided to individuals and families who meet the criteria under the “at risk of homelessness” definition, or who meet the criteria in the “homeless” definition at 24 CFR 576.2 and have an annual income below 30 percent of median family income for the area, as determined by HUD. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant’s current permanent housing or move into other permanent housing and achieve stability in that housing. Homelessness prevention must be provided in accordance with the housing relocation and stabilization services requirements in 24 CFR 576.105, the short-term and medium-term rental assistance requirements in 24 CFR 576.106, and the written standards and procedures established under 24 CFR 576.400.

Rapid Re-Housing Assistance Component (24 CFR 576.104)

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. This assistance, referred to as rapid re-housing assistance, may be provided to program participants who meet the criteria under paragraph (1) of the “homeless” definition in 24 CFR 576.2 or who meet the criteria under paragraph (4) of the “homeless” definition and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. The rapid re-housing assistance must be provided in accordance with the housing relocation and stabilization services requirements in 24 CFR 576.105, the short- and medium-term rental assistance requirements in 24 CFR 576.106, and the written standards and procedures established under 24 CFR 576.400.

Housing Relocation and Stabilization Services (24 CFR 576.105)

Note: This applies to both the Homelessness Prevention and Rapid Re-Housing Assistance Components of ESG.

(a) **Financial assistance costs.** Subject to the general conditions under 24 CFR 576.103 and 576.104, ESG funds may be used to pay housing owners, utility companies, and other third parties for the following costs:

- (1) **Rental application fees.** ESG funds may pay for the rental housing application fee that is charged by the owner to all applicants.
- (2) **Security deposits.** ESG funds may pay for a security deposit that is equal to no more than 2 months’ rent.
- (3) **Last month’s rent.** If necessary to obtain housing for a program participant, the last month’s rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month’s rent. This assistance must not

exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period.

- (4) **Utility deposits.** ESG funds may pay for a standard utility deposit required by the utility company for all customers for the utilities listed in paragraph (5) of this section.
- (5) **Utility payments.** ESG funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.
- (6) **Moving costs.** ESG funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance under paragraph (b) of this section and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.

(b) **Services costs.** Subject to the general restrictions under 24 CFR 576.103 and 576.104, ESG funds may be used to pay the costs of providing the following services:

- (1) **Housing search and placement.** Services or activities necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing, include the following:
 - (i) Assessment of housing barriers, needs, and preferences;
 - (ii) Development of an action plan for locating housing;
 - (iii) Housing search;
 - (iv) Outreach to and negotiation with owners;
 - (v) Assistance with submitting rental applications and understanding leases;
 - (vi) Assessment of housing for compliance with ESG requirements for habitability, lead-based paint, and rent reasonableness;
 - (vii) Assistance with obtaining utilities and making moving arrangements; and
 - (viii) Tenant counseling.
- (2) **Housing stability case management.** ESG funds may be used to pay the cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent

housing or to assist a program participant in overcoming immediate barriers to obtaining housing. This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing. Component services and activities consist of:

- (A) Using the centralized or coordinated assessment system as required under 24 CFR 576.400(d), to evaluate individuals and families applying for or receiving homelessness prevention or rapid re-housing assistance;
 - (B) Conducting the initial evaluation required under 24 CFR 576.401(a), including verifying and documenting eligibility, for individuals and families applying for homelessness prevention or rapid re-housing assistance;
 - (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) Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
 - (H) Conducting re-evaluations required under 24 CFR 576.401(b).
- (3) **Mediation.** ESG funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.
- (4) **Legal services.** ESG funds may pay for legal services, as set forth in 24 CFR 576.102(a)(1)(vi), except that the eligible subject matters also include landlord/tenant matters, and the services must be necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.
- (5) **Credit repair.** ESG funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.

(c) **Maximum amounts and periods of assistance.** The subrecipient may set a maximum dollar amount that a program participant may receive for each type of financial assistance under paragraph (a) of this section. The subrecipient may also set a maximum period for which a program

participant may receive any of the types of assistance or services under this section. However, except for housing stability case management, the total period for which any program participant may receive the services under paragraph (b) of this section must not exceed 24 months during any 3-year period. The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.

(d) **Use with other subsidies.** Financial assistance under paragraph (a) of this section cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.

Short-term and medium-term rental assistance (24 CFR 576.106)

(a) **General provisions.** Subject to the general conditions under 24 CFR 576.103 and 576.104, the subrecipient may provide a program participant with up to 24 months of rental assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination of this assistance.

- (1) Short-term rental assistance is assistance for up to 3 months of rent.
- (2) Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.
- (3) Payment of rental arrears consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.
- (4) Rental assistance may be tenant-based or project-based, as set forth in paragraphs (h) and (i) of this section.

(b) **Discretion to set caps and conditions.** Subject to the requirements of this section, the subrecipient may set a maximum amount or percentage of rental assistance that a program participant may receive a maximum number of months that a program participant may receive rental assistance, or a maximum number of times that a program participant may receive rental assistance. The subrecipient may also require program participants to share in the costs of rent.

(c) **Use with other subsidies.** Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, rental assistance cannot be provided to a program participant who is receiving tenant-based rental assistance, or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Rental assistance may not be provided to a program participant who has been provided with replacement housing payments under the URA during the period of time covered by the URA payments.

(d) **Rent restrictions.**

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

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

(e) **Rental assistance agreement.** 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.

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

(g) **Lease.** Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. For program participants living in housing with project-based rental assistance under paragraph (i) of this section, the lease must have an initial term of one year.

(h) **Tenant-based rental assistance.**

(1) A program participant who receives tenant-based rental assistance may select a housing unit in which to live and may move to another unit or building and continue to receive rental assistance, as long as the program participant continues to meet the program requirements.

(2) The subrecipient may require that all program participants live within a particular area for the period in which the rental assistance is provided.

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

- (i) The program participant moves out of the housing unit for which the program participant has a lease;
- (ii) The lease terminates and is not renewed; or
- (iii) The program participant becomes ineligible to receive ESG rental assistance.

(i) **Project-based rental assistance.** If the subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before a program participant is identified to lease the unit, the subrecipient may enter into a rental assistance agreement with the owner to reserve the unit and subsidize its rent in accordance with the following requirements:

(1) The rental assistance agreement may cover one or more permanent housing units in the same building. Each unit covered by the rental assistance agreement (“assisted unit”) may only be occupied by program participants, except as provided under paragraph (i)(4) of this section.

(2) The subrecipient may pay up to 100 percent of the first month’s rent, provided that a program participant signs a lease and moves into the unit before the end of the month for which the first month’s rent is paid. The rent paid before a program participant moves into the unit must not exceed the rent to be charged under the program participant’s lease and must be included when determining that program participant’s total rental assistance.

(3) The subrecipient may make monthly rental assistance payments only for each whole or partial month an assisted unit is leased to a program participant. When a program participant moves out of an assisted unit, the subrecipient may pay the next month’s rent, i.e., the first month’s rent for a new program participant, as provided in paragraph (i) (2) of this section.

(4) The program participant’s lease must not condition the term of occupancy to the provision of rental assistance payments. If the program participant is determined ineligible or reaches the maximum number of months over which rental assistance can be provided, the subrecipient must suspend or terminate the rental assistance payments for the unit. If the payments are suspended, the individual or family may remain in the assisted unit as permitted under the lease, and the subrecipient may resume payments if the individual or family again becomes eligible and needs further rental assistance. If the payments are terminated, the rental assistance may be transferred to another available unit in the same building, provided that the other unit meets all ESG requirements.

(5) The rental assistance agreement must have an initial term of one year. When a new program participant moves into an assisted unit, the term of the rental assistance agreement may be extended to cover the initial term of the program participant’s lease. If the program participant’s lease is renewed, the rental assistance agreement may be renewed or extended, as needed, up to the maximum number of months for which the program participant remains eligible. However, under no circumstances may the subrecipient commit ESG funds to be expended beyond the expenditure deadline in 24 CFR 576.203 or commit funds for a future ESG grant before the grant is awarded.

(j) **Changes in household composition.** The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.

HMIS Component (24 CFR 576.107)

(a) Eligible costs.

(1) The subrecipient may use ESG funds to pay the costs of contributing data to the HMIS designated by the Continuum of Care for the area, including the costs of:

- (i) Purchasing or leasing computer hardware;
- (ii) Purchasing software or software licenses;
- (iii) Purchasing or leasing equipment, including telephones, fax machines, and furniture;
- (iv) Obtaining technical support;
- (v) Leasing office space;
- (vi) Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;
- (vii) Paying salaries for operating HMIS, including:
 - (A) Completing data entry;
 - (B) Monitoring and reviewing data quality;
 - (C) Completing data analysis;
 - (D) Reporting to the HMIS Lead;
 - (E) Training staff on using the HMIS or comparable database; and
 - (F) Implementing and complying with HMIS requirements;
- (viii) Paying costs of staff to travel to and attend HUD-sponsored and HUD approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;
- (ix) Paying staff travel costs to conduct intake; and
- (x) Paying participation fees charged by the HMIS Lead, if the subrecipient is not the HMIS Lead. The HMIS Lead is the entity designated by the Continuum of Care to operate the area's HMIS.

(2) If the subrecipient is the HMIS lead agency, as designated by the Continuum of Care in the most recent fiscal year Continuum of Care Homeless Assistance Grants Competition, it may also use ESG funds to pay the costs of:

- (i) Hosting and maintaining HMIS software or data;
- (ii) Backing up, recovering, or repairing HMIS software or data;
- (iii) Upgrading, customizing, and enhancing the HMIS;
- (iv) Integrating and warehousing data, including development of a data warehouse for use in aggregating data from subrecipients using multiple software systems;
- (v) Administering the system;
- (vi) Reporting to providers, the Continuum of Care, and HUD; and
- (vii) Conducting training on using the system or a comparable database, including traveling to the training.

(3) If the subrecipient is a victim services provider or a legal services provider, it may use ESG funds to establish and operate a comparable database that collects participant-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to an HMIS.

(b) **General restrictions.** Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS.

IV. Program Requirements & Grant Administration

Indirect Costs (24 CFR 576.109)

The City requires that all applicants of ESG funds state in the application whether it will charge indirect costs for the program year. ESG funds may be used to pay indirect costs in accordance with 2 CFR part 200, subpart E. Indirect costs may be allocated to each eligible activity under 24 CFR 576.101 through 576.108, so long as that allocation is consistent with 2 CFR part 200, subpart E. The indirect costs charged to an activity subject to an expenditure limit under 24 CFR 576.100 must be added to the direct costs charged for that activity when determining the total costs subject to the expenditure limit.

The entity's approved federally negotiated indirect cost rate agreement must be submitted to the City. If an entity does not have an approved federally negotiated indirect cost rate agreement, the entity may elect to charge a de minimis rate of ten percent (10%) of modified total direct costs. The entity also has the option of negotiating an indirect cost rate, refer to 2 CFR 200, Appendix IV.

All subrecipients must refer to the City Policy and Procedural Manual regarding the single audit requirements. If the entity is not required to obtain a single audit, the entity must submit its financial statements to the City.

Area-wide systems coordination requirements (24 CFR 576.400)

(b) **Consultation with Continuums of Care.** The subrecipient must consult with each Continuum of Care that serves the subrecipient's State in determining how to allocate ESG funds each program year; developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and developing funding, policies, and procedures for the administration and operation of the HMIS.

(c) **Coordination with other targeted homeless services.** The subrecipient must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to homeless people in the area covered by the Continuum of Care or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area. These programs include:

- (1) Shelter Plus Care Program (24 CFR part 582);
- (2) Supportive Housing Program (24 CFR part 583);
- (3) Section 8 Moderate Rehabilitation Program for Single Room Occupancy Program for Homeless Individuals (24 CFR part 882);
- (4) HUD—Veterans Affairs Supportive Housing (HUD—VASH) (division K, title II, Consolidated Appropriations Act, 2008, Pub. L. 110–161 (2007), 73 FR 25026 (May 6, 2008));
- (5) Education for Homeless Children and Youth Grants for State and Local Activities (title VII–B of the McKinney Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*));
- (6) Grants for the Benefit of Homeless Individuals (section 506 of the Public Health Services Act (42 U.S.C. 290aa–5));
- (7) Healthcare for the Homeless (42 CFR part 51c);
- (8) Programs for Runaway and Homeless Youth (Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*));
- (9) Projects for Assistance in Transition from Homelessness (part C of title V of the Public Health Service Act (42 U.S.C. 290cc–21 *et seq.*));
- (10) Services in Supportive Housing Grants (section 520A of the Public Health Service Act); Emergency Food and Shelter Program (title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 *et seq.*));

- (11) Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program (section 40299 of the Violent Crime Control and Law Enforcement Act (42 U.S.C. 13975));
- (12) (13) Homeless Veterans Reintegration Program (section 5(a)(1)) of the Homeless Veterans Comprehensive Assistance Act (38 U.S.C. 2021);
- (13) Domiciliary Care for Homeless Veterans Program (38 U.S.C. 2043);
- (14) VA Homeless Providers Grant and Per Diem Program (38 CFR part 61);
- (15) Health Care for Homeless Veterans Program (38 U.S.C. 2031);
- (16) Homeless Veterans Dental Program (38 U.S.C. 2062);
- (17) Supportive Services for Veteran Families Program (38 CFR part 62); and
- (18) Veteran Justice Outreach Initiative (38 U.S.C. 2031).

(d) **System and program coordination with mainstream resources.** The subrecipient must coordinate and integrate, to the maximum extent practicable, ESG funded activities with mainstream housing, health, social services, employment, education, and youth programs for which families and individuals at risk of homelessness and homeless individuals and families may be eligible. Examples of these programs include:

- (1) Public housing programs assisted under section 9 of the U.S. Housing Act of 1937 (42 U.S.C. 1437g) (24 CFR parts 905, 968, and 990);
- (2) Housing programs receiving tenant-based or project-based assistance under section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f) (respectively 24 CFR parts 982 and 983);
- (3) Supportive Housing for Persons with Disabilities (Section 811) (24 CFR part 891);
- (4) HOME Investment Partnerships Program (24 CFR part 92);
- (5) Temporary Assistance for Needy Families (TANF) (45 CFR parts 260–265);
- (6) Health Center Program (42 CFR part 51c);
- (7) State Children’s Health Insurance Program (42 CFR part 457);
- (8) Head Start (45 CFR chapter XIII, subchapter B);
- (9) Mental Health and Substance Abuse Block Grants (45 CFR part 96); and
- (10) Services funded under the Workforce Investment Act (29 U.S.C. 2801 *et seq.*).

(e) **Centralized or coordinated assessment.** Once the Continuum of Care has developed a centralized assessment system or a coordinated assessment system in accordance with requirements to be established by HUD, each ESG-funded program or project within the Continuum of Care's area must use that assessment system. The subrecipient must work with the Continuum of Care to ensure the screening, assessment and referral of program participants are consistent with the written standards required by paragraph (e) of this section. A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system.

(f) **Written standards for providing ESG assistance.** The subrecipient must establish and consistently apply written standards for providing ESG assistance. At a minimum these written standards must include:

- (i) Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under ESG;
- (ii) Standards for targeting and providing essential services related to street outreach;
- (iii) Policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, *e.g.*, victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest;
- (iv) Policies and procedures for assessing, prioritizing, and reassessing individuals' and families' needs for essential services related to emergency shelter;
- (v) Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing assistance providers; other homeless assistance providers; and mainstream service and housing providers (see 24 CFR 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);
- (vi) Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance;
- (vii) Standards for determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;
- (viii) 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; and
- (ix) Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant, 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 the program participant receive assistance; or the maximum number of times the program participant may receive assistance.

(g) Participation in HMIS. The subrecipient must ensure that data on all persons served and all activities assisted under ESG are entered into the applicable community-wide HMIS in the area in which those persons and activities are located, or a comparable database, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS. If the subrecipient is a victim service provider or a legal services provider, it must use a comparable database that collects participant-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to an HMIS. Subgrantee organizations will be required to submit monthly data quality reports to ensure compliance with this provision.

Evaluation of Program Participant Eligibility and Needs (24 CFR 576.401)

(a) Evaluations. The subrecipient must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under 24 CFR 576.400(d) and the written standards established under 24 CFR 576.400(e).

(b) Re-evaluations for homelessness prevention and rapid re-housing assistance.

- (1) The subrecipient must re-evaluate the program participant's eligibility and the types and amounts of assistance the program participant needs not less than once every 3 months for program participants receiving homelessness prevention assistance, and not less than once annually for program participants receiving rapid re-housing assistance. At a minimum, each re-evaluation of eligibility must establish that:
 - (i) The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and
 - (ii) The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.
- (2) The subrecipient may 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.

(c) **Annual income.** When determining the annual income of an individual or family, the must use the standard for calculating annual income under 24 CFR 5.609 as follows:

a. Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph (c) of this section.
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

b. Annual income includes, but is not limited to:

- (1) The full amount, before any payroll deductions, of [wages and salaries](#), overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of [cash](#) or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an [investment](#) will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
- (4) The full amount of periodic amounts received from Social Security, annuities, [insurance](#) policies, retirement funds, pensions, disability or death benefits, and other similar types of

periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and [disability compensation](#), worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and

(B) Are not otherwise excluded under paragraph (c) of this section.

(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).

(9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, financial assistance does not include loan proceeds for the purpose of determining income.

c. Annual income does not include the following:

- (1) Income from employment of children (including foster children) under the age of 18 years;
- (2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);
- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined at 24 CFR 5.403;
- (6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) (i-v)
 - i. Amounts received under training programs funded by HUD;
 - ii. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - iii. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - iv. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;
 - v. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local

government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;

- (9) Temporary, nonrecurring or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- (11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
- (12) Adoption assistance payments in excess of \$480 per adopted child;
- (13) [Reserved]
- (14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
- (15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- (16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- (17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

d. Annualization of income. If it is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income), or the subrecipient believes that past income is the best available indicator of expected future income, the subrecipient may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.

(d) Connecting program participants to mainstream and other resources. The subrecipient and its must assist each program participant, as needed, to obtain:

- (1) Appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; and

- (2) Other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability, including:
 - (iii) Medicaid (42 CFR chapter IV, subchapter C);
 - (iv) Supplemental Nutrition Assistance Program (7 CFR parts 271–283);
 - (v) Women, Infants and Children (WIC) (7 CFR part 246);
 - (vi) Federal-State Unemployment Insurance Program (20 CFR parts 601–603, 606, 609, 614–617, 625, 640, 650);
 - (vii) Social Security Disability Insurance (SSDI) (20 CFR part 404);
 - (viii) Supplemental Security Income (SSI) (20 CFR part 416);
 - (ix) Child and Adult Care Food Program (42 U.S.C. 1766(t) (7 CFR part 226));
 - (x) Other assistance available under the programs listed in 24 CFR 576.400(c).

(e) Housing stability case management.

- (1) While providing homelessness prevention or rapid re-housing assistance to a program participant, the subrecipient must:
 - (i) 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
 - (ii) 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.

(2) The subrecipient is exempt from the requirement under paragraph (e)(1)(i) of this section if the Violence Against Women Act of 1994 (42 U.S.C. 13701 *et seq.*) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 *et seq.*) prohibits that subrecipient from making its shelter or housing conditional on the participant's acceptance of services.

Terminating Assistance (24 CFR 576.402)

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

(b) Program participants receiving rental assistance or housing relocation and stabilization services. To terminate rental assistance or housing relocation and stabilization services to a program participant, the required formal process, at a minimum, must consist of:

- (1) Written notice to the program participant containing a clear statement of the reasons for termination;
- (2) 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
- (3) Prompt written notice of the final decision to the program participant.

(c) Ability to provide further assistance. Termination under this section does not bar the subrecipient from providing further assistance at a later date to the same family or individual.

Shelter and Housing Standards (24 CFR 576.403)

Lead-based paint remediation and disclosure. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42U.S.C. 4851–4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to all shelters assisted under ESG program and all housing occupied by program participants.

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Participants must also receive a federally approved pamphlet on lead poisoning prevention.

Subrecipients must certify, to the best of their knowledge, that the information they have provided is true and accurate by ensuring that each participant endorses a lead-based paint disclosure form; and that the form is placed in each participant's file.

(a) Minimum standards for emergency shelters. Any building for which ESG funds are used for conversion, major rehabilitation, or other renovation, must meet state or local government safety and sanitation standards, as applicable, and the following minimum safety, sanitation, and privacy standards. Any emergency shelter that receives assistance for shelter operations must also meet the

following minimum safety, sanitation, and privacy standards. The subrecipient 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. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance must use Energy Star and Water Sense products and appliances.
- (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) Minimum standards for permanent housing. The subrecipient cannot use ESG funds to help a program participant remain or move into housing that does not meet the minimum habitability standards provided in this paragraph (c). The subrecipient may also establish standards that exceed or add to these minimum standards. See also 24 CFR 576.403(b) and 24 CFR 576.500(j).

- (1) *Structure and materials.* The structures must be structurally sound to protect residents from the elements and not pose any threat to the health and safety of the residents.
- (2) *Space and security.* Each resident must be provided adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.
- (3) *Interior air quality.* Each room or space 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.
- (4) *Water supply.* The water supply must be free from contamination.
- (5) *Sanitary facilities.* Residents must 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.
- (6) *Thermal environment.* The housing must have any necessary heating/cooling facilities in proper operating condition.
- (7) *Illumination and electricity.* The structure 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 structure.
- (8) *Food preparation.* All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- (9) *Sanitary conditions.* The housing must be maintained in a sanitary condition.
- (10) *Fire safety*
 - (i) There must be a second means of exiting the building in the event of fire or other emergency.
 - (ii) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.
 - (iii) The public areas of all housing must be 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, community rooms, day care centers, hallways, stairwells, and other common areas.

Equal Access to Housing Regardless of Sexual Orientation or Gender Identity (24 CFR 5.105 (a) (2))

The Equal Access Rule at 24 CFR 5.105(a)(2) requires that a determination of eligibility for housing that is assisted by HUD or subject to a mortgage insured by the Federal Housing Administration (FHA) shall be made in accordance with the eligibility requirements provided for such program by HUD, and such housing shall be made available without regard to actual or perceived sexual orientation, gender identity or marital status. Furthermore, under 24 CFR 5.106, any recipient, sub-recipient, owner, operator, manager or service provider funded in whole or part by any Community Planning and Development (CPD) program may not deny equal access to programs, activities, services, or facilities based on a person's gender identity. Thus, the aforementioned parties must comply with 24 CFR 5.105(a)(2) when determining eligibility for housing assisted by HUD or insured by FHA and, in addition, with 24 CFR 5.106 when receiving assistance from CPD programs.

HUD's definitions of sexual orientation and gender identity are at 24 CFR 5.100. HUD's definition of family is at 24 CFR 5.403. (See other regulatory changes made through HUD's Equal Access Rules: Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, HUD's Equal Access Rule at 77 Fed. Reg. 5662 (Feb. 3, 2012.)), and amended by Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs, 81 Fed. Reg. 64763 (Sept. 21, 2016)).

HUD's Native American and Native Hawaiian programs are covered by the rule Equal Access to Housing in HUD's Native American and Native Hawaiian Programs – Regardless of Sexual Orientation or Gender Identity, 81 Fed. Reg. 80989 (Nov. 17, 2016).

All ESG funded programs are required to provide equal access to all people seeking services and shelter regardless of gender and gender identity. Program policies must comply with HUD's Equal Access Rule. For more information on the Equal Access Rule see the HUD guidance attached. <https://files.hudexchange.info/resources/documents/Equal-Access-for-Transgender-People-Supporting-Inclusive-Housing-and-Shelters.pdf>

Conflicts of Interest (24 CFR 576.404)

(a) *Organizational conflicts of interest.* The provision of any type or amount of ESG assistance may not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the subrecipient, or a parent or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent or subsidiary of the subrecipient, carry out the initial evaluation required under 24 CFR 576.401 or administer homelessness prevention assistance under 24 CFR 576.103.

(b) *Individual conflicts of interest.* For the procurement of goods and services, subrecipients must comply with 2 CFR 200.317 and 200.318. For all other transactions and activities, the following restrictions apply:

- (1) *Conflicts prohibited.* No person described in paragraph (b)(2) of this section who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.
- (2) *Persons covered.* The conflict-of interest provisions of paragraph (b)(1) of this section apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the subrecipient.
- (3) *Exceptions.* Upon the written request of the subrecipient, HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (b)(3)(ii) of this section, provided that the subrecipient has satisfactorily met the threshold requirements of paragraph (b)(3)(i) of this section.

i. *Threshold requirements.* HUD will consider an exception only after the subrecipient has provided the following documentation:

- (A) If the subrecipient is a government, disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (B) An opinion of the subrecipient's attorney that the interest for which the exception is sought would not violate state or local law.

ii. *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the subrecipient has satisfactorily met the threshold requirements under paragraph (b)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the ESG program and the effective and efficient administration of the

subrecipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

- (A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (B) Whether an opportunity was provided for open competitive bidding or negotiation;
- (C) Whether the affected person has withdrawn from his or her functions, responsibilities or the decision-making process with respect to the specific activity in question;
- (D) Whether the interest or benefit was present before the affected person was in the position described in paragraph (b)(1) of this section;
- (E) Whether undue hardship results to the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict; and
- (F) Any other relevant considerations.

(c) *Contractors.* All contractors of the subrecipient must comply with the same requirements that apply to subrecipients under this section.

Homeless Participation (24 CFR 576.405)

(a) The subrecipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of the subrecipient, to the extent that the entity considers and makes policies and decisions regarding any facilities, services, or other assistance that receive funding under ESG.

(b) If the subrecipient is unable to meet requirement under paragraph (a), it must instead develop and implement a plan to consult with homeless or formerly homeless individuals in considering and making policies and decisions regarding any facilities, services, or other assistance that receive funding under ESG. The plan must be included in the request for applications.

(c) To the maximum extent practicable, the subrecipient must involve homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG. This involvement may include employment or volunteer services.

Faith-Based Activities (24 CFR 576.406)

(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. Solutions 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 2 CFR 200.311) The subrecipient must inform the City and obtain instructions as to how the real property will be handled.

(f) If the subrecipient that is a local government voluntarily contributes its own funds to supplement federally funded activities, the subrecipient 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.

Drug-Free Workplace (2 CFR Part 2429)

Recipients and subrecipients receiving funds from HUD are subject to [2 CFR Part 2429](#), which implements the Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.), as amended, and required to provide a drug-free workplace. Compliance with this requirement means that the applicant will:

a. Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the applicant's workplace and such activities are prohibited. The statement must specify the actions that will be taken against employees for violation of this prohibition. The statement must also notify employees that, as a condition of employment under the federal award, they are required to abide by the terms of the statement and that each employee must agree to notify the employer in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace, no later than 5 calendar days after such conviction.

b. Establish an ongoing drug-free awareness program to inform employees about:

- 1) The dangers of drug abuse in the workplace;
- 2) The applicant's policy of maintaining a drug-free workplace;
- 3) Available drug counseling, rehabilitation, or employee assistance programs; and
- 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Notify HUD and other federal agencies providing funding in writing within 10 calendar days after receiving notice from an employee of a drug abuse conviction or otherwise receiving actual notice of a drug abuse conviction. The notification must be provided in writing to HUD's Office of Strategic Planning and Management, Grants Management Division, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington DC 20410-3000, along with the following information:

- 1) The program title and award number for each HUD award covered;

- 2) The HUD staff contact name, telephone and fax numbers;
- 3) A grantee contact name, telephone and fax numbers; and
- 4) The convicted employee's position and title.

d. Require that each employee engaged in the performance of the federally funded award be given a copy of the drug-free workplace statement required in item (a) above and notify the employee that one of the following actions will be taken against the employee within 30 calendar days of receiving notice of any drug abuse conviction:

- 1) Institution of a personnel action against the employee, up to and including termination consistent with requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended; or
- 2) Imposition of a requirement that the employee participates satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

e. Identify to the agency making the award all known workplaces under the award. The workplace identification must include the actual address of buildings or other sites where work under the award will take place. The applicant must also inform the agency of any workplace changes during the performance of the award. The identification of the workplaces must occur either:

- 1) At the time of application or upon award; or
- 2) In documents the applicant keeps on file in its offices during performance of the award, in which case the applicant must make the information available for inspection upon request by the agency.

Other Federal Requirements (24 CFR 576.407 and 24 CFR 5.105(d))

(a) *General.* The requirements in 24 CFR part 5, subpart A are applicable, including the nondiscrimination and equal opportunity requirements at 24 CFR 5.105(a). Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u, and implementing regulations at 24 CFR part 135 apply, except that homeless individuals have priority over other Section 3 residents in accordance with 24 CFR 576.405(c).

(b) *Affirmative outreach.* The subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the

subrecipient intends to use to make known the availability of the facilities, assistance, and services will to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services. The subrecipient must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, subrecipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons.

Affirmatively Furthering Fair Housing (AFFH) is a legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act. This obligation to affirmatively further fair housing has been in the Fair Housing Act since 1968 (for further information see Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3608 and Executive Order 12892). HUD's AFFH rule provides an effective planning approach to aid program participants in taking meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination. As provided in the rule, AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development."

(c) *Uniform Administrative Requirements.* The requirements of 24 CFR part 200 apply to subrecipients. However, program income may be used as matching contributions subject to the requirements in 24 CFR 576.201. With regard to the disposition of real property for which ESG funds are used for major rehabilitation, conversion, or other renovation under 24 CFR 576.102, and procurement, please contact the City for more guidance.

(d) *Environmental review responsibilities*

- (1) Activities under this part are subject to environmental review by HUD under 24 CFR part 50. The subrecipient shall supply all available, relevant information necessary for HUD to perform for each property any environmental review required by 24 CFR part 50. The subrecipient also shall carry out mitigating measures required by HUD or select alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).
- (2) The subrecipient, or any contractor of the subrecipient, may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this part, or commit or expend HUD or local funds for eligible

activities under this part, until HUD has performed an environmental review under 24 CFR part 50 and the subrecipient has received HUD approval of the property.

(e) *Davis-Bacon Act*. The provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a–5) do not apply to the ESG program.

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

Displacement, relocation, and acquisition (24 CFR 576.408)

(a) *Minimizing displacement*. Consistent with the other goals and objectives of ESG, the subrecipient must assure that they have taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of a project assisted under ESG.

(b) *Temporary relocation not permitted*. No tenant-occupant of housing (a dwelling unit) that is converted into an emergency shelter may be required to relocate temporarily for a project assisted with ESG funds, or be required to move to another unit in the same building/complex. When a tenant moves for a project assisted with ESG funds under conditions that trigger the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. 4601–4655, as described in paragraph (c) of this section, the tenant should be treated as permanently displaced and offered relocation assistance and payments consistent with that paragraph.

(c) *Relocation assistance for displaced persons*.

- (1) *In general*. A displaced person (defined in paragraph (c)(2) of this section) must be provided relocation assistance at the levels described in, and in accordance with, the URA and 49 CFR part 24. A displaced person must be advised of his or her rights under the Fair Housing Act (42 U.S.C. 3601 *et seq.*). Whenever possible, minority persons shall be given reasonable opportunities to relocate to comparable and suitable decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require providing a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling. (See 49 CFR 24.205(c)(2)(ii)(D).) As required by Section 504 of the Rehabilitation Act (29 U.S.C. 794) and 49 CFR part 24, replacement dwellings must also contain the accessibility features needed by displaced persons with disabilities.

(2) *Displaced Person*.

- (i) For purposes of paragraph (c) of this section, the term “displaced person” means any person (family, individual, business, nonprofit organization, or farm, including any corporation, partnership, or association) that moves from real property, or moves personal property from real property, permanently, as a direct result of acquisition, rehabilitation, or demolition for a project assisted under the ESG program. This includes any permanent, involuntary move for an assisted project, including any permanent move from the real property that is made:
 - (A) After the owner (or person in control of the site) issues a notice to move permanently from the property or refuses to renew an expiring lease, if the move occurs on or after:
 - I. The date of the submission by the subrecipient (, as applicable) of an application for assistance to HUD (or the subrecipient, as applicable) that is later approved and funded if the subrecipient (, as applicable) has site control as evidenced by a deed, sales contract, or option contract to acquire the property; or
 - II. The date on which the subrecipient (, as applicable) selects the applicable site, if the subrecipient (, as applicable) does not have site control at the time of the application, provided that the subrecipient (, as applicable) eventually obtains control over the site;
 - (B) Before the date described in paragraph (c)(2)(i)(A) of this section, if the subrecipient or HUD determines that the displacement resulted directly from acquisition, rehabilitation, or demolition for the project; or
 - (C) By a tenant-occupant of a dwelling unit and the tenant moves after execution of the agreement covering the acquisition, rehabilitation, or demolition of the property for the project.
- (ii) Notwithstanding paragraph (c)(2)(i) of this section, a person does not qualify as a displaced person if:
 - (A) The person has been evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement; violation of applicable Federal, State or local law, or other good cause; and the subrecipient determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance.
 - (B) The person moved into the property after the submission of the application but, before signing a lease and commencing occupancy, was provided written notice of the project, its possible impact on the person (*e.g.*, the person may be displaced), and the fact that the person would not qualify as a “displaced person” (or for any assistance under this section) as a result of the project;

- (C) The person is ineligible under 49 CFR 24.2(a)(9)(ii); or
 - (D) HUD determines that the person was not displaced as a direct result of acquisition, rehabilitation, or demolition for the project.
- (iii) The subrecipient may, at any time, request that HUD to determine whether a displacement is or would be covered by this rule.
- (3) *Initiation of negotiations.* For purposes of determining the type of replacement housing payment assistance to be provided to a displaced person pursuant to this section:
- (i) If the displacement is the direct result of privately undertaken rehabilitation, demolition, or acquisition of the real property, “initiation of negotiations” means the execution of the agreement between the subrecipient and the person owning or controlling the property;
 - (ii) If site control is only evidenced by an option contract to acquire the property, the “initiation of negotiations” does not become effective until the execution of a written agreement that creates a legally enforceable commitment to proceed with the purchase, such as a sales contract.

(d) *Real property acquisition requirements.* The acquisition of real property, whether funded privately or publicly, for a project assisted with ESG funds is subject to the URA and Federal government wide regulations at 49 CFR part 24, subpart B.

(e) *Appeals.* A person who disagrees with the subrecipient’s (’s, if applicable) determination concerning whether the person qualifies as a displaced person, or the amount of relocation assistance for which the person may be eligible, may file a written appeal of that determination with the subrecipient under 49 CFR 24.10. A low-income person who disagrees with the subrecipient’s determination may submit a written request for review of that determination by the appropriate HUD field office.

Recordkeeping and reporting requirements (24 CFR 576.500)

(a) *In general.* The subrecipient 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 subrecipient to ensure that ESG funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable the subrecipient and HUD to determine whether ESG requirements are being met.

(b) *Homeless status.* The subrecipient must maintain and follow written intake procedures to ensure compliance with the homeless definition in 24 CFR 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 24 CFR 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 24 CFR 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 24 CFR 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 24 CFR 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 24 CFR 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 24 CFR 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 24 CFR 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 24 CFR 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 24 CFR 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 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 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 24 CFR 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 24 CFR 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 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 24 CFR 576.2; or
 - (C) To the extent that source documents and third-party verification are unobtainable, a written statement by the 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 24 CFR 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 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 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 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 24 CFR 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 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 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 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 24 CFR 576.101 through 576.106, the provision on determining eligibility and amount and type of assistance at 24 CFR 576.401(a) and (b), and the provision on using appropriate assistance and services at 24 CFR 576.401(d) and (e); and
 - (3) Where applicable, compliance with the termination of assistance requirement in 24 CFR 576.402.
- (G) *Centralized or coordinated assessment systems and procedures.* The subrecipient 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 24 CFR 576.403, including inspection reports.
- (K) *Emergency shelter facilities.* The subrecipient 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 subrecipient'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 subrecipient must keep records of the types of essential services, rental assistance, and housing stabilization and relocation services provided under the subrecipient's program and the amounts spent on these services and assistance. The subrecipient 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 subrecipient must document their compliance with the requirements of 24 CFR 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 subrecipient must keep records of the participation in HMIS or a comparable database by all projects of the subrecipient.
- (O) *Matching.* The subrecipient must keep records of the source and use of contributions made to satisfy the matching requirement in 24 CFR 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 subrecipient must keep records to show compliance with the organizational conflicts-of-interest requirements in 24 CFR 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 24 CFR 576.404(b), and records supporting exceptions to the personal conflicts of interest prohibitions.

- (Q) *Homeless participation.* The subrecipient must document its compliance with the homeless participation requirements under 24 CFR 576.405.
- (R) *Faith-based activities.* The subrecipient must document their compliance with the faith-based activities requirements under 24 CFR 576.406.
- (S) *Other Federal requirements.* The subrecipient must document their compliance with the Federal requirements in 24 CFR 576.407, as applicable, including:
 - (1) Records demonstrating compliance with the nondiscrimination and equal opportunity requirements under 24 CFR 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 24 CFR 576.407(b).
 - (2) Records demonstrating compliance with the uniform administrative requirements in 2 CFR part 200.
 - (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 24 CFR 576.408.
- (U) *Financial records.*
 - (1) The subrecipient must retain supporting documentation for all costs charged to the ESG grant.
 - (2) The subrecipient must keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under 24 CFR 576.101 - 576.109, financial management in 2 CFR 200.302, and the cost principles in 2 CFR 200, subpart E.
 - (3) The subrecipient must retain records of the receipt and use of program income.
 - (4) The subrecipient must keep documentation of compliance with the expenditure limits in 24 CFR 576.100 and the expenditure deadline in 24 CFR 576.203.

(V) *Contractors*

- (1) The subrecipient must retain copies of all solicitations of and agreements with contractors, records of all payment requests by and dates of payments made to contractors, and documentation of all monitoring and sanctions of contractors, as applicable.
- (2) The subrecipient must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in the the City Fiscal Policy and Procedural Manual.
- (3) The subrecipient must ensure that its contractors comply with the recordkeeping requirements specified by the subrecipient and HUD notice or regulations.

(W) *Other records specified by HUD.* The subrecipient must keep other records specified by HUD.

(X) *Confidentiality*

- (1) The subrecipient 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 pre existing privacy policy of the subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.
- (2) The confidentiality procedures of the subrecipient 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 (x) of this section, subrecipients must comply with the requirements for access to records in 2 CFR 200.336.
 - (2) *Public rights.* The subrecipient 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 subrecipient received during the preceding 5 years.
- (AA) *Reports.* The subrecipient 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 subrecipient must also comply with the reporting requirements in 2 CFR part 200 and 24 CFR part 91 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.

The City recommends that participant records are kept in files that are sectioned for organizational purposes.

Enforcement (24 CFR 576.501)

The City will perform monitoring activities as follows:

- All shelters will be monitored annually.
- All homeless prevention and rapid re-housing programs will be monitored every other year.
- All subrecipients will be fiscally monitored throughout the program year..
- All new subrecipients to the ESG program will be monitored during the program year.
- Case files will be reviewed as part of the monitoring process, 10% of program case files or a max of 30 files will be reviewed.
- Executive Orders dated July 14, 1983, directs the Minority Business Development Plans shall be developed by each Federal Agency and the these annual plans shall establish minority business development objectives. The information is used by HUD to monitor and evaluate MBE activities against the total program activity and the designated minority business enterprise (MBE) goals. The Department requires the information to provide guidance and oversight for programs for the development of minority business enterprises concerning Minority Business Development. If the information is not collected HUD would not be able to establish meaningful MBE goals nor evaluate MBE performance against these goals.

In conducting performance reviews, the City will rely primarily on information obtained from the records and reports from the subrecipient and as well as information from onsite monitoring, audit reports, and information from IDIS and HMIS. Where applicable, the City may also consider reliant information pertaining to the subrecipient's performance gained from other sources, including citizen comments, complaint determinations, and litigation. Reviews to determine compliance with specific requirements of this part will be conducted as necessary, with or without prior notice to the subrecipient.

(1) If the City determines preliminarily that one of its subrecipients has not complied with an ESG program requirement, the City will give notice of this determination and an opportunity to demonstrate, within the time prescribed by the City and on the basis of substantial facts and data, that the subrecipient has complied with ESG requirements.

(2) If the subrecipient fails to demonstrate to the City's satisfaction that the activities were carried out in compliance with ESG program requirements, the City will take one or more of the remedial actions or sanctions specified in paragraph (b) of this section.

(a) *Remedial actions and sanctions.* Remedial actions and sanctions for a failure to meet an ESG program requirement will be designed to prevent a continuation of the deficiency; mitigate, to the extent possible, its adverse effects or consequences; and prevent its recurrence.

(1) HUD may instruct the subrecipient to submit and comply with proposals for action to correct, mitigate, and prevent noncompliance with ESG requirements, including:

- (i) Preparing and following a schedule of actions for carrying out activities affected by the noncompliance, including schedules, timetables, and milestones necessary to implement the affected activities;

- (ii) Establishing and following a management plan that assigns responsibilities for carrying out the remedial actions;
- (iii) Canceling or revising activities likely to be affected by the noncompliance, before expending ESG funds for the activities;
- (iv) Reprogramming ESG funds that have not yet been expended from affected activities to other eligible activities;
- (v) Suspending disbursement of ESG funds for some or all activities;
- (vi) Reducing or terminating the remaining grant of a subrecipient and reallocating those funds to other subrecipients; and
- (vii) Making matching contributions before or as draws are made from the subrecipient's ESG grant.

(2) HUD may change the method of payment to a reimbursement basis.

(3) HUD may suspend payments to the extent HUD deems it necessary to preclude the further expenditure of funds for affected activities.

(4) HUD may remove the subrecipient from participation in reallocations of funds under subpart D of this part.

(5) HUD may deny matching credit for all or part of the cost of the affected activities and require the subrecipient to make further matching contributions to make up for the contribution determined to be ineligible.

(6) HUD may require the subrecipient to reimburse its line of credit in an amount equal to the funds used for the affected activities.

(7) HUD may reduce or terminate the remaining grant of a subrecipient and reallocate those funds to other subrecipients in accordance with subpart D of this part.

(8) HUD may condition a future grant.

(9) HUD may take other remedies that are legally available.

(b) *Subrecipient sanctions.* If the City determines that a subrecipient is not complying with an ESG program requirement or its subgrantee agreement, the City will take appropriate actions, as prescribed for HUD in paragraphs (a) and (b) of this section. If funds become available as a result of an action under this section, the City must reallocate those funds to other subrecipients as soon as practicable. If the subrecipient is a unit of general purpose local government of territory, it must either reallocate those funds to other subrecipients or reprogram the funds for other activities to be carried out by the subrecipient as soon as practicable. The City will amend its Consolidated Plan in accordance with its citizenship participation plan if funds become available and are reallocated or reprogrammed under this section. The reallocated or reprogrammed funds must be used by the expenditure deadline in 24 CFR 576.203.

V. ESG Forms

ESG forms can be downloaded from the City website below:

<http://reno.gov>

My HUD Exchange

Request technical assistance, access the CPD Income Eligibility Calculator, register for HUD training(s), access online training, view your training transcript and more at: <https://www.hudexchange.info/hudexchange-portal/?display=login&returnURL=https%3A%2F%2Fwww%2Ehudexchange%2Einfo%2Fhudexchange%2Dportal%2F>

**Standards for the Emergency Solutions Grant Program (ESG) under the Coronavirus Aid,
Relief, and Economic Security Act (CARES Act)**

AMENDMENT

Annual Action Plan
2023

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Introduction

The CARES Act appropriated a total of \$4 billion in supplemental ESG CARES Act funding (ESG-CV) nationwide. The U.S. Department of Housing and Urban Development (HUD) awarded the State of Nebraska \$8.5 million to prevent, prepare for, and respond to COVID-19 among individuals and families who are at risk of or presently experiencing homelessness as a result of the COVID-19 pandemic. These policies will be in place until such time as determined to no longer be necessary by the U.S. Department of Housing and Urban Development.

Outlined below are the standards for each component type allowed under ESG-CV programming. Unless exceptions are outlined below, all other requirements outlined in the Balance of State Continuum of Care/ESG Written Standards shall apply.

Guiding Principles

Low Barrier

Individuals and families experiencing homelessness must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, rental assistance, or other services provided with ESG-CV funds. Program participants cannot be required to sign leases or occupancy agreements, receive treatment, receive drug testing, receive COVID-19 testing, or perform any other prerequisite activities as a condition of staying in any shelter or receiving services.

Applicable Rules

Program Income

Program income includes any amount of a security or utility deposit returned to the recipient or sub recipient, as provided by 24 CFR 576.2. For ESG-CV funding, program income may be treated as an addition to the non-profit organization's grant, provided that the program income is used in accordance with the purposes and conditions of that grant or sub grant. Otherwise, program income must be deducted from allowable costs as provided by 2 CFR 200.307(e)(1). Costs that are incidental to

generating program income and not charged to the ESG-CV sub grant may be deducted from gross income to determine program income, as allowed under 2 CFR 200.307(b).

Homeless Prevention Standards

1. ESG-CV Additional Eligible Activities for Homeless Prevention:

a. Infectious Disease Prevention Training: ESG-CV funds may be used for training on infectious disease prevention and mitigation for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homelessness. Infectious Disease Prevention Training costs must be tracked separately.

b. Hazard Pay: ESG-CV funds may be used to provide hazard pay for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homelessness. Examples of staff working directly in support of coronavirus response include staff providing essential services (e.g., outpatient health, outpatient

mental health, and housing navigators), staff working in proximity to persons with coronavirus, or staff working in locations with a high likelihood of contracting coronavirus.

c. Landlord Incentives: ESG-CV funds may be used to pay landlord incentives, as is reasonable and necessary, to obtain housing for individuals and families experiencing homelessness and at risk of homelessness. ESG-CV funds may not be used to pay landlord incentives in an amount that exceeds three times the rent charged for the unit. Eligible landlord incentive costs include:

- i. Signing bonuses equal to up to 2 months of rent
- ii. Security deposits equal to up to 3 months of rent
- iii. Paying the cost to repair damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in the unit
- iv. Paying the costs of extra cleaning or maintenance of a program participant's unit or appliances

d. Volunteer Incentives: ESG-CV funds may be used to pay for the cost of providing reasonable incentives to volunteers (e.g., cash or gift cards), who are helping to provide necessary essential services or housing relocation and stabilization services during the coronavirus outbreak. The provision to allow the payment for reasonable volunteer incentive costs will increase the number of people available to provide the needed services and connections to housing for individuals and families experiencing

homelessness to prevent the spread of coronavirus. In addition, this provision acknowledges that the normal volunteer pool available to grantees may not be available.

2. Participant Eligibility:

People who qualify as “at risk of homelessness”, based on categories (2 or 4) of the “homeless” definition or the “at risk of homelessness” definition found at 24 CFR 576.2, and have annual income below 50% of the Area Median Income (AMI), are eligible for the following services, in compliance with federal ESG rules (24 CFR 576.103, 576.105, 576.106):

a. Financial Assistance: moving costs, rental application fees, security deposits, last month’s rent, utility deposits, utility payments

b. Housing Relocation and Stabilization Services: housing search/placement, housing stability case management, mediation and legal services, credit repair/budgeting/money management

c. Rental Assistance: Short-term (up to 3 months) and medium-term (4-24 months) rental assistance

3. Participant Contribution:

Minimum standards for determining what percentage or amount of rent and utilities costs each program participant shall pay while receiving homelessness prevention assistance are:

a. Participant’s income shall be verified prior to approval for initial and additional financial assistance. Documentation of the participant’s income and expenses, including how the participant is contributing to housing costs (if at all) shall be maintained in the participant’s file. This file shall also contain a plan to sustain housing following the assistance, including either a plan to increase income, decrease expenses, or both.

b. Participants are not required to contribute rent. Providers funded under ESG-CV may pay up to 100 percent of the reasonable rent and utility costs for program participants. Providers may, at their discretion, choose to impose rental charges on participants.

c. Any additional requirements regarding the percentage or amount of rent and utility costs each program participant shall pay shall be determined by the individual service provider's policies and be clearly communicated to program participants.

4. Service Type, Amount, and Duration Standards:

a. Financial Assistance:

i. Use with other subsidies: Payment for Financial Assistance costs shall not be provided to a participant who is receiving the same type of financial assistance through other public sources, except for a one-time payment of rental arrears. on the tenant's portion of the rental payment or deposit for subsidized housing.

ii. Rental application fees: Payment shall only be made for fees charged by the owner to all applicants.

iii. Security deposits: Payment shall not exceed 3 month's rent.

iv. Last month's rent: Payment shall not exceed 1 month's rent and shall be included in calculating the participant's total rental assistance.

v. Utility deposits: Payment shall only be made for gas, electric, water and sewage deposits.

vi. Utility payments:

(1) A partial payment counts as 1 month.

(2) Payment shall only be made if the utility account is in the name of the participant or a member of the same household.

(3) Payment shall only be made for gas, electric, water and sewage costs.

(4) Participants shall not receive more than 24 months of utility assistance within any 3-year period.

(5) Payments may include up to 6 months of utility payments in arrears, per service.

vii. Moving costs: Reasonable one-time moving expenses are eligible.

b. Housing Relocation and Stabilization Services:

i. Payment for housing relocation and stabilization services will not exceed 24 months in any 36 month period (24 CFR 576.105(c)), except for program participants who reach their 24 month maximum during the period beginning on January 21, 2020 and ending February 28, 2021. Housing relocation and

stabilization services shall only be extended for a maximum of an additional 6 months. (Notice: CPD-20-08)

ii. Housing search and placement services: Payment shall only be made for assisting participants to locate, obtain and retain suitable permanent housing through the provision of the following services:

- (1) Assessment of housing barriers, needs and preferences
- (2) Development of an action plan for locating housing
- (3) Housing search
- (4) Outreach to and negotiation with owners
- (5) Assistance with submitting rental applications and understanding leases
- (6) Assessment of housing for compliance with ESG housing standards, lead-based paint and rent reasonableness
- (7) Assistance with obtaining utilities and making moving arrangements

iii. Housing stability case management: Payment shall only be made for assessing, arranging, coordinating and monitoring the delivery of individualized services to facilitate housing stability for a participant who resides in permanent housing or to assist a participant in overcoming immediate barriers to obtaining housing through the provision of the following services:

- (1) Using the All Doors Lead Home Coordinated Entry System
- (2) Conducting the initial evaluation, including verifying and documenting participant eligibility
- (3) Counseling
- (4) Developing, securing and coordinating services and obtaining Federal, State and local benefits
- (5) Monitoring and evaluating participant progress
- (6) Providing information and referral to other providers
- (7) Developing an individualized housing and service plan
- (8) Conducting re-evaluations

Payment for housing stability case management services provided while the participant is seeking permanent housing shall not exceed 30 days.

iv. Mediation: Payment shall only be made for the cost of mediation between the participant and the owner or person with whom the participant is living, if it is necessary to prevent the participant from losing the permanent housing where he or she resides.

v. Legal services: The Nebraska Homeless Assistance Program (NHAP) contracts with Legal Aid of Nebraska to provide legal services for individuals assisted with NHAP funds. Legal Aid of Nebraska only assists with legal problems that prohibit the participant from obtaining permanent housing or will likely result in the participant losing the permanent housing where he or she resides. Assistance may NOT be provided for immigration, citizenship or mortgage related matters. Payment arrangements may NOT include retainer or contingency fee agreements. Eligible subject matters for legal services include child support, guardianship, paternity, emancipation, legal separation, orders of protection for victims of domestic violence, appeal of benefit claim denials, landlord tenant disputes and resolution of outstanding criminal warrants.

vi. Credit repair: Payment shall only be made for the cost of assisting the participant in obtaining skills related to household budgeting, managing money, accessing a free personal credit report and resolving personal credit problems. Payment will not be made for a debt or modification of a debt.

vii. Any additional requirements regarding the type, amount, and duration of housing stabilization and/or relocation services that will be provided to a program participant, including any limitations shall be determined by the individual service provider's policies and clearly communicated to program participants.

c. Rental Assistance:

i. Payment for short-term rental assistance shall not exceed 3 months.

ii. Payment for medium-term rental assistance shall be for more than 3 months, but shall not exceed 24 months.

iii. Rental assistance shall not exceed 24 months in any 36 month period (24 CFR 576.105(c)), except for program participants who reach their 24-month maximum during the period beginning on January 21, 2020 and ending February 28, 2021. Rental assistance shall only be extended for a maximum of an additional 6 months. (Notice: CPD-20-08)

iv. Minimum standards for determining the duration of rental assistance:

(1) Approve the minimum amount of financial assistance necessary to prevent homelessness.

(2) Documentation of financial need shall be kept in the participant's file for each month of financial assistance received.

(3) Participants shall not be approved for more rental assistance than can be justified given their income and expenses at a given time.

(4) Initial rental assistance shall be granted per the individual service provider's written policies and protocols.

(5) Additional requirements regarding rental assistance and adjustments shall be determined by the individual service provider's policies and clearly communicated to program participants.

v. Payment for rent arrears shall not exceed 6 months and shall be a one-time payment, including any late fees.

vi. Except for a one-time payment of rental arrears on the participant's portion, payment shall not be provided to a participant who is receiving tenant-based rental assistance or living in a unit receiving project-based assistance.

vii. Rent amount must meet the HUD standard for rent reasonableness (24 CFR 982.507). Per CPD-20-08 Notice, fair market rent requirements are waived for ESG-CV funds. There must be a rental agreement between the landlord and agency and a written lease between tenant and landlord. (NOT ALLOWABLE: mortgage and mortgage arrearage payments)

viii. Calculation of the rental payment amount shall only include monthly rent for the unit, any occupancy fees under the lease (except for pet and late fees) and if the participant pays separately for utilities, the monthly utility allowance established by the public housing authority for the area in which the housing is located.

ix. Payment shall only be made when there is a rental assistance agreement between the agency and the owner. The agreement will include the terms under which rental assistance will be provided, including:

(1) A requirement that the owner provide the sub recipient with a copy of any notice to vacate given to the participant or any complaint used to commence an eviction action;

(2) Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking that apply to tenants and applicants under 24 CFR part 5, subpart L;

(3) The same payment due date, grace period and late payment penalty requirement as the participant's lease.

x. Payment of any late payment penalties incurred by the agency shall not be claimed for reimbursement.

xi. Payment shall only be made when there is a legally binding written lease for the rental unit between the participant and the owner, except for payment of rental arrears.

xii. Payment shall only be made for units that have been inspected for ESG Habitability Standards and re-inspected no less frequently than annually. Rental assistance shall not be paid on behalf of any unit that does not meet ESG Habitability Standards.

(1) Inspections may be conducted via photos or video conference. There is not a requirement that ESG Habitability Standard inspections be conducted in-person.

xiii. Tenant-Based Rental Assistance: The rental assistance agreement with the unit owner shall be terminated without further payment if:

(1) The participant moves out of the unit;

(2) The lease terminates and is not renewed; or

(3) The participant becomes ineligible to receive ESG rental assistance

xiv. Project-Based Rental Assistance: Payment shall only be made under the following conditions:

- (1) The lease has an initial term of one year;
- (2) The rental assistance agreement covers one or more permanent housing units in the same building;
- (3) Each unit covered by the agreement is only occupied by participants; and,
- (4) Payment will only be made for up to 100% of the first month's rent, if the participant signs a lease and moves into the unit before the end of the month.

5. Re-evaluations:

Following the minimum standards for completing eligibility, participants shall be re-evaluated not less than once every 3 months.

Street Outreach Standards

1. ESG-CV Additional Eligible Activities for Street Outreach:

a. Handwashing Stations and Portable Bathrooms: ESG-CV funds may be used to pay for installing and maintaining handwashing stations and bathrooms (e.g. portable toilets) in outdoor locations for people experiencing unsheltered homelessness. Allowing ESG-CV funds to pay for the costs of handwashing stations and bathroom facilities will help prevent the spread of coronavirus by providing people living in unsheltered locations regular access to bathrooms and the ability to wash their hands.

b. Infectious Disease Prevention Training: ESG-CV funds may be used for training on infectious disease prevention and mitigation for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homelessness. Infectious Disease Prevention Training costs must be tracked separately.

c. Hazard Pay: ESG-CV funds may be used to provide hazard pay for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homelessness. Examples of staff working directly in support of coronavirus response include street outreach teams, staff working in proximity to persons with

coronavirus, or staff working in locations with a high likelihood of contracting coronavirus.

d. Volunteer Incentives: ESG-CV funds may be used to pay for the cost of providing reasonable incentives to volunteers (e.g., cash or gift cards), who are helping to provide necessary essential services

or housing relocation and stabilization services during the coronavirus outbreak. The provision to allow the payment for reasonable volunteer incentive costs will increase the number of people available to provide the needed services and connections to housing for individuals and families experiencing homelessness to prevent the spread of coronavirus. In addition, this provision acknowledges that the normal volunteer pool available to grantees may not be available.

2. Participant Eligibility:

People who qualify as “unsheltered homeless”, based on category (1)(i) of the “homeless” definition found at 24 CFR 576.2, are eligible for the following activities in compliance with federal ESG rules (24 CFR 576.101): engagement; case management; emergency health and mental health services; transportation; and provision of handwashing stations and portable bathrooms.

3. Service Provision:

Street outreach workers are often the initial point of contact, have the ability to maintain contact throughout the process and connect individuals with mainstream resources and community based services as needed. Street outreach services include:

- a. Educating and training on the process of Coordinated Entry, how to perform the initial standardized assessment and how to make referrals.
- b. Maintaining contact and open communication regarding housing status and resources being utilized.
- c. Providing assistance to those unsheltered who may be in need of additional supports.
- d. Installation and maintenance of handwashing stations and portable bathrooms in outdoor locations for people experiencing unsheltered homelessness.

Emergency Shelter Standards

1. ESG-CV Additional Eligible Activities for Emergency Shelter:

- a. Infectious Disease Prevention Training: ESG-CV funds may be used for training on infectious disease prevention and mitigation for staff working directly to prevent, prepare for, and respond to

coronavirus among persons who are homeless or at risk of homelessness. Infectious Disease Prevention Training costs must be tracked separately.

b. Hazard Pay: ESG-CV funds may be used to provide hazard pay for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homelessness. Examples of staff working directly in support of coronavirus response include emergency shelter intake, maintenance, and security staff, as well as staff working in proximity to persons with coronavirus or working in locations with a high likelihood of contracting coronavirus.

c. Volunteer Incentives: ESG-CV funds may be used to pay for the cost of providing reasonable incentives to volunteers (e.g., cash or gift cards), who are helping to provide necessary essential services or housing relocation and stabilization services during the

coronavirus outbreak. The provision to allow the payment for reasonable volunteer incentive costs will increase the number of people available to provide the needed services and connections to housing for individuals and families experiencing homelessness to prevent the spread of coronavirus. In addition, this provision acknowledges that the normal volunteer pool available to grantees may not be available.

4. Participant Eligibility:

People who qualify as “homeless”, based on categories (1, 2, or 4) of the “homeless” definition found at 24 CFR 576.2, are eligible for the following activities in compliance with federal ESG rules (24 CFR 576.102): case management; child care; education, employment and life skills services; legal services (not allowable: mortgage and mortgage arrearage payments); health, mental health and substance abuse services; and transportation.

5. Minimum Standards:

a. Admission: Providers of Emergency Shelter services shall admit individuals and families who meet the HUD definition of “homeless,” as specified in 24 CFR 576.2 (1, 2, & 4) and the agency’s eligibility criteria.

b. Assessment: Individuals and families shall be offered an initial evaluation to determine eligibility for ESG assistance, as well as the amount and types of assistance needed to regain stability in permanent housing.

c. The following Emergency Shelter services may be provided as needed and appropriate: case management; childcare; education services; employment assistance and job training; outpatient health services; legal services; life skills training; mental health services; substance abuse treatment services; transportation; and services for special populations.

d. Prioritization/Diversion/Referral: Permanent housing shall be prioritized for individuals who are literally homeless. When appropriate, based on the individual’s needs and wishes, a referral to Rapid

Rehousing services shall be made quickly to assist individuals in obtaining safe and appropriate housing. Referrals to Transitional Housing shall be made for transitional aged youth, individuals fleeing domestic violence, individuals re-entering from institutions, individuals recovering from substance abuse, or other individuals with transitional housing needs.

e. Reassessment: Program participants will be reassessed as case management progresses, based on the individual service provider's policies.

f. Discharge/Length of Stay: Program participants shall be discharged from Emergency Shelter services when they choose to leave or when they have successfully obtained safe, permanent housing. Any length of stay limitations shall be determined by the individual service provider's policies and shall be clearly communicated to program participants. Providers of shelter services are strongly encouraged not to discharge individuals and families who have not secured permanent housing.

g. Safety and Shelter Safeguards for Special Populations: Safety and shelter safeguards shall be determined by the provider's special population policies and shall be clearly communicated to program participants.

Rapid Rehousing Standards

1. ESG-CV Additional Eligible Activities for Homeless Prevention:

a. Infectious Disease Prevention Training: ESG-CV funds may be used for training on infectious disease prevention and mitigation for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homelessness. Infectious Disease Prevention Training costs must be tracked separately.

b. Hazard Pay: ESG-CV funds may be used to provide hazard pay for staff working directly to prevent, prepare for, and respond to coronavirus among persons who are homeless or at risk of homelessness. Examples of staff working directly in support of coronavirus response include staff providing essential services (e.g. outpatient health, outpatient mental health, and housing navigators), staff working in proximity to persons with coronavirus, or staff working in locations with a high likelihood of contracting coronavirus.

c. Landlord Incentives: ESG-CV funds may be used to pay landlord incentives, as is reasonable and necessary, to obtain housing for individuals and families experiencing homelessness and at risk of homelessness. ESG-CV funds may not be used to pay landlord incentives in an amount that exceeds three times the rent charged for the unit. Eligible landlord incentive costs include:

- i. Signing bonuses equal to up to 2 months of rent
- ii. Security deposits equal to up to 3 months of rent

iii. Paying the cost to repair damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in the unit

iv. Paying the costs of extra cleaning or maintenance of a program participant's unit or appliances

d. Volunteer Incentives: ESG-CV funds may be used to pay for the cost of providing reasonable incentives to volunteers (e.g., cash or gift cards), who are helping to provide necessary essential services or housing relocation and stabilization services during the coronavirus outbreak. The provision to allow the payment for reasonable volunteer incentive costs will increase the number of people available to provide the needed services and connections to housing for individuals and families experiencing homelessness to prevent the spread of coronavirus. In addition, this provision acknowledges that the normal volunteer pool available to grantees may not be available.

2. Participant Eligibility:

To be eligible for rapid rehousing services individuals must be "homeless", based on category 1 of the "homeless" definition found at 24 CFR 576.2. In addition, to be eligible for the following activities, individuals must be moving into a housing unit that meets ESG standards for permanent housing (24 CFR 576.403(c)) and lead-based paint standards (24 CFR 576.403(a)) in compliance with federal ESG (24 CFR 576.104, 576.105, 576.106):

a. Financial Assistance: moving costs, rental application fees, security deposits, last month's rent, utility deposits, utility payments

b. Housing Relocation and Stabilization Services: housing search/placement, housing stability case management, mediation and legal services, credit repair/budgeting/money management

c. Rental Assistance: Short-term (up to 3 months) and medium-term (4-24 months) rental assistance

3. Contribution:

Minimum standards for determining what percentage or amount of rent and utilities costs each program participant shall pay while receiving rapid rehousing assistance are:

a. Participant's income shall be verified prior to approval for initial and additional financial assistance. Documentation of the participant's income and expenses, including how the participant is

contributing to housing costs, if at all, shall be maintained in the participant's file. This file shall also contain a plan to sustain housing following the assistance, including either a plan to increase income, decrease expenses, or both.

b. Participants are not required to contribute rent. Providers funded under ESG-CV may pay up to 100 percent of the reasonable rent and utility costs for program participants. Providers may, at their discretion, choose to impose rental charges on participants.

c. Any additional requirements regarding the percentage or amount of rent and utilities costs each program participant shall pay shall be determined by the individual service provider's policies and clearly communicated to program participants.

4. Service Type, Amount, and Duration:

a. Financial Assistance:

i. Use with other subsidies: Payment for Financial Assistance costs shall not be provided to a participant who is receiving the same type of financial assistance through other public sources except for a one-time payment of rental arrears on the tenant's portion of the rental payment or deposit for subsidized housing.

ii. Rental application fees: Payment shall only be made for fees charged by the owner to all applicants.

iii. Security deposits: Payment shall not exceed 3 month's rent.

iv. Last month's rent: Payment shall not exceed 1 month's rent and shall be included in calculating the participant's total rental assistance.

v. Utility deposits: Payment shall only be made for gas, electric, water and sewage deposits.

vi. Utility payments:

(1) Payment shall not exceed 24 months per participant, including no more than 6 months of utility payments in arrears, per service.

(2) A partial payment counts as 1 month.

(3) Payment shall only be made if the utility account is in the name of the participant or a member of the same household.

(4) Payment shall only be made for gas, electric, water and sewage costs.

vii. Moving costs: reasonable one-time moving expenses are eligible.

b. Housing Relocation and Stabilization Services:

i. Payment for housing relocation and stabilization services will not exceed 24 months in any 36 month period (24 CFR 576.105(c)), except for program participants who reach their 24-month maximum during the period beginning on January 21, 2020 and ending February 28, 2021. Assistance under this section shall only be extended for a maximum of an additional 6 months. (Notice: CPD-20-08)

ii. Housing search and placement services: Payment shall only be made for assisting participants to locate, obtain and retain suitable permanent housing through provision of the following services:

- (1) Assessment of housing barriers, needs and preferences
- (2) Development of an action plan for locating housing
- (3) Housing search
- (4) Outreach to and negotiation with owners
- (5) Assistance with submitting rental applications and understanding leases
- (6) Assessment of housing for compliance with ESG standards for permanent housing, lead-based paint remediation and disclosure, and rent reasonableness
- (7) Assistance with obtaining utilities and making moving arrangements

iii. Housing stability case management: Payment shall only be made for assessing, arranging, coordinating and monitoring the delivery of individualized services to facilitate housing stability for a participant who resides in permanent housing or to assist a participant in overcoming immediate barriers to obtaining housing through provision of the following services:

- (1) Using the All Doors Lead Home Coordinated Entry System
- (2) Conducting the initial evaluation, including verifying and documenting participant eligibility
- (3) Counseling
- (4) Developing, securing and coordinating services and obtaining Federal, State and local benefits
- (5) Monitoring and evaluating participant progress
- (6) Providing information and referral to other providers
- (7) Developing an individualized housing and service plan
- (8) Conducting re-evaluations

Payment for housing stability case management services provided while the participant is seeking permanent housing shall not exceed 30 days.

iv. Mediation: Payment shall only be made for the cost of mediation between the participant and the owner or person with whom the participant is living, if it is necessary to prevent the participant from losing the permanent housing where he/she resides.

v. Legal services: Payment shall only be made for the cost of legal services, if they are necessary to resolve a legal problem that prohibits the participant from obtaining permanent housing or will likely result in the participant losing the permanent housing where he/she resides. Assistance may NOT be provided for immigration, citizenship or mortgage related matters. Payment arrangements may NOT include retainer or contingency fee agreements. Eligible subject matters for legal services include child support, guardianship, paternity, emancipation, legal separation, orders of protection for victims of domestic violence, appeal of benefit claim denials, landlord tenant disputes and resolution of outstanding criminal warrants. Only approved Legal Services provider through NHAP can provide ESG legal services.

vi. Credit repair: Payment shall only be made for the cost of assisting the participant in obtaining skills related to household budgeting, managing money, accessing a free personal credit report and resolving personal credit problems. Payment will not be made for a debt or modification of a debt.

vii. Any additional requirements regarding the type, amount, and duration of housing stabilization and/or relocation services that will be provided to a program participant, including any limitations shall be determined by the individual service provider's policies and clearly communicated to program participants.

c. Rental Assistance:

i. Payment for short-term rental assistance shall not exceed 3 months.

ii. Payment for medium-term rental assistance shall be for more than 3 months, but shall not exceed 24 months.

iii. Rental assistance will not exceed 24 months in any 36 month period (24 CFR 576.105(c)), except for program participants who reach their 24-month maximum during the period beginning on January 21, 2020 and ending February 28, 2021. Rental assistance shall only be extended for a maximum of an additional 6 months. (Notice: CPD-20-08)

iv. Minimum standards for determining the duration of rental assistance:

(1) Approve the minimum amount of financial assistance necessary to prevent homelessness.

(2) Documentation of financial need shall be kept in the participant's file for each month of financial assistance received.

(3) Participants shall not be approved for more rental assistance than can be justified given their income and expenses at a given time.

(4) Initial rental assistance shall be granted per the individual service provider's written policies and protocols.

(5) Additional requirements regarding rental assistance and adjustments shall be determined by the individual service provider's policies and clearly communicated to program participants.

v. Payment for rent arrears shall not exceed 6 months and shall be a one-time payment, including any late fees.

vi. Except for a one-time payment of rental arrears on the participant's portion, payment shall not be provided to a participant who is receiving tenant-based rental assistance or living in a unit receiving project-based assistance.

vii. Payment shall comply with HUD's standard of rent reasonableness (24 CFR 982.507).

viii. Calculation of the rental payment amount shall only include monthly rent for the unit, any occupancy fees under the lease (except for pet and late fees) and if the participant pays separately for utilities, the monthly utility allowance established by the public housing authority for the area in which the housing is located.

ix. Payment shall only be made when there is a rental assistance agreement between the agency and the owner. The agreement will include the terms under which rental assistance will be provided, including:

(1) A requirement that the owner provide the sub recipient with a copy of any notice to vacate given to the participant or any complaint used to commence an eviction action;

(2) Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking that apply to tenants and applicants under 24 CFR part 5, subpart L; and

(3) The same payment due date, grace period and late payment penalty requirement as the participant's lease.

ix. Payment of any late payment penalties incurred by the agency shall not be claimed for reimbursement.

x. Payment shall only be made when there is a legally binding, written lease for the rental unit between the participant and the owner, except for payment of rental arrears.

xi. Payment shall only be made for units that have been inspected for ESG Habitability Standards and re-inspected no less frequently than annually. Rental assistance shall not be paid on behalf of any unit that does not meet ESG Habitability Standards.

xii. Tenant-Based Rental Assistance: The rental assistance agreement with the unit owner shall be terminated without further payment if:

- (1) The participant moves out of the unit;
- (2) The lease terminates and is not renewed; or
- (3) The participant becomes ineligible to receive ESG rental assistance.

xiii. Project-Based Rental Assistance Payment shall only be made under the following conditions:

- (1) The lease has an initial term of 1 year;
- (2) The rental assistance agreement covers one or more permanent housing units in the same building; and
- (3) Each unit covered by the agreement is only occupied by participants.

xiv. Payment will only be made for up to 100% of the first month's rent, if the participant signs a lease and moves into the unit before the end of the month.

5. Re-evaluations:

The minimum standards for completing eligibility re-evaluations requires that participants shall be re-evaluated not less than once annually.

