



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**  
**CONTRACTS / AWARDS / GRANTS**

☐ Award ☐ Contract ☒ Grant

Requested Board Meeting Date: May 18, 2021

\* = Mandatory, information must be provided

or Procurement Director Award ☐

**\*Contractor/Vendor Name/Grantor (DBA):**

City of Tucson

**\*Project Title/Description:**

U.S. Department of Housing and Urban Development (HUD) Continuum of Care Program - Supportive Services- Coordinated Entry Project Intergovernmental Agreement (IGA) between the City of Tucson and Pima County.

**\*Purpose:**

Coordinated Entry is a City of Tucson project funded through the HUD Continuum of Care (CoC) grant program. The program reduces the number of individuals experiencing homelessness in Pima County. Funds will be used to provide outreach, job training, and employment placement activities for chronically homeless individuals. Executing this IGA will also provide Pima County the opportunity to participate in the local CoC community, thus strengthening funding and working relationships with local partners. The IGA is being amended as the exhibits have been revised.

Indirect costs: 10% de minimis

Attachment: IGA Contract No. 18910 between the City of Tucson and Pima County

**\*Procurement Method:**

Not applicable.

**\*Program Goals/Predicted Outcomes:**

The goal is to provide job training and employment opportunities for chronically homeless individuals to move into and retain stable housing.

**\*Public Benefit:**

The program reduces the number of individuals experiencing homelessness in Pima County.

**\*Metrics Available to Measure Performance:**

County will submit quarterly reports and performance measures reports to the City.

**\*Retroactive:**

Yes. County received the IGA from the City of Tucson on 10/30/20. After several revisions, the revised IGA was finalized on 4/23/2021. If the IGA is not approved, several chronically homeless individuals will not receive HUD CoC funds for supportive services.

*GM1 Approved 4.30.21 JLS*

Revised 5/2020

**Contract / Award Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_  
Commencement Date: \_\_\_\_\_ Termination Date: \_\_\_\_\_ Prior Contract Number (Synergen/CMS): \_\_\_\_\_  
☐ Expense Amount: \$\* \_\_\_\_\_ ☐ Revenue Amount: \$ \_\_\_\_\_

**\*Funding Source(s) required:**

Funding from General Fund? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

Contract is fully or partially funded with Federal Funds? ☐ Yes ☐ No

If Yes, is the Contract to a vendor or subrecipient? \_\_\_\_\_

Were insurance or indemnity clauses modified? ☐ Yes ☐ No

If Yes, attach Risk's approval.

Vendor is using a Social Security Number? ☐ Yes ☐ No

If Yes, attach the required form per Administrative Procedure 22-10.

**Amendment / Revised Award Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_  
Amendment No.: \_\_\_\_\_ AMS Version No.: \_\_\_\_\_  
Commencement Date: \_\_\_\_\_ New Termination Date: \_\_\_\_\_  
Prior Contract No. (Synergen/CMS): \_\_\_\_\_  
☐ Expense or ☐ Revenue ☐ Increase ☐ Decrease Amount This Amendment: \$ \_\_\_\_\_

Is there revenue included? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_

**\*Funding Source(s) required:**

Funding from General Fund? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

**Grant/Amendment Information** (for grants acceptance and awards)

☒ Award ☐ Amendment

Document Type: GTAW Department Code: CR Grant Number (i.e., 15-123): 21-139

Commencement Date: 10/1/20 Termination Date: 9/30/21 Amendment Number: \_\_\_\_\_

☒ Match Amount: \$ 11,025.00 ☒ Revenue Amount: \$ 44,100.00

**\*All Funding Source(s) required:** US Department of Housing & Urban Development (HUD)

**\*Match funding from General Fund?** ☒ Yes ☐ No If Yes \$ 11,025.00 % \_\_\_\_\_

**\*Match funding from other sources?** ☐ Yes ☐ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

**\*Funding Source:** \_\_\_\_\_

**\*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?**

Federal government HUD funds are passed through from the City of Tucson

Contact: Jenifer Darland/Rise Hart

Department: Community & Workforce Development Telephone: 724-7312/724-5723

Department Director Signature/Date: *David P. Allen* 4/28/21

Deputy County Administrator Signature/Date: *Joni* 4/29/21

County Administrator Signature/Date: *C. K. DeLubbery* 4/29/21  
(Required for Board Agenda/Addendum Items)

## **Continuum of Care Program Agreement** **INTERGOVERNMENTAL AGREEMENT FY19**

**THIS FINANCIAL PARTICIPATION AGREEMENT** is made and entered into by and between **The City of Tucson**, a municipal corporation of the State of Arizona, hereinafter referred to as the "**City**," and **Pima County**, a public body corporate of the State of Arizona, hereinafter referred to as "**the Subrecipient**" or "**the Agency**".

**WHEREAS**, it has been determined that the activities of the Agency are in the public interest, and are such as to improve and promote the public welfare of the City; and

**WHEREAS**, the Mayor and Council have determined that to financially participate in the promotion of the activities of the Agency is a public purpose in that the activities confer benefits of a general character to a significant part of the public; and

**WHEREAS**, the City applied for and received U.S Department of Housing and Urban Development (HUD) FY19 Continuum of Care Program funds totaling \$372,595.00 for the purposes of administering the Tucson/Pima County Supportive Services Only – Coordinated Entry project.

**WHEREAS**, the City entered into a Grant Agreement with HUD dated October 1, 2020.

**WHEREAS**, the parties are desirous of entering into an Agreement for the City to provide funds to the Agency for the provision of the Supportive Services Only- Coordinated Entry Project at the following locations: 400 E. 26<sup>th</sup> Street, Tucson, AZ 85713.

**WHEREAS**, the Agency is registered to do business with Federal agencies and Federal pass-through entities under DUNS #033738662 and has not been suspended or debarred.

**NOW THEREFORE**, in consideration of the mutual promises and considerations set forth below, the parties agree to the following:

### **CONTRACT TERMS**

**NATURE OF AGREEMENT:** This financial participation agreement constitutes a subaward of Federal funds under Federal Award Identification Number AZ0210L9T011900.

**SCOPE OF SERVICES:** The Subrecipient shall provide the services and activities described in Exhibit A.

**LENGTH OF AGREEMENT:** The term of this Agreement shall run from October 1, 2020 to September 30, 2021. The City may, at its discretion, extend the term of this agreement upon mutual written agreement of both parties and subject to continued availability of Federal funds. The total duration of this contract, including the exercise of any options under this clause, shall not exceed five years.

**CONTRACT AMOUNT:** The City shall pay the Agency the sum of **\$44,100**, the total amount of Federal Funds obligated to the Agency through this and all Continuum of Care Program Supportive Service Only - Coordinated Entry Project actions.

**INDIRECT COSTS:** Indirect costs shall be reimbursed at the Agency's federally negotiated indirect cost rate pursuant to 2 CFR 200(a)(4) up to an amount not to exceed HUD administrative cost limits defined in 24 CFR 578.59.

**CONTRACT NUMBER: 18910**

**SOURCE OF FUNDS:** U.S. Department of Housing and Urban Development Continuum of Care Program (CFDA# 14.267), eligibility citation 24 CFR 578.53 (supportive services).

The Agency shall acknowledge the City of Tucson and funding source(s) in any program materials developed for the purpose of marketing and outreach.

**PROJECT NUMBER:** AZ0210L9T011900

**FEDERAL AWARD DATE:** October 1, 2020.

**ARBITRATION:** In the event of litigation, as required by A.R.S. § 12-1518, the parties agree to make use of arbitration in all contracts that are subject to mandatory arbitration pursuant to rules adopted under A.R.S. § 12-133.

**AGREEMENT DOCUMENTS:** The following list constitutes the Contract Documents incorporated as a part of this Agreement:

General Conditions of the Contract

|           |   |
|-----------|---|
| Exhibit A | Scope Services  |
| Exhibit B | Quarterly Report  |
| Exhibit C | Project Budget  |
| Exhibit D | Payment Request Form  |
| Exhibit E | EEO Form  |
| Exhibit F | De Minimis Indirect Cost Rate Certification                             |
| Exhibit G | FY19 Continuum of Care Program Notice of Funding Availability.          |
| Exhibit H | Tucson Pima Continuum of Care Written Standards                         |
| Exhibit I | Tucson Pima Continuum of Care HMIS Policies and Procedures              |
| Exhibit J | Tucson Pima Continuum of Care Coordinated Entry Policies and Procedures |
| Exhibit K | Continuum of Care Interim Rule (24 CFR 578)                             |

**HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT PROJECT COORDINATOR** for this project is **Kat Jacobs, Planning & Community Development Division**, whose phone number is **520-609-8459**.

THIS AGREEMENT SHALL BE EXECUTED IN COUNTERPARTS.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement:

CITY OF TUCSON

\_\_\_\_\_  
Reviewed and Approved by Liz Morales,  
Director and not Personally

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

\_\_\_\_\_  
Executed by Mayor of Tucson and not Personally

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

\_\_\_\_\_  
Attested by – City Clerk and not Personally

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

PIMA COUNTY

\_\_\_\_\_  
Signature, Chair, Board of Supervisors

\_\_\_\_\_  
Printed Name, Chair, Board of Supervisors

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

ATTEST:

\_\_\_\_\_  
Signature, Clerk of the Board

\_\_\_\_\_  
Printed Name, Clerk of the Board

\_\_\_\_\_  
APPROVED AS TO CONTENT:

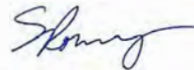


Daniel Sullivan, Director

Community & Workforce Development

Pursuant to A.R.S. § 11-952 (D), the attorneys for the parties have determined that the foregoing Agreement is in proper form and is within the powers and authority granted under the laws of this State to the parties

\_\_\_\_\_  
City Attorney, not personally



\_\_\_\_\_  
County Attorney, not personally

## **GENERAL CONDITIONS**

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1. **SCOPE OF SERVICES:** The Subrecipient shall provide those services as described in Exhibit A, attached hereto and by this reference made a part hereof.

2. **ACTIVITIES FUNDED:** The City shall provide funding for the services described in Exhibit A, Scope of Services, if, when and to

the extent that adequate federal grant or other funds are available; and continued activities under this Agreement are conditioned upon continued full and timely City receipt of grant or other funds.

3. **BUDGET:** The City shall provide funding in accordance with this Agreement and Exhibit B, which is attached hereto and by this reference incorporated herein, unless subsequently amended. Only eligible expenditures (pursuant to OMB Circular A-122 cost principles for non-profit organizations) made under, as a part of and on behalf of the project can be reimbursed to the Subrecipient by the City. No deviation from the approved project budget may be made by the Subrecipient without prior written authorization from the City. If the City determines payments exceeded actual project costs, the Subrecipient shall promptly refund the excess amount to the City.

4. **BILLINGS:** The Agency shall submit a billing to the City of Tucson not more often than monthly. An expenditure detail is to be attached to each billing. *At a minimum*, this will include a copy of Agency's general ledger to support all labor and personnel charges as well as all purchased goods or services. Agency is also required to provide time worked records and corresponding general or subsidiary ledger for verification purposes. The ledgers will be examined by City staff relative to the corresponding time worked record as well as for fringe benefits. Time worked records are to be submitted for each employee included in Agency's billings. Note that time worked records must meet with the City of Tucson's approval prior to the beginning of the City's contract year. Agencies are expected to monitor their monthly expenditures to ensure all grant funds are expended at the end of the year. If the costs are less than the costs anticipated in the scope of services, the agency must provide a letter stating why there were funds left at the end of the grant year. This factor

could affect the funder's decision to not renew future requests for agencies with a continuing history of inadequate financial management accounting practices. All payment requests must be submitted to the City of Tucson by the 20<sup>th</sup> business day of each month. At least a quarter of the funds should be requested for payment by the 20<sup>th</sup> business day following the end of each quarter. If unable to meet this timeline, Exhibit A, Scope of Services must reflect this. If it does not, a written request for variance must be submitted to the Project Coordinator in a timely manner. The final request for payment must be submitted by the end of the fiscal year or contract end date, whichever is earlier. All contracted funds must be utilized as specified and requested by either the contract end date or June 30th of the contracted year, whichever is earlier.

5. RECORDS: The Subrecipient shall maintain and retain thorough records of all project business transactions and activities for at least five years from the end of the contract year in which they (transactions, activities and expenditures) took place. It shall give the City and the U.S. Department of Housing and Urban Development, through any authorized representatives, access to and the right to examine and copy all records, books, papers or documents relating to or arising from all Subrecipient operations funded in whole or in part under this Agreement, during the term of this Agreement and for a period of five (5) years following the termination of this Agreement.
6. REPORTS: The City will require written reports on a monthly, quarterly and/or annual basis; such reports shall be submitted by the Subrecipient to the City in a form determined by the City within designated timeframes as established by the City. (Unless otherwise later modified in writing by the City.)
7. MONITORING: The City shall have the authority to monitor Subrecipients to ensure compliance with applicable federal and local requirements and achievement of program performance goals; and the Subrecipient shall take all reasonable measures and efforts to cooperate with the City in its efforts to monitor contract compliance and service delivery.
8. INFORMATION: Subject to such rules, regulations and restrictions of confidentiality that may apply by law to the parties and their personnel and clients, the City and the U.S. Department of Housing and Urban Development shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data, materials or other information prepared under or in conjunction with this Agreement.
9. AUDIT and OMB 2 CFR 200: The Subrecipient must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The Subrecipient shall provide the City of Tucson, P.O. Box 27210, Tucson, AZ 85726-7210, with a copy of any financial audit of the subject program, or portion thereof. Any such audit shall be prepared by an independent auditor in compliance with guidelines for financial and compliance audits of federally assisted programs as contained within OMB 2 CFR 200. In addition, subrecipients certify that the financial practices of this organization are in compliance with OMB CFR 200 (as applicable). The agency audit must then be submitted within 9 months of the end of their audit period, online to [www.census.gov](http://www.census.gov). (See website instructions)
10. CONFLICT OF INTEREST: The parties shall establish safeguards to prohibit their respective employees, board members, advisors and agents from using their positions for any purposes that are or give

the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties. Said safeguards should be substantially designed and executed to prevent actual violations of applicable conflicts of interest laws. A party shall disclose in writing to the other party any conflict of interest or potential conflict of interest described above, immediately upon discovery of such.

11. INDEPENDENT CONTRACTOR: For the purpose of this Agreement, it is understood that the parties are independent contractors and no employee or agent of one is, for any purpose of this Agreement, an employee or agent of the other. Nothing contained herein, or any of the obligations of the parties hereunder, shall in any manner inure to the benefit of third parties, unless otherwise agreed to in writing by authorized officers of the Parties.

12. INDEMNIFICATION: Each party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, officials, agents, employees, or volunteers.

13. INSURANCE: The parties are both public entities. The parties will maintain insurance in amounts sufficient to cover their respective activities under this Agreement. When requested, a party will provide the other party with a Certificate of Self-Insurance.



14. INCORPORATED BY REFERENCE: The Subrecipient shall administer this Agreement in compliance with all applicable federal, State of Arizona, local and City of Tucson laws, ordinances, and regulations, including but not limited to the federal regulations listed within the exhibits to this agreement.

15. REDUCTION IN ADMINISTRATIVE COMPENSATION: In the event that the U.S. Department of Housing and Urban Development should, for any reason, reduce or eliminate the City's funding under this Agreement, the City reserves the right to renegotiate the amount of compensation due the Subrecipient for the Activities Funded and Scope of Services due from the Subrecipient as provided herein, or to terminate this Agreement for cause pursuant to the paragraph entitled "Termination for Cause" herein below, in the

16. TERMINATION FOR CAUSE: The City shall have the right to terminate this Agreement for cause in the event: the Subrecipient fails to fulfill in timely or satisfactory manner any of the significant and substantial obligations set forth in its Scope of Services as set forth in Exhibit A (attached); the Subrecipient breaches or violates any covenant, agreement or assurance herein; the Subrecipient fails to cure any such default, breach or violation no later than seven (7) days after receipt of the written notice from the City of such default or breach; and in the event any source of funding of this Agreement set forth in the paragraph above entitled "Reduction in Administrative Compensation" becomes impounded or otherwise unavailable, reduced or eliminated. In order to so terminate for cause, the City shall give the Subrecipient written notice by certified mail specifying the cause and the effective date of termination which may be effective upon the Subrecipient's receipt of notice, except as specifically provided above. In the event the

City terminates this Agreement due to the Subrecipient's failure to cure any default, breach or violation as provided herein above or due to the Subrecipient's breach or violation of any covenant, agreement or assurance herein, the City may, at its option, make written demand for repayment of, and the Subrecipient shall immediately upon receipt of such written demand of the City, repay all sums received by the Subrecipient from the City under this Agreement as of the date of said demand for any services that were not performed fully, appropriately, legally, competently, adequately, timely or properly, plus interest thereon at the highest legal rate plus all expenses incurred by the City, including reasonable attorney's fees incurred in recovering said sums.

17. TERMINATION WITHOUT CAUSE: The City, without cause, may terminate this Agreement by giving the Subrecipient 30 day's written notice by certified mail. The Subrecipient may appeal such termination without cause by requesting reconsideration by the Mayor and Council, in writing, within thirty (30) days after written notice is delivered to the Subrecipient, said appeal to be filed in writing with the City Clerk and with the Housing and Community Development Department Director. The appeal to the Mayor and Council shall be scheduled as soon as is reasonably possible. The Subrecipient shall receive notice of the appeal hearing and opportunity to supplement its written appeal. Termination shall be suspended until the effective date of the Mayor and Council ruling on the Subrecipient's appeal. If and when this Agreement is terminated under this Section, the Subrecipient shall be paid in full for all actual services and activities performed in a satisfactory manner, together with eligible out-of-pocket expenses incurred but unbilled at the time of termination, providing there are no grounds for termination or disallowance for cause as set forth herein above.

18. OFFSETTING CLAIM: Notwithstanding any provision appearing to the contrary, the Subrecipient shall not be relieved of liability to the City of damages sustained by the City by virtue of any breach of this Agreement by the Subrecipient, its officers, agents, managers or employees. The City may withhold payment of compensation to the Subrecipient for the purpose of an offsetting claim, until such time as the full amount of damage incurred by the City which is then due from the Subrecipient is determined and paid. Such damages may include the U.S. Department of Housing and Urban Development disqualification of Activities Funded because of the Subrecipient's failure to properly administer audit or report activities, services and/or expenditures.
19. INTEGRATED DOCUMENT: This Agreement, and the following referenced and/or attached Exhibits including attachments and references thereto embody the entire Agreement between the City and the Subrecipient for the scope of services and their terms and conditions, Exhibit A. Scope of Services; Exhibit B. Quarterly Report; Exhibit C Project Budget, Exhibit D Payment Request Form. No verbal agreements or conversation with any officer, agent or employee of the City prior to or after the execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon the City.
20. AMENDMENTS: This Agreement may be amended only by prior written agreement of the parties hereto signed by duly authorized officers of each party.
21. SEVERABILITY OF PROVISIONS: If any provisions of this Agreement are held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the terms and requirements of applicable law and if, in the judgment of the City, such remainder will suffice to adequately and timely achieve the purpose and goals of the Project and of this contract.
22. NON-APPROPRIATION: Notwithstanding any other provision in this Agreement, this Agreement may be terminated if, for any reason, there are not sufficient appropriated and available monies for the purpose of maintaining Agency or other public entity obligations under this Agreement. In the event of such termination, agency shall have no further obligation to City other than for payment for services rendered prior to cancellation.
23. NON-ASSIGNABILITY: The Subrecipient shall not assign any rights, obligations or other interests in this Agreement, and shall not transfer any interest in this Agreement without prior 30 day written consent of the City thereto.
24. SUCCESSORS: The Subrecipient covenants that the provisions of this Agreement shall be binding upon heirs, successors, subsubrecipients, representatives and agents.

**25. NONDISCRIMINATION:** The Subrecipient, in its employment policies and practices, in its public accommodations and in its provision of services shall obey all relevant and applicable, federal, state, and local laws, regulations and standards relating to non-discrimination, biases, and/or limitations, such as, but not limited to, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Arizona Civil Rights Act, and to the extent applicable, the Human Relations provisions of the Tucson Code, and the Mayor and Council policy adopted on September 25, 2000, prohibiting the direct or indirect grant of discretionary City funds to organizations that have a policy of exclusionary discrimination on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status. "Administrative Guidance Regarding the Non-Discrimination Policy for Programs Funded by the City of Tucson," to the extent it may apply to Subrecipient, which is a political subdivision of the State and only to the expenditure of grant funds provided by the U.S. Department of Housing and Urban Development, is incorporated herein as follows:

On September 25, 2000 the Mayor and Council approved a policy prohibiting the direct or indirect granting of discretionary City funds to organizations that have a policy of exclusionary discrimination on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status.

Consistent with policies expressed throughout federal, state, and local law, it is clear that the Mayor and Council did not intend to prohibit funding to all social service organizations that may have certain restrictive policies. This document provides administrative guidance for differentiating between the legitimate targeting/restriction of services and prohibited exclusionary discriminatory policies. The following practices will not preclude an organization from receiving funding:

1. Restricting program participation to persons of a particular age group such as kindergartens,

nurseries, day care centers, nursing homes, housing for older persons, etc., provided such programs do not discriminate on the basis of other criteria listed above.

2. Restricting program participation to individuals with physical or mental disabilities provided such programs do not discriminate on the basis of other criteria listed above.
3. Restricting program participation to individuals of a single sex if the program provides dormitory-lodging facilities or residential housing, such as transitional housing, group homes, domestic violence shelters, etc., provided such programs do not discriminate on the basis of other criteria listed above.
4. Requiring volunteers, employees, and or program participants to meet federal, state, or local licensing restrictions (e.g., requiring volunteers to be at least 18 years of age).
5. Restricting voluntary youth service organizations, that have traditionally been limited to persons of one sex and principally to persons of less than nineteen years of age, to individuals of a single sex, provided such programs do not discriminate on the basis of other criteria listed above.
6. The Subrecipient agrees that in the execution and performance of this contract, the Subrecipient and its officers, agents, and/or employees shall obey all local, state, and Federal laws requiring non-discrimination and affirmative action.
7. In the execution and performance of this contract, the Subrecipient and its agents, officers, and employees shall obey all applicable local, state, and Federal laws and regulations intended to protect, serve, or benefit disabled persons, and shall, in particular, obey Arizona Revised Statutes, Title 41, Chapter 9 Civil Rights, Article 8 Public Accommodation and Service, and the federal Americans with Disabilities Act, and any regulations and standards promulgated thereunder.
8. Agency staff and Supervisors funded by this contract will attend Fair Housing training at least once during the contract year.

**26. CLIENT'S RIGHTS, SAFEGUARDING CLIENT INFORMATION:**

The Subrecipient will establish a system through which recipients may present grievances about the operation of the Project. The Subrecipient shall advise recipients of this right, and shall also advise recipients of their right to appeal to the City Representative. A report shall be submitted to the City within thirty (30) days following the filing of such a grievance,

such report to provide a copy of the grievance and a statement of the resolution effected by the Subrecipient. The Subrecipient shall not use any information concerning an applicant or recipient of service that is obtained by the Subrecipient in the performance of its obligations under this Contract for any purpose other than carrying out the express terms of this Contract. The Subrecipient shall not release any such information to a party not a signatory to this Contract without the express written consent of the City specifying that the requested information is releasable. All requests for such information shall be promptly transmitted to the City Representative for appropriate action. The Subrecipient shall return all such information to the City at the expiration of this Contract.

In the event that any information pertaining to any individual is used or disclosed, or is alleged to have been used for disclosed by the Subrecipient, its employees, Subsubrecipients or agents, in violation of Federal requirements for safeguarding client information, the Subrecipient shall, to the extent permitted by law, indemnify and hold the City harmless from any and all liability, and shall bear all costs for the defense of any legal action incident thereto.

## 27. PROTECTION OF PERSONS AND PROPERTY, OSHA

Project facilities and locations of service delivery shall be maintained in an acceptable condition for the comfort, convenience, and safety of employees and Project participants.

The Subrecipient shall take all precautions necessary for the safety of employees and the public, and shall comply with all applicable provisions of Federal, State, and Municipal safety laws and building codes to prevent accidents or injury to persons on or about the Project premises.

The Subrecipient shall comply with all of the safety requirements of the federal Occupational Safety and Hazards Act (OSHA) as set forth by the Federal Government and as implemented by the State of Arizona. The Subrecipient shall be solely responsible for all fines or other penalties provided for by law for any violation of the Occupational Safety and Hazards Act. The Subrecipient shall, furthermore, require all Subsubrecipients to comply with this Contract in general and particularly and specifically with this Article.

28. PROCUREMENT OF RECOVERED MATERIALS: (a) In accordance with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, The subrecipient shall procure 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. The Subrecipient shall procure items designated in the EPA guidelines that contain the highest percentage of recovered materials practicable unless the Subrecipient determines that such items: (1) are not reasonably available in a reasonable period of time; (2) fail to meet reasonable performance standards, which shall be determined on the basis of the guidelines of the National Institute of Standards and Technology, if applicable to the item; or (3) are only available at an unreasonable price.

(b) Paragraph (a) of this clause shall apply to items purchased under this contract where: (1) the Subrecipient purchases in excess of \$10,000 of the item under this contract, or (2) during the preceding Federal fiscal year, the Subrecipient (i) purchased any amount of the Items for use under a contract that

was funded with Federal appropriations and was with a Federal agency or a State agency or agency of a political subdivision of a State; and (ii) purchased a total of in excess of \$10,000 of the item both under and outside that contract.

**29. RESEARCH AND DEVELOPMENT:**

These funds will not be used for research and/or development.

**30. LEGAL AUTHORITY.** Neither party warrants to the other its legal authority to enter into this IGA. If a court, at the request of a third person, should declare that either party lacks authority to enter into this IGA, or any part of it, then the IGA, or parts of it affected by such order, will be null and void, and no recovery may be had by either party against the other for lack of performance or otherwise.

**31. WORKER'S COMPENSATION.** Each party will comply with the notice of A.R.S. § 23-1022 (E). For purposes of A.R.S. § 23-1022, irrespective of the operations protocol in place, each party is solely responsible for the payment of Worker's Compensation benefits for its employees.

**32. NO JOINT VENTURE.** It is not intended by this IGA to, and nothing contained in this IGA will be construed to, create any partnership, joint venture or employment relationship between the parties or create any employer-employee relationship between a party and the employees of the other party. Neither party will be liable for any debts, accounts, obligations or other liabilities whatsoever of the other, including (without limitation) the other party's obligation to withhold Social Security and income taxes for itself or any of its employees.

**33. NO THIRD-PARTY BENEFICIARIES.**

Nothing in this IGA is intended to create duties or obligations to or rights in third parties not parties to this IGA or affect the legal liability of either party to the IGA by imposing any standard of care with

respect to the maintenance of public facilities different from the standard of care imposed by law.

**34. NOTICE.** Any notice required or permitted to be given under this IGA must be in writing and served by delivery or by certified mail upon the other party as follows (or at such other address as may be identified by a party in writing to the other party):

Subrecipient:

[Name & title]  
[address]

*With copies to:*

**EXHIBIT A**  
**CITY OF TUCSON – CONTINUUM OF CARE HOMELESS ASSISTANCE**  
**FY 2020 SCOPE OF SERVICES/PERFORMANCE MEASURES**

|  |
|--|
| <b>1. Agency Name:</b><br><br>Pima County  |
| <b>2. Project Name:</b><br><br>Tucson/Pima County Coordinated Entry Project (Supportive Service Only – Coordinated Entry)  |
| <b>3. Program Overview:</b> County, through the Sullivan Jackson Employment Center (“SJEC”), will provide system outreach to expand access points within rural and tribal communities, and coordinated entry assessment and navigation services for rural and tribal county residents experiencing or at risk of experiencing homelessness.  |
| <b>3. Project Location(s):</b> What is the project location? If multiple sites, please list each location.<br><br>400 E. 26 <sup>th</sup> Street, Tucson, AZ, 85713  |
| <b>4. Project Timeline:</b> Provide a timeline for activities to be undertaken under this contract. <ul style="list-style-type: none"><li>• January – Begin providing Coordinated Entry outreach and navigation services targeting rural and tribal communities.</li><li>• April - Begin recruiting Coordinated Entry Access Points in rural and tribal communities.</li><li>• June - Develop and implement self-triage tool for people seeking assistance</li><li>• Monthly – Participate in project team meetings</li><li>• January 2020 – Participate in the Tucson/Pima County Unsheltered Point in Time Count</li><li>• Monthly – Provide report of project implementation, successes, and challenges</li></ul> |
| <b>5. Population Served/Program Purpose:</b> a) Who are you primarily aiming to serve? (Be as specific as possible defining this group of people); b) How will the agency address the needs of that target area/population? When applicable, specify the number of clients/families to be served under this project annually.<br><br>This project will serve persons experiencing or at risk of experiencing homelessness in tribal and rural Pima County communities. The project will increase these persons’ access to available housing and supportive service interventions with the goal of permanent housing.   |
| <b>6. Project Goals/Priorities/Guiding Principles:</b> What is the purpose of your project? What are you trying to accomplish? These goals should be the foundation for your project. For all projects, please list the goals in the order of priority or in the order they will be achieved in the project (i.e. phases of the project). Clearly describe the documented need for this service.<br><br>The purpose of this project is to connect people experiencing or at risk of experiencing homelessness to community housing resources and other services to address immediate housing crises and promote long-term housing stability.   |

The number of people experiencing unsheltered homelessness is on the rise in Pima County; the services provided through this agreement will facilitate access to immediate housing and service solutions as well as longer-term housing supports.

This project will increase access to supportive housing and other services for Pima County residents residing outside of the City of Tucson area by providing rural and tribal Coordinated Entry system outreach, offering housing navigation for rural community residents, and establishing a network of Coordinated Entry Access Points serving rural Pima County.

**7. Major Project Activities:** List all major project activities. Describe your collaborations with partner agencies. If services are being provided, specify total number of unduplicated clients to be served annually. Include in your service description the following items: how participant's needs will be assessed; and how services will be developed and tracked. Please detail project activities.

County will employ one (1) full-time (1.0 FTE) Outreach Case Manager. Outreach Case Manager will:

1. Participate in a coordinated network of Access Points operating throughout the region
2. Participate in shared scheduling of Access Point hours and appointments
3. Recruit rural access points in partnership with City of Tucson and facilitate introduction to HMIS Lead and CoC Lead Agency teams for training and on-going support
4. Assist in development of Coordinated Entry affirmative outreach strategy, especially as it relates to rural and tribal communities
5. Provide mobile access point services targeting rural and tribal community members including but not limited to City/County homeless protocol responses
6. Conduct Coordinated Entry assessment with persons meeting Federal and local eligibility criteria and initiate referrals to the Coordinated Entry by name list when appropriate
7. Facilitate access to available diversion and mainstream resources as appropriate
8. Provide follow-up support to assessed households for the purposes of addressing to changes in living environment and updating local records
9. Maintain a weekly schedule that includes a minimum of 20 hours of Access Point operation
10. Participate in project team training
11. Adhere to project team policies and procedures as developed and revised over time
12. Provide housing navigation services for persons referred through Coordinated Entry system

City will establish SSO Coordinated Entry Project within the Homeless Information Management System through which the county will request referrals for navigation services..

**8. Homeless Management Information System:** The City of Tucson requires demographic and low-income related data be reported on an annual basis. Agency will be required to enter client information into HMIS within 2 business days of entering or exiting the program. Sub grantee will be required to run quarterly APR reports from Pima County Homeless Management Information System (HMIS) and shall be submitted each quarter along with additional reports as required.

Subrecipient agency will participate in the HMIS and adhere to all training, data completeness and timeliness, and other standards outlined in the TPCH HMIS Policies and Procedures, TPCH Coordinated Entry Policies and Procedures, and TPCH Written Standards.

**9. Estimated Outputs:** How many program participants will be served? What is the quantity of service provided? These outputs are a result of activities outlined. These must be reported quarterly. (See Performance Measures Information – Quarterly Report).

175 of people receiving CE outreach information  
3 of rural Access Points to be created in Year 1  
150 of housing assessments complete

**10. Predicted Outcomes:** What improvements will be made as a result of this project? Outcomes are an assessment of change in client or community conditions resulting from activities outlined and using specified measuring tools. They are directly related to project goals. This can be measured in terms of changes in: attitude, knowledge, behavior, skills, client satisfaction, program goal attainment, client goal attainment, change in perceptions. Provide predicted outcomes quantitatively. These must be reported on a quarterly basis (See Performance Measures information – Quarterly Report).

- 75% of participants will have immediate housing needs addressed through coordinated referral to emergency shelter, navigation, diversion, and/or personal resources
- 80% of participants will receive referral to mainstream benefits and social services for which they are eligible
- 100% of referrals to the TPCCH Coordinated Entry system will be actionable (diversion/triage screening complete and eligible for services)
- Agency will maintain HMIS data completeness and timeliness score of 100%

**11. Measurement Tools:** How will you measure outputs and outcomes? Examples for output measures include: attendance records, counseling hours recorded, and other agency records. Examples for outcome measures include: pre and post surveys, pre and post interviews, trained observer ratings, and client surveys

- TPCCH Homeless Management Information System
- Service logs

**Reports:**

Provide quarterly reports of activities, outputs, and outcomes contained in the intergovernmental agreement appendices.

**12. Community Impact:** What community problems/indicators will this project affect in the long term? Examples include: teen birth rates, juvenile detention rates, and neighborhood gang activity.

- Reduced length of time community residents remain in unsheltered homeless situations
- Improved coordination between mainstream resources and homeless response system

Revised 07/22/19



**Submit within 15 days of quarter to:**

Kat Jacobs, Project Coordinator – Collaborative Applicant Section– Human Services  
 City of Tucson, Housing and Community Development Dept/PCD  
 P.O. Box 27210  
 Tucson, AZ 85726-7210

**EXHIBIT B**  
**CITY OF TUCSON HUMAN SERVICES**  
**FY 2020 QUARTERLY REPORT/PERFORMANCE MEASURES REPORT**

**Agency Name: Pima County**

**Project Name: Tucson/Pima County Coordinated Entry**

**Contract #: 18910**

**Quarterly Report for:**

☐ 1<sup>st</sup> Quarter, Oct 1- Dec 31, 2020    ☐ 2<sup>nd</sup> Quarter, Jan 1- Mar 31, 2021    ☐ 3<sup>rd</sup> Quarter, Apr 1- June 30, 2021    ☐ 4<sup>th</sup> Quarter, Jul 1- Sep 30, 2021

| Projected Annual Performance Outputs and Outcomes. (Refer to funded Category/Subcategory description and Exhibit A-Scope of Services #9 & 10)  | Indicate Unduplicated Numbers Served and/or Percentage During the Quarter | Year-to-Date Outputs (Cumulative) | Comments: <ul style="list-style-type: none"> <li>Provide additional information relating to the status/progress of your project</li> <li>Explain significant variance in outcomes compared to what was predicted</li> <li>Describe outstanding project achievements</li> <li>If program is not yet delivering service, describe actual status of project</li> </ul> |
|--|---|-----------------------------------|---|
| Outputs (unduplicated number of clients):<br># of people receiving CE Outreach Information (175 in year 1)   |   |                                   |   |
| Outcome (per Human Services Subcategory):<br>75% of participants will have immediate housing needs addressed through coordinated referral to emergency shelter, navigation, diversion, and/or personal resources |   |                                   |   |
| Outputs (unduplicated number of clients):<br>Number of rural Access Points to be created in Year 1 (3 in year 1)   |   |                                   |   |
| Outcome (per Human Services Subcategory):<br>80% of participants will receive referral to mainstream benefits and social services for which they are eligible  |   |                                   |   |
| Outputs (unduplicated number of clients):<br># of Housing assessments completed (150 in year 1)  |   |                                   |   |
| Outcome (per Human Services Subcategory):<br>100% of referrals to the TPCH Coordinated Entry system will be actionable (diversion/triage screening complete and eligible for services)                           |   |                                   |   |

**EXHIBIT C**  
**CITY OF TUCSON HUMAN SERVICES - COC HOMELESS ASSISTANCE**  
**FY 2020 PROJECT BUDGET**  
**Funding Period: October 1, 2020 – September 30, 2021**

|  |  |
|--|--|
| Agency Name: Pima County                         | Contract Number: 18910                             |
| Project Name: FY19 Tucson/Pima Coordinated Entry | Award Amount: \$44,100                             |
| Account Number: S19-9276-268-0000-000000         | Contract Period: Pending Final Award – to be added |

**Budget Categories:**

CoC  
(funding source)

|   |                             |                 |
|---|-----------------------------|-----------------|
| 1.  | Assessment of Service Needs | \$16,104        |
| 2.  | Case Management             | \$16,104        |
| 3.  | Housing Counseling Services | \$8,052         |
| 4.  | Transportation              | \$1,740         |
| 5.  | Admin                       | \$2,100         |
| <b>TOTAL<br/>(Line items must total contract amount):</b> |                             | <b>\$44,100</b> |
| 6.  | Match                       | \$11,025        |
| <b>TOTAL<br/>(Contract plus Match)</b>                    |                             | <b>\$55,125</b> |

**\*\*A detailed line item breakdown must be provided below\*\***

All requests for budget changes must be submitted in writing, and approved by the Housing and Community Development Department/Planning and Community Development Division prior to expenditure. Budget modifications may be limited and are subject to relevant City, TPCH, and/or HUD approval.

**BUDGET DETAILS**

| Item   | Amount             |
|--|--------------------|
| <b>PERSONNEL:</b>  |                    |
| Outreach Program Coordinator (80% of 1 FTE Salary + ERE) includes assessment of service needs, case management, and housing counseling services. (direct and indirect costs) | \$40,260.00        |
| <b>Transportation</b>  |                    |
| Mileage reimbursement for staff travel (direct and indirect costs)   | \$1,740.00         |
| <b>ADMINISTRATIVE COSTS</b>  |                    |
| Administrative personnel and occupancy costs (direct and indirect costs)   | \$2,100.00         |
| <b>MATCH – (20% of FTE Salary + ERE)</b>   | \$11,025.00        |
| <b>TOTAL</b>   | <b>\$55,125.00</b> |

Send original signed request and  
**COPY OF GENERAL LEDGER TO:**  
Kat Jacobs, Project Coordinator  
Contract Section for GF/HS  
City of Tucson, HCDD/PCD  
P.O. Box 27210, Tucson, AZ 85726-7210

NOTE: IF PAYMENT REQUEST INCLUDES  
ANY CHARGES FOR PERSONNEL AND/OR  
ERE THEN COPIES OF TIME WORKED  
RECORDS ARE TO BE PROVIDED

## EXHIBIT D

### CITY OF TUCSON HUMAN SERVICES FY 2020 PROJECT PAYMENT

Contract Number: 18910

Total Contract Amount: \$44,100

Vendor Number: \_\_\_\_\_

Invoice Number: \_\_\_\_\_

Agency Name: Pima County

Project Name: Tucson/Pima County Coordinated Entry

Period for Reimbursement: \_\_\_\_\_  
(MM/DD/YY TO MM/DD/YY)

|  |           |
|--|-----------|
| A. Total Award Amount                                    | \$ 44,100 |
| B. Prior Expenditures                                    | \$        |
| C. Total Amount Requested for this Payment               | \$        |
| D. Total Expenditures Plus New Costs Incurred (B plus C) | \$        |
| E. Balance After Requests (A minus D)                    | \$        |

All requests for budget changes are required to be submitted in writing and approved by City of Tucson HCDD/PCD. Changes will only be allowed as long as the total dollar amount contracted for remains the same, the costs are eligible, and the 20% administrative cap is not exceeded. Failure to submit timely quarterly performance measures reports, may delay the processing of payment requests.

|                |                      |        |
|----------------|----------------------|--------|
| Prepared by:   | Name                 | Phone: |
| Authorized by: | Authorized Signature | Date:  |

#### FOR CITY OF TUCSON USE ONLY:

|                     |                             |
|---------------------|-----------------------------|
| ACCOUNT #           | AMOUNT APPROVED FOR PAYMENT |
|                     | \$                          |
| APPROVAL SIGNATURE: | DATE:                       |

PAYMENT PROCESSTING INSTRUCTIONS:

## Exhibit E: EEO Form

## EMPLOYMENT DATA AS OF JUNE 30, 2021

(Do not include elected/appointed officials. Blanks will be counted as zero)

NAME OF AGENCY: \_\_\_\_\_ Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**1. FULL-TIME EMPLOYEES (Temporary employees are not included)**

[illegible]

## 2. PART-TIME EMPLOYEES (Including temporary employees)

[illegible]

**EXHIBIT F**  
**CITY OF TUCSON – CONTINUUM OF CARE HOMELESS ASSISTANCE**  
**DE MINIMIS INDIRECT COST RATE CERTIFICATION OF ELIGIBILITY**

**Pima County** (subrecipient) elects to use to 10% de Minimis rate for indirect cost reimbursement and certifies that it meets each of the following eligibility criteria:

1. The award recipient has never received a Federally-negotiated indirect cost rate for any federal awards.
2. The award recipient has received less than \$35 million in direct federal funding for the fiscal year requested.
3. The de minimis rate approved will be applied to Modified Total Direct Cost (MTDC). This base includes all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs.
4. The project costs will be consistently charged as either indirect or direct and will not be double charged or inconsistently charged as both.

The proper use and application of the de Minimis rate is the responsibility of the subrecipient and subject to monitoring by the City of Tucson and/or the awarding federal agency. If financial monitoring results in the determination of non-compliance with 2 CFR 200 and/or other applicable federal guidelines, funds must be returned to the City of Tucson.

SUBMITTED BY AUTHORIZED GRANTEE REPRESENTATIVE:

Signature: \_\_\_\_\_

Printed Name: Regina Kelly

Date: 4/16/2021

**Exhibit G: FY19 Continuum of Care Program Notice of  
Funding Availability**



**U.S. Department of Housing and Urban Development**

Community Planning and Development

Notice of Funding Availability (NOFA) for the Fiscal Year (FY) 2019 Continuum of Care  
Program Competition

FR-6300-N-25

Application Due Date: 09/30/2019

Notice of Funding Availability (NOFA) for the Fiscal Year (FY) 2019 Continuum of Care  
Program Competition

FR-6300-N-25

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- I. [Funding Opportunity Description and Program Overview](#)
- II. [HUD's Homeless Policy Priorities and Program Highlights](#)
- III. [Continuum of Care Program Requirements](#)
- IV. [Award Information](#)
- V. [Eligibility Information](#)
- VI. [Application and Submission Information](#)
- VII. [Application Review Information](#)
- VIII. [Project Review and Selection Process](#)
- IX. [Award Administration Information](#)
- X. [Appeals](#)
- XI. [Agency Contacts](#)
- XII. [Other Information](#)

## U.S. Department of Housing and Urban Development

|                                    |  |
|------------------------------------|--|
| <b>Program Office:</b>             | Community Planning and Development   |
| <b>Funding Opportunity Title:</b>  | Notice of Funding Availability (NOFA)<br>for the Fiscal Year (FY) 2019<br>Continuum of Care Program<br>Competition |
| <b>Announcement Type:</b>          | Initial  |
| <b>Funding Opportunity Number:</b> | FR-6300-N-25   |
| <b>Primary CFDA Number:</b>        | 14.267   |
| <b>Due Date for Applications:</b>  | <b>09/30/2019</b>  |

HUD is prohibited from disclosing 1) information regarding any applicant's relative standing, 2) the amount of assistance requested by an applicant, and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For Further Information regarding this NOFA - Please direct specific program requirements of this Notice of Funding Availability (NOFA) to the agency contact identified in Section XI. Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Relay Service at 1-800-877-8339.

**OMB Approval Number(s):** 25060112

### I. Funding Opportunity Description and Program Overview

**A. Program Description.** The Continuum of Care (CoC) Program (24 CFR part 578) is designed to promote a community-wide commitment to the goal of ending homelessness; to provide funding for efforts by nonprofit providers, states, and local governments to quickly rehouse homeless individuals, families, persons fleeing domestic violence, dating violence, sexual assault, and stalking, and youth while minimizing the trauma and dislocation caused by homelessness; to promote access to and effective utilization of mainstream programs by homeless individuals and families; and to optimize self-sufficiency among those experiencing homelessness.

**B. Authority.** The CoC Program is authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, (42 U.S.C. 11381–11389) (the Act), and the CoC Program rule found in 24 CFR part 578 (the Rule). The Fiscal Year (FY) 2019 funds were authorized by the Consolidated Appropriations Act, 2019 (Public Law 116-6, approved February 15, 2019) (FY 2019 HUD Appropriations Act).

**C. Deadline.** The deadline for submitting applications to HUD for the FY 2019 CoC Program Competition is **8:00 PM Eastern time on September 30, 2019**. Applicants must complete and submit their applications in *e-snaps* at <https://esnaps.hud.gov/>. See Sections VI.E and F of this NOFA for application submission and timely receipt requirements.



**D. Available Funds.** Approximately \$2.3 billion is available in this FY 2019 CoC Program Competition CoC, including up to \$50 million available for Domestic Violence (DV) Bonus projects, described in Section III.C.3.h of this NOFA. HUD may add to the total amount with available funds that have been carried over or recaptured from previous fiscal years. All requirements in the FY 2019 application process, including requirements for the entire CoC Consolidated Application and the total amount of funds available, are included in this NOFA. HUD will continue to require Collaborative Applicants to rank all projects, except CoC planning and Unified Funding Agency (UFA) Costs in two tiers as described in Sections II.B.10.a and b of this NOFA.

**E. Summary of the Application Process.** The FY 2019 CoC Program Competition is administered under the FY 2019 CoC Program Competition NOFA and 24 CFR part 578. Applicants should review and follow the steps as outlined below to ensure applications are complete and submitted timely. Documents referenced in this section can be found on the HUD Exchange at <https://www.hudexchange.info/programs/e-snaps/>.

1. *CoC Registration.* Collaborative Applicants were required to complete the FY 2019 CoC Program Registration in accordance with [CPD-18-03: Continuum of Care Program Registration](#). If a Collaborative Applicant did not complete the FY 2019 CoC Program Registration, HUD moved the previous year's registration forward with no changes.

2. *CoC Project Review and Ranking.* Project applications submitted to the CoC for inclusion on the FY 2019 CoC Priority Listing as part of the CoC Consolidated Application must be reviewed and either accepted and ranked or rejected by the CoC. All project applications approved by the CoC must be listed on the CoC Priority Listing in rank order, except project applications for CoC planning and UFA Costs projects which are not ranked. Higher ranked projects will be assigned to Tier 1 and lower ranked projects will be assigned to Tier 2 as described in Sections II.B.10.a and b of this NOFA. The purpose of this two-tiered approach is for CoCs to indicate to HUD which projects are prioritized for funding.

3. *CoC Consolidated Application Submission.* Collaborative Applicants, including any Collaborative Applicant designated by HUD as an UFA, are responsible for submitting the CoC Consolidated Application in *e-snaps* on behalf of the CoC. The CoC Consolidated Application is made up of the following three parts:

a. *FY 2019 CoC Application.* The Collaborative Applicant must provide information about the CoC planning body, governance structure, overall performance, and the strategic planning process. This part of the application is scored and will determine the order in which CoCs are funded.

b. *FY 2019 Project Application.* Project applications must be completed by project applicants for all renewal, new, CoC planning, UFA Costs, and renewal YHDP including the population(s) and subpopulation(s) they will serve, the type of housing and services that will be provided, and the budget activities that are being requested. Collaborative Applicants applying for CoC planning and UFA Costs (if designated as an UFA by HUD) must provide a description of the activities that will be carried out with CoC Program grant funds. For more information on project applications, see Section V of this NOFA. Additionally, all project applicants must ensure their organization has a Code of Conduct that complies with the requirements of 2 CFR part

200 and is on file with HUD at [https://www.hud.gov/program\\_offices/spm/gmomgmt/grantsinfo/conduct](https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conduct). If the organization's Code of Conduct does not appear on HUD's website, the project applicant must attach its Code of Conduct that includes all required information to its Project Applicant Profile in *e-snaps*.

c. *FY 2019 CoC Priority Listing*. The CoC Priority Listing includes:

- (1) the reallocation forms for CoCs to indicate which eligible renewal projects, if any, will be reduced or eliminated through the reallocation process;
- (2) five separate project listing forms—three of which, new, renewal, and YHDP, are for ranked projects, and two for nonranked projects: CoC planning and UFA costs (if applicable);
- (3) form HUD-2991, Certification of Consistency with the Consolidated Plan, which must be signed and dated between May 1, 2019 and September 30, 2019.

The project listing forms rank all new (reallocated, CoC bonus, and DV Bonus) and renewal project applications in order of priority and identify any project applications rejected by the CoC. HUD is not requiring Collaborative Applicants to rank CoC planning and UFA Costs; however, Collaborative Applicants must ensure that only one project application for CoC planning, and if designated an UFA by HUD, one project application for UFA Costs is submitted by the CoC. The Collaborative Applicant cannot accurately complete the project listing forms of the CoC Priority Listing until all project applications have been submitted to the CoC. Further, the Collaborative Applicant will be required to certify that there is a demonstrated need for all ranked permanent housing renewal projects on the Renewal Project Listing. For more information on the CoC Priority Listing, see Section VI.F.3 of this NOFA.

## **F. Eligible Applicants.**

*1. Collaborative Applicants.* Only those CoCs with a valid registration for FY 2019 will have access to the FY 2019 CoC Consolidated Application, which includes the CoC Application, CoC Priority Listing, and the project application(s). CoCs should not attempt to change Collaborative Applicants during the FY 2019 CoC Program Competition without HUD's prior approval, unless HUD replaces the CoC's designated Collaborative Applicant under the authority of Section 402(c) of the Act. HUD will approve Collaborative Applicant changes outside the annual CoC Program Registration process under the following circumstances:

- a. the Collaborative Applicant made an error when entering the Collaborative Applicant name in the CoC Applicant Profile;
- b. the Collaborative Applicant designated by the CoC is no longer in business;
- c. the CoC selected a new Collaborative Applicant; or
- d. a new Collaborative Applicant was selected by HUD as a remedial action under Section 402(c) of the Act.

In cases where the CoC needs to change the Collaborative Applicant approved during the FY 2019 CoC Program Registration process, the CoC must notify the local HUD CPD field office, in writing, stating the reason for the Collaborative Applicant

change. The notice to HUD must provide documentation of the CoC's approval of the change (e.g., a copy of the meeting minutes to include the date and attendees).

2. *Project Applicants.* Eligible project applicants for the CoC Program are identified in Section V.A of this NOFA. Tribes, tribal housing authorities, and for-profit entities are ineligible and applications from them will not be reviewed.

**G. Amendments to FY 2019 CoC Program Registration.** If a geographic area that includes projects eligible to apply for renewal funding during the CoC Program Competition was not claimed by a CoC in the FY 2019 CoC Program Registration process, a contiguous CoC or the Balance of State CoC may contact HUD in writing through the *e-snaps* Ask A Question (AAQ) on the HUD Exchange to request that its Registration and FY 2019 Grant Inventory Worksheet (GIW) be amended to include the unclaimed geographic area and the renewal project(s).

**H. Local Competition Deadlines.** 24 CFR 578.9 requires CoCs to design, operate, and follow a collaborative process for the development of an application in response to a NOFA issued by HUD. As part of this collaborative process, CoCs should implement internal competition deadlines and notification processes to ensure transparency and fairness at the local level. The implementation of deadlines that meet the standards outlined in Section VII.B.1.d of this NOFA for FY 2019 project applications will be part of the scoring criteria.

**I. CoC Review of Project Applications.** HUD expects each CoC to implement a thorough review and oversight process at the local level for both new and renewal project applications submitted to HUD in the FY 2019 CoC Program Competition. It has been HUD's experience that many project applications contain information that results in conditions on the grant; or for more serious infractions, a project application being rejected. Deficient project applications prolong the review process for HUD, which results in delayed funding announcements, lost funding for CoCs due to rejected projects, and delays in funds to house and assist individuals and families experiencing homelessness. CoCs are expected to closely review information provided in each project application to ensure:

1. all proposed program participants will be eligible for the program component type selected;
2. the information provided in the project application and proposed activities are eligible and consistent with program requirements at 24 CFR part 578;
3. each project narrative is fully responsive to the question being asked and that it meets all the criteria for that question as required by this NOFA;
4. the data provided in various parts of the project application are consistent; and,
5. all required attachments correspond to the list of attachments in *e-snaps* that must contain accurate and complete information that are dated between May 1, 2019 and September 30, 2019.

**J. FY 2019 CoC Program Competition NOFA.** CoCs and applicants should read this NOFA in its entirety in conjunction with the Rule to ensure a comprehensive understanding of and compliance with all CoC Program requirements. This NOFA frequently references citations from the Rule.

1. CoCs should consider the policy priorities established in this NOFA in conjunction with local priorities to determine the ranking of new and renewal project application

requests. See Section II of this NOFA for more information on HUD's homelessness policy priorities and program highlights.

2. HUD will conduct a threshold review of ranked projects for all CoCs that submit the CoC Consolidated Application by the application deadline.
3. HUD may issue up to two conditional funding announcements, except that in the case of CoCs that have been affected by a disaster and for which HUD has extended the deadline for application submission, HUD may issue additional announcements.
4. HUD will score the FY 2019 CoC Application portion of the Consolidated Application in accordance with the criteria set forth in Section VII.B of this NOFA.
5. HUD will select new and renewal project applications in Tier 1 in accordance with the criteria set forth in Section II.B.10.a of this NOFA.
6. The project application score(s), which will incorporate the CoC Application score, will determine which projects in Tier 2 will be conditionally selected for award as set forth in Section II.B.10.b of this NOFA.

## **II. HUD's Homeless Policy Priorities and Program Highlights**

**A. Policy Priorities.** This section provides additional context regarding the selection criteria found in Section VII.B of this NOFA and is included here to help applicants better understand how the selection criteria support the goal of ending homelessness:

*1. Ending homelessness for all persons.* To end homelessness, CoCs should identify, engage, and effectively serve all persons experiencing homelessness. CoCs should measure their performance based on local data that consider the challenges faced by all subpopulations experiencing homelessness in the geographic area (e.g., veterans, youth, families, or those experiencing chronic homelessness). CoCs should have a comprehensive outreach strategy in place to identify and continuously engage all unsheltered individuals and families. Additionally, CoCs should use local data to determine the characteristics of individuals and families with the highest needs and long experiences of unsheltered homelessness to develop housing and supportive services tailored to their needs. Finally, CoCs should use the reallocation process to create new projects that improve their overall performance and better respond to their needs.

*2. Creating a systemic response to homelessness.* CoCs should be using system performance measures such as the average length of homeless episodes, rates of return to homelessness, and rates of exit to permanent housing destinations to determine how effectively they are serving people experiencing homelessness. Additionally, CoCs should use their Coordinated Entry process to promote participant choice, coordinate homeless assistance and mainstream housing and services to ensure people experiencing homelessness receive assistance quickly, and make homelessness assistance open, inclusive, and transparent.

*3. Strategically allocating and using resources.* Using cost, performance, and outcome data, CoCs should improve how resources are utilized to end homelessness. CoCs should review project quality, performance, and cost effectiveness. HUD also encourages CoCs to maximize the use of mainstream and other community-based resources when serving

persons experiencing homelessness. CoCs should also work to develop partnerships to help CoC Program participants sustainably exit permanent supportive housing, such as through partnerships with Public Housing Authorities (PHAs) and other government, faith-based, and nonprofit resources specializing in areas such as treating mental illness, treating substance abuse, job training, life skills, or similar activities, including those that help CoC Program participants, whenever possible, reach recovery, self-sufficiency, and independence. Finally, CoCs should review all projects eligible for renewal in FY 2019 to determine their effectiveness in serving people experiencing homelessness, including cost effectiveness.

*4. Using an Evidence-Based Approach.* CoCs should prioritize projects that employ strong use of data and evidence, including the cost-effectiveness and impact of homelessness programs on positive housing outcomes, recovery, self-sufficiency, and reducing homelessness. Examples of measures that CoCs may use to evaluate projects include, but are not limited to: rates of positive housing outcomes, such as reduced length of time homeless and reduced rates of return to homelessness; improvements in employment and income; and improvements in overall well-being, such as improvements in mental health, physical health, connections to family, and safety.

*5. Increasing employment.* Employment provides people experiencing homelessness with income to afford housing. Employment also improves recovery outcomes for individuals with mental illness or addiction. CoCs and CoC-funded projects should work with local employment agencies and employers to prioritize training and employment opportunities for people experiencing homelessness. CoC's should also promote partnerships with public and private organizations that promote employment.

*6. Providing Flexibility for Housing First with Service Participation Requirements.* The traditional Housing First approach has two basic parts: First, individuals are rapidly placed and stabilized in permanent housing without any preconditions regarding income, work effort, sobriety or any other factor. Second, once in housing, individuals never face requirements to participate in services as a condition of retaining their housing. The first part, placement into permanent housing without preconditions, is an important priority to ensure that federal funds are allocated to providers that serve the most vulnerable homeless individuals. This NOFA maintains the commitment to unconditional acceptance of individuals into housing, especially for people with a high degree of vulnerability. At the same time, allowing service participation requirements once a person has been stably housed may promote important outcomes (e.g., employment, increased income, reduced substance use, and strengthened social connection), so this NOFA also provides communities and programs with flexibility, without penalty, to use service participation requirements after people have been stabilized in housing (consistent with 24 CFR 578.75(h)).

**B. CoC Program Implementation.** The following list highlights important information that applicants should consider as they are preparing the FY 2019 CoC Application and project applications(s). This is not an exhaustive list of considerations or requirements; therefore, all applicants and CoC stakeholders should carefully review the Rule for comprehensive information.

*1. Performance-Based Decisions.* Consistent with the requirements of the FY 2019

Appropriations Act:

- a. CoCs cannot receive grants for new projects, other than through reallocation, unless the CoC competitively ranks projects based on how they improve system performance as outlined in Section VII.B.1.a of this NOFA;
- b. HUD is increasing the share of the CoC score that is based on performance criteria; and
- c. HUD will prioritize funding for CoCs that have demonstrated the ability to reallocate resources to higher performing projects.

2. *Transition Grants*. See Section III.C.2.u of this NOFA for a definition of the transition grant.

3. *Domestic Violence (DV) Bonus*. The FY 2019 HUD Appropriations Act provides up to \$50 million for “rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that the Secretary determines are critical in order to assist survivors of domestic violence, dating violence, and stalking.” In the FY 2019 CoC Program Competition, CoCs will be able to apply for a DV Bonus for Permanent Housing-Rapid Rehousing (PH-RRH) projects, Joint TH and PH-RRH component projects, and SSO projects for coordinated entry (SSO-CE). Except as provided in Section II.B.1.a of this NOFA, a CoC may apply for up to 10 percent of its Preliminary Pro Rata Need (PPRN), or a minimum of \$50,000, whichever is greater, or a maximum of \$5 million, whichever is less, to create DV Bonus projects.

A CoC may apply for the following types of projects:

- a. Rapid Re-housing (PH-RRH) projects that demonstrate trauma-informed, victim-centered approaches.
- b. Joint TH and PH-RRH component projects as defined in Section III.C.2.n of this NOFA that demonstrate trauma-informed, victim-centered approaches.
- c. SSO Projects for Coordinated Entry (SSO-CE) to implement policies, procedures, and practices that equip the CoC’s coordinated entry to better meet the needs of people experience homelessness who are survivors of domestic violence, dating violence, or stalking (e.g., to implement policies and procedures that are trauma-informed, client-centered or to better coordinate referrals between the CoC’s coordinated entry and the victim service providers coordinated entry system where they are different).

Regardless of the type of project the CoC applies for, the grant term must be 1-year.

A CoC can only submit one project application for an SSO-CE project. A CoC may apply for any number of PH-RRH and Joint TH and PH-RRH projects provided that each application is for at least \$25,000. A CoC may also apply to expand an existing renewal project in accordance with Section III.C.2.j of this NOFA, including one that was previously funded with DV Bonus funding. DV Bonus funding may be used to expand an existing renewal project that is not dedicated to serving survivors of domestic violence, dating violence, or stalking who meet the definition of homeless in paragraph (4) of 24 CFR 578.3 so long as the DV Bonus funds for expansion are solely for additional units, beds, or services dedicated to persons eligible to be served with DV Bonus funding.

4. *DV Bonus projects Awarded in FY 2018.* DV Bonus projects awarded funding in the FY 2018 CoC Program Competition are eligible to apply for renewal in the FY 2019 CoC Program Competition provided:

- a. the project has an operating end date in Calendar Year (CY) 2020 (between January 1, 2020 and December 31, 2020); and
- b. continues to serve 100 percent survivors of domestic violence, date violence, or stalking.

5. *Consolidated Project.* Eligible renewal project applicants will continue to have the ability to consolidate two or more eligible renewal projects (but no more than four projects) into one project application during the application process. The projects being combined during a grant consolidation will continue uninterrupted. To be eligible for consolidation, the projects must have the same recipient and be for the same component; and will be funded in this competition only with FY 2019 funds (meaning no funds recaptured from prior years will be awarded to the project). HUD will not permit projects with the following characteristics to consolidate:

- a. outstanding audit or monitoring findings;
- b. outstanding obligation to HUD that is in arrears,
- c. unresolved construction delays,
- d. history of poor financial management or drawdown issues,
- e. history of low occupancy levels, or lack of experience in administering the project type, or
- f. or other capacity issues.

HUD will not permit a transitional housing and a permanent housing project to consolidate to form a Joint TH and PH-RRH component project and will not permit a transition grant to be consolidated with any other project. If a project meeting these characteristics attempts to consolidate as part of the project application process, the submitted consolidated project will be rejected by HUD during the application review process.

To apply for a consolidated grant, applicants must submit separate renewal project applications for each of the grants that are proposed to be consolidated, and an application for the new consolidated grant with the combined budget and information of all grants proposed for consolidation. Project applications for the grants that are proposed to be consolidated will be ranked, and if all those grants are selected, HUD will award the single consolidated grant. If one of the grants proposed to be consolidated is found to be ineligible for consolidation or is not selected, HUD will award all grants that are eligible for renewal and selected as separate grants. See Section V.B.3.a.(7) of this NOFA for additional requirements.

Collaborative Applicants designated as UFAs have more flexibility in how they manage their CoC Program-funded projects making consolidating projects through the FY 2019 project application process unnecessary. A Collaborative Applicant with UFA designation can consolidate projects during the grant term, so long as the consolidations are not combining different component types and the projects are funded under the same grant

(e.g., projects are currently funded under the same renewal grant). If a Collaborative Applicant consolidates projects during the grant term, it can apply to renew them during the FY 2019 CoC Program Competition as consolidated projects.

6. *Youth Homeless Demonstration Program (YHDP)*. YHDP projects that were initially awarded in FY 2016 may be eligible for renewal in the FY 2019 CoC Program Competition provided they meet the requirements of the CoC Program and will have an operating end date in Calendar Year (CY) 2020 (between January 1, 2020 and December 31, 2020). The following are applicable to YHDP projects renewing in the FY 2019 CoC Program Competition:

- a. may only request 1 year of renewal funding; and
- b. if the project applicant has more than one YHDP project that is eligible for renewal in FY 2019, the project applicant can consolidate the renewing YHDP projects through the renewal application provided it follows the process outlined in Section II.B.5 of this NOFA.

A YHDP project that requested and received a waiver for activities related to youth must attach a new waiver request to the FY 2019 renewal application that will be reviewed by HUD. YHDP projects cannot use the reallocation process, consolidate with a non-YHDP project, nor use the expansion processes outlined in Section III.C.2.j of this NOFA.

7. *Adjustments for Ineligible Projects*. If an ineligible renewal project is submitted in this Competition or used in the reallocation process, HUD will remove the ineligible project when calculating the final ARD amount for the CoC. To be eligible for renewal in FY 2019, a project must have an executed grant agreement by December 31, 2019 and have an expiration date in Calendar Year (CY) 2020 (between January 1, 2020 and December 31, 2020).

8. *HMIS*. As directed by Congress, HUD must provide an annual estimate of all individuals and families experiencing homelessness nationwide and within the territories. Therefore, all CoCs must have an HMIS that has the capacity to collect unduplicated counts of individuals and families experiencing homelessness and provide information to project subrecipients and applicants for needs analysis and funding priorities. Additionally, CoC and Emergency Solutions Grants (ESG) Program recipients must participate in the local HMIS; unless a recipient is a victim service provider or legal service provider, in which case it must use a comparable database and provide de-identified information to the CoC. For many communities, the inclusion of ESG recipients and subrecipients and other HUD federal partners (e.g., the Department of Health and Human Services and Department of Veterans Affairs) that require their programs to use the CoC's HMIS, will mean an increase in users that the HMIS must be able to accommodate. HUD expects communities to be able to use the HMIS information as well as aggregate data from comparable databases to review performance for the entire CoC geographic area, not just at the project level. The HMIS Lead should continue to consider any unique needs that the HMIS might be required to address to accommodate emergency shelter, street outreach, homelessness prevention, and other federal programs.

9. *Review of CoC Rankings*. CoCs will be required to rank all new reallocated, CoC Bonus, DV Bonus, and renewal project applications submitted by project applicants in *e-snaps*,



except CoC planning and UFA Costs (if applicable) projects. Additionally, if a CoC's Renewal Project Listing includes a consolidated project application(s) HUD will follow the ranking process outlined in Section II.B.5 of this NOFA. HUD will not review any project that is rejected by the CoC.

10. *HUD Funding Process.* HUD will continue the Tier 1 and Tier 2 funding process and CoCs and applicants should ensure there is a thorough understanding of the information provided in this NOFA. For CoC Collaborative Applicants designated as an UFA, HUD will use the selection process described in Section II.B.10 of this NOFA. HUD will establish each CoC's Tier 1 and Tier 2 amounts based on the total amount of funds requested by eligible renewal project applications on the Renewal Project Listing combined with the eligible renewal project amount(s) that were reallocated as listed on the reallocation forms in the CoC Priority Listing. HUD will post a report that lists each CoC's PPRN amount, estimated ARD amount, Tier 1 amount, CoC planning amount, amount for CoC Bonus, and maximum amount for DV Bonus, on the HUD Exchange. HUD has also posted the GIWs on the HUD Exchange. Section VIII of this NOFA provides additional information regarding project selection.

a. *Tier 1.* Tier 1 is equal to 100 percent of the combined Annual Renewal Amounts for all projects eligible for renewal for the first time plus 94 percent of the combined Annual Renewal Amounts for all other projects eligible for renewal. Project applications in Tier 1 will be conditionally selected from the highest scoring CoC to the lowest scoring CoC, provided the project applications pass both eligibility and quality threshold review. Any type of new or renewal project application can be placed in Tier 1, except for CoC Planning and UFA Costs (if applicable), which are not ranked. However, in the event insufficient funding is available to award all Tier 1 projects, Tier 1 will be reduced proportionately, which could result in some Tier 1 projects falling into Tier 2. Therefore, CoCs should carefully determine the priority and ranking for all project applications in Tier 1 as well as Tier 2, which is described below.

b. *Tier 2.* Tier 2 is the difference between Tier 1 and the CoC's ARD plus any amount available for CoC Bonus projects (not including amounts available for DV Bonus projects) and before adjustments are made to permanent housing leasing, operating, and rental assistance budget line items based on changes to Fair Market Rent (FMR) as described in Section III.K of this NOFA. This does not include the amounts available for CoC planning and UFA Costs (if applicable) projects. Project applications placed in Tier 2 will be assessed for eligibility and threshold requirements, and funding will be determined using the CoC Application score as well as the factors listed in Section II.B.10 of this NOFA.

HUD will award a point value to each new and renewal project application that is in Tier 2 using a 100-point scale:

(1) *CoC Score.* Up to 50 points in direct proportion to the score received on the CoC Application; e.g., if a CoC received 100 out of 200 points on the CoC Application, the project application would receive 27.5 out of 55 points for this criterion.

(2) *CoC Project Ranking.* Up to 40 points for the CoC's ranking of the project

application(s). To more evenly distribute funding across CoCs and consider the CoCs ranking of projects, point values will be assigned directly related to the CoCs' ranking of project applications. The calculation of point values will be 40 times the quantity  $(1-x)$  where  $x$  is the ratio of the cumulative funding requests for all projects or portions of projects ranked higher by the CoC in Tier 2 plus one half of the funding of the project of interest to the total amount of funding available in Tier 2. For example, if a CoC is eligible to apply for projects totaling \$500,000 in Tier 2 and applies for 5 projects ranked in Tier 2 of \$100,000 each: the highest ranked project would receive 36 points and then the subsequently ranked projects would receive 28, 20, 12, and 4 points.

(3) *Low Barriers to Entry*. Up to 10 points for how the project application demonstrates that it is low barrier and prioritizes rapid placement and stabilization in permanent housing. (See section II.A.6 in this NOFA for more information). Permanent housing (including PSH and RRH), Transitional housing, Joint TH and PH-RRH component, safe haven, and SSO projects that are not for centralized or coordinated assessment can receive up to 10 points for how the project demonstrates that it is low-barrier and does not have preconditions to entry (such as sobriety or minimum income threshold) and prioritizes rapid placement and stabilization in permanent housing. HMIS projects and SSO projects for a centralized or coordinated assessment system will automatically receive 10 points.

c. *Projects Straddling Tiers*. If a project application straddles the Tier 1 and Tier 2 funding line, HUD will conditionally select the project up to the amount of funding that falls within Tier 2. Using the CoC score and other factors described in Section II.B.10 of this NOFA, HUD may fund the Tier 2 portion of the project. If HUD does not fund the Tier 2 portion of the project, HUD may award the project at the reduced amount, provided the project is still feasible with the reduced funding (e.g., is able to continue serving homeless program participants effectively).

d. *CoC Planning and UFA Costs*. As previously stated, CoC planning and UFA Costs projects are not ranked, therefore, those items will not be included in Tier 1 or Tier 2. CoC planning and UFA Costs projects that pass eligibility and review threshold will be conditionally selected using CoC scores from the highest scoring CoC to the lowest scoring CoC.

CoCs may only submit one project application for CoC planning costs and, if designated as an UFA, one project application for UFA Costs. The project applicant for CoC planning and UFA Costs must be the Collaborative Applicant that is listed on the CoC Applicant Profile in *e-snaps*.

e. *DV Bonus*. For projects the CoC indicates it would like considered as part of the DV Bonus, HUD will award a point value to each project application combining both the CoC Application score and responses to the domestic violence bonus specific questions in the CoC Application using the following 100-point scale:

(1) For Rapid Re-housing and Joint TH and PH-RRH component projects:

(a) *CoC Score*. Up to 25 points in direct proportion to the score received on the CoC Application.

(b) *Need for the Project*. Up to 25 points based on the extent the CoC quantifies the need for the project in its portfolio, the extent of the need, and how the project will fill that gap.

(c) *Quality of the Project Applicant*. Up to 50 points based on the previous performance of the applicant in serving survivors of domestic violence, dating violence, or stalking, and their ability to house survivors and meet safety outcomes. Additionally, to be eligible to receive a PH-RRH or Joint TH and PH-RRH project, the CoC must demonstrate that the project will use trauma-informed, victim-centered approaches.

(2) For SSO Projects for Coordinated Entry:

(a) *CoC Score*. Up to 50 points in direct proportion to the score received on the CoC Application.

(b) *Need for the Project*. Up to 50 points based on the extent to which the CoC demonstrates the need for a coordinated entry system that better meets the needs of survivors of domestic violence, dating violence, or stalking, and how the project will fill this need.

CoCs are required to rank all DV Bonus projects on the New Project Listing of the CoC Priority Listing with a unique rank number. If a project application designated as DV Bonus is conditionally selected by HUD with DV Bonus funds, HUD will remove the ranked DV Bonus project from the New Project Listing and all other project applications ranked below the DV Bonus project will slide up one rank position (e.g., if the conditionally selected DV Bonus project is ranked #5, HUD will remove the DV Bonus project and each project below #5 will move up one ranked position). If the DV Bonus project application is not conditionally selected with DV Bonus funds, the project application will remain in its ranked position and will be considered for funding as a new project provided it meets the requirements in Section II.B.1 of this NOFA and passes the eligibility and threshold criteria in Sections V.C.3.b and c of this NOFA.

f. *Participant Eligibility*. Projects funded through this NOFA must have the following eligibility criteria for program participants. References to paragraphs of the definition of homelessness refer to the paragraphs listed under the definition of "homeless" in 24 CFR 578.3. All projects must participate in coordinated entry, and selection of program participants must be consistent with the CoC's Coordinated Entry process. As provided by the Consolidated Appropriations Act, 2019, youth aged 24 and under must not be required to provide third-party documentation that they meet the homeless definition in 24 CFR 578.3 as a condition for receiving services funded under this NOFA. Additionally, any youth-serving provider funded under this NOFA may serve unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under) who have an unsafe primary nighttime residence and no safe alternative to that residence. HUD interprets "youth-serving provider" as a private nonprofit organization whose primary mission is to provide services to youth aged 24 and under and families headed by youth aged 24 and under. HUD interprets "living in unsafe situations" as having an unsafe primary nighttime residence and no safe alternative to that residence. These youth-related requirements supersede any conflicting requirements

under this NOFA or the CoC Program rule.

Any youth-serving provider funded under this NOFA may serve unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under) who have an unsafe primary nighttime residence and no safe alternative to that residence.

*(1) Renewal Projects*

(a) PH-PSH renewal projects must serve one of the following:

(i) program participants who are eligible for assistance under the project's current grant agreement;

(ii) persons who meet the definition of DedicatedPLUS (see Section III.C.2.g of this NOFA) where all units funded by this project must be used to serve program participants who meet the qualifications for DedicatedPLUS;

or

(iii) persons experiencing chronic homelessness at the time they initially enrolled in the project.

(b) PH-RRH, Joint TH and PH-RRH component, TH, and SSO projects may serve persons who qualify as homeless under paragraphs (1), (2), or (4) of 24 CFR 578.3. Additionally, these projects may serve persons who qualify as homeless under paragraph (3) of 24 CFR 578.3 if the CoC is approved to serve persons in paragraph (3).

(c) YHDP projects renewing for the first time in the FY 2019 CoC Program Competition must serve youth experiencing homelessness, including unaccompanied and pregnant youth, where no member of the household is older than 24.

*(2) New Projects*

(a) New PH-PSH projects must serve one of the following:

(i) persons who meet the definition of DedicatedPLUS (see Section III.C.2.g of this NOFA) in which case all units funded by the project must be used to serve program participants who meet the qualifications for DedicatedPLUS; or

(ii) persons experiencing chronic homelessness at the time they initially enroll in the project.

(b) New PH-RRH and new Joint TH and PH-RRH projects may serve persons who qualify as homeless under paragraphs (1), (2), or (4) of 24 CFR 578.3. Additionally, these projects may serve persons who qualify as homeless under paragraph (3) of 24 CFR 578.3 if the CoC is approved to serve persons in paragraph (3).

### **III. Continuum of Care Program Requirements**

## A. Definitions

DUNS Number is the nine-digit identification number assigned to a business or organization by Dun & Bradstreet and provides a means of identifying business entities on a location-specific basis. Requests for a DUNS number can be made by visiting the Online DUNS Request Portal. Federal Awardee Performance and Integrity Information System (FAPIIS) is a database that has been established to track contractor misconduct and performance.

Point of Contact (POC) is the person who may be contacted with questions about the application submitted by the AOR. The point of contact is listed in item 8F on the Standard Form 424 (SF424) Application for Federal Assistance Programs, which is required by discretionary grant programs.

System for Award Management (SAM), located at the website [Sam.gov](https://sam.gov) is the official U.S. Government system that consolidated the capabilities of Central Contractor Registry (CCR), Excluded Parties List System (EPLS) and the Online Representations and Certifications Application (ORCA). Registration with Sam.gov is required for submission of applications via [Grants.gov](https://grants.gov).

## B. Departmental Resources

The following links give detailed information on each resource

- [Affirmatively Furthering Fair Housing](#)
- [Code of Conduct List](#)
- [Do Not Pay](#)
- [DUNS Request/Dun & Bradstreet](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [Federal Subaward Reporting System](#)
- [HUD Funding Opportunity](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [Limited English Proficiency](#)
- [State Point of Contact List](#)
- [System for Award Management](#)
- [Uniform Relocation Act Information](#)
- [USASpending](#)

The Rule details the requirements with which grants awarded under this Competition must comply. Regulatory citations are provided below so applicants can refer to specific areas of 24 CFR part 578. The grant agreements will be subject to the program regulation as it may be amended from time to time. Recipients will be subject to regulatory revisions as they come into effect.

**C. Definitions and Concepts.** The definitions and concepts contained in this section include terms that are important for all applicants to understand to complete all parts of the FY 2019 CoC Consolidated Application in *e-snaps* on behalf of the CoC.

**1. Definitions from 24 CFR 578.3.** The following terms are defined in 24 CFR 578.3. Applicants must refer to the Rule for the definitions contained in this section.

- a. *Annual Renewal Amount (ARA)*
- b. *Applicant*
- c. *Centralized or Coordinated Assessment System*
- d. *Chronically Homeless*
- e. *Collaborative Applicant*
- f. *Continuum of Care*
- g. *Consolidated Plan*
- h. *High Performing Community (HPC)*
- i. *Homeless Management Information System (HMIS)*
- j. *Homeless Management Information Lead (HMIS Lead)*
- k. *Homeless*
- l. *Permanent Housing*
- m. *Permanent Supportive Housing*
- n. *Private Nonprofit Organization*
- o. *Program Participant*
- p. *Project*
- q. *Recipient*
- r. *Subrecipient*
- s. *Transitional Housing*
- t. *Unified Funding Agency*

**2. CoC Program NOFA Concepts.** The following terms are not found in 24 CFR 578.3 but may be found in other areas of the Rule or are used in this NOFA to define concepts that pertain specifically to the FY 2019 CoC Consolidated Application.

- a. *Annual Renewal Demand (ARD) (24 CFR 578.17(b)(2)).* The total amount of all the CoC's projects that will be eligible for renewal in the FY 2019 CoC Program Competition, before any required adjustments to funding for leasing, rental assistance, and operating budget line items based on FMR changes. The ARD will be calculated by combining the total amount of funds requested by eligible renewal projects on the Renewal Project Listing and the combined eligible renewal project amount(s) that were reallocated.
- b. *Beds Dedicated to Chronically Homeless Individuals and Families.* A permanent supportive housing bed that is dedicated specifically for use by chronically homeless individuals and families within a CoC's geographic area, as reported in the CoC's HIC and the FY 2019 permanent housing project applications. When a program participant

exits the project, the bed must be filled by another chronically homeless participant unless there are no chronically homeless persons located within the CoC's geographic area. This concept only applies to permanent supportive housing projects.

c. *CoC Bonus Project*. A CoC is eligible to apply for up to 5 percent of its Final Pro Rata Need (FPRN), or 25 percent of the CoC's Preliminary Pro Rata Need (PPRN) minus its ARD, whichever is greater. New projects created through the CoC Bonus must meet the project eligibility and quality threshold requirements established by HUD in Sections V.C.3.b and V.C.3.c of this NOFA. To be eligible to receive a bonus project, a CoC must demonstrate that it ranks projects based on how they improve system performance as outlined in Section VII.B.1.a of this NOFA.

d. *Consolidated Plan Certification*. The standard form, Certification of Consistency with the Consolidated Plan (form HUD-2991), in which a state or local official certifies that the proposed activities or projects are consistent with the jurisdiction's Consolidated Plan and, if the project applicant is a state or unit of local government, that the jurisdiction is following its Consolidated Plan per the requirement of 24 CFR part 91. All project applications submitted by the Collaborative Applicant must be included in the certification either by submitting one appropriately signed and dated HUD-2991 for each project or a single signed and dated HUD-2991 from the jurisdiction that includes a listing of all project applications. The CoC planning, UFA Costs, and renewal YHDP projects, if applicable, must be included.

e. *Consolidation*. The process by which two or more projects that are eligible for renewal in the FY 2019 CoC Program Competition apply for funding and are combined into a single renewal project upon award. See Sections II.B.4, V.B.2.b.(2) and V.B.3.a.(4) of this NOFA for additional information.

f. *Continuum of Care Merger*. The CoC merger is a process where two or more CoCs voluntarily agree to merge the entire geographic areas of all CoCs into one larger CoC. HUD strongly encourages CoCs that struggle with capacity to merge with a neighboring CoC or Balance of State CoC during each fiscal year's CoC Program Registration process. To encourage CoC mergers and mitigate the potential adverse scoring implications that may occur when a high performing CoC merges with one or more lower performing CoC(s), HUD will award up to 25 bonus points to CoCs that first registered as a merged CoC during the FY 2018 or FY 2019 CoC Program Registration process. The minimum number of points awarded will be 5 with the maximum points awarded up to 25. To be eligible for these points, the merged CoC must contain all the geographic areas previously included in two or more CoCs that applied for funding in the FY 2018 CoC Program Competition. Points will be awarded as follows:

- (1) 5 bonus points to CoCs that merged;
- (2) 10 bonus points to CoCs where one or more of the merging CoCs had a CoC Application score of 140 points or lower in either the FY 2017 or FY 2018 CoC Program Competitions;
- (3) up to 10 bonus points to CoCs that demonstrate the results of their Point-in-Time (PIT) count reported in the Homelessness Data Exchange (HDX) were

adversely affected by changes in methodology that resulted from the merger (e.g., higher numbers of homeless individuals, families, and youth due to the merger process, particularly if one of the CoCs in the merger did not have a reliable PIT count).

*g. DedicatedPLUS project.* A permanent supportive housing project where 100 percent of the beds are dedicated to serve individuals, households with children, and unaccompanied youth that at intake meet one of the following categories:

- (1) experiencing chronic homelessness as defined in 24 CFR 578.3;
- (2) residing in a transitional housing project that will be eliminated and meets the definition of chronically homeless in effect at the time in which the individual or family entered the transitional housing project;
- (3) residing in a place not meant for human habitation, emergency shelter, or Safe Haven and had been admitted and enrolled in a permanent housing project within the last year but were unable to maintain a housing placement and met the definition of chronic homeless as defined by 24 CFR 578.3 prior to entering the project;
- (4) residing in transitional housing funded by a Joint TH and PH-RRH component project and who were experiencing chronic homelessness as defined at 24 CFR 578.3;
- (5) residing and has resided in a place not meant for human habitation, Safe Haven, or emergency shelter for at least 12 months in the last three years, but has not done so on four separate occasions and the individual or head of household meet the definition of 'homeless individual with a disability; or
- (6) receiving assistance through a Department of Veterans Affairs (VA)-funded homeless assistance program and met one of the above criteria at initial intake to the VA's homeless assistance system.

A renewal project where 100 percent of the beds were dedicated to chronically homeless individuals and families, as described in Section III.C.2.b, under the grant that is being renewed may either become a DedicatedPLUS project or may continue to dedicate 100 percent of its beds to chronically homeless individuals and families. If a renewal project that has 100 percent of its beds dedicated to chronically homeless individuals and families elects to become a DedicatedPLUS project, the project will be required to adhere to all fair housing requirements at 24 CFR 578.93.

Projects that were awarded as DedicatedPLUS in a previous CoC Program Competition are required to include households with children to qualify as a DedicatedPLUS project in the FY 2019 CoC Program Competition.

*h. DV Bonus.* A project that is dedicated to survivors of domestic violence, dating violence, or stalking who qualify under paragraph (4) of the definition of homeless at 24 CFR 578.3. Except as provided in Section II.B.1.a of this NOFA, a CoC may apply for up to 10 percent of its Preliminary Pro Rata Need (PPRN), or a minimum of \$50,000, whichever is greater, or a maximum of \$5 million, whichever is less, to create DV Bonus projects. See Sections II.B.3 and II.B.10.e of this NOFA for project



application requirements and how DV Bonus projects will be reviewed and selected.

i. *Eligible Renewal Project*. A project that will be under grant agreement by December 31, 2019 and will have an expiration date in Calendar Year (CY) 2020 (between January 1, 2020 and December 31, 2020).

j. *Expansion*. The process by which a renewal project applicant submits a new project application to expand its current operations by adding units, beds, persons served, services provided to existing program participants, or in the case of HMIS, increase the current HMIS activities within the CoC's geographic area. For the new expansion project to be selected for conditional award the renewal project application must also be selected for conditional award. DV Bonus funds can only be used to expand an existing renewal project if the expansion project is dedicated to survivors of domestic violence, dating violence, or stalking who qualify under paragraph (4) of the definition of homeless at 24 CFR 578.3. For projects that are expanding their current CoC Program-funded project, project applicants will be required to submit three project applications:

- (1) the renewal project application that will be expanded; and
- (2) a new project application with just the expansion information; and
- (3) a renewal project application that incorporates the renewal and new expansion activities and the combined budget line items for the renewal and the new expansion.

k. *Final Pro Rata Need (FPRN)*. The higher of PPRN or ARD for the Continuum of Care is the FPRN, which is the base for the maximum award amount for the CoC.

l. *Homelessness and Human Trafficking*. HUD is clarifying that persons who are fleeing or attempting to flee human trafficking may qualify as homeless under paragraph (4) of the homeless definition at 24 CFR 578.3; and, therefore, the individuals may be eligible for certain forms of homeless assistance under the CoC Program, subject to other restrictions that may apply. HUD considers human trafficking, including sex trafficking, to be “other dangerous or life-threatening conditions that relate to violence against the individual or family member” under paragraph (4) of the definition of homeless at 24 CFR 578.3.

m. *Housing Inventory Count (HIC)*. A complete listing of the CoC's HUD and non-HUD funded beds dedicated to homeless individuals and families in the CoC's geographic area.

n. *Joint TH and PH-RRH Component Project*. The Joint TH and PH-RRH component project combines two existing program components—transitional housing and permanent housing-rapid rehousing—in a single project to serve individuals and families experiencing homelessness. Recipients should prioritize those with the highest needs using an evidence-based approach designed to provide stable housing and services that, to the greatest extent possible, move the participant towards self-sufficiency and independence. Program participants may only receive up to 24-months of total assistance. For more information about Joint TH and PH-RRH component projects, see Section V.C.3 of this NOFA.

If funded, HUD will limit eligible costs as follows, in addition to other limitations found in 24 CFR part 578:

- (1) leasing of a structure or units, and operating costs to provide transitional housing;
- (2) short- or medium-term tenant-based rental assistance on behalf of program participants to pay for the rapid rehousing portion of the project;
- (3) supportive services;
- (4) HMIS; and
- (5) project administrative costs.

When a program participant is enrolled in a Joint TH and PH-RRH component project, the recipient or subrecipient must be able to provide both components, including the units supported by the transitional housing component and the tenant-based rental assistance and services provided through the PH-RRH component, to all participants. A program participant may choose to receive only the transitional housing unit, or the assistance provided through the PH-RRH component, but the recipient or subrecipient must make both types of assistance available. Additionally, if CoC Program funds are not being requested for both TH and PH-RRH units, the project application must still describe the number of TH and PH-RRH units that will be utilized by the project, if selected for conditional award, and provide details in the project description of how TH and PH-RRH assistance will be provided.

*o. Non-Dedicated Permanent Supportive Housing Beds.* Permanent supportive housing beds within a CoC's geographic area that are not currently classified as dedicated for use by chronically homeless individuals and families or as DedicatedPLUS.

*p. Preliminary Pro Rata Need (PPRN).* The amount of funds a CoC could receive based upon the geographic areas claimed by the CoC and reviewed by HUD during the CoC Program Registration process. To determine the amount of funding available for each geographic area, HUD will use the formula set forth at 24 CFR 578.17(a). Each year, HUD publishes the PPRN for each jurisdiction on the HUD Exchange. A CoC's PPRN is determined by adding the published PPRN of each metropolitan city, urban county, and other county located within the HUD-approved CoC geographic area. HUD will post a report to the FY 2019 CoC Program Competition: Funds Available page on the HUD Exchange that will list each CoC's available PPRN based on the geographic code(s) selected by the Collaborative Applicant during the FY 2019 CoC Program Registration process.

*q. Racial Disparities.* Research has found racial disparities in rates of homelessness. Specifically, blacks and Native American persons experience homelessness at disproportionately higher rates. Efforts to prevent and end homelessness should consider and address racial inequities to achieve positive outcomes for all persons experiencing homelessness (e.g., receiving necessary services and housing to exit homelessness).

*r. Rapid Rehousing.* A type of permanent housing meeting the requirements of 24 CFR 578.37(a)(1)(ii).

s. *Reallocation*. Reallocation is a process that CoCs use to shift funds in whole or part from existing eligible renewal projects to create one or more new projects without decreasing the CoC's ARD. New projects created through reallocation must meet the requirements set forth in Section II.B.1 of this NOFA and the project eligibility and project quality thresholds established by HUD in Sections V.C.3.b and V.C.3.c of this NOFA. CoCs may only reallocate eligible renewal projects that have previously been renewed under the CoC Program. To create a Transition Grant (see Section III.C.2.u of this NOFA), the CoC must wholly eliminate one or more projects and use those funds to create the single, new transition grant.

For a CoC to receive funding for a new project, other than through reallocation, the CoC must demonstrate that all project applications are evaluated and ranked based on the degree to which they improve the CoC's system performance.

t. *Solo Applicants*. Per the Act, "A solo applicant may submit an application to the Secretary for a grant under subsection (a) and be awarded such grant on the same basis as such grants are awarded to other applicants based on the criteria described in section 11386a of this title, but only if the Secretary determines that the solo applicant has attempted to participate in the continuum of care process but was not permitted to participate in a reasonable manner. The Secretary may award such grants directly to such applicants in a manner determined to be appropriate by the Secretary." A solo applicant must submit a solo applicant project application in *e-snaps* prior to the application deadline of 8:00 PM EDT on September 30, 2019. Additionally, for HUD to consider its solo application, a solo applicant must also meet all the requirements outlined in Section X.C of this NOFA.

u. *Transition Grant*. A grant to fund a new project to transition an eligible renewal project being eliminated through reallocation from one program component to another eligible new component over a 1-year period (see section III.C.2.s of this NOFA for more information). The new transition project must meet the following requirements:

- (1) no more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded;
- (2) transition grants in this Competition are eligible for renewal in subsequent fiscal years for eligible activities of the new program component;
- (3) to be eligible to receive a transition grant, the renewal project must have the consent of its Continuum of Care; and
- (4) the new project application must meet project quality thresholds established by HUD in Sections V.C.3.b and V.C.3.c of this NOFA.

All remaining funds awarded must be used for eligible activities awarded under the new component for the project. Transition grants conditionally awarded in the FY 2019 CoC Program Competition will have one year to fully transition from the original component to the new component and this will take place during the transition grants normal operating year (e.g., March 1, 2020 through February 29, 2020). The project's operating start date will be the day after the end of the previous grant term for the expiring component, i.e., the transition grant will have the same operating year as the expiring component project. For transition grants reallocated from more than one

project, the operating start date of the transition grant will be the day after the end of the earliest expiring grant term. By the end of the FY 2020 operating year, the transition grant must be fully operating under the new component and will be eligible to apply for renewal in the next CoC Program Competition under the component to which it transitioned.

For a new project to be considered a transition grant, the applicant for the new project must be the same recipient for the eligible renewal grant(s) being eliminated, and the applicant must provide the grant number(s) of the projects being eliminated to create the new project and attach a copy of the most recently awarded project application (e.g., if the project was last funded in the FY 2018 CoC Program Competition, a copy of the FY 2018 CoC Program Competition project application must be attached to the project application).

To meet the requirements HUD will consider the following as CoC consent for the transition grant:

- (1) the project application identifies the project as a transition project, and
- (2) the CoC ranked the new transition grant project on the New Project Listing in the FY 2019 CoC Priority Listing.

If HUD determines that a new project that applied to be a transition grant does not qualify to be a transition grant, but meets all other new project requirements, then HUD may award the project as a new project that is not a transition grant. In these instances, the recipient will not be permitted to expend any FY 2019 funds on activities not included in the new project application.

**D. Establishing and Operating the CoC.** Provisions at 24 CFR 578.5 and 24 CFR 578.7 detail the requirements for the establishment of a CoC and its operations.

**E. CoC Geographic Area.** Provisions at 24 CFR 578.5 require representatives from relevant organizations within a geographic area to establish a CoC to carry out the duties within the geographic area. The boundaries of identified CoC geographic areas cannot overlap, and any overlapping geographies are considered Competing CoCs. HUD follows the process at 24 CFR 578.35(d) to determine which CoC HUD will fund in the case of CoC geographic areas that overlap. For the FY 2019 CoC Program Competition, there are no Competing CoCs.

**F. Planning Duties of the CoC.** Planning duties for CoCs are detailed in 24 CFR 578.7.

**G. Centralized or Coordinated Assessment System.** The definition of Centralized or Coordinated Assessment can be found at 24 CFR 578.3. Provisions at 24 CFR 578.7(a)(8) detail the responsibilities of the CoC about establishing and operating such a system. In addition to the definition and responsibilities established in the regulation, HUD also posted on the HUD Exchange the [CPD-17-01: Notice Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System](#) in January 2017, establishing the requirements related to the development and use of a centralized or coordinated entry assessment system. CoCs may use planning costs to design and plan for the implementation of a centralized or coordinated assessment system. These systems help communities assess the needs of program participants and effectively match homeless persons with the most appropriate resources available to address their particular needs.

**H. CoC Program Components.** 24 CFR 578.37 state that CoC funds may be used for projects under five program components: permanent housing (including rapid rehousing and permanent supportive housing); transitional housing; Supportive Services Only; HMIS; and in some cases, homelessness prevention. Only designated HPCs may carry out homelessness prevention activities through the CoC Program. Although CoCs were able to apply for HPC designation during the FY 2019 CoC Program Registration process, HUD did not receive any requests for HPC designation; therefore, no CoCs may request funds for homelessness prevention. The only components that will be funded in the FY 2019 CoC Program Competition are:

1. Permanent Housing;
2. Transitional Housing;
3. Supportive Services Only; and
4. HMIS.

In addition to funding projects that use these components, Collaborative Applicants may apply for projects that include the Transitional Housing and Permanent Housing-Rapid Re-Housing components in a single project, a Joint TH and PH-RRH component project.

**I. Collaborative Applicant.** HUD will only review CoC Consolidated Applications submitted from the Collaborative Applicant that has been designated by the CoC. As set forth at 24 CFR 578.9(a)(3), the Collaborative Applicant will compile all parts of the CoC Consolidated Application, including the FY 2019 CoC Application, the FY 2019 CoC Priority Listing, and all project applications for FY 2019 funds the CoC has ranked for funding within the geographic area. Additionally, as set forth at 24 CFR 578.3, the Collaborative Applicant is the only entity that may apply to HUD for CoC planning costs and for UFA Costs, if the Collaborative Applicant is designated to apply as an UFA applicant.

**J. Compliance with Violence Against Women Act (VAWA) Rule.** Provides various protections to victims of domestic violence, dating violence, sexual assault, and stalking under the CoC Program and other HUD programs. The grants to be awarded under this NOFA must comply with the VAWA rule as provided in 24 CFR 578.99(j). To be in compliance, each CoC must have established an emergency transfer plan under 24 CFR 578.7(d) and make related updates to the written standards for administering CoC program assistance under 24 CFR 578.7(a)(9)(ii), (iii) and (v) by the time the local CPD Field Office issued the first FY 2017 grant agreement for a project in the CoC's geographic area for projects awarded funds in the FY 2017 CoC Program Competition.

**K. CoC Maximum Award and FMR Adjustments.** The process for determining a CoC's maximum award amount is detailed in 24 CFR 578.17(b). HUD is required to adjust awards for leasing, operating, and rental assistance budget line items based on changes to the Fair Market Rents (FMR). All adjustments for each fiscal year appropriation will be made prior to award announcement. HUD will make these adjustments as follows:

1. Funds awarded for rental assistance will be adjusted in one of two ways:
  - a. Funds awarded for rental assistance in all new projects and all renewal projects requesting the FMR will be adjusted by applying the FMR in effect at the time of application submission to HUD, including instances where the FMR for a specific area has decreased from the previous year. Because the application submission

deadline falls in FY 2019, HUD will use FY 2019 FMRs.

b. Funds awarded for rental assistance for renewal projects that request less than FMR, that is, a per-unit amount based on the actual rent costs per unit, will be increased based on the average increase in FMR amounts within the CoC's geographic area, weighted for population density. If the FMR for a specific area decreased from the previous year, project applicants will not receive an award that exceeds the FMR after adjustment. If the FMR for the project applicant's entire area decreased from the previous year, the project will be awarded the lesser amount of the per-unit amount requested by the project applicant, based on the actual rent costs per unit, or the FMR after adjustment.

2. Funds awarded for operating and leasing in permanent housing projects will be increased based on the average increase in FMR amounts within the CoC's geographic area, weighted for population density. Because leasing and operating costs do not decrease relative to rent amounts for specific units (e.g., operating costs for 10 units that have rents of \$500 are likely the same as for 10 units that have rents that are \$450) adjustments to leasing and operating budget line items will not include decreases if FMRs decrease in the geographic area. The operating and leasing budget line items in these projects will remain the same as in the most recent grant agreement or grant agreement amendment.

## IV. Award Information

### A. Available Funds

Funding of up to **\$2,254,000,000** is available through this NOFA.

Additional funds may become available for award under this NOFA because of HUD's efforts to recapture unused funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the applicable funding restrictions contained in this NOFA.

HUD will continue to require Collaborative Applicants to rank all projects (new reallocation, CoC Bonus, DV Bonus, and renewal) in two tiers. Tier 1 is equal to 100 percent of the combined ARA for all projects eligible for renewal for the first time plus 94 percent of the combined ARA amounts as described in Section III.C.2.a of this NOFA. Tier 2 is the difference between Tier 1 and the CoC's ARD plus any amount available for CoC bonus amounts as described in Section II.C.2.c of this NOFA. CoC Planning and UFA Cost projects will be reviewed separately from these tiers.

**B. Lead-Based Paint Requirement.** When providing housing assistance funding for purchase, lease, supportive services, operating, or work that may disturb painted surfaces of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead Disclosure and Lead Safe Housing (24 CFR part 35)), and the Environmental Protection Agency (EPA) lead-based paint rules (e.g., Repair, Renovations and Painting, Pre-Renovation Education and Certification (40 CFR part 745)).

When providing education or counseling on buying or renting housing that may include pre-1978 housing, when required by regulation or policy, inform participants of their rights under the Lead Disclosure Rule (24 CFR part 36, subpart A.), and if the focus of the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subpart B,R, and as applicable, F-M).

## V. Eligibility Information

### A. Eligible Applicants

HUD does not award grants to individuals. HUD will also not evaluate applications from ineligible applicants.

As required in the Code of Federal Regulations (CFR) at 2 CFR 25.200 and 24 CFR Part 5 Subpart K, all applicants for financial assistance must have an active unique entity identifier (currently a [DUNS number](#)), and have an active registration in the [System for Award Management \(SAM\)](#) before submitting an application. Getting a DUNS number and completing SAM registration can take up to four weeks; therefore, applicants should start this process or check their status early.

### B. Rules and Regulations Applicable to HUD NOFAs

Applicants must comply with these rules to apply.

#### 1. Eligibility Requirements for Applicants of HUD's Grants Programs

Evidence of the following issues may prevent an award from being granted to otherwise successful applicants. Detailed information on each requirement is posted on [HUD's Funding Opportunities Page](#).

Outstanding civil rights matters must be resolved to HUD's satisfaction prior to grant award, provided that all applicable legal processes have been satisfied.

Outstanding Delinquent Federal Debts

Debarments and/or Suspensions

Pre-selection Review of Performance

Sufficiency of Financial Management System

False Statements

Mandatory Disclosure Requirement

Conducting Business in Accordance with Ethical Standards/Code of Conduct

Prohibition Against Lobbying Activities

Equal Protection for Faith-based and Community Organizations

#### 2. Program Specific Requirements

**a. Eligible Project Applicants (24 CFR 578.15, 24 CFR 5.100).** Eligible project applicants for the CoC Program Competition are found at 24 CFR 578.15 and include nonprofit organizations, states, local governments, and instrumentalities of state and local governments. Public housing agencies, as such term is defined in 24 CFR 5.100, are eligible without limitation or exclusion. Tribes, tribal housing authorities, and for-profit

entities are ineligible to apply for grants or to be subrecipients of grant funds.

**b. Renewal Projects.** Awards made under the CoC Program and S+C project-based rental assistance with rehabilitation 10-year grants, are eligible for renewal for FY 2019 funds if they are currently in operation and have an executed grant agreement that is dated no later than December 31, 2019 and expire in Calendar Year (CY) 2020 (the period from January 1, 2020 through December 31, 2020). These projects are renewable under the CoC Program Competition as set forth in 24 CFR 578.33 to continue ongoing leasing, operating, supportive services, rental assistance, HMIS, and project administrative costs. Grant agreements for FY 2018 funds must be executed by December 31, 2019 to be eligible for renewal. If a project application is not executed by December 31, 2019, HUD will withdraw any funds conditionally awarded for FY 2019.

Projects that were eligible under predecessor programs, specifically Safe Haven projects, will continue to be eligible under the CoC Program and will continue to be eligible for renewal of leasing, operating, supportive services, rental assistance, HMIS and project administrative costs under 24 CFR 578.33(d)(1), so long as their project continues to serve the same population and the same number of program participants or units in the same type of housing as identified in their most recently amended grant agreement signed before August 31, 2012. No new Safe Haven projects will be funded; however, existing Safe Haven projects may be renewed to continue to carry out activities that are eligible costs under Subpart D of the Rule.

(1) HUD will not select renewal projects for an award of FY 2019 funds in this Competition unless the project meets one of the following additional eligibility requirements:

(a) Any CoC Program grant or S+C project-based rental assistance grant with funds for rehabilitation awarded in a preceding Competition that expire in CY 2020.

(b) Any S+C grant awarded prior to FY 2002 for which funding is expected to run out in CY 2020, and which has never applied for renewal funding.

(c) Any grant awarded as S+C grant that included rehabilitation that has a 10-year grant term.

(2) The total request for each renewing project may not exceed the ARA. Additionally, where two or more eligible projects are being consolidated through the project application, the total ARA of the consolidated project must be equal or less than the sum of the original renewal projects. Because funds for acquisition, new construction, and rehabilitation may not be renewed, grants being renewed whose original expiring award included those funds may only renew leasing, supportive services, rental assistance, operating, and HMIS costs and may not exceed 10 percent in administrative costs. For information on ARA, see Section III.C.1.a of this NOFA.

(3) HUD will recapture grant funds remaining unspent at the end of the previous grant period when it renews a grant.

(4) HUD encourages the consolidation of eligible renewal grants as provided in Section II.B.5 of this NOFA. This does not apply to CoCs that are designated by HUD



as an UFA, since UFAs will enter into a single renewal grant agreement with HUD for the CoC's entire geographic area. See Section II.B.5 of this NOFA for additional information regarding consolidations.

(5) A grant awarded as S+C grant that included rehabilitation that has a 10-year grant term renewing for the first time under this NOFA may indicate a higher number of units than approved in the original application on the GIW during the FY 2019 CoC Program Registration process. However, for HUD to approve this increase, the applicant must have provided its local HUD CPD Field Office with copies of all executed leases to support the higher number of units. HUD will consider the number of documented units under lease as the maximum number of units eligible for renewal in the FY 2019 CoC Program Competition. The number and configuration of units eligible for renewal must match the number and configuration of units recorded on the Rental Assistance Worksheet that was part of the GIW.

**c. Renewal Grant Terms.**

(1) All renewal project applications, including rental assistance and YHDP, are limited to a 1-year grant term and one year of funding.

(2) Any renewal permanent housing project that receives project-based rental assistance or operating costs may request up to a 15-year grant term; however, the project applicants may only request 1 year of funding. Project applicants must apply for the additional funds as a renewal project application prior to the anniversary of the first expenditure of grant funds by which date the grant funds should have been expended or, if the date upon which funds must be expended has been extended by HUD, the date upon which the extension ends. CoC Program funds are not guaranteed past the 1-year of renewal funding if conditionally awarded.

**d. New Projects.**

(1) CoCs may submit new projects created through reallocation, CoC Bonus, or a combination of reallocation and CoC Bonus, new DV Bonus projects, CoC planning project, and UFA Costs project (if applicable).

(2) To expend funds within statutorily required deadlines, applicants funded for sponsor-based and project-based rental assistance must execute the grant agreement and begin providing rental assistance within 2 years. However, HUD strongly encourages all rental assistance to begin within 12 months of award. Applicants that are unable to begin rental assistance within the 12-month period should consult with the local HUD CPD field office.

(3) HUD will review project subrecipient eligibility as part of the threshold review process. Project applicants are required to submit documentation of subrecipients' eligibility with the project application.

(4) Any youth-serving provider funded under this NOFA may serve unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under) who have an unsafe primary nighttime residence and no safe alternative to that residence.

**e. New Project Grant Terms.** The initial grant term for new project applications may be 1-year, 2-years, 3-years, 4-years, 5-years, or 15-years. However, the following exceptions

apply:

- (1) HUD will allow new projects to request a 1 year of funding with a longer initial grant term not to exceed 18 months. HUD has determined that most new projects requesting 1 year of funding normally take approximately 3 to 6 months to begin fully operating the new project (e.g., hiring staff, developing partnerships with landowners if leasing or renting). Therefore, a new project requesting 1 year of funding may request a grant term of 12 months to 18 months that will allow for the additional start-up process. Any new projects requesting capital costs (i.e., new construction, acquisition, or rehabilitation) are not eligible for 1-year requests. If 1-year of funding is requested for new projects with capital costs, HUD will increase the grant term to 3-years and the new project will be required to spend the funds requested over a 3-year period, assuming the project is conditionally selected for award.
- (2) Any new expansion project that is submitted to expand an eligible renewal CoC Program-funded project may only request a 1-year grant term, regardless of the project type.
- (3) Any new project that requests tenant-based rental assistance may request a 1-year, 2-year, 3-year, 4-year, or 5-year grant term.
- (4) Any new project that requests leasing costs-either leasing costs only or leasing costs plus other costs (e.g., supportive services, HMIS) may only request up to a 3-year grant term.
- (5) Any new project that requests project-based rental assistance or sponsor-based rental assistance, or operating costs may request up to a 15-year grant term; however, the project applicant may only request up to 5 years of funds. Funding for the remainder of the term is subject to availability. Applicants must apply for additional funds as a renewal project application prior to the anniversary of the first expenditure of grant funds by which date the grant funds should have been expended, or if the date upon which funds must be expended has been extended by HUD, the date upon which the extension ends. CoC Program funds are not guaranteed past the initial 5-year grant term, if conditionally awarded.
- (6) Any new project that requests operating costs, supportive services only, HMIS, and project administrative costs may request 1-year, 2-year, 3-year, 4-year, or 5-year grant terms with funding for the same number of years.
- (7) Any new project that requests new construction, acquisition, or rehabilitation must request a minimum of a 3-year grant term and may request up to a 5-year grant term.
- (8) If an applicant requests funds for new construction, acquisition, or rehabilitation in addition to requesting funds for operating, supportive services, or HMIS, the funding will be for the 3-years requested, and the grant term will be 3-years plus the time necessary to acquire the property, complete construction, and begin operating the project. HUD will require recordation of a HUD-approved use and repayment covenant (a form can be obtained from the local HUD CPD field office) for all grants of funds for new construction, acquisition, and rehabilitation. (24 CFR 578.81)
- (9) All new CoC planning or UFA Costs project applications are limited to 1-year

grant terms and 1-year of funding.

(a) The maximum amount available for CoC planning project applications is 3 percent of FPRN or \$1,250,000; whichever is less.

(b) The maximum amount available for UFA Costs, for UFA designated Collaborative Applicants, is 3 percent of FPRN or \$1,250,000; whichever is less.

(10) Any new project that is requesting consideration under the DV Bonus (see Section III.C.2.h of this NOFA for more information) may only request a 1-year grant term, with 1-year of funding, regardless of project type.

**f. Match.** 24 CFR 578.73 provides the information regarding match requirements. Project applicants that intend to use program income as match must provide an estimate of how much program income will be used for match.

**g. Eligible Costs.** 24 CFR 578.37 through 578.63 identify the eligible costs for which funding may be requested under the CoC Program. HUD will reject any requests for ineligible costs.

**h. Indirect Costs.** Normal indirect cost rules under 2 CFR part 200 apply. Project applicants that intend to charge indirect costs to the award must clearly state in the project application(s) the rate and distribution base the recipient intends to use, and if applicable, the rate and distribution base to be used by any subrecipient(s). If the rate is a Federally negotiated indirect cost rate, the project application must include the corresponding negotiated indirect cost rate agreement signed by the cognizant agency. A government department or agency unit that receives no more than \$35 million in direct federal funding per year and has developed and maintains an indirect cost rate proposal and supporting documentation in accordance with 2 CFR part 200, appendix VII, may use the rate and distribution base specified in that indirect cost rate proposal, unless the cognizant agency requires the proposal to be submitted for negotiation.

For each applicant or intended subrecipient that meets the conditions for the de minimis rate under 2 CFR 200.414(f) and will use that rate to charge indirect costs, the project application must clearly state the intended use of the de minimis rate of 10 percent of Modified Total Direct Costs (MTDC). As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once an organization elects to use the de minimis rate, the organization must apply this methodology consistently for all Federal awards until the organization chooses to negotiate for a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

**i. Participative Planning and Implementation.** Applicants must identify the steps they will take to ensure that traditionally marginalized populations (such as racial and ethnic minorities and persons with disabilities) will be able to meaningfully participate in the planning process. The applicant must identify the specific populations that it will include, identify community organizations that represent these populations, and describe how these populations will be included in the planning process. For capital investment projects, grantees should commit to and demonstrate plans to employ low-income and very low-income persons and/or utilize Section 3 businesses at levels beyond those required by

Section 3. In seeking public participation, applicants and recipients must ensure that all communications are provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973 and, as applicable, the Americans with Disabilities Act. In addition, Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d require that grantees take reasonable steps to ensure meaningful access to services, programs, and activities by persons with Limited English Proficiency (LEP persons).

### 3. Criteria for Applicants

**a. Project Applications.** The following types of project applications will be eligible for completion and submission in the FY 2018 CoC Program Competition. See Section II.B.10.f of this NOFA for eligible program participants for each of the following project types

(1) *CoC planning projects.* All Collaborative Applicants are eligible and encouraged to apply for CoC planning funds which may be used as described in 24 CFR 578.39. The project applications for CoC planning must be submitted by the Collaborative Applicant, which must match the organization listed as the Collaborative Applicant in the CoC Applicant Profile in *e-snaps*. This project type is not ranked in the FY 2019 CoC Program Competition. This project type will not affect a CoC's available amount for new and renewal project applications as it is not counted as part of the CoC's final ARD.

(2) *UFA Costs projects.* Only those Collaborative Applicants approved for UFA designation are eligible to apply for UFA Costs project funds as described in 24 CFR 578.41. The UFA Costs project must be submitted by the Collaborative Applicant, which must match the organization listed as the Collaborative Applicant in the CoC Applicant Profile in *e-snaps*. This project is not ranked in the FY 2019 CoC Program Competition and will not affect a CoC's available amount for new and renewal project applications as this project is not counted as part of the CoC's final ARD.

(3) *New Projects Created Through Reallocation or CoC Bonus projects:*

(a) Permanent housing-permanent supportive housing (PH-PSH) projects.

(b) Permanent housing-rapid rehousing (PH-RRH) projects.

(c) Joint TH and PH-RRH component projects.

(d) Dedicated HMIS project for the costs at 24 CFR 578.37(a)(2) that can only be carried out by the HMIS Lead, which is the recipient or subrecipient of an HMIS grant, and that is listed on the HMIS Lead form in the CoC Applicant Profile in *e-snaps*. Additionally, if the CoC has organizations within its geographic area that are victim service providers, the HMIS Lead, or subrecipient, may request HMIS funds for a comparable database. Victim service providers may also request HMIS funds in their project application budgets to enter data into a comparable database.

(e) Supportive services only (SSO-CE) project to develop or operate a centralized

or coordinated assessment system.

Prior to completing a new project created through the reallocation process or a CoC Bonus project, project applicants should consult with the CoC to determine which of these options will be available in the local CoC competition.

Because new project applications may be created through the reallocation or CoC Bonus processes, if HUD determines that a project applicant or a CoC incorrectly classified one or more new projects as reallocation or CoC Bonus, HUD may reclassify the project(s) as either reallocation or CoC Bonus if the CoC exceeded either its reallocation or CoC Bonus amount. For example, if a project applicant or the CoC classified a new project application as reallocation but did not reallocate funds in whole or part from an eligible renewal project, and there are CoC Bonus funds available, HUD may reclassify the new project application as CoC Bonus during its review. If a project applicant uses both reallocation and CoC Bonus amounts to create a single new project but did not have sufficient amounts available from either source, HUD will reduce the project to the amount available, if any. As stated in Section II.B.1 of this NOFA, the CoC must be able to demonstrate the ability to reallocate lower performing criteria to create new higher performing projects to be eligible to submit projects through the CoC Bonus process, also see Section II.B.1.c of this NOFA.

A new project may only use reallocated funds from eligible renewal project(s) that have previously been renewed under the CoC Program.

(4) *New Projects for DV Bonus.* New projects that want to be considered for the DV Bonus, may be:

- (a) Permanent Housing-Rapid re-housing projects dedicated to serving survivors of domestic violence, dating violence, or stalking that are defined as homeless at 24 CFR 578.3;
- (b) Joint TH and PH-RRH component projects as defined in Section III.C.2.n of this NOFA dedicated to serving survivors of domestic violence, dating violence, or stalking that are defined as homeless at 24 CFR 578.3; or
- (c) Supportive services only-coordinated entry project to implement policies, procedures, and practices that equip the CoC's coordinated entry to better meet the needs of survivors of domestic violence, dating violence, or stalking.

(5) *Expansion Project.* HUD will allow project applicants to apply for a new expansion project (see Section III.C.2.j of this NOFA) under the DV Bonus, reallocation, and CoC bonus processes to expand existing projects that will increase the number of units, persons served, services provided to existing program participants, or to add additional activities to HMIS and SSO-Coordinated Entry projects. If the new expansion project will expand an existing eligible CoC Program renewal project HUD will not fund capital costs (i.e., new constructions, rehabilitation, or acquisition) and HUD will only allow a 1-year funding request.

- (a) Project applicants that intend to submit a new project application for the purposes of expanding an eligible CoC Program renewal project must:

- (i) enter the grant number of the project that is eligible for renewal that the project applicant requests to expand on the new project application;
- (ii) indicate how the new project application will expand units, beds, services, persons served, or services provided to existing program participants, or in the case of HMIS or SSO-Coordinated Entry projects, how the current activities will be expanded for the CoC's geographic area; and
- (iii) ensure the funding request for the expansion grant is within the funding parameters allowed under the reallocation or bonus funding amounts available.

(b) Project applicants may expand an existing renewal project that is not currently dedicated to serving survivors of domestic violence, dating violence, or stalking that meet the definition of homeless in 24 CFR 578.3 to dedicate additional beds, units, persons served, or services provided to existing program participants to this population.

The new expansion project application will be reviewed using the procedures and selection criteria established in Section V.C.3.b and V.C.3.c of this NOFA. If the new expansion project exceeds the amount of funding available under the reallocation or CoC bonus processes, HUD will reduce the funding request to the available amount, which could affect the activities of the new expansion project. If both the new expansion project and the CoC Program renewal project it expands are conditionally selected for funding, one grant agreement incorporating both approved project applications will be executed. If the renewal project application is not conditionally selected for funding, the expansion project application will not be selected.

To apply for an expansion grant, project applicants must submit separate renewal and new project applications and a renewal application that includes the information from the renewal new project application that combines the activities, and budgets into one renewal project application. While the renewal and new projects will be ranked by the CoC, the combined expansion project will not be ranked and, if selected for conditional award, will take the ranked position of the stand-alone renewal project, and the separate new project will be removed from the ranking resulting in project applications below to slide up one ranked position. However, if the combined renewal expansion project is also part of a consolidation project application, HUD will follow the ranking process for consolidated projects outlined in Section II.B.5 and if the combined expansion and consolidation is selected for conditional award, the ranked position of the stand-alone renewal project and the new project will be removed from the ranking, resulting in project applications below to slide up. If HUD determines the combined expansion project is ineligible, HUD will review the renewal and new project applications separately as these projects will retain their ranked position on the CoC Project listings.

(6) *Consolidated Project.* Applicants that intend to use the consolidation process to combine two or more eligible renewal projects (e.g., permanent housing-permanent supportive housing projects) may do so through the renewal project application and must ensure:

- (a) Budget Line Items (BLIs) for the consolidated project application submitted exactly match the sum of the BLIs for each of the individual projects as they appear on the GIW posted to the HUD Exchange;
- (b) expiring grant numbers and operating start and end dates for the projects that are consolidating are provided;
- (c) current operating end dates end in CY 2019;
- (d) are in good standing with HUD, meaning none of the projects have:
  - (i) outstanding audit or monitoring findings,
  - (ii) outstanding obligation to HUD that is in arrears,
  - (iii) unresolved construction delays,
  - (iv) a history of poor financial management/drawdown issues,
  - (v) history of low occupancy levels, or lack experience in administering the project type, or
  - (vi) other capacity issues.

If a project applicant incorrectly requests consolidation of two or more eligible renewal projects, HUD may reduce the consolidated project in which case the project applicant will permanently lose funding. Additionally, a project applicant cannot submit a consolidated project application that contains two different components (e.g., permanent housing and transitional housing).

The start date for the consolidated grant, if conditionally awarded, will be the day after the expiration date of the eligible renewal project with the earliest expiration date. The expiration date for the consolidated grant will be calculated by averaging the expiration dates for all expiring grants included in the consolidated grant weighted by the size of each expiring grant. If that date falls on the first through the fifteenth of a month, then the expiration date will be the last day of the previous month. If the date falls on the sixteenth through the end of the month, then the expiration date will be the last day of the month.

The expiration date for the consolidated grant will be calculated as follows: It will be X months after the end of the 12th month after the start date for the consolidated grant with X determined by calculating the sum for all grants of the total award times the number of months after the expiration of the first expiring grant that the grant expires and dividing that sum by the total award for the consolidated grant. If the calculation of X results in a partial month, if it is less than 0.5, then the consolidated grant will expire on the last day of the previous month, and if it is 0.5 or more, then the consolidated grant will expire on the last day of the calculated month.

(7) *Renewal Grants Per Unit Cost.* Applicants requesting renewal of grants for rental assistance are permitted to request a per-unit amount less than the Fair Market Rent (FMR), if the actual rent per unit under lease is less than the FMR. The Applicants must provide copies of the leases to establish the actual rents. This will help reduce the number of projects receiving rental assistance that have large balances of unspent funds remaining at the end of the operating year. Renewal project applicants must

ensure the amount requested will be sufficient to cover all eligible costs as HUD cannot provide funds beyond the amount awarded through this Competition. Project applications for rental assistance cannot request more than 100 percent of the published FMR. New project applications must adhere to 24 CFR 578.51(f) and must request the full FMR amount per unit. See Section VIII.B of this NOFA for additional information regarding FMR adjustments for projects receiving funds for rental assistance.

## **C. Rules that affect how HUD evaluates applications**

### **1. Past Performance**

In evaluating applications for funding, HUD will consider an applicant's past performance in managing funds. Items HUD may consider include, but are not limited to:

- a. The ability to account for funds appropriately;
- b. Timely use of funds received from HUD;
- c. Timely submission and quality of reports submitted to HUD;
- d. Meeting program requirements;
- e. Meeting performance targets as established in the grant agreement;
- f. The applicant's organizational capacity, including staffing structures and capabilities;
- g. Time-lines for completion of activities and receipt of promised matching or leveraged funds; and
- h. The number of persons to be served or targeted for assistance.

HUD may deduct points from the rating score or establish threshold levels as specified under the Rating Factors in the NOFA. Each NOFA will specify how past performance will be rated or otherwise used in the determination of award amounts. Whenever possible, HUD will obtain past performance information from staff with the greatest knowledge and understanding of each applicant's performance. If this evaluation results in an adverse finding related to integrity or performance, HUD reserves the right to take any of the remedies provided in Section V.B.1, Eligibility Requirements for Applicants of HUD's Grants Programs, above.

**2. Statutory and Regulatory Requirements.** To be eligible for funding under this NOFA, project applicants must meet all statutory and regulatory requirements in the Act and 24 CFR part 578. Project applicants can obtain a copy of the Act and 24 CFR part 578 on the [HUD Exchange](#) or by contacting the NOFA Information Center at 1-800-483-8929).

### **3. Threshold Requirements.**

*a. Ineligible Applicants.* HUD will not consider a project application from an ineligible project applicant, including an application submitted for CoC planning funds or UFA Costs from a project applicant other than the Collaborative Applicant.

*b. Project Eligibility Threshold.* HUD will review all projects to determine if they meet the following eligibility threshold requirements on a pass/fail standard. If HUD determines that the applicable standards are not met for a project, the project will be rejected. Any project requesting renewal funding will be considered as having met these requirements through its previously approved grant application unless information to the contrary is received (e.g., monitoring findings, results from investigations by HUD's Office of Inspector General, the recipient routinely does not draw down funds from eLOCCS at least once per quarter,



consistently late Annual Performance Report (APR) submissions). Approval of new and renewal projects is not a determination by HUD that a recipient is compliant with applicable fair housing and civil rights requirements.

- (1) Project applicants and potential subrecipients must meet the eligibility requirements of the CoC Program as described in 24 CFR part 578 and provide evidence of eligibility required in the application (e.g., nonprofit documentation).
- (2) Project applicants and subrecipients must demonstrate the financial and management capacity and experience to carry out the project as detailed in the project application and the capacity to administer federal funds. Demonstrating capacity may include a description of the applicant/subrecipient experience with similar projects and with successful administration of SHP, S+C, or CoC Program funds or other federal funds.
- (3) Project applicants must submit the required certifications as specified in this NOFA.
- (4) The population to be served must meet program eligibility requirements as described in the Act, 24 CFR part 578, and Section II.B.10.f of this NOFA.
- (5) Project applicants, except Collaborative Applicants that only receive awards for CoC planning costs and, if applicable, UFA Costs, must agree to participate in a local HMIS system. However, in accordance with Section 407 of the Act, any victim service provider that is a recipient or subrecipient must not disclose, for purposes of HMIS, any personally identifying information about any client. Victim service providers must use a comparable database that meets the needs of the local HMIS.

*c. Project Quality Threshold.* HUD will review all new project applications to determine if they meet the following project quality threshold requirements. Any project requesting renewal funding will be considered as having met these requirements through its previously approved grant application unless information to the contrary is received (e.g., monitoring findings, results from investigations by HUD's Office of Inspector General, the recipient routinely does not draw down funds from eLOCCS at least once per quarter, consistently late APR submissions) and if the renewal project has compliance issues which results in the project not operating in accordance with 24 CFR part 578. If awarded, a recipient is required to meet all the criteria listed in the criteria column for its component. Additionally, the housing and services proposed must be appropriate to the needs of the program participants and the community. A determination that a project meets the project quality threshold is not a determination by HUD that a recipient is compliant with applicable fair housing and civil rights requirements. To be eligible to receive a CoC Bonus project or a DV Bonus project, a CoC must demonstrate that it ranks projects based on how they improve system performance as outlined in Section VII.B.1.a of this NOFA. Additionally, to be eligible to receive a DV Bonus project for PH-RRH or Joint TH and PH-RRH, a CoC must demonstrate that the project will use trauma-informed, victim-centered approaches.

| Rating Factor for New Project Types | Points Available | Criteria |
|-------------------------------------|------------------|----------|
|                                     |                  |          |

| <b>Permanent Housing: Permanent Supportive Housing or Rapid Rehousing</b>   |   |   |
|---|---|---|
| New permanent housing projects must receive at least 3 out of the 4 points available for this project type and must receive the point under the third criteria. Projects that do not receive at least 3 points and the point under the third criteria will be rejected. | 1 | The type of housing proposed, including the number and configuration of units, will fit the needs of the program participants (e.g., two or more bedrooms for families).  |
|   | 1 | The type of supportive services that will be offered to program participants will ensure successful retention in or help to obtain permanent housing, including all supportive services regardless of funding source.   |
|   | 1 | The proposed project has a specific plan to coordinate and integrate with other mainstream health, social services, and employment programs and ensure that program participants are assisted to obtain benefits from the mainstream programs for which they may be eligible (e.g., Medicare, Medicaid, SSI, Food Stamps, local Workforce office, early childhood education). |
|   | 1 | Program participants are assisted to obtain and remain in permanent housing in a manner that fits their needs (e.g., provides the participant with some type of transportation to access needed services, safety planning, case management, additional assistance to ensure retention of permanent housing).  |
| <b>Joint TH and PH-RRH</b>  |   |   |
| New Joint TH and PH-RRH component project applications  | 1 | The type of housing proposed, including the number and  |

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|---|---|--|
| <p>must receive at least 4 out of 6 points available for this project type and must receive the point under the fourth criteria. Projects that do not receive at least 4 points and the point under the fourth criteria will be rejected.</p> |   | configuration of units, will fit the needs of the program participants (e.g., two or more bedrooms for families.)  |
|   | 1 | The proposed project will provide enough rapid rehousing assistance to ensure that at any given time a program participant may move from transitional housing to permanent housing. This may be demonstrated by identifying a budget that has twice as many resources for the rapid rehousing portion of the project than the TH portion, by having twice as many PH-RRH units at a point in time as TH units, or by demonstrating that the budget and units are appropriate for the population being served by the project. |
|   | 1 | The type of supportive services that will be offered to program participants will ensure successful retention or help to obtain permanent housing, including all supportive services regardless of funding source.   |
|   | 1 | The proposed project has a specific plan to coordinate and integrate with other mainstream health, social services, and employment programs and ensure that program participants are assisted to obtain benefits from the mainstream programs for which they may be eligible (e.g., Medicare, Medicaid, SSI, Food Stamps, local Workforce office, early childhood education).  |
|   | 1 | Program participants are assisted to obtain and remain in permanent housing in a manner that fits their needs (e.g., provides the participant  |

|  |   |   |
|--|---|---|
|  |   | with some type of transportation to access needed services, safety planning, case management, additional assistance to ensure retention of permanent housing).  |
|  | 1 | The project has low barriers to entry and prioritizes rapid placement and stabilization in permanent housing.   |
| <b>SSO-Coordinated Entry</b>   |   |   |
| New SSO-Coordinated Entry project applications (also known as centralized or coordinated assessment) must receive at least 3 out of the 5 points available and must receive the point under the fifth criteria for this project type. Projects that do not receive at least 3 of the 5 points available and the point under the fifth criteria will be rejected. | 1 | The centralized or coordinated assessment system is easily available/reachable for all persons within the CoC's geographic area who are seeking information regarding homelessness assistance. The system must also be accessible for persons with disabilities within the CoC's geographic area. |
|  | 1 | There is a strategy for advertising that is designed specifically to reach homeless persons with the highest barriers within the CoC's geographic area.   |
|  | 1 | There is a standardized assessment process.   |
|  | 1 | Ensures program participants are directed to appropriate housing and services that fit their needs.   |
|  | 1 | The proposed project has a specific plan to coordinate and integrate with other mainstream health, social   |

|   |   |   |
|---|---|---|
|   |   | services, and employment programs and ensure that program participants are assisted to obtain benefits from the mainstream programs for which they may be eligible (e.g., Medicare, Medicaid, SSI, Food Stamps, local Workforce office, early childhood education). |
| <b>HMIS</b>   |   |   |
| New HMIS project applications must receive at least 3 out of the 4 points available for this project type. Projects that do not receive at least 3 of the 4 points available will be rejected.  | 1 | How the HMIS funds will be expended in a way that is consistent with the CoC's funding strategy for the HMIS and furthers the CoC's HMIS implementation.  |
|   | 1 | The HMIS collects all Universal Data Elements as set forth in the <a href="#">HMIS Data Standards</a> .   |
|   | 1 | The ability of the HMIS to un-duplicate client records.   |
|   | 1 | The HMIS produces all HUD-required reports and provides data as needed for HUD reporting (e.g., APR, quarterly reports, data for CAPER/ESG reporting) and other reports required by other federal partners.   |
| <b>CoC Planning – Collaborative Applicants Only</b>   |   |   |
| New CoC planning projects, submitted only by the CoC's designated Collaborative Applicant, must receive at least 3 out of the 5 points available for this project type. CoC planning projects that do not receive at least 3 points will be | 1 | Governance and Operations-The CoC conducts meetings of the entire CoC membership that are inclusive and open to members and demonstrates the CoC has a written governance charter in place that includes CoC policies.  |

|           |   |  |
|-----------|---|--|
| rejected. | 1 | CoC Committees-The CoC has CoC-wide planning committees, subcommittees, or workgroups to address homeless needs in the CoC's geographic area that recommends and sets policy priorities for the CoC. |
|           | 2 | The proposed planning activities that will be carried out by the CoC with grant funds are compliant with the provisions of 24 CFR 578.7.   |
|           | 1 | The funds requested will improve the CoC's ability to evaluate the outcome of both CoC Program-funded and ESG-funded projects.   |

Project applications for UFA Costs are not subject to a threshold review. HUD will review the UFA Costs submitted by the UFA designated Collaborative Applicant to ensure appropriate match and eligibility of costs requested.

Additionally, HUD will assess all new project applications for the following minimum project eligibility, capacity, timeliness, and performance standards. To be considered as meeting project quality threshold, all new projects must meet all the following criteria:

- (1) Project applicants and potential subrecipients must have satisfactory capacity, drawdowns, and performance for existing grant(s) that are funded under the S+C or CoC Program, as evidenced by timely reimbursement of subrecipients, regular drawdowns, and timely resolution of any monitoring findings;
- (2) For expansion project applications, project applicants must articulate the part of the project that is being expanded. Additionally, project applicants must demonstrate they are not replacing other funding sources; and,
- (3) Project applicants must demonstrate they will be able to meet all timeliness standards per 24 CFR 578.85. Project applicants with existing projects must demonstrate that they have met all project renewal threshold requirements of this NOFA. HUD reserves the right to deny the funding request for a new project, if the request is made by an existing recipient that HUD finds to have significant issues related to capacity, performance, unresolved audit or monitoring findings related to one or more existing grants; or does not routinely draw down funds from eLOCCS at least once per quarter. Additionally, HUD reserves the right to withdraw funds if no APR is submitted on the prior grant.

d. *Project Renewal Threshold.* A CoC must consider the need to continue funding for projects expiring in CY 2020 (January 1, 2020 to December 31, 2020). Renewal projects must meet minimum project eligibility, capacity, timeliness, and performance standards

identified in this NOFA or they will be rejected from consideration for funding:

(1) When considering renewal projects for award; HUD will review information in eLOCCS, APRs, and information provided from the local HUD CPD field office; including monitoring reports and audit reports as applicable, and performance standards on prior grants, and will assess projects using the following criteria on a pass/fail basis:

- (a) Whether the project applicant's performance met the plans and goals established in the initial application, as amended;
- (b) Whether the project applicant demonstrated all timeliness standards for grants being renewed, including those standards for the expenditure of grant funds that have been met;
- (c) The project applicant's performance in assisting program participants to achieve and maintain independent living and records of success, except dedicated HMIS projects that are not required to meet this standard; and
- (d) Whether there is evidence that a project applicant has been unwilling to accept technical assistance, has a history of inadequate financial accounting practices, has indications of project mismanagement, has a drastic reduction in the population served, has made program changes without prior HUD approval, or has lost a project site.

(2) HUD reserves the right to reduce or reject a project application from the project applicant for the following reasons:

- (a) outstanding obligation to HUD that is in arrears or for which a payment schedule has not been agreed upon;
- (b) audit finding(s) for which a response is overdue or unsatisfactory;
- (c) history of inadequate financial management accounting practices;
- (d) evidence of untimely expenditures on prior award;
- (e) history of other major capacity issues that have significantly affected the operation of the project and its performance;
- (f) history of not reimbursing subrecipients for eligible costs in a timely manner, or at least quarterly; and
- (g) history of serving ineligible program participants, expending funds on ineligible costs, or failing to expend funds within statutorily established timeframes.

e. *Certification of Consistency with the Consolidated Plan.* Each project applicant must submit a certification by the jurisdiction in which the proposed project(s) will be located that the applicant's project application for funding is consistent with the jurisdiction's HUD-approved consolidated plan. The certification must be made in accordance with the provisions of the consolidated plan regulations at 24 CFR part 91, subpart F. Form HUD-2991 must be completed and dated between May 1, 2019 and September 30, 2019.

f. *Environmental Requirements.* Notwithstanding provisions at 24 CFR 578.31 and 24 CFR

578.99(a) of the Rule, and in accordance with Section 100261(3) of MAP-21 (Pub. L. 112-141, 126 Stat. 405), activities under this NOFA are subject to environmental review by a responsible entity under HUD regulations at 24 CFR part 58.

(1) Two types of projects are categorized or Categorically Excluded from review under the National Environmental Policy Act and not subject to 24 CFR 58.5 (CENST):

(a) All scattered-site projects where program participants choose their own unit and are not restricted to units within a pre-determined specific project site or sites are categorized in 24 CFR 58.35(b)(1) as CENST. This now includes both tenant-based rental assistance and tenant-based leasing projects where program participants choose their own unit. Previous guidance included only Tenant Based Rental Assistance as eligible CENST projects.

(b) The [Exempt/CENST](#) form is only required for each project, not every unit. Previous guidance instructed recipients to complete an Exempt/CENST form for each unit.

(2) For activities under a grant to a recipient other than a state or unit of general local government that generally would be subject to review under 24 CFR part 58, HUD may make a finding in accordance with 24 CFR 58.11(d) and may itself perform the environmental review under the provisions of 24 CFR part 50 if the recipient objects in writing to the responsible entity's performing the review under part 24 CFR part 58.

(3) Irrespective of whether the responsible entity in accordance with 24 CFR part 58 (or HUD in accordance with 24 CFR part 50) performs the environmental review, the recipient must supply all available, relevant information necessary for the responsible entity (or HUD, if applicable) to perform for each property any required environmental review. The recipient also must carry out mitigating measures required by the responsible entity (or HUD, if applicable) or select alternative property.

(4) The recipient, its project partners, and their contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this NOFA, or commit or expend HUD or local funds for such eligible activities under this NOFA, until the responsible entity (as defined by 24 CFR 58.2(a)(7)) has completed the environmental review procedures required by 24 CFR part 58 and the environmental certification and Request for Release of Funds (RROF) have been approved or HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the property. HUD will not release grant funds if the recipient or any other party commits grant funds (i.e., incurs any costs or expenditures to be paid or reimbursed with such funds) before the recipient submits and HUD approves its RROF (where such submission is required).

## **VI. Application and Submission Information**

### **A. Obtaining an Application**

**Authoritative Versions of HUD NOFAs.** Program NOFAs posted on Grants.gov are the official documents HUD uses to solicit applications. Applicants are advised to compare their



application submission with the requirements in the Program NOFA. If there is a discrepancy in the Program NOFA posted on Grants.gov and other information provided in any other copy or version or supporting documentation, the Program NOFA located on Grants.gov prevail. If discrepancies are found, please notify HUD immediately by calling or emailing the program contact listed in the Program NOFA. Individuals with hearing, or speech impairments, may use the Federal Relay Service's teletype service at 1-800-877-8339. HUD will post any corrections or changes to a Program NOFA on Grants.gov. Applicants must enroll an email address at the application download page to receive e-mail alerts from Grants.gov when funding opportunities are changed.

CoC Program Applicants must apply through *e-snaps*, an electronic application system. CoC Program applicant DO NOT apply through Grants.gov

## **B. Submission Requirements**

**Faxes.** HUD grant programs do not accept faxed applications or supporting documents.

## **C. Other Guidance**

**1. Negotiation.** Action on Conditionally Selected Application. HUD will notify conditionally selected applicants in writing. HUD may subsequently request conditionally selected applicants to submit additional project information—which may include documentation to show the project is financially feasible; documentation of firm commitments for match; documentation showing site control; information necessary for HUD to perform an environmental review, where HUD determines to do so in accordance with 24 CFR 58.11(d); a copy of the organization's Code of Conduct; and such other documentation as specified by HUD in writing, to the application, that confirms or clarifies information provided in the application. HUD will require the submission of the additional project information no later than 30 days after the date of the letter for such information, except as otherwise provided in 24 CFR 58.21(c). If an applicant is unable to meet any conditions for the award within the specified time frame, HUD reserves the right not to award funds to the applicant and add those funds to the funds available for the next Competition.

**2. Performance and Compliance Actions of Funding Recipients.** As part of HUD's ongoing management of each funded award, HUD will evaluate the performance and compliance of each funded award. HUD expects recipients to fulfill performance goals indicated in their application. HUD will measure and address the performance and compliance actions of recipients in accordance with the applicable standards and sanctions of the respective program.

**3. Federalism.** E.O. 13132 prohibits, to the extent practicable and permitted by law, an agency from promulgating policies that have federalism implications and either impose substantial direct compliance costs on state and local governments and are not required by statute, or preempt state law, unless the relevant requirements of Section 6 of the executive order are met. This notice does not have federalism implications and does not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the executive order.

**4. Faith-Based Organizations.** Executive Orders 13798 and 13831, promote religious liberty and the increased engagement of faith-based groups in creating opportunity and serving

underserved communities.

**5. Promoting Opportunity and Economic Mobility.** Executive Order 13828 instructs federal agencies to promote prosperity and economic opportunity to the greatest extent possible, by structuring programs to promote self-sufficiency and reduce dependency. This includes incorporating mechanisms such as: work incentives, policies to strengthen families, and including greater participation from the private sector and faith-based organizations, all of which should work to uplift the most vulnerable to self-sufficiency, thereby alleviating the need for government assistance and reducing reliance on government intervention and resources.

**6. Section 102 of the HUD Reform Act.** Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) (42 U.S.C. 3545) and the regulations codified at 24 CFR 4, subpart A, contain several requirements that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992, HUD published a notice that also provides information on the implementation of Section 102 (57 FR 1942). The documentation, public access, and disclosure requirements of Section 102 apply to assistance awarded under NOFAs published as described below:

a. Documentation, Public Access, and Disclosure Requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to a FY 2019 NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the FOIA and HUD's implementing regulations at 24 CFR 15.

b. Form HUD 2880, "Applicant/Recipient Disclosure/Update Report". HUD will also make available to the public for a period of 5 years all applicant disclosure reports (form HUD 2880) submitted in connection with a FY 2018 NOFA. Updated reports (also reported on form HUD 2880) will be made available along with the applicant disclosure reports, but in no case for a period of less than 3 years. All reports will be made available in accordance with the FOIA and HUD's implementing regulations.

c. Publication of Recipients of Funding. HUD's regulations at 24 CFR 4 provide that HUD will publish a notice in the Federal Register to notify the public of all funding decisions made by HUD to provide:

- (1) Assistance subject to Section 102(a) of the HUD Reform Act; and
- (2) Assistance provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) noncompetitive basis.

**7. Section 103 of the HUD Reform Act.** Section 103 of the HUD Reform Act, codified at 24 CFR 4, subpart B, applies to this funding competition until the announcement of selection of successful applicants. HUD's employees involved in the review of applications and in the making of funding decisions are prohibited by the regulations from providing advance information to any person (other than an authorized HUD employee) concerning funding

decisions or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance must confine their inquiries to the subject areas HUD's employees are permitted to answer under 24 CFR 4. Applicants who have ethics-related questions may contact HUD's Ethics Law Division at 202-708-3815 (this is not a toll-free number). Persons with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at 1-800-877-8339.

**8. Digital Signatures and Recordkeeping.** HUD is increasing electronic recordkeeping where feasible.

- a. HUD plans to use digital signatures on grant award and modification documents to expedite awards and modification.
- b. HUD will manage email records in an electronic format. Recipients do not need to print emails or keep them on file so long as their records management and litigation requirements are met (e.g., identifying, retrieving, and retaining records).

**D. Application Package.** The submission summary in *e-snaps* provides the list of elements required to complete each type of project application. A Collaborative Applicant will not be able to submit an application to HUD until all required parts are completed, including the project-level review and either accepting and ranking or rejecting the project applications. Once available, the CoC Application, Project Application, and CoC Priority Listing can be accessed at <https://esnaps.hud.gov/>.

**E. Content and Form of Application Submission.** The CoC Consolidated Application for funds under this NOFA includes the FY 2019 CoC Application, which describes the CoC's plan for ending homelessness, its system-level performance, and addresses the selection criteria specified in Section VII of this NOFA; the CoC Priority Listing which includes the reallocation forms, all project applications submitted to the CoC for funding consideration that are either approved and ranked or rejected; and the form HUD-2991, Certification of Consistency with the Consolidated Plan.

**F. CoC Consolidated Application.** An entire CoC Consolidated Application must be submitted by the Collaborative Applicant on behalf of the CoC. The application will include the parts listed below, all of which will be submitted electronically either through *e-snaps* or as an uploaded attachment (for more information see the project application, CoC Application, and CoC Priority Listing detailed instructions and *e-snaps* Navigational Guides located on the [HUD Exchange](#)).

1. The FY 2019 CoC Application, including:

- a. The CoC plan with all charts and narratives completed as applicable;
- b. All required attachments, including:
  - (1) CoC Review, Score, and Ranking Procedures. The CoC's written procedures that are publicly posted for all interested stakeholders and applicants that clearly describe the project-level review and ranking process that is used by the CoC to determine how CoC Program project applications submitted to the CoC are reviewed, scored, and ranked;
  - (2) HMIS Policy, Procedures and Agreements With the HMIS Lead. The policy

and procedures developed for the CoC's HMIS Lead and the signed agreements that address the roles and responsibilities of the CoC, HMIS Lead, and contributing organizations to the HMIS.

(3) Governance Charter (HMIS Governance). The section of the governance charter containing the policies and procedures used by the CoC to comply with the HMIS requirements prescribed by HUD. Alternatively, if the CoC has created a separate document (e.g., an HMIS Governance Agreement) to outline the policies and procedures related to HMIS governance and incorporated this document into the governance charter by reference, the CoC may attach that document;

(4) PHA Administrative Plan. If the CoC is seeking points under Section VII.B.6.e of this NOFA, the relevant excerpt from a written plan, if any was developed between the CoC and the PHA(s) located within the CoC's geographic area that describes the PHA(s) homeless preference for housing. Instead of a relevant excerpt from the written plan, a letter from the PHA(s) may be attached that describes the PHA(s) homeless preference for housing;

(5) Projects to Serve Persons Defined as Homeless under paragraph (3) of 24 CFR 578.3. If the CoC is seeking to serve persons defined as homeless under paragraph (3) of the homeless definition, a list of projects that will serve persons defined as homeless under paragraph (3) of the homeless definition;

(6) FY 2019 CoC Competition HDX Report. The report that shows all the system performance measures that were submitted to HUD as well as the data quality measures for the information submitted to HUD.

2. FY 2019 Project Application(s), including for each project application:

- a. Project application, charts, narratives, and attachments;
- b. SF-424 Application for Federal Assistance;
- c. SF-424 Supplement, Survey on Ensuring Equal Opportunities for Application required for nonprofit applicants only where completion and submission of this survey is voluntary;
- d. Documentation of Applicant and Subrecipient Eligibility. All project applicants must attach documentation of eligibility and the subrecipient eligibility must also be attached to the project application;
- e. Applicant Certifications;
- f. Form HUD-2880, Applicant/Recipient Disclosure/Update Report. Must be attached for each project and must include the correct amount of HUD assistance requested.
- g. SF-LLL, Disclosure of Lobbying Activities (if applicable);
- h. Form HUD-50070, Certification for Drug-Free Workplace;
- i. Disclosure of Lobbying Activities; and
- j. Applicant Code of Conduct. All project applicants must ensure their organization has a Code of Conduct that complies with the requirements of 2 CFR part 200 and is

on file with HUD at [https://www.hud.gov/program\\_offices/spm/gmomgmt/grantsinfo/conduct](https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conduct). If the organization's Code of Conduct does not appear on HUD's website, the project applicant must attach its Code of Conduct that includes all required information to its Project Applicant Profile in *e-snaps*.

3. The FY 2019 CoC Priority Listing, including:

- a. Project reallocation forms (if applicable) that indicates the eligible renewal projects that are being reallocated in whole or part to create new project applications;
- b. New Project Listing;
- c. Renewal Project Listing;
- d. UFA Costs Project Listing;
- e. CoC Planning Project Listing; and,
- f. Form HUD-2991, Certification of Consistency with the Consolidated Plan. The Collaborative Applicant must submit a certification by the jurisdiction in which the proposed project(s) will be located that the applicant's application(s) for funding is consistent with the jurisdiction's HUD-approved consolidated plan dated between May 1, 2019 and September 30, 2019. This program requires a Certification of Consistency with the Consolidated Plan under 24 CFR 91.2. This certification means the proposed activities in the project applications are consistent with the jurisdiction's strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the Consolidated Plan.

4. Solo Applicants. Eligible project applicants that attempted to participate in the CoC planning process in the geographic area in which they operate, that believe they were denied the right to participate in a reasonable manner, may submit a solo project application to HUD and may be awarded a grant from HUD by following the procedure found in 24 CFR 578.35. Solo applicants must submit their solo project application in *e-snaps* to HUD by **8:00 PM Eastern time, on September 30, 2019**. See Section X.C of this NOFA for additional information regarding the Solo Applicant appeal process.

## G. Submission Dates and Times.

### 1. Application Deadline Date

- a. Completed applications must be submitted to HUD on or before **8:00 PM Eastern time on September 30, 2019**.
- b. Provisions at 24 CFR 578.9 require CoCs to design, operate, and follow a collaborative process for the development of an application in response to a NOFA issued by HUD. As part of this collaborative process, CoCs must implement internal competition deadlines to ensure transparency and fairness at the local level. The implementation of deadlines that meet the standards outlined below for FY 2019 project applications will be considered as part of scoring criteria as detailed in Section VII.B.1.d of this NOFA.

(1) *Project Application*. All project applications are required to be submitted to the CoC no later than 30 days before the application deadline.

CoCs that fail to establish a deadline for project applications that is no later than 30 days before the FY 2019 CoC Program Competition application deadline of September 30, 2019 will receive 0 points under Section VII.B.1.d of this NOFA.

(2) *CoC Notification to Project Applicants.* The CoC is required to notify, in writing outside of *e-snaps*, all project applicants who submitted their project applications to the CoC by the CoC-established deadline whether their project application(s) will be accepted and ranked on the CoC Priority Listing, rejected, or reduced by the CoC no later than 15 days of the FY 2019 application deadline. Where a project application is being rejected or reduced, the CoC must indicate the reason(s) for the rejection or reduction. Any project applicants that are rejected or reduced by the CoC must be notified in writing outside of *e-snaps*, with an explanation for the decision to reject or reduce the project application. CoCs that fail to provide rejection or reduction notification to a project applicant that submits its project application within the local competition deadline will receive 0 points under Section VII.B.1.d of this NOFA.

c. All applicants may access the [HUD Exchange Ask A Question](#) (AAQ) any time prior to 8:00 PM Eastern time, on the application submission deadline date for FY 2019 funds. Applicants that are experiencing technical difficulty should contact the AAQ immediately for assistance and document their attempts to obtain assistance. HUD strongly encourages CoCs to allow ample time to resolve any technical difficulties that might be encountered during the submission of the application to HUD. Applicants should not wait until the final minutes before the application submission deadline to submit any portion of their CoC Consolidated Application, including the CoC Priority Listing.

d. For the CoC Consolidated Application to be considered complete and properly submitted for review by HUD in the FY 2019 CoC Program Competition, the Collaborative Applicant must submit the entire CoC Consolidated Application by the submission deadline which includes: CoC Application, the CoC Priority Listing, and the project applications on behalf of the CoC. Note that the "**Submit**" button will not be available on the Submission Summary of the CoC Application and CoC Priority Listing until all required sections of the application and all parts of the listings, including accepting and ranking with a unique rank number or rejecting project applications have been completed. Collaborative Applicants should review the Submission Summary form carefully to ensure that no sections state "**Please Complete.**" **The CoC Application and the CoC Priority Listing are separate submissions in *e-snaps*; therefore, Collaborative Applicants must ensure that both the CoC Application and the CoC Priority Listing, that includes all project applications either approved and ranked or rejected, are submitted in *e-snaps* prior to the application submission deadline.**

e. Collaborative Applicants should print a copy of the Submission Summary form from the CoC Application and the CoC Priority Listing before closing their internet browser after the CoC Consolidated Application has been submitted to HUD. This is the Collaborative Applicant's receipt of submission and proof of compliance with the application deadline. HUD will not give funding consideration to any Collaborative

Applicant whose CoC Application or CoC Priority Listing is determined to be late and that are unable to provide HUD with a record of submission that verifies the FY 2019 CoC Consolidated Application was submitted prior to the application deadline date and time.

f. HUD strongly suggests that applicants use the "**Export to PDF**" functionality of *e-snaps* to print a hard copy of all submission documents for their records. This can be completed prior to or after submission.

g. As stated in Section VI.F.1 of this NOFA, it is imperative that all Collaborative Applicants meet the submission deadline of **September 30, 2019 at 8:00 PM Eastern time**. Applications that are not received on time will not be funded. Also, failure to submit a complete CoC Consolidated Application may result in HUD finding that the CoC does not meet the requirements of the Act or its implementing regulations under 24 CFR 578.13. If the Secretary makes that finding, HUD may take remedial action to ensure fair distribution of grant funds to eligible entities within the CoC's geographic area, which includes the possibility that HUD will designate another eligible applicant to be the Collaborative Applicant for the CoC. In addition to the remedial actions listed in 24 CFR 578.13(a), HUD may also decide to impose another remedial action, such as requiring the CoC to create new policies and procedures to ensure that the Collaborative Applicant performs its duties.

h. If after notice and reasonable opportunity to be heard, HUD finds pursuant to 24 CFR 578.13, that one or more Continuums have failed to comply with the requirements of the Act and the Rule, HUD may, solely at its discretion and only if sufficient funds become available by recapture, publish a new NOFA for eligible applicants in Continuums that HUD has determined do not meet the requirements of the Act and program regulations.

#### **H. Intergovernmental Review. Not Applicable.**

#### **I. Funding Restrictions. Not Applicable.**

#### **J. Other Submission Requirements**

**1. Waiver of Electronic Submission Requirements.** The regulatory framework of HUD's electronic submission requirement is the final rule established in 24 CFR 5.1005. CoCs seeking a waiver of the electronic submission requirement must request a waiver in accordance with 24 CFR 5.1005. HUD regulations allow for a waiver of the electronic submission requirement for good cause. For the Continuum of Care Program Competition, HUD is defining good cause as follows:

- a. there are no computers that could be used by applicants or the Collaborative Applicant that are newer than 5 years old anywhere within the CoC's geographic area; or
- b. there are no computers that could be used by applicants or the Collaborative Applicant anywhere within the CoC's geographic area; or
- c. there is no internet access that could be used by applicants or the Collaborative Applicant anywhere within the CoC's geographic area.

HUD will grant waivers only at the CoC level and not at the individual project applicant

level, and only to CoCs that were approved by HUD during the required CoC Registration process.

If the waiver is granted, the Office of Special Needs Assistance Programs' response will include instructions on how many copies of the paper application must be submitted, as well as where to submit them. CoCs that are granted a waiver of the electronic submission requirement will not be afforded additional time to submit their applications. Therefore, Collaborative Applicants seeking a waiver of the electronic submission requirement on behalf of the CoC should submit their waiver request with sufficient time to allow HUD to process and respond to the request. Collaborative Applicants should also allow themselves sufficient time to submit the application on behalf of the CoC so that HUD receives the application by the established deadline date. For this reason, HUD strongly recommends that if a Collaborative Applicant finds it cannot submit its application electronically and must seek a waiver of the electronic grant submission requirement, it should submit the waiver request to the Office of Special Needs Assistance Programs no later than 30 days after the publication date of this NOFA. To expedite the receipt and review of each request, Collaborative Applicants may fax their written requests to Norm Suchar, at (202) 401-0053. If HUD does not have sufficient time to process the waiver request, a waiver will not be granted. Paper applications received without a prior approved waiver and/or after the established deadline will not be considered.

## **VII. Application Review Information**

The Continuum of Care competition does not award preference points.

### **A. Criteria**

CoC Consolidated Applications will be assessed on a 200-point scale. No Collaborative Applicants have exercised the authority under 422(j) of the Act; therefore, no selection criteria based on section 427(b)(1)(A)(viii) is included in this NOFA. Additionally, for purposes of the requirements of section 427 (b)(1)(B)(iv)(II) of the Act. HUD considers “all relevant subpopulations” to mean families, youth, veterans, persons fleeing domestic violence, dating violence, sexual assault, and stalking, persons who are unsheltered, and chronically homeless individuals and families.

*Major Disaster Areas.* HUD will award at least 28 points out of 56 points for questions under Section VII.B.6 of this NOFA in the FY 2019 CoC Application for CoCs where one or more counties was directly covered by a major disaster as declared by the President under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), that occurred in the 12 months prior to the application deadline for the CoC Consolidated Application for FY 2019 funds and resulted in the Collaborative Applicant, the CoC, or its project(s) inability to continue operations due to flooding, destroyed facilities, lack of power for a long duration, etc. Additionally, if a major disaster impacts a CoC's geographic area, as declared by the President under the Stafford Act, during the FY 2019 CoC Program application process that will impact local competition deadlines as outlined in Section I.H of this NOFA, the CoC's Collaborative Applicant must send written notification to Norm Suchar, Director, Office of Special Needs Assistance Program at [CoCDisaster@hud.gov](mailto:CoCDisaster@hud.gov). The email must include:



1. the nature of the disaster, when the major disaster occurred, how the major disaster affected the Collaborative Applicant, the CoC, or its project(s);
2. the duration, and the impact on the Collaborative Applicant, the project applicants, or the CoC to meet the local competition deadline; and
3. the anticipated amount of time requested by the CoC for the extension – number of days, weeks, or months requested. This does not mean HUD will allow the full amount of time requested.

Based on the timing and the extent of the major disaster, HUD may extend the application deadline for the affected CoC(s). All requests received will be confirmed via the Federal Emergency Management Agency (FEMA) website, <https://www.fema.gov/disasters>.

CoCs were required to submit the FY 2019 Housing Inventory Count (HIC) and Point-in-Time (PIT) count data directly to the HUD HDX website by April 30, 2019 by 8:00 PM Eastern time. CoCs that did not meet the established deadline for HIC and PIT count data submission and did not receive an extension from HUD will not receive the maximum number of points available as described in VII.B.3 and VII.B.4 of this NOFA.

For project applicants that plan to use funding for construction or rehabilitation, in order for the CoC to receive maximum points, the CoC must include information that describes the actions that will be taken by project applicants that receive CoC funding to comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) and HUD's implementing rules at 24 CFR part 135 to provide employment and training opportunities for low- and very low-income persons, as well as contracting and other economic opportunities for businesses that provide economic opportunities to low- and very low-income persons. This does not affect the applicants' existing responsibilities to provide training, employment, and other economic opportunities pursuant to Section 3 that result from their receipt of other HUD funding.

**B. CoC Application Scoring.** The following chart describes the CoC Application criteria that will be used to establish CoC scores:

| <b>1. Project Capacity, Review, and Ranking.</b> HUD will award up to <b>29</b> points to CoCs that demonstrate the existence of a coordinated, inclusive, and outcome-oriented community process for the solicitation, objective review, ranking, and selection of project applications, and process by which renewal projects are reviewed for performance and compliance with 24 CFR part 578. HUD may award maximum points for the Ranking and Selection Process in this section to CoCs with project(s) that have been covered by a major disaster, as declared by the President under Title IV of the Robert T. Stafford Act, that occurred in the 12 months prior to the application deadline for the CoC Consolidated Application for FY 2019 funds. To receive consideration for such a major disaster, the Collaborative Applicant must notify HUD in writing before the application deadline and must include information about how the disaster affected the Collaborative Applicant's ability to meet the criteria in 1.d below. The notification must be sent to Norm Suchar, Director, Office of Special Needs Assistance Program, at <a href="mailto:CoCDisaster@hud.gov">CoCDisaster@hud.gov</a> . |                |  |
|---|----------------|--|
| Rating Factor   | Maximum Points | To Receive Maximum Points                |
| <i>a. Objective Criteria and Past</i>   | 18             | Attach written documentation and scoring |

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| <p><b>Performance.</b> Demonstrate the use of objective criteria and, where available, post-performance data to review project applications requesting CoC Program funding.</p>                                 |   | <p>tools that demonstrates the process, and criteria the CoC used to rank and select project applications for the FY 2019 CoC Program Competition, including how the CoC:</p> <ul style="list-style-type: none"> <li>• used objective criteria (e.g., cost effectiveness, performance data, type of population served, or type of housing proposed);</li> <li>• included at least one factor related to improving system performance (e.g., exits to permanent housing destinations); and</li> <li>• included a specific method for evaluating projects submitted by victim service providers that utilized data generated from a comparable database and evaluated domestic violence projects based on the degree they improve safety for the population they serve.</li> </ul> |
| <p><b>b. Severity of Needs.</b> Consider the severity of needs and vulnerabilities experienced by program participants in their project ranking and selection process.</p>                                      | 4 | <ul style="list-style-type: none"> <li>• Identify the specific needs and vulnerabilities the CoC considers, including low or no income, current or past substance abuse, a history of victimization such as domestic violence, sexual assault, criminal histories, and chronic homelessness; and</li> <li>• Describe how the CoC takes these needs and vulnerabilities into account during its ranking and selection process.</li> </ul>   |
| <p><b>c. Reallocating Projects.</b> Demonstrate the ability to reallocate funding from lower performing projects to create new higher performing projects based on performance review of existing projects.</p> | 4 | <ul style="list-style-type: none"> <li>• Demonstrate the CoC actively reviews performance of existing CoC Program-funded projects and has a standard process for reallocating funding from lower performing projects to create new high performing projects.</li> </ul>  |

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|   |   | <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• Have cumulatively reallocated at least 20 percent of the CoC's ARD between the FY 2015 and FY 2019 CoC Program Competitions.</li> </ul>   |
| <p><b>d. Ranking Process.</b> Demonstrate transparency in the local CoC competition results and notification to project applicants. CoCs that fail to adhere to this section of the NOFA will receive 0 points.</p> | 3 | <ul style="list-style-type: none"> <li>• Demonstrate the CoC uses an objective ranking and selection process for all projects (new and renewal) that is made publicly available to potential project applicants;</li> <li>• post on their website, at least 2 days before the application submission deadline, all parts of the CoC Consolidated Application, including the CoC Application with attachments and the CoC Priority Listing with all project applications accepted and ranked, or rejected, and notify community members and key stakeholders that the CoC Consolidation Application is available. CoCs that do not have a website must post this information to a partner website within the CoC (e.g., a city or county website);</li> <li>• establish a deadline for project applications that is no later than 30 days before the FY 2019 CoC Program Competition application submission date of September 30, 2019; and</li> <li>• notify project applicants, in writing outside of <i>e-snaps</i>, who submitted their project applications to the CoC by the CoC-established deadline, whether their project application(s) will be accepted and ranked, rejected, or reduced on the CoC Priority Listing no later than 15 days before the FY 2019 CoC Program Competition application submission deadline, and where a</li> </ul> |

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|  |    | project application is being rejected or reduced, the CoC must indicate the reason(s) for the rejection or reduction.  |
| <b>2. System Performance.</b> HUD will award up to <b>60</b> points to CoCs that have a CoC system-wide performance measurement process related to reducing homelessness.  |    |  |
| <b>a. Reducing the Number of Homeless Individuals and Families.</b> Up to 10 points to CoCs that demonstrate an overall reduction of at least 5 percent in the number of individuals and families who experience homelessness. | 10 | <ul style="list-style-type: none"> <li>• Up to 2 of the 10 points for demonstrating a decrease of at least 5 percent in the number of sheltered homeless individuals and families in the 2019 PIT count compared to the 2017 PIT count (or 2018 PIT count if submitted) as recorded in HDX, excluding emergency shelter beds added for a Presidentially declared disaster and recorded as such in HDX;</li> <li>• Up to 5 of the 10 points for demonstrating a decrease of at least 5 percent in the number of unsheltered homeless individuals and families in the 2019 PIT compared to the 2017 PIT count (or 2018 PIT count if submitted) as recorded in HDX; and</li> <li>• Up to 3 of the 10 points for demonstrating a decrease of at least 5 percent in the combined number of sheltered and unsheltered homeless individuals and families in the 2019 PIT count compared to the 2017 PIT count (or 2018 PIT count if submitted) as recorded in HDX.</li> </ul> |
| <b>b. Reduction in the number of First Time Homeless.</b> Demonstrate how the CoC works to reduce the number of individuals and families who become homeless for the first time.   | 3  | <ul style="list-style-type: none"> <li>• Demonstrate a reduction in the number of first time homeless as reported in HDX (1 of 3 points);</li> <li>• Identify the process by which risk factors are identified in the community for becoming homeless for the first time;</li> <li>• Describe the strategies in place to</li> </ul>  |

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|   |    | <p>address individuals and families at risk of becoming homeless; and</p> <ul style="list-style-type: none"> <li>• Identify the organization or position that is responsible for overseeing the CoC's strategy to reduce or end the number of persons experiencing homelessness for the first time.</li> </ul>  |
| <p><b>c. Length of Time Homeless.</b> Reduce the length of time individuals and families remain homeless and describe how the CoC will reduce the length of time individuals and families remain homeless in the future.</p>  | 14 | <ul style="list-style-type: none"> <li>• Demonstrate a reduction in the length of time individuals and families remain homeless in the CoC's geographic area of at least 5 percent as reported in HDX (up to 6 of the 14 points);</li> <li>• Describe the CoC's strategy to reduce the length of time individuals and families remain homeless;</li> <li>• Describe how the CoC identifies and houses individuals and families with the longest length of time homeless; and</li> <li>• Identify the organization or position that is responsible for overseeing the CoC's strategy to reduce the length of time individuals and families remain homeless.</li> </ul> |
| <p><b>d. Successful Permanent Housing Placement or Retention.</b> Demonstrate an increase in the rate in which individuals and families move to permanent housing destinations or continue to reside in permanent housing projects and describe how the CoC will improve their rate of permanent housing placement.</p> | 11 | <ul style="list-style-type: none"> <li>• Demonstrate an increase in the rate at which persons exit to permanent housing destinations (and retain permanent housing if they are currently in a permanent housing project) of at least 5 percent as reported in HDX (up to 4 of the 11 points); and</li> <li>• Describe the strategy the CoC is taking to improve permanent housing placement and retention.</li> </ul>   |
| <p><b>e. Returns to Homelessness.</b> Reduce the extent to which individuals and families leaving homelessness experience additional spells of homelessness and describe how the number of individuals</p>  | 8  | <ul style="list-style-type: none"> <li>• Demonstrate a reduction in the rate at which persons who exited to permanent housing destinations experienced additional spells of</li> </ul>  |

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| and families who return to homelessness will be reduced in the community.   |   | <p>homelessness of at least 5 percent over a 6- to 12-months period as reported in HDX (up to 4 of the 8 points);</p> <ul style="list-style-type: none"> <li>• Describe the strategy that has been implemented to identify individuals and families who return to homelessness;</li> <li>• Describe the strategy that will reduce returns to homelessness; and</li> <li>• Identify the organization or position that is responsible for overseeing the CoC's strategy to reduce returns to homelessness.</li> </ul> |
| <b><i>f. Jobs and Income Growth.</i></b> Increase participants' incomes from employment and describe specific strategies to assist program participants' incomes. | 5 | <ul style="list-style-type: none"> <li>• Demonstrate an increase in income from employment (up to 3 out of the 5 points) for persons served in CoC Program-funded projects as reported in HDX;</li> <li>• Describe strategies that are likely to increase employment income; and</li> <li>• Identify the organization or position that is responsible for overseeing the CoC's strategy to increase jobs and income from employment.</li> </ul>   |
| <b><i>g. Other Non-Employment Income.</i></b>   | 3 | <ul style="list-style-type: none"> <li>• Demonstrate an increase in income from non-employment cash sources (up to 1 out of 3 points) for persons served in CoC Program funded projects as reported in HDX;</li> <li>• Describe strategies that are likely to increase non-employment cash income; and</li> <li>• Identify the organization or position that is responsible for overseeing the CoC's strategy to increase non-employment cash income.</li> </ul>  |
| <b><i>h. HMIS Performance Measures.</i></b> Submit data quality report that describes the data quality for system performance.                                    | 6 | Submit a data quality report with system performance measures submission in HDX.  |

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| <b>3. Homeless Management Information System.</b> HUD will award up to <b>9</b> points to CoCs that demonstrate the existence of a functioning HMIS that facilitates the collection of information on homelessness using residential and other homeless services and stores that data in an electronic format. |   |   |
| <b>a. Housing Inventory Count (HIC).</b><br>Submit complete Housing Inventory Count Data in a timely manner.   | 1 | Submit 2019 HIC data in HDX submission deadline of 8:00 PM PDT time on April 30, 2019.  |
| <b>b. Bed Coverage.</b> The bed coverage rate for the housing types within the CoC that includes emergency shelter, Safe Haven, transitional housing, rapid rehousing, and permanent supportive housing.   | 6 | <p>At least 85 percent of the beds in the CoC's geographic area are covered in HMIS.</p> <p>The bed coverage rate is the number of HMIS participating beds divided by the number of year-round beds dedicated to homeless persons in the geographic area covered by the CoC. Beds funded by victim services providers are not to be included in this calculation.</p> <p>To receive partial credit, if the bed coverage rate is below 85 percent, the CoC must provide clear steps on how it intends to increase this percentage over the next 12 months.</p> <p>A CoC that merged between the FY 2018 CoC Program Registration process and the FY 2019 CoC Program Registration process will have its bed coverage rate calculated based on the higher of:</p> <ul style="list-style-type: none"> <li>the bed coverage rate reported by the combined, newly merged CoC in the 2018 or 2019 HIC;</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>the highest bed coverage rate reported by one of the merged CoCs as constituted before the merger in the FY 2018 CoC Program Competition.</li> </ul> <p>To receive consideration as a merged CoC, the new CoC must contain all the geographic area of at least two CoCs that submitted separate applications in the FY 2018 and FY 2019 CoC Program</p> |

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|   |   | Competitions.  |
| <b>c. Longitudinal Systems Analysis (LSA) Submission.</b> Submit LSA data in a complete and timely manner.                              | 2 | LSA data was submitted to HUD by the deadline.   |
| <b>4. Point-in-Time Count.</b> HUD will award up to <b>6</b> points to CoCs that collect, use, and submit data from the 2019 PIT count. |   |  |
| <b>a. PIT Count and Data Submission.</b> Conduct a PIT count and report the data in HDX.  | 3 | Conduct a sheltered and unsheltered PIT count during the last 10 days in January 2019, or if an exception was provided by HUD, during the time period agreed upon by the CoC and HUD; and<br><br>Submit the 2019 PIT data in HDX by April 30, 2019 8:00 PM PDT.  |
| <b>b. Effectively Count Youth.</b> Implement specific measures to identify youth in the CoC's PIT count.                                | 3 | Demonstrate that during the planning process for the 2019 PIT count, the CoC engaged stakeholders: <ul style="list-style-type: none"> <li>• that serve homeless youth;</li> <li>• involved homeless youth; and</li> <li>• worked with stakeholders to select locations where homeless youth are most likely to be identified.</li> </ul> |
| <b>5. Performance and Strategic Planning.</b> HUD will award up to <b>40</b> points based on the CoC's                                  |   |  |



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| plan for and progress towards reducing homelessness in its geographic area.   |    |   |
| <b>a. Ending Chronic Homelessness.</b> CoCs are expected to demonstrate the extent to which they are ending chronic homelessness.   |    |   |
| <b>Reduce chronic homelessness.</b>   | 10 | Demonstrate a decrease of at least 5 percent in both the total number of chronically homeless individuals and families in the geographic area as well as a decrease of at least 5 percent in the total unsheltered chronic homeless population in the geographic area in the 2019 PIT count relative to the 2018 PIT count (or 2017 PIT count if the CoC did not conduct and submit 2018 PIT count). CoCs may receive points for explaining any increase to the number of chronically homeless individuals and families in the CoC. |
| <b>b. Ending Homelessness Among Households with Children.</b> CoCs are expected to demonstrate the extent to which they will end homelessness among households with children. |    |   |
| <b>(1) Prioritize households with children based on need.</b>   | 2  | Demonstrate that the CoC prioritizes households with children based on need, including factors such as: history of or vulnerability to victimization (e.g., domestic violence, sexual assault, childhood abuse), number of previous episodes of homelessness, unsheltered homelessness, criminal histories, or bad credit or rental history.  |
| <b>(2) Rapid Rehousing Strategy.</b>  | 1  | <ul style="list-style-type: none"> <li>• Describe the CoC's strategy to effectively rehouse families within 30 days of becoming homeless that addresses both housing and service needs to ensure families will successfully maintain their housing once assistance ends; and</li> <li>• Identify the organization or position that is responsible for implementing the strategy.</li> </ul>   |
| <b>(3) Ensure projects do not deny admission to or separate family members.</b>   | 1  | Demonstrate that the emergency shelters, transitional housing, and permanent housing projects within the CoC do not deny admission to or separate family members when they enter shelter or housing,  |

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|  |   | including serving all family members together, without discriminating based on any protected classes under the Fair Housing Act, and consistent with 24 CFR 5.105(a)(2) – Equal Access to HUD-Assisted or -Insured Housing.  |
| <b><i>(4) Decrease family homelessness.</i></b>  | 4 | Demonstrate that the total number of households with children and youth experiencing homelessness has decreased by at least 5 percent as reported in the 2019 PIT count relative to the 2018 PIT count (or 2017 PIT count if the CoC did not conduct and submit 2018 PIT count).   |
| <b><i>(5) Provide educational services to families with children between the ages of 0-5.</i></b>  | 2 | Demonstrate there are written agreements in place between the CoC or its HUD-funded projects and educational supports and services for children ages 0-5, such as Public Pre-K, Head Start, Child Care (Child Care and Development Fund), and home visiting (including Maternal, Infant and Early Childhood Home and Visiting or MIECHV).  |
| <b><i>c. Ending Youth Homelessness.</i></b> CoCs are expected to demonstrate progress towards ending homelessness among unaccompanied youth. |   |  |
| <b><i>(1) Prioritize unaccompanied youth based on need.</i></b>  | 2 | <p>Demonstrate the CoC has written standards that prioritizes youth for assistance based on need, including factors such as:</p> <ul style="list-style-type: none"> <li>• history of or vulnerability to victimization (e.g., domestic violence, sexual assault, childhood abuse),</li> <li>• number of previous homeless episodes,</li> <li>• unsheltered homelessness,</li> <li>• criminal history, or</li> <li>• bad credit or rental history.</li> </ul> |
| <b><i>(2) Address the unique circumstances and needs of unaccompanied homeless youth.</i></b>  | 3 | Demonstrate the CoC addresses unsheltered homelessness, trafficking, and other forms of exploitation experienced by unaccompanied youth experiencing homelessness.   |

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| <b><i>(3) Increase the availability of housing and services for youth experiencing homelessness.</i></b> The strategies used by the CoC, including additional funding secured, to increase the availability of housing and services for youth experiencing homelessness, especially those experiencing unsheltered homelessness. | 3 | Provide evidence that: <ul style="list-style-type: none"> <li>• the CoC has increased housing and services resources for youth;</li> <li>• how the CoC is increasing assistance for unsheltered youth with existing and new resources; and</li> <li>• the CoC is measuring the impact of these strategies.</li> </ul>  |
| <b><i>(4) The CoC collaborates with youth education providers, McKinney-Vento local educational authorities, and school districts.</i></b>   | 2 | Identify: <ul style="list-style-type: none"> <li>• formal partnerships that the CoC has with youth education providers, McKinney-Vento local educational authorities, and school districts; and</li> <li>• policies and procedures that have been adopted to inform individuals and families who become homeless of their eligibility for educational services.</li> </ul> |

***d. Ending Veteran Homelessness.***

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| <b><i>(1) Reduce the total number of homeless veterans in the CoC.</i></b>  | 7 | Demonstrate a reduction of at least 5 percent in the number of veterans experiencing homelessness in the 2019 PIT count relative to the 2018 PIT count (or 2017 PIT count if the CoC did not conduct and submit 2018 PIT count) as submitted to the HDX. |
| <b><i>(2) Reduce the total number of unsheltered homeless veterans.</i></b> | 3 | Demonstrate a reduction of at least 5 percent in the number of unsheltered veteran homelessness in the 2019 PIT count relative to the 2018 PIT count (or 2017 PIT count if the CoC did not conduct and submit 2018 PIT count) as submitted to the HDX.   |

**6. CoC Coordination and Engagement.** HUD will award up to **56** points to CoCs that demonstrate coordination with other systems of care that serve homeless individuals and families, including sources of funding other than the CoC Program; an inclusive and outcome-oriented community process, including an organization structure(s) and decision-making process for developing and implementing a CoC strategy that is inclusive of representatives from both the private and public sectors, has a fair and impartial project review and selection process; and has created, maintained, and built upon a community-wide inventory of housing

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| and homeless individuals and families.  |   |   |
| <b><i>a. Inclusive Structure and Participation.</i></b>   |   |   |
| (1) has an inclusive membership of a variety of stakeholders within the geographic area;                      | 1 | <p>Demonstrate participation from a broad array of stakeholders, not limited to organizations listed in 24 CFR 578.5(a), within the geographic area, including at a minimum:</p> <ul style="list-style-type: none"> <li>• victim service providers;</li> <li>• youth providers; and</li> <li>• homeless or formerly homeless individuals.</li> </ul>  |
| (2) has an invitation process for new members to join;  | 1 | <p>Demonstrate a transparent process (e.g., communicated in a public manner such as on the CoC's website) is in place to invite new members to join and the invitation process is publicly available within the CoC's geographic area at least annually. All communications must ensure effective communication with individuals with disabilities, including the availability of accessible electronic formats.</p>  |
| (3) solicits and considers opinions from knowledgeable individuals and organizations; and                     | 2 | <p>Demonstrate a transparent process (e.g., communicated in a public manner such as on the CoC's website) is in place to solicit and consider opinions from individuals and organizations with knowledge of homelessness in the geographic area or an interest in preventing or ending homelessness in the geographic area. All communications must ensure effective communication with individuals with disabilities, including the availability of accessible electronic formats.</p> |
| (4) accepts and considers proposals from organizations that have not previously received CoC Program funding. | 1 | <p>Demonstrate a transparent process (e.g., communicated in a public manner such as on the CoC's website) is in place to accept and consider proposals from organizations that have not previously received CoC Program funding. All communications must ensure effective communication with individuals with disabilities, including the</p>   |

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|   |   | availability of accessible electronic formats.  |
| <p><b><i>b. Coordination with Federal, State, Local, Private, and Other Organizations.</i></b> Coordinates with other organizations that serve individuals, families, unaccompanied youth, and persons fleeing domestic violence who are experiencing or at risk of homelessness. CoCs must consult with Emergency Solutions Grants (ESG) recipients within the geographic area on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients. Each CoC is required to demonstrate how it is coordinating with ESG recipients.</p>   | 2 | <p>CoCs must demonstrate:</p> <ul style="list-style-type: none"> <li>• other federal, state, local, private, and other organizations are included in the planning or operation of projects;</li> <li>• the CoC actively consults with ESG recipients in the planning and allocation of ESG funds;</li> <li>• participates in the Consolidated Plan jurisdictions' process(s) by providing PIT and HIC data; and</li> <li>• ensuring local homelessness information is communicated and addressed in the Consolidated Plan updates.</li> </ul>   |
| <p><b><i>c. Addressing the Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking.</i></b> Coordinate with victim service providers and operators of coordinated entry to address the unique needs for housing and services that prioritizes safety. Coordination includes training provided to organizations within the CoC's geographic area to include housing and services made available from the CoC Program, ESG Program, Department of Justice, and Department of Health and Human Services programs. The CoC must identify the current efforts to increase access to safe housing and services for survivors of domestic violence, adopting victim-centered practices that maximize participant choice while maintaining safety and confidentiality.</p> | 3 | <p>CoCs must demonstrate:</p> <ul style="list-style-type: none"> <li>• victim service providers are voting members of the CoC;</li> <li>• annual training is provided to the organizations within the CoC's geographic area and operators of Coordinated Entry projects that addresses safety and best practices in serving survivors of domestic violence, dating violence, sexual assault, and stalking for housing and services;</li> <li>• the CoC uses de-identified aggregate data from comparable databases as appropriate to assess housing and trauma-informed, client-centered needs related to domestic violence and homelessness; and</li> <li>• participant choice, safety, planning, and confidentiality protocols are included in coordinated assessment.</li> </ul> |
| <p><b><i>d. Protecting Against Discrimination.</i></b> Demonstrates efforts to address all forms</p>  | 3 | CoCs must demonstrate that they have implemented CoC-wide anti-discrimination   |

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| of housing discrimination, such as discrimination based on an individual's protected class under the Fair Housing Act or 24 CFR 5.105(a)(2) – Equal Access to HUD-Assisted or -Insured Housing.  |   | policies that prevent discrimination under the Fair Housing Act and 24 CFR 5.105(a)(2) – Equal Access to HUD-Assisted or Insured Housing.  |
| <p><b><i>e. Public Housing Agencies.</i></b> Coordinates with the Public Housing Agencies (PHAs) located in the CoC's geographic area that results in admission preferences for households experiencing homelessness, including move-on strategy which is a partnership between the CoC and one or more PHAs that have an admission preference for participants in PH-PSH who are able and want to move out of supportive housing with a rental subsidy.</p> | 5 | <p>CoCs must demonstrate:</p> <ul style="list-style-type: none"> <li>• the PHA(s) in the geographic area have established admission preferences for household experiencing homelessness, which may include a preference for formerly homeless households residing in projects for persons experiencing homelessness, project-based vouchers for households experiencing homelessness, or demonstrating that new PHA admissions ate households that are experiencing homelessness; and</li> <li>• at least 20 percent of new admissions are homeless at admission.</li> </ul> |
| <b><i>f. Discharge Planning.</i></b> Coordinates with 1 and assists in state or local discharge planning efforts to ensure persons discharged do not become homeless.  | 1 | CoCs must demonstrate coordination with state or local discharge planning efforts to ensure persons are not released directly to the streets, emergency shelters, or other McKinney-Vento Homeless Assistance programs.  |
| <b><i>g. Low Barriers to Entry.</i></b> CoC Program-funded projects in the geographic area have low barriers to entry and prioritize rapid placement and stabilization in housing.   | 7 | <p>CoCs must demonstrate at least 75 percent of all project applications that include housing activities (i.e., permanent housing, transitional housing, and safe haven) submitted under this NOFA use the following practices:</p> <ul style="list-style-type: none"> <li>• provide low barriers to entry without preconditions and regardless of their income, current or past substance use, history of victimization (e.g., domestic violence, sexual assault, childhood abuse), and criminal record-except restrictions imposed by federal,</li> </ul>                  |

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|   |    | <p>state, or local law or ordinance (e.g., restrictions on serving people who are listed on sex offender registries), and</p> <ul style="list-style-type: none"> <li>• prioritizes rapid placement and stabilization in permanent housing</li> </ul> <p>The use of service participation requirements after people have stabilized in permanent housing will not affect the score on this rating factor.</p>   |
| <p><b>h. Street Outreach.</b> CoCs must have implemented street outreach procedures to ensure all persons experiencing homelessness are aware of the housing and services providers within the CoC's geographic area.</p> | 3  | <p>CoCs must demonstrate:</p> <ul style="list-style-type: none"> <li>• the street outreach covers 100 percent of the CoC's geographic area;</li> <li>• outreach is conducted on a regular basis; and</li> <li>• outreach is tailored to reach persons who are least likely to request assistance.</li> </ul>   |
| <p><b>i. Criminalization.</b> CoCs must implement specific strategies to prevent criminalization of homelessness within the CoC's geographic area.</p>  | 1  | <p>CoCs must indicate specific strategies to ensure homelessness is not criminalized that may include engaging or educating local policy makers, engaging or educating law enforcement, implementing community plans, or engaging or educating businesses.</p>   |
| <p><b>j. Rapid Rehousing.</b> CoCs must demonstrate an increase, if needed, in the number of rapid rehousing beds available as recorded in the 2019 HIC data submitted to HDX.</p>  | 10 | <p>CoCs must:</p> <ul style="list-style-type: none"> <li>• demonstrate an increase in the number of rapid rehousing beds in the CoC's geographic areas reported in HDX;</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• demonstrate the number of rapid rehousing beds in the CoC's geographic area sufficiently meets the need for this type of housing, which will be verified against information in the 2019 PIT and HIC data reported to HDX.</li> </ul> |

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| <p><b><i>k. Mainstream Benefits and Other Assistance.</i></b> The CoC provides information and training to CoC Program-funded projects to supplement CoC Program funds with resources from other public and private sources, including mainstream programs that assist program participants in applying for and receiving mainstream benefits.</p> | 1 | <p>CoCs must demonstrate:</p> <ul style="list-style-type: none"> <li>• systematically keeping program staff up to date regarding mainstream resources available for program participants (e.g., Food Stamps, SSI, TANF, substance abuse programs) with the geographic area;</li> <li>• how the CoC disseminates the availability of mainstream resources and other assistance information to projects and how often;</li> <li>• how the CoC works with projects to collaborate with healthcare organizations to assist program participants with enrolling in health insurance, and</li> <li>• provides assistance with the effective utilization of Medicaid and other benefits.</li> </ul>                                  |
| <p><b><i>l. Centralized or Coordinated Assessment System.</i></b> The CoC has an effective Coordinated Entry System.</p>   | 3 | <p>CoCs must demonstrate:</p> <ul style="list-style-type: none"> <li>• the coordinated entry system covers 100 percent of the CoC's geographic area;</li> <li>• the Coordinated Entry system reaches people who are least likely to apply in the absence of special outreach;</li> <li>• the assessment process prioritizes people most in need of assistance and ensures they receive it in a timely manner;</li> <li>• identify a broad range of organizations (e.g., local government, law enforcement, CDBG/HOME/ESG entitlement jurisdictions, affordable housing developers, early childhood programs, education authorities, mental health organizations) that participate in the coordinated entry system.</li> </ul> |



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|   |   | <p>Additionally, the Collaborative Application must attach the standardized assessment tools used within the CoC (HUD is not opining on an individual assessment tool's compliance with applicable civil rights and fair housing laws).</p>  |
| <p><b>m. Addressing Racial Disparities in Homelessness.</b> The CoC has assessed whether there are racial disparities in the provision or outcome of homeless assistance, and if present, taken or will take steps to address such disparities.</p> | 5 | <p>CoCs must demonstrate:</p> <ul style="list-style-type: none"> <li>• it has assessed whether individuals of different races or ethnicities are more or less likely to receive homeless assistance or to receive a positive outcome from homeless assistance; and</li> <li>• if racial or ethnic disparities are present, the CoC has taken or will take steps to address those disparities.</li> </ul>   |
| <p><b>n. Promoting and Increasing Employment.</b> Increase access to education, training, and employment for people experiencing homelessness</p>   | 6 | <ul style="list-style-type: none"> <li>• Demonstrate through a written agreement a partnership with a state or local workforce development board that includes prioritized access to employment opportunities or co-enrollment in workforce and homeless assistance programs for people experiencing homelessness;</li> <li>• Identify steps the CoC has taken to promote partnerships and access to employment opportunities with private employers and private employment organizations, including steps such as holding job fairs, outreach to employers, and partnering with staffing agencies;</li> </ul> |

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|   |    | <ul style="list-style-type: none"> <li>• Demonstrate through a written agreement a partnership with a local education or training organization that includes prioritized access to education and training opportunities for people experiencing homelessness; and</li> <li>• Demonstrate that the CoC is working with public and private organizations to provide meaningful employment opportunities for residents of permanent supportive housing; and</li> <li>• Demonstrate that the CoC is taking steps to increase employment opportunities and employment income among people experiencing homelessness, e.g., training provider organizations on increasing employment or creating incentives for employment.</li> </ul> |
| <p><b>o. Promoting Volunteering and Community Service.</b> The CoC actively promotes and supports employment and community engagement among people experiencing homelessness</p>  | 1  | Demonstrate that the CoC is taking steps to increase volunteer and community service among people experiencing homelessness, e.g., training provider organizations on volunteerism.  |
| <p><b>p. Section 3 Requirements for CoCs.</b> CoCs submitting new project applications that include funding requests for capital costs (i.e., new construction or rehabilitation) must complete a series of questions that addresses the actions taken by project applicants to comply with Section 3 as described in "To Receive Maximum Points" column. HUD will deduct 2 points from the CoC's overall score if the information is not sufficient to meet the required criteria.</p> <p>If a CoC does not have new project applications that include capital costs, these criteria do not apply.</p> | -2 | For project applicants that plan to use funding for construction or rehabilitation, in order for the CoC to receive maximum points, the CoC must include information that describes the actions that will be taken by project applicants that receive CoC funding to comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) and HUD's implementing rules at 24 CFR part 135 to provide employment and training opportunities for low- and very low-income persons (Section 3 residents), and to award contracts to businesses that are owned by or substantially employ those persons (Section 3 businesses). Self-certified Section 3 businesses in your locality may be found at |

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|  |    | www.hud.gov/sec3biz. This does not affect the applicants' existing responsibilities to provide training, employment, and other economic opportunities pursuant to Section 3 that result from their receipt of other HUD funding.  |
| <b>7. CoC Merger Bonus Points.</b> As stated in Section III.C.2.f of this NOFA, HUD will award up to a possible 25 bonus points to CoCs that merged in the period between FY 2018 and FY 2019 CoC Program Registration deadlines based on the following structure. The minimum number of bonus points a merged CoC may receive is 5 with the maximum number of points available at 25. |    |   |
| <b><i>a. Merged CoCs between FY 2018 CoC Program Registration and FY 2019 CoC Program Registration.</i></b>  | 5  | Merged CoCs - all CoCs that merged will receive this minimum number of points.  |
| <b><i>b. CoC Application score in FY 2017 or FY 2018.</i></b>  | 10 | One or more of the merged CoCs had a CoC Application score of 140 points or below in the FY 2017 or FY 2018 CoC Program Competitions. HUD will review the FY 2017 and FY 2018 CoC Applications and award 10 bonus points if at least one of the merged CoCs meet this criterion.  |
| <b><i>c. Point in Time Counts.</i></b>   | 10 | Demonstrating that the results of their Point-in-Time counts reported in the Homelessness Data Exchange (HDX) were affected by changes in methodology that resulted from the merger in a way that would affect their CoC score. To receive these bonus points for mergers, the CoC will need to demonstrate that they changed the methodology of their Point-in-Time count and how it affected the results. Maximum points will be awarded for CoCs for which the change in methodology resulted in a reduction of at least 10 points in their CoC Score. |

**C.** CoCs may request, in the FY 2019 CoC Application, that up to 10 percent of funding for the fiscal year awarded under this NOFA be approved to serve homeless households with children and youth defined as homeless under other federal statutes who are unstably housed (paragraph 3 of the definition of homeless found at 24 CFR 578.3). Approved CoCs are limited to using only up to 10 percent of the total amount awarded for each fiscal year appropriation to the CoC to serve this population and must determine which project(s) will be permitted to use some or

all of their funding for this purpose. The only project types that will be funded in this Competition to serve this population are Transitional Housing, Supportive Services Only, and the Joint TH and PH-RRH component projects.

To be approved to serve this population, CoCs making this request must demonstrate that serving this population is of equal or greater priority, which means that it is equally or more cost effective in meeting the overall goals and objectives of the plan submitted under Section 427(b)(1)(B) of the Act, especially with respect to children and unaccompanied youth, than serving the homeless as defined under paragraphs (1), (2), and (4) of the definition of homeless in 24 CFR 578.3. CoCs must thoroughly describe how the requirements described in Section 427(b)(1)(F) of the Act will be met. CoCs must identify the specific project(s) that will use funding for this purpose (up to 10 percent of the CoC's total award) by submitting an attachment to the CoC Application in *e-snaps* that must include the following:

1. project name(s) as listed on the CoC Priority Listing; and
2. amount of funding in the project or per project that will be used for this purpose.

If HUD approves a CoC's request, the grant agreement will reflect the ability to serve this population. See 24 CFR 578.89 for more information about this limitation.

**D. CoCs That Have Claimed the Same Geographic Area (Competing CoCs).** There are no CoCs that claimed the same geographic area as determined by the FY 2019 CoC Program Registration process; therefore, there are no competing CoCs.

## **B. Other Program Requirements**

**Environmental Justice.** HUD may consider environmental justice in evaluating applications. Under [E.O. 12898](#), each Federal agency is directed to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

**Conflict of Interest of Consultants or Technical Experts Assisting HUD.** Consultants and technical experts who assist HUD in rating and ranking applications for funding under published FY 2019 Program NOFAs are subject to 18 U.S.C. 208, the Federal criminal conflict-of-interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR 2635. Thus, consultants and technical experts who have assisted or plan to assist applicants with preparing applications for FY 2019 Program NOFAs may not serve on a selection panel and may not serve as a technical advisor to HUD. Anyone involved in rating and ranking FY 2019 Program NOFA applications, including departmental staff, experts, and consultants, must avoid conflicts of interest or the appearance of such conflicts. These individuals must also disclose to HUD's Office of General Counsel Ethics Law Division the following information, if applicable:

- a. How the selection or non-selection of any applicant under a FY Program NOFA will affect the individual's financial interests, as provided in 18 U.S.C. 208, or
- b. How the application process involves a party with whom the individual has a covered relationship under 5CFR 2635.502.

The consultant or technical expert assisting HUD must disclose this information before

participating in any matter regarding a program NOFA. Applicants with questions regarding these provisions or concerning a conflict of interest should call the Office of General Counsel Ethics Law Division, at (202)708-3815 (this is not a toll-free number). The phone number above may also be reached by individuals who are deaf or hard of hearing, or with speech disabilities, through the Federal Relay Service's Text Telephone (TTY) service at 1-800-877-8339.

## **VIII. Project Review and Selection Process**

**A. Review, Rating, and Ranking.** In addition to the selection criteria rating for the overall CoC Application, described in Section VII of this NOFA, a threshold review for project applicants and project applications will be conducted. For new project applications, the review process will consider project applicant and subrecipient eligibility and capacity, project eligibility, and project quality as part of the threshold review, see Sections V.C.3.b. and V.C.3.c of this NOFA. The renewal project application threshold review will consider project applicant and subrecipient capacity and eligibility. The renewal project threshold reviews are explained in Section V.C.3.d of this NOFA. Section V of this NOFA covers eligible project applicants and project applications.

HUD may employ rating panels to review and rate all or part of the CoC Applications according to the rating criteria in Section VII of this NOFA.

1. *Threshold Review.* Project applicant and subrecipient eligibility, capacity, and quality. HUD will review project applications to determine whether project applicants and subrecipients meet the eligibility and capacity thresholds, and whether the project applications meet the eligibility and project quality thresholds detailed in Section V.C.3.b and V.C.3.c of this NOFA. If HUD determines these standards are not met, the project application will be rejected from the Competition. If a new project application passes the project eligibility threshold review in Section V.C.3.b and receives enough points to pass the project quality threshold review in Sections V.C.3.c of this NOFA, but does not receive all of the points available for its project type, then HUD may place conditions on the grant award that must be satisfied before HUD will execute a grant agreement with the applicant for the project. If an applicant is unable to satisfy the condition within the time frame specified by HUD, HUD reserves the right to withdraw the conditionally awarded funds.

2. *Conditional Selection and Adjustments to Funding.* HUD will conditionally select project applications for funding using the following process:

- a. HUD will conditionally select a renewal grant that exceeds \$10 million that was originally awarded pursuant to the matter under the heading "Department of Housing and Urban Development-Permanent Supportive Housing" in chapter 6 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 122 Stat. 2351).
- b. *CoC planning projects.* HUD will conditionally select all CoC planning projects that pass eligibility and threshold review.
- c. *UFA Costs projects.* HUD will conditionally select all UFA Costs projects submitted from Collaborative Applicants designated UFAs by HUD in the FY 2019 CoC Program Registration process.

d. *DV Bonus*. Except as provided in Section II.B.1.a. of this NOFA, HUD will conditionally select DV Bonus projects that pass quality and threshold in accordance with the criteria established in this NOFA (see Section II.B.10.e of this NOFA). Any project conditionally selected by HUD as part of the DV Bonus will be removed from the CoC's ranking list and all projects underneath of it will slide up in rank. Any project that indicated it would like to be considered as part of the DV Bonus but was not selected as part of the DV Bonus, will retain the ranking provided by the CoC and be considered as a normal ranked project (see Section II.B.10 of this NOFA).

e. *Project Applications Fully in Tier 1*. HUD will conditionally select project applications that are fully within Tier 1, pass eligibility and threshold, based on CoC score, beginning with the highest scoring CoC to the lowest scoring CoC. As stated in Section II.B.10.a of this NOFA, if the available funding under this NOFA is reduced, a reduction will be made to all CoC's Tier 1 amount proportionately which would result in lower ranked Tier 1 project applications falling into Tier 2.

f. *Projects in Tier 2*. HUD will conditionally select project applications that pass eligibility and threshold review in Tier 2 using the criteria in Section II.B.10.b of this NOFA. HUD will select projects in order of point value until there are no more funds available. In the case of a tie, HUD will fund the projects in the order of CoC application score. In case there is still a tie, HUD will select the project from the CoC that has the highest score on the rating factors described in Section VIII.A.2.f of this NOFA.

g. *Projects that are partially in Tier 1*. If a project application straddles the Tier 1 and Tier 2 funding line, HUD will conditionally select the project application up to the amount of funding that falls within Tier 1. Using the CoC score and other factors described in Section II.B.10 of this NOFA, HUD may then fund the Tier 2 portion of the project. If HUD does not fund the Tier 2 portion of the project, HUD may award the project at the reduced amount, provided the project is still feasible with the reduced funding (e.g., is able to continue serving homeless program participants effectively).

**B. Adjustments to Projects.** HUD may adjust the selection of competitive projects as follows:

1. *Geographic Diversity*. HUD has determined that geographic diversity is an appropriate consideration in selecting homeless assistance projects in the CoC Program Competition. HUD believes that geographic diversity can be achieved best by awarding grants to as many CoCs as possible. To this end, in instances where any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa do not have at least one funded CoC, HUD reserves the right to fund eligible project(s) with the highest total score in the CoC.

2. *Funding Diversity*. HUD reserves the right to reduce the amount of a grant, if necessary, to ensure that no more than 10 percent of assistance made available under this NOFA will be awarded for projects located within any one unit of general local government or within the geographic area covered by any one CoC.

3. *Tie-breaking Rules*. In the case of a tie, HUD will fund the projects in the order of CoC Application score. In case there is still a tie, HUD will select the project from the CoC that

has the highest score on the rating factors described in Section VII.B.5 of this NOFA.

If HUD exercises a right it has reserved under this NOFA, that right will be exercised uniformly across all applications received in response to this NOFA.

**C. Corrections to Deficient Applications.** Deficiency is information missing or omitted within a submitted application. Deficiencies typically involve missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box, etc.). Depending on specific criteria, deficiencies may be either curable or non-curable.

- **Curable Deficiency** – Applicants may correct a curable deficiency with timely action. To be curable the deficiency must: not be a threshold requirement, except for documentation of applicant eligibility; not influence how an applicant is ranked or scored versus other applicants; and be remedied within the time frame specified in the notice of deficiency.
- **Non-Curable Deficiency** – An applicant cannot correct a non-curable deficiency after the submission deadline. Non-curable deficiencies are deficiencies if corrected would change an applicant's score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application's score and final determination.

Correction of technical deficiencies must be received by HUD within 7 calendar days after notification is received by the applicant from HUD via email or fax. The start of the cure period will be the date stamp on the email HUD sends to the authorized representative as noted in the Project Applicant Profile in *e-snaps*; therefore, it is critical that the project applicant's authorized representative's information is accurate. Additionally, HUD reserves the right to respond to unanticipated system defects, ambiguities, and technical difficulties in application submissions in *e-snaps* through a flexible implementation of its authority to cure application deficiencies through written inquiries seeking clarification and additional information (also known as callbacks). Upon proper publication in the *Federal Register*, HUD reserves the right to extend the Competition deadline for good cause.

## **IX. Award Administration Information**

### **A. Award Notices**

Following the evaluation process HUD will notify successful applicants of their selection for funding. HUD will also notify all other applicants, whose applications were received by the deadline, that have not been chosen for award by email. Award information will be sent by mail to the authorized representative in item 8F of the SF424 and to the person listed as authorized representative in item 21 of the SF424.

### **B. Administrative, National and Department Policy Requirements for HUD recipients**

*Select Applicable requirements. The full text of the requirements has been moved and are available to the applicant in the document, [General Administrative Requirements and Terms for HUD Financial Assistance Awards](#), on HUD's website.*

- Affirmatively Furthering Fair Housing.

- Economic Opportunities for Low-and Very Low-income Persons (Section 3).
  - Improving Access to Services for Persons with Limited English Proficiency (LEP).
2. Equal Access to Housing Regardless of Sexual Orientation or Gender Identity.
  3. Participation in HUD-Sponsored Program Evaluation.
  4. OMB Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
  5. Drug-Free Workplace.
  6. Safeguarding Resident/Client Files.
  7. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L.109-282) (Transparency Act), as amended.
  8. Physical Accessibility.
  9. Violence Against Women Act.
  10. All federal statutes, including federal immigration and criminal law, must be followed.

### **C. Reporting.**

HUD requires recipients to submit performance and financial reports under OMB guidance and program instructions.

**1. Reporting Requirements and Frequency of Reporting.** This NOFA and award agreement will specify the reporting requirements, including content, method of data collection, and reporting frequency. Applicants should be aware that the share of their Federal award may be subject to post award reporting requirements as reflected in [Appendix XII to Part 200-Award Term and Condition for Recipient Integrity and Performance Matters](#).

**2. Performance Reporting.** All HUD funded programs, including this program, require recipients to submit, not less than annually, a report documenting achievement of outcomes under the purpose of the program and the work plan in the award agreement.

Please direct questions regarding specific reporting requirements to the point of contact listed in Section XI. Agency Contact(s), below.

**D. Debriefing.** For the CoC Program, HUD will issue uniform debriefing information within 90 days of the final conditional award announcement to each CoC under this NOFA. The debriefing may include the overall score for the CoC and a breakdown of the score received for the main sections of the CoC application. HUD does not issue individual debriefings for each project applicant or CoC, Collaborative Applicant, or CoC.

### **3. CoC Award Notices**

**a. Action on Conditionally Selected Application.** HUD will notify conditionally selected applicants in writing. HUD may subsequently request conditionally selected applicants to submit additional project information—which may include documentation to show the project is financially feasible; documentation of firm commitments for match; documentation showing site control; information necessary for HUD to perform an environmental review, where HUD determines to do so in accordance with 24 CFR 58.11(d); a copy of the organization’s Code of Conduct; and such other documentation as specified by HUD in writing—to the application, that confirms or clarifies information provided in the application. HUD will require the submission of the additional project information no later than 30 days after the date of the letter for such information, except as



otherwise provided in 24 CFR 578.21(c). If an applicant is unable to meet any conditions for the award within the specified time frame, HUD reserves the right not to award funds to the applicant and add those funds to the funds available for the next Competition.

**b. Applicant Debriefing.** For the CoC Program, HUD will issue uniform debriefing information within 90 days after the final FY 2019 conditional award announcement to each CoC that will include the overall score for the CoC and a breakdown of the score received for the main sections of the CoC Application. HUD does not intend to issue individual debriefings for each applicant.

**c. Appeals Process.** Applicants may appeal funding decisions only as provided in 24 CFR 578.35. See Section X of this NOFA regarding the CoC Program specific process for appeals.

#### **4. Administrative and National Policy Requirements.**

**a. Administrative and Other Program Requirements.** Federal agencies are required to measure the performance of their programs. HUD captures this information not only from monitoring visits and APRs, but also on the data gathered in annual Competitions. HUD's homeless assistance programs are being measured in FY 2019 by the objective to "end chronic homelessness and to move the homeless individuals and families to permanent housing," measures based on system performance, and the ability of CoCs that have the capacity to reallocate funds from lower performing projects to higher performing projects.

**b. Timeliness Standards.** All conditional funds awarded in the FY 2019 CoC Program Competition must be obligated by September 30, 2021. Obligated funds remain available for expenditure until September 30, 2025. However, HUD reserves the right to require an earlier expenditure deadline under a grant agreement. The project applicant is expected to initiate the approved projects promptly in accordance with the requirements of this section of this NOFA. Grant terms, and associated grant operations, may not extend beyond the availability of funds. Project applicants must plan accordingly and only submit project applications that can start operations in a timely manner with sufficient time to complete the post award process within the awarded grant term. In addition, HUD will take action if the recipient fails to satisfy the timeliness standards found in 24 CFR 578.85.

#### **c. Reporting**

(1) In accordance with program regulations at 24 CFR 578.103, project recipients must maintain records within the time frame required, make any reports, including those pertaining to race, ethnicity, gender, and disability status that HUD may require. Project recipients may report the data as part of their APR submission to HUD. Also, project recipients who expend \$750,000 or more in 1 year in federal awards are reminded they must have a single or program-specific audit for that year in accordance with the provisions of 2 CFR part 200, subpart F.

(2) Section 3 Reporting Regulations. Pursuant to 24 CFR 135.3(a)(2), the Section 3 requirements apply to housing and community development assistance that is used for housing rehabilitation, housing construction, and other public constructions. Recipients of CoC Program funds must submit Form HUD-60002 to the Office of Fair Housing and Equal Opportunity (FHEO) at the time they submit their APR to the Office of Special Needs Assistance Programs. This form can be completed

electronically at [www.hud.gov/section3](http://www.hud.gov/section3).

(3) Award notices may also include requirements for sub-award reporting in compliance with the requirements of the Federal Financial Assistance Accountability and Transparency Act of 2006 (Pub. L. 109-282) (FFATA) and Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), referred to as “Section 872.” See the General Section for further information.

## **X. Appeals**

**A. Description.** The process for appeal options are found at 24 CFR 578.35. Sections 578.35(b)(3), (b)(4), (c)(1), and (d)(2) authorize HUD to establish requirements for the form and manner of submissions for appeals by Solo Applicants, applicants with denied or decreased funding, and from competing CoCs. For HUD to consider an appeal under 24 CFR 578.35(b) or (c), the solo project applicant must follow the applicable process set forth in this NOFA. This NOFA also provides guidance to CoCs and applicants regarding appeals of a jurisdiction’s refusal to sign the Consolidated Plan certification for a project under 24 CFR 578.35(c).

Additionally, HUD is clarifying the impact that Solo Applicant appeals will have on HUD signing grant agreements for FY 2019 funds awarded under this NOFA. If HUD receives one or more Solo Applicant appeals from a CoC for FY 2019 funds, HUD will determine the amount of funding that the Solo Applicant(s) have requested; and HUD may delay signing grant agreements for the awarded project(s) listed at the bottom of the CoC’s Priority Listing that have requested funding for FY 2019 equal to double the amount requested by the Solo Applicant(s). Refer to the Solo Applicant appeal process in Section X.C of this NOFA for additional information about the Solo Application appeal process.

Finally, for the purposes of the appeals identified in this NOFA where 24 CFR 578.35 requires that all evidence be sent to the CoC and that the CoC respond to evidence, this means that correspondence to the CoC should be addressed to the CoC-designated Collaborative Applicant and all correspondence to HUD from the CoC should be addressed from the CoC’s designated Collaborative Applicant. If the CoC has authorized another entity other than the Collaborative Applicant to respond to the appeals identified in this NOFA on its behalf, it should notify HUD by sending an email to [snapsappeals@hud.gov](mailto:snapsappeals@hud.gov).

**B. Types of Appeals.** Provision at 24 CFR part 578 set forth the following types of appeals:

**1. Solo Applicants.** A process for eligible project applicants that attempted to participate in their CoC planning process and believe they were denied the right to participate in a reasonable manner.

**2. Denied or Decreased Funding.** A process for eligible applicants that are denied funds by HUD or that requested more funds than HUD awarded to them.

**3. Consolidated Plan Certification.** A process for eligible applicants whose jurisdiction refused to provide a Certification of Consistency with the Consolidated Plan (form HUD-2990).

**4. Competing CoCs.** A process when more than one CoC claims the same geographic area for eligible applicants of lower scoring CoCs, to appeal to HUD’s decision to fund the

competing CoC. There were no competing CoCs for FY 2018 funds; therefore, this NOFA does not address the process for appealing HUD's decision to award funds to the competing CoC.

**C. Solo Applicant.** Per the Act, "A solo applicant may submit an application to the Secretary for a grant under subsection (a) and be awarded such grant on the same basis as such grants are awarded to other applicants based on the criteria described in section 427, but only if the Secretary determines that the solo applicant has attempted to participate in the continuum of care process but was not permitted to participate in a reasonable manner. The Secretary may award such grants directly to such applicants in a manner determined to be appropriate by the Secretary."

To apply as a solo applicant, the project applicant must submit a Solo Applicant Project Application in *e-snaps* by the application submission deadline of September 30, 2019 at 8:00 pm eastern time. Additionally, the solo applicant, Collaborative Applicant, and HUD must take the following steps (See 24.CFR.35 for more information):

1. Written Notice of Intent to Appeal. The solo applicant must submit a written notice of intent to appeal, with a copy to the Collaborative Applicant, with their funding application.
2. No later than 30 days after the date that HUD announces the awards, the solo applicant shall submit in writing, with a copy to the Collaborative Applicant, all relevant evidence supporting its claim. The submission shall be emailed to [snapsappeals@hud.gov](mailto:snapsappeals@hud.gov).
3. The Collaborative Applicant shall have 30 days from the date of its receipt of the solo applicant's evidence to respond to HUD in writing, with a copy to the solo applicant. The submission shall be emailed to [snapsappeals@hud.gov](mailto:snapsappeals@hud.gov).
4. HUD will notify the solo applicant and the Collaborative Applicant of its decision within 60 days of receipt of the Collaborative Applicant's response.
5. If HUD finds that the solo applicant was not permitted to participate in the Continuum of Care planning process in a reasonable manner, then HUD may award a grant to the solo applicant when funds next become available and may direct the Continuum of Care to take remedial steps to ensure reasonable participation in the future. HUD may also reduce the award to the Continuum's applicant(s).

**D. Denied or Decreased Funding.** Eligible applicants, including project applicants and Collaborative Applicants, that submitted an application to HUD in response to this NOFA, that were either not awarded funds by HUD, or that requested more funds than HUD awarded, may appeal HUD's decision within 45 days after the final funding announcement. Only those applicants with projects that were ranked within the CoC's maximum amount available will be considered for funding or additional funding.

To appeal HUD's decision, the applicant must submit a written appeal to HUD, with a copy to the authorized representative from the CoC's designated Collaborative Applicant. The written appeal must include evidence demonstrating HUD error and follow the instructions in this section.

The applicant must submit its written appeal by email to [snapsappeals@hud.gov](mailto:snapsappeals@hud.gov), from the organization's email address on the organization's letterhead and signed by the authorized representative. The appeal process is as follows:

**1. Denied Funding.** To appeal HUD's decision, the applicant must submit a written appeal to HUD using the process outlined in Section X.F of this NOFA within 45 days of the date of the funding announcement of the conditional awards from HUD, with a copy to the authorized representative from the CoC's designated Collaborative Applicant.

a. Projects, including projects for CoC planning funds and Unified Funding Agency (UFA) costs, could have been rejected by HUD because:

- (1) the individual project application failed to meet eligibility and quality thresholds set forth in this NOFA;
- (2) the individual project application met eligibility and quality thresholds set forth in this NOFA, but was ranked in a position where a portion of the grant funds were outside the CoC's maximum award amount, and after HUD reduced its funding to fit within the CoC's maximum award amount, HUD determined that the project was no longer feasible; or
- (3) HUD did not have sufficient funding to fund all eligible projects ranked within the CoC's maximum award amount.

b. For applicants that were fully denied funding for a grant, the applicant must provide evidence that demonstrates HUD error in not awarding the grant. Documentation submitted by the applicant must include:

- (1) documentation that the project was ranked within the maximum award amount available to the CoC;
- (2) evidence from the project application supporting the applicant's claim that the project application met eligibility and quality thresholds set forth in this NOFA; and
- (3) evidence that the applicant believes HUD failed to follow its selection priorities set forth in this NOFA which resulted in the project not being funded (e.g., selecting a lower-scored project within the CoC or a similar project from another CoC).

c. For applicants that were denied funding due to the individual project's funding being decreased to such a level that the project was no longer feasible, documentation submitted by the applicant must include the evidence in Section I.H of this NOFA as well as evidence for decreased funding in Section X.D.2 of this NOFA.

d. For CoCs that were denied funding due to the score of the CoC Application or the score of the project application not being high enough to result in the funding of project(s) within the CoC, and the lower score for one or both application types was the result of HUD error, the CoC may appeal the CoC or project application score and request funding for affected projects. Documentation submitted by the Collaborative Applicant on behalf of the CoC must include evidence of HUD error when calculating the CoC Application or project application score.

**Note: HUD can only consider information submitted with the CoC Application. HUD will not consider additional information in support of the CoC Application.**

**2. Decreased Funding.** To appeal HUD's decision, the applicant must submit a written

appeal to HUD using the process outlined in Section X.F of this NOFA within 45 days of the date of the final funding announcement of the conditional awards from HUD, with a copy to the authorized representative of the CoC's designated Collaborative Applicant.

Documentation submitted by the applicant must include evidence of the HUD error the applicant believes was made.

**3. HUD Decision and Notification of Decision.** Where HUD determines that HUD error occurred, and the applicant should have been awarded additional funding, then HUD will provide funding from the next available funds and make necessary adjustments by amending the award. HUD will reverse a decision only when the applicant can show that HUD error caused the denial or decrease.

**E. Consolidated Plan Certification.** An applicant may appeal to HUD a jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan. The appeals process is as follows:

**1. Written Appeal.** With the project application that is submitted by the application deadline, the applicant must submit a written appeal. Project applicants may submit its appeal in *e-snaps* with its project application. When submitted with the project application in *e-snaps*, the applicant must also email a copy of this appeal to the jurisdiction that denied the certification of consistency and should send a copy to the authorized representative from the CoC's designated Collaborative Applicant, unless it is the Collaborative Applicant that is filing the appeal. Otherwise, the project applicant or Collaborative Applicant may submit the appeal to HUD using one of the methods in Section X.F of this NOFA. The written appeal must include the following information:

- a. a copy of the applicant's request to the jurisdiction for the Certification of Consistency with the Consolidated Plan;
- b. a copy of the jurisdiction's response stating the reasons for denial, including the reasons the proposed project is not consistent with the jurisdiction's Consolidated Plan in accordance with 24 CFR 91.510(c); and
- c. a statement of the reasons why the applicant believes its project is consistent with the jurisdiction's Consolidated Plan.

The appeal may include additional information the applicant believes supports its appeal, including:

- (1) any additional communication between the applicant and the jurisdiction regarding the request for certification of consistency; and
- (2) documentation that identifies to whom within the jurisdiction the evidence was sent and date on which it was sent.

**2. Jurisdiction Response.** The jurisdiction will have 10 days after the receipt of the applicant's written appeal to submit a written response to HUD. The response must be sent by email to [snapsappeals@hud.gov](mailto:snapsappeals@hud.gov) on the organization's letterhead, with a copy to the project applicant and the authorized representative of the CoC's designated Collaborative Applicant. The response must include the following information:

- a. an explanation of the reasons originally given for refusing to provide the

Certification of Consistency with the Consolidated Plan; and

b. written rebuttal to any claims made by the applicant in the written appeal.

### **3. HUD Decision and Notification of Decision.**

a. HUD will review the submissions and will provide written notification, by email, of its decision to the applicant and the jurisdiction, with a copy to the authorized representative from the CoC's designated Collaborative Applicant within 45 days of the date of the receipt of the jurisdiction's response. In making its decision, HUD will consider whether the applicant submitted the request to the appropriate certifying jurisdiction and the reasonableness of the jurisdiction's refusal to provide the certificate.

b. If HUD finds that the certifying jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan was reasonable, then HUD will automatically reject the project application. If HUD finds that the certifying jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan was not reasonable, then HUD will consider the project application for funding in the respective FY CoC Program Competition in accordance with the review standards set forth in this NOFA.

c. If the jurisdiction failed to provide written reasons for refusal, including the reasons why the project is not consistent with the jurisdiction's Consolidated Plan in its initial response to the applicant's request for a certification, HUD will find for the applicant without further inquiry or response from the political jurisdiction.

d. HUD will provide written notification of its decision within 45 days of the date of HUD's receipt of the jurisdiction's response. Where the jurisdiction failed to provide a written response, HUD will provide written notification of its decision within 55 days of the date of HUD's receipt of the project applicant's response.

### **F. Appeals Submission.**

**1. Submission of Appeals by Email.** Appeals must be submitted via email to [snapsappeals@hud.gov](mailto:snapsappeals@hud.gov). The subject line of your email must include the **CoC Number**, **"Appeal Notice,"** and type of appeal, i.e., **Participation, HUD Error, or Consolidated Plan Certification**. A sample email Subject Line is: **Subject: XX-500 – Appeal Notice– Consolidated Plan Certification**.

**2. HUD Response.** HUD will respond to all appeals via email. HUD will not consider any requests to reconsider funding for FY 2019 funds except for those appeals outlined in this NOFA.

## **XI. Agency Contacts**

**A. For Further Information.** Recipients and individuals can use the locator at [Hud Exchange](#) to find contact information for the Collaborative Applicant and for the local HUD CPD Field Office serving the CoCs territory. Individuals who are hearing- or speech-impaired should use the Information Relay Services at 1-800-877-8339 (these are toll-free numbers).

**B. For Technical Assistance.** HUD will make appropriate resources available for technical

assistance related to *e-snaps*. Specifically, HUD will make available [e-snaps](#) AAQ to address technical or other questions. Local HUD CPD Field Office staff will also be available to help citizens identify organizations in the community that are involved in developing the CoC system. HUD staff and HUD contractors are prohibited from providing CoCs, Collaborative Applicants, and project applicants with guidance that will result in a competitive advantage for any CoC or project application.

Following conditional selection of applications, HUD staff will be available to assist conditionally awarded applicants in clarifying or confirming information that is a prerequisite to the offer of a grant agreement by HUD. However, between the application deadline and the announcement of conditional selections, HUD is prohibited from and will not accept any information that would improve the substantive quality of a CoC's application pertinent to HUD's funding decision.

C. HUD staff will be available to provide general clarification on the content of this NOFA; however, HUD staff are prohibited from assisting any applicant in preparing the application(s) in *e-snaps*.

1. Local HUD Community Planning Development (CPD) Office. Questions regarding specific program requirements should be directed to the local HUD CPD field office, a directory of which can be found at <https://www.hudexchange.info/programs/cpd-field-office-e-directory/>.
2. Training and Resources. Collaborative Applicants and project applicants that need assistance completing the applications in *e-snaps* or understanding the program requirements under the CoC Program may access the Rule, training materials, and program resources via the HUD Exchange at <https://www.hudexchange.info/homelessness-assistance/>.
3. HUD Exchange Ask A Question (AAQ). CoCs, Collaborative Applicants, and project applicants that require information and technical support concerning this NOFA and the application in *e-snaps* may submit an electronic inquiry via the HUD Exchange *e-snaps* AAQ at <https://www.hudexchange.info/program-support/my-question/>. The AAQ is accessible 24 hours each day. Starting 2 days prior to the application deadline for FY 2019 funds, the AAQ will respond only to emergency technical support questions up to the deadline of 8:00 PM Eastern time. Applicants experiencing technical difficulty should contact the *e-snaps* AAQ immediately for assistance and document their attempts to obtain assistance.
3. HUD Homeless Assistance Listserv. HUD may provide Collaborative Applicants and Project Applicants with additional information through HUD websites located at [www.hud.gov](http://www.hud.gov) and [www.hudexchange.info](http://www.hudexchange.info) and via the CoC Program email-based listserv. To join the listserv, visit [www.hudexchange.info/maillinglist](http://www.hudexchange.info/maillinglist). This additional information will not change the selection criteria or selection process in this NOFA, but may include items such as updates on status of *e-snaps* and reminders of impending deadlines.

## **XII. Other Information**



**Paperwork Reduction Act Statement.** The information collection requirements in this notice have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C.3501-3520). In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. Each Program NOFA will identify its applicable OMB control number unless its collection of information is excluded from these requirements under 5 CFR part 1320.

**Environmental Impact.** A finding of No Significant Impact with respect to the environment has been made for this notice, in accordance with HUD regulations at 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The Finding of No Significant Impact is made available with the posting of this NOFA on [HUD's Funding Opportunities Page](#).



## **Exhibit H: Tucson/Pima Continuum of Care Written Standards**

### **TUCSON PIMA COLLABORATION TO END HOMELESSNESS COC PROGRAM WRITTEN STANDARDS**

**Adopted April 28, 2015, Amended Jan. 26, 2016, June 28, 2016 and May 11, 2017; Dec. 18, 2018; Feb. 26, 2019;  
June 26, 2019**

Introduction & Purpose  
Key Terms  
General Policies  
Performance Standards  
Prioritization for HUD-VASH Housing  
Permanent Supportive Housing  
Rapid Rehousing  
Transitional Housing  
Evaluating and Documenting Eligibility (Categories of Homelessness & Required Types of Verification)  
Appendices

#### **INTRODUCTION & PURPOSE**

Tucson Pima Collaboration to End Homelessness (TPCH) has established written standards that encompass local community needs and follow guidelines set forth by the Department Housing and Urban Development (HUD) and comply with requirements established by law and HUD Notice. These written standards are developed to ensure people within this community who are experiencing homelessness are prioritized and provided with the most appropriate housing and services to meet their needs.

These written standards are reviewed and adjusted at least annually. Changes to priorities may supersede this notice if voted on by the TPCH Board of Directors (for example; a surge in prioritizing veterans). Further requirements are detailed in TPCH Policy and Procedure documents.

These written standards are developed in coordination with recipients of Emergency Solutions Grants program funds to achieve the following:

- Create and maintain a centralized or coordinated entry system that provides an initial, comprehensive assessment of the needs of families and individuals for housing and services
- Policies and procedures for evaluating individuals' and families' eligibility for assistance under this part.
- Policies and procedures for determining and prioritizing which eligible families and individuals will receive transitional housing assistance.
- Policies and procedures for determining and prioritizing which eligible families and individuals will receive rapid rehousing assistance.
- Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance.
- Policies and procedures for determining and prioritizing which eligible families and individuals will receive permanent supportive housing assistance

## KEY TERMS

### Beds

A bed is each assigned spot in a housing program for a person; not literally a bed. If there are three people in a household, regardless of their sleeping arrangements, the household has three beds.

### Client-Centered

Client-centered (or person-centered) services are designed and delivered based on the specific needs and wants of each family or individual as they perceive those needs and wants rather than as required or delivered by the service provider based on a schedule, program participation, or the providers' perception. A client-centered service delivery process involves mutual discussion and decision-making on what steps are needed for client stability and when and how to take those steps. For example, client-centered service could include, but not be limited to, determining a family's preferences and helping them find housing that is not just to their needs and liking, but also near a particular school.

### Chronically Homeless

An individual or family is chronically homeless when the person or head of household (adult or minor) meets all three criteria established as the final rule for 24 CFR Parts 91 and 578 as amended December 4, 2015. The three criteria are that the person/family:

- Has a qualifying disability (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)
- Is literally homeless (at the time of eligibility assessment for a specific project opening)
- Has at least 12 months of homelessness from one of the below avenues:
  - The current episode of homeless has lasted at least the past 365 nights, including the night before assessment, without breaks in homelessness.
  - Having four episodes, or more, of homelessness within the past three years up to and including the date of assessment. These episodes, when added together, total 365 nights or more of literal homelessness. Also, each break in homelessness must have lasted at least seven (7) consecutive nights.
  - Both the cumulative nights and four or greater episodes criteria must be met. Fewer than four episodes in three years – even if homeless nights add up to 12 or more months – will not qualify the person/family as chronically homeless. Greater than four episodes in three years will not suffice if the total nights homeless are under 365.

### Equal Access:

This community provides equal access to all programs and activities, regardless of (actual or perceived) sexual orientation, gender identity, marital status, race, color, national origin, religion, sex, familial status, disability, or any other protected class as identified by Federal or Local law.

This community houses people based on the gender they identify as, without requesting documentation to validate their report. This community recognizes the HUD Final Rule and all amendments published 2/3/2012, 9/21/16 and the Notice on Equal Access Regardless of Sexual Orientation, Gender Identity, or Marital Status for HUD's CPD Programs.

### Gender Identity

This is defined as a person's concept of oneself as male, female, both or neither. Gender identity may or may not align with the "sex" or "gender" described on an individual's birth certificate or other identity documents.

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**Homeless**

HUD classifies homelessness into categories, or levels, of homelessness. These include literally homeless, imminent risk of homelessness and chronically homeless and are detailed in the Evaluating and Documenting Eligibility (Categories of Homelessness & Required Types of Verification) section of this document.

Unsheltered: People are considered homeless, and unsheltered, when they are living in places not meant for human habitation.

Sheltered: People are considered homeless, yet sheltered, when they are staying in places meant for human habitation, emergency shelters, transitional housing, or facing imminent homelessness.

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**Housing First**

Housing First is an approach in which housing is offered to people experiencing homelessness without preconditions (such as sobriety, mental health treatment, or a minimum income threshold) or service participation requirements. Rapid placement and stabilization in permanent housing are primary goals. Service participation is not required for continued tenancy. Projects that use a Housing First approach promote the acceptance of applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services, yet offer assertive engagement in support and treatment options to the participants who are housed.

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**LGBTQ**

This is an acronym for “lesbian, gay, bisexual, transgender or transsexual, questioning or queer.” It is intended to emphasize a diversity of sexuality and gender identities, including identities that do not fall within the binary of “male” and “female,” and may be used to refer to anyone who self-identifies as non-heterosexual.

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**Permanent Supportive Housing (PSH)**

Permanent Supportive Housing is rental assistance with supportive services without a designated length of stay to assist homeless persons with a disability to live independently and achieve housing stability.

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**Rapid Rehousing (RRH)**

Rapid Rehousing Assistance is client-centered housing relocation and stabilization services with short and/or long-term rental assistance. RRH helps an individual or family move as quickly as possible into permanent housing and achieve stability in that housing.

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**Safe Haven**

A Safe Haven is a temporary supportive housing program that serves hard-to-reach literally homeless persons with severe mental illness who come primarily from the streets and have been unable or unwilling to participate in housing or supportive services. These facilities allow 24-hour residence for an unspecified duration, have private or semi-private accommodations, and provide access to needed, but not required, services in a low demand facility.

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## Severity of Service Needs

TPCH classifies service needs into four categories; Severe, High, Moderate and Low. Families and Individuals are classified via the SPDAT score indicates which level of service needs the individual or family will be classified as.

|                        | VI SPDAT    |       |          | Full SPDAT        |          |
|------------------------|-------------|-------|----------|-------------------|----------|
|                        | Individuals | Youth | Families | Individuals/Youth | Families |
| Severe Service Needs   | 12-17       | 12-17 | 12-22    | 45-60             | 66-80    |
| High Service Needs     | 8-11        | 8-11  | 9-11     | 35-44             | 54-65    |
| Moderate Service Needs | 4-7         | 4-7   | 4-8      | 20-34             | 27-53    |
| Low Service Needs      | 0-3         | 0-3   | 0-3      | 0-19              | 0-26     |

An individual or family is considered to have a high severity of services needs when at least one of the following is true:

- History of high utilization of crisis services, which include but are not limited to, emergency rooms, jails, and psychiatric facilities; or
- Significant health or behavioral health challenges or functional impairments which require a significant level of support in order to maintain permanent housing.
- For youth and victims of domestic violence, there is a high risk of continued trauma or high risk of harm or exposure to very dangerous living situations.
- When applicable CoC Program-funded PSH may use alternate criteria used by state Medicaid departments to identify high-need, high-cost beneficiaries.

The determination is not to be based on a specific diagnosis or disability type. The determination will not be based on any factors that would result in a violation of any nondiscrimination and equal opportunity requirements. (See 24 CFR § 5.105 (a).)

Families and individuals with low service needs will not be served in CoC-funded projects.

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## SPDAT (Service Prioritization Decision Assistance Tool)

The SPDAT portfolio consists of evidence-based, standardized assessment tools that allow providers to effectively assess the severity of service needs for people experiencing homelessness. TPCH utilizes SPDAT scores for prioritization of families and individuals for housing resources. The Vulnerability Index (VI) SPDAT is utilized for pre-screening families, individuals, and youth. The Full SPDAT assessment also has versions for these populations. These SPDATs are more in-depth assessments and case management tools.

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## Transitional Housing (TH)

Transitional housing provides homeless families and individuals with the interim stability and support to successfully move to and maintain permanent housing. Homeless persons may live in transitional housing for up to 24 months and receive support services that help them live more independently.

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## TPCH

Tucson Pima Collaboration to End Homelessness (TPCH) is a coalition of community and faith-based organizations, government entities, businesses, and individuals committed to the mission of ending homelessness, advocating for and addressing the issues related to homelessness in our community, and acting as the U.S. Department of Housing and Urban Development (HUD) Continuum of Care (CoC) for the geographic area of Tucson and Pima County, Arizona.

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## Victim Service Provider

A victim service provider is an organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, stalking or human trafficking.

## GENERAL POLICIES

Family Admission and Non-Separation  
Ensuring Educational Rights  
Persons Fleeing Domestic Violence  
Persons Identifying as LGBTQ  
Housing First

### **Family Admission and Non-Separation**

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Consistent with the CoC Program Interim Rule 578.93, neither CoC nor ESG program-funded grant recipients and subrecipients may involuntarily separate families. The age and gender of a child under age 18 will not be used as a basis for denying any family's admission to a project that receives CoC or ESG funds. The gender, sexual orientation and/or marital status of a parent or parents will also not be used as a basis for denying any family's admission to a project that receives CoC or ESG funds.

The CoC will work closely with providers to ensure that placement efforts are coordinated to avoid involuntary family separation, including referring clients for the most appropriate services and housing to match their needs. Any client who believes that they or a family member has experienced involuntary separation may report the issue to the CoC through [www.tpch.net](http://www.tpch.net) and "Contact TPCH". The CoC will investigate the claim and take appropriate remedial action.

### **Ensuring Educational Rights**

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Consistent with the CoC Program Interim Rule 578.23 and 578.93 (e), all CoC and ESG program funded recipients and subrecipients assisting families with children or unaccompanied youth must:

1. Take into account the educational needs of children when placing families in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education.
2. Inform families with children and unaccompanied youth of their educational rights, including providing written materials, provide linkage to McKinney Vento Liaisons (including assistance with enrollment if needed) as part of intake procedures.
3. Not require children and unaccompanied youth to enroll in a new school as a condition of receiving services.
4. Allow parents or the youth (if unaccompanied) to make decisions about school placement.
5. Not require children and unaccompanied youth to attend after-school or educational programs that would replace/interfere with regular day school or prohibit them from staying enrolled in their original school.
6. Post notices of educational rights at each program site that serves homeless children and families in appropriate languages.
7. Designate a staff member who will be responsible for:
  - a. ensuring that homeless children and youth in their programs are in school and are receiving all educational services to which they are entitled.
  - b. coordinating with the local McKinney Vento Educational Coordinator and Liaison, the appropriate school district, the CoC, and other mainstream providers as needed.
  - c. facilitating unaccompanied youth who have not obtained a high school diploma or certificate of General Educational Development (GED) to obtain such a credential and ensuring that unaccompanied youth are connected to appropriate services in the community.

Clients who believe that their educational rights have not been observed may report the issue to the CoC through [www.tpch.net](http://www.tpch.net) and "Contact TPCH".

### **Persons Fleeing Domestic Violence**

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Consistent with the CoC Program Interim Rule 24 CFR Part 578.5 (8), all CoC program funding recipients and subrecipients will provide safe, confidential and equal access to TPCH's "no wrong door" coordinated entry process and referrals to either

domestic violence service providers or CoC or ESG funded project recipients and subrecipients for families and individuals who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking regardless of whether or not they consent to share their data through the HMIS.

The CoC will work closely with ESG and domestic violence service providers to ensure that any individual or family fleeing as described above will have the opportunity through coordinated entry and in accordance with the CoC's Coordinated Entry Policies and Procedures to be safely, confidentially and immediately transferred to a domestic violence services provider, if desired. While domestic violence service providers do not participate in the TPCH HMIS, these providers are encouraged to obtain from their clients consent for confidential staffing (using de-identified data) and referral to housing and services from other providers through the coordinated entry as desired and needed by clients. If individuals or families fleeing domestic violence do not desire such a transfer, they may be assessed and/or undergo intake through the normal coordinated entry system.

All CoC grant recipients and subrecipients within the CoC geographic area will make all efforts to: protect the privacy and safety of domestic violence survivor; uphold client choice by presenting a range of housing and service options; and ensure that housing, once established, is not endangered because of reports of domestic violence or re-victimization. TPCH will offer staff training on dealing with those fleeing domestic violence and/or trauma informed care no less than annually.

In compliance with under §578.51 (c)(3), any program participants who have complied with all program requirements during their residence and who have been a victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believe they are imminently threatened by harm from further domestic violence, dating violence, sexual assault, or stalking (which would include threats from a third party, such as a friend or family member of the perpetrator of the violence), if they remain in the assisted unit, and are able to document the violence and basis for their belief, may retain the rental assistance and may move to a different CoC geographic area if they move out of the assisted unit to protect their health and safety and the CoC to which they are moving did not participate in the decision to move.

For each program participant who elects to move to a different CoC due to imminent threat of further violence under §578.51 (c) (3), the CoC project in which they participated must retain:

1. Documentation of the original incidence of violence.
2. Documentation of the reasonable belief of imminent threat of further violence. This would include threats from a third party, such as a friend or family member of the perpetrator of the violence.

In either case, the documentation may be the housing or service provider's written observation; a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider or other professional from whom the victim has sought assistance; medical or dental records; court or law enforcement records; or written certification by the program participant to whom the violence occurred or by the head of household.

### **Persons Identifying as LGBTQ**

Consistent with the CoC Program Interim Rule 578.93 (a), final rule 77 FR 21 5662 and CPD-15-02, all CoC recipients and subrecipients will make available their housing and services to families and individuals without regard to actual or perceived sexual orientation, gender identity (whether actual or perceived gender-related characteristics), or marital status. In addition, CoC and ESG program funded recipients and subrecipients will:

1. Recognize that biological sex as reported at birth may not correspond to an individual's gender identity, ask about gender identity or sexual orientation to determine eligibility if the facility to which the individual client seeks admission has shared sleeping areas or bathrooms, or to determine the number of bedrooms to which a household may be entitled.
2. Provide access to shelter and housing programs based on a person's self-identified gender, taking health and safety, and non-binary gender identity concerns into consideration.
3. Neither request documentation of a person's sex, anatomy or medical history in order to determine appropriate placement nor deny access to a single-sex emergency shelter or facility solely because the individual's identity documents indicate a sex different than the gender with which the client or potential client identifies or because his or her appearance or behavior does not conform to gender stereotypes; nor consider a person ineligible for any facility based on the factors outlined above.
4. Maintain the confidentiality of any individual's disclosure regarding their sexual orientation or gender identity; notify persons who identify as LGBTQ when and to whom that identification may be shared during referrals; and, during

- intake, inquire about a client's preference regarding the disclosure or non-disclosure to some or all staff of their stated orientation and/or gender identity, and then abide by that preference.
5. Neither isolate nor segregate a client based on gender identity unless by that client's request or for that client's safety. HUD assumes that a provider will not make an assignment or re-assignment based on complaints of another person when the sole stated basis of the complaint is a client or potential client's non-conformance with gender stereotypes.
  6. Take reasonable steps to address any concerns expressed by a client or observed by a provider regarding safety or privacy. Whenever physically possible, providers will ensure that toilet stalls have doors and locks and that separate shower stalls are available. When these physical amenities are not available, providers will work with individuals (to the extent possible within the physical layout of their facility) to provide accommodations such as: addition of a privacy partition or curtain; use of a nearby private restroom or office; or a separate changing schedule.
  7. Ensure that all recipient and subrecipient staff members and contractors who interact directly with potential and current clients are aware of these rules and guidelines through at least annual training, and take prompt corrective action to address noncompliance as reported through [www.tpch.net](http://www.tpch.net) and "Contact TPCH".

## Housing First

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These Written Standards establish that all Permanent Supportive Housing (PSH) and Rapid Rehousing (RRH) Projects adopt the Housing First model.

Housing First is an approach to quickly and successfully connect families and individuals to permanent housing. Housing First programs do not create barriers to entry such as sobriety, treatment or service participation requirements. Supportive services are offered to maximize housing stability and prevent returns to homelessness.

Housing First considers all participants as "housing ready" vs only those participants that have completed treatment or achieved sobriety. There are no programmatic prerequisites to program entry such as minimum income, sobriety or treatment requirements. Programs fill their vacancies with households selected through the Coordinated Entry process.

All attempts are made to streamline the move-in process by aiding households with the eligibility process and by obtaining documents per the HUD regulations, which provide a grace period for obtaining chronic homeless documentation when it cannot be obtained at the time of housing offer of move-in. (See Timelines for Obtaining Documentation of Chronic Homelessness) This community's Housing First programs do not require chronic homeless documentation prior to program entry.

Housing First programs recognize tenant rights, responsibilities, and legal protections. Programs educate participants on these topics such as lease terms and Fair Housing. Program managers abide by these laws; projects respect tenant rights while providing services.

Housing First programs seek to maintain housing for participants through practices that provide services to build skills and seek leniency whenever possible. For example, the program will offer budgeting classes and seek a payment plan instead of seeking eviction for a participant failing to pay his or her rent.

Supportive services support recovery while respecting client choice. Participants are not forced into treatment but are continually offered a wide array of services and supports understanding that participants may decline them. There are no penalties for declining services within Housing first programs.

## PERFORMANCE STANDARDS

TPCH requires that CoC Grant Recipients meet the following benchmarks for grants and financial management that communities must reach to meet this Standard of Recipient Performance. (Per 24 CFR 578 and the FY2015 NOFA). TPCH requires that all projects:

1. Partner with established integrated health care relationships to ensure coverage for all participants.
2. Partner with employment resources to ensure participants have access to job training and development resources as needed.
3. Work closely with participants to access all mainstream benefits for which they are eligible.
4. Submit Annual Performance Reports by the deadline.
5. Avoid or resolve HUD monitoring findings, or OIG Audits, if applicable.
6. Maintain quarterly drawdowns.
7. Fully expend awarded funds.
8. Maintain full and high-quality participation in the TPCH HMIS.
9. Maintain full and high-quality participation in the TPCH Coordinated Entry system.

TPCH further requires that all CoC Grant Recipients meet the following standards according to the type of project being administered.

### PERFORMANCE STANDARDS FOR TH, TH-RRH, AND RRH PROJECTS

| Measure                                   | High-Performing | Performing | Low-Performing |
|---|-----------------|------------|----------------|
| Housing First Approach                    | 100%            | 100%       | < 100%         |
| Accepted Referrals from Coordinated Entry | 100%            | 90-99%     | ≤ 89%          |
| Grant Expenditure                         | 100%            | ≥ 90%      | ≤ 89%          |
| Bed Utilization Rate                      | 100%            | ≥ 90%      | ≤ 89%          |
| Leavers with Income                       | ≥ 75%           | 51-74%     | ≤ 50%          |
| Leavers who Increased Income              | ≥ 50%           | 21-49%     | ≤ 20%          |
| Exits to PH                               | ≥ 96%           | 91-95%     | ≤ 90%          |
| Data Quality                              | ≥ 96%           | 95-90%     | ≤ 89%          |

### PERFORMANCE STANDARDS FOR PSH PROJECTS

| Measure                         | High-Performing | Performing | Low-Performing |
|---------------------------------|-----------------|------------|----------------|
| Housing First Approach          | 100%            | 100%       | < 100%         |
| Coordinated Entry Participation | 100%            | 99-90%     | ≤ 89%          |
| Grant Expenditure               | 100%            | 99-90%     | ≤ 89%          |
| Bed Utilization Rate            | ≥ 95%           | 94 - 79%   | ≤ 78%          |
| Meeting contract goals          | 100%            | 99-95%     | ≤ 94%          |
| Stayers with income             | ≥ 50%           | 49 – 41%   | ≤ 40%          |
| Stayers who Increased Income    | ≥ 50%           | 49 – 41%   | ≤ 40%          |
| Stayers with non-cash benefits  | ≥ 75%           | 74% - 51%  | ≤ 50%          |
| Leavers with Income             | ≥ 40%           | 39 - 21%   | ≤ 20%          |
| Leavers who Increased Income    | ≥ 40%           | 39 - 21%   | ≤ 20%          |
| Leavers with non-cash benefits  | ≥ 50%           | 49 - 41%   | ≤ 40%          |
| Exits to PH                     | ≥ 96%           | 95 - 91%   | ≤ 90%          |



## PRIORITIZATION FOR HUD-VASH HOUSING

1. Chronically homeless Veterans will be given the highest priority for admission.
2. Admission decisions are to be prioritized by highest need for HUD-VASH, BASED ON Veteran's acuity per clinical judgment and resources availability.
3. Where there are no chronically homeless Veterans, admissions to HUD-VASH will use the HUD Notice CPD-16-11, *Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing*, in the following order of priority:
  - a) **First Priority.** Homeless persons with a disability with long periods of episodic homelessness and severe service needs.
  - b) **Second Priority.** Homeless persons with a disability with severe service needs.
  - c) **Third Priority.** Homeless persons with a disability coming from places not meant for human habitation, safe havens, or emergency shelters without severe service needs.
  - d) **Fourth Priority.** Homeless persons with a disability coming from transitional housing.
  - e) **VA Priority Populations.** Homeless Veterans who do not meet criteria for chronic homelessness or the priority groups above may be prioritized for VA-funded Permanent Supportive Housing (PSH) if they demonstrate a need for ongoing case management based on clinical assessment. Additional priority populations include, but are not limited, to the following Veterans: women, those with children, those who served in Operation Enduring Freedom/Operation Iraqi Freedom/Operation New Dawn (OEF/OIF/OND), aging Veterans, those with a debilitating clinical condition that does not meet formal disability criteria, and those with an extensive homeless history that does meet other criteria above.
4. If there are no available case management openings or vouchers, the Veteran will be placed on a HUD-VASH Interest List. The Veteran will be provided with information about HUD-VASH, and when appropriate, the HUD-VASH case management team will invite the Veteran to participate in any existing HUD-VASH pre-admission groups, as available. However, Veterans in this category must be referred to other VA and community resources to address their current needs. HUD-VASH staff must document the referral, in CPRS, and note that the reason for denial was a lack of an available voucher or case management openings. Denials for lack of an available voucher should be recorded as such in HUD-VASH Homeless Operations Management and Evaluation System (HOMES) as well.
  - a) Veterans who are placed on a HUD-VASH Interest List must be reassessed, by HUD-VASH program Coordinator, or his/her designee, when a voucher becomes available so that the Veteran most in need is admitted to the program.
  - b) Veterans on the HUD-VASH Interest List must have a warm handoff to other VA and/or community programs that can assist with ongoing clinical and housing needs

## PERMANENT SUPPORTIVE HOUSING

### Community Priorities

Priorities for those who will receive assistance with Permanent Supportive Housing programs.

- Beds dedicated and prioritized to serve families and individuals facing chronic homelessness
- Beds that are not dedicated or prioritized to serve families and individuals facing chronic homelessness

### Documentation and Move-In Requirements

- Timelines for obtaining documentation of Chronic Homelessness
- Timelines for accessing housing

### Community Priorities

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When housing members of the community, this community prioritizes families and individuals with severe service needs who have experienced two or more years of homelessness. This community follows guidelines set forth in (Notice: CPD-16-11). Case conferencing will be used to further ensure appropriate matching, client choice, and navigation into housing and associated support services offerings.

Due diligence should be exercised when conducting outreach and assessment to ensure that persons are served in the order of priority in these standards, and as adopted by the CoC. HUD recognizes that some persons – particularly those living on the streets or in places not meant for human habitation – might require significant engagement and contacts prior to their entering housing and recipients are not required to keep units vacant where there are persons who meet a higher priority within the CoC and who have not yet accepted the PSH opportunities offered to them. Street outreach providers should continue to make attempts with those persons using a Housing First approach to place as few conditions on a person's housing as possible.

Service needs, defined in detail in the key terms section of this document, are categorized as Severe, High, Moderate, and Low as measured by use of the tools in the SPDAT portfolio.

### Beds Classified as Dedicated or Prioritized for Chronically Homeless (CH)

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See the key terms section for the definition of Chronic Homelessness.

TPCH seeks to end chronic homelessness. Certain CoC-funded beds have been dedicated or prioritized to serve families and individuals experiencing chronic homelessness. Only persons experiencing chronic homelessness (CH) will be served in CH-dedicated or CH-prioritized beds until all people facing chronic homelessness within our geographic boundaries have been offered housing. TPCH recognizes those with severe service needs who have been homeless for two years or more over the course of their lives as prioritized for housing. We give first opportunity to those who are unsheltered. Families and individuals with moderate and low service needs are not currently served with these beds.

TPCH prioritizes these beds as follows:

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- 1) Severe Service Needs & 2+ years homeless & unsheltered
- 2) Severe Service Needs & 2+ years homeless & sheltered

When priority populations are housed, TPCH will offer housing to the remaining families and individuals facing CH as follows:

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- 3) Severe Service Needs & Less than 2 years homeless & unsheltered
- 4) Severe Service Needs & Less than 2 years homeless & sheltered
- 5) High Service Needs & 2+ years homeless & unsheltered
- 6) High Service Needs & 2+ years homeless & sheltered
- 7) High Service Needs & Less than 2 years homeless & unsheltered

8) High Service Needs & Less than 2 years homeless & sheltered

## **Beds Classified as Not Dedicated or Prioritized for CH**

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This community will follow the above prioritization levels for these beds until the community has determined that we have housed families and individuals who meet the definition of chronic homelessness within our geographic boundaries. When that has been achieved, these beds will be prioritized to those with high service needs, a disability, and have experienced at least 2 years of cumulative lifetime homelessness. Families and individuals with moderate and low service needs are not currently served with these beds.

1. Severe Service Needs, with a disability, with 2 or more years homeless
2. Severe Service Needs with a disability

After everyone in the above groups has been offered housing, TPOCH prioritizes the remaining households as follows:

3. Severe Service Needs, 2 or more years homeless
4. Severe Service Needs
5. High Service Needs, with a disability, with 2 or more years homeless
6. High Service Needs, with a disability
7. High Service Needs, 2 or more years homeless
8. High Service Needs

## **Timelines for Obtaining Documentation of Chronic Homelessness**

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Verification of homeless status and disability are required per HUD. Details on what types of homeless verification are provided in this document under Evaluating and Documenting Eligibility (Categories of Homelessness & Required Types of Verification).

Obtaining verification of disability and chronic homeless status shall not be a barrier to entering housing. When projects are verifying chronic homeless status, TPOCH allows projects to require no more than the minimum HUD-required documentation prior to move-in. This includes a review of homelessness with the household to ascertain whether the household qualifies and a primary or secondary source of disability verification. Once the program has enough information from the participant to believe the participant qualifies, s/he should be allowed to move forward with program entry.

The secondary source of disability documentation (social security award letter, handicap parking placard, or written intake worker's notation of a visible disability) allows the program to take up to 45 days to obtain direct third-party disability verification.

Projects are given up to 180 days to obtain written verification of chronic homeless status.

## **Timelines for Accessing Housing**

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Programs must make every effort to house participants quickly. Additional barriers may not be imposed, and client-centered assistance must be provided to enable participants a quick turnaround from eligibility determination to move-in.

## RAPID REHOUSING PROGRAMS

### Introduction

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Rapid rehousing assistance helps families and individuals who are experiencing homelessness to move as quickly as possible into permanent housing and achieve stability in that housing through a combination of rental assistance and supportive services. Rapid rehousing rental assistance is available for a maximum of 24 months within a three-year period, which may not be consecutive. Participants may maintain their housing units once the rental assistance has ended by paying full rent to the property. Rapid rehousing uses Fair Market Rates (FMR) established annually by HUD <http://www.huduser.org/portal/datasets/fmr.html> which includes utility allowances.

### Average length of Rapid Rehousing assistance

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While each RRH participant is encouraged to reach rent independence as soon as practical, TPCP recognizes that RRH participants may require time for completing education and/or job training, job search, and other endeavors that contribute to housing stability. Clients are generally expected to assume 100% of their rent after 8 months of assistance.

### Priorities for which families and individuals will receive Rapid Rehousing assistance

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Rapid Rehousing programs will use SPDAT tools (through the HMIS per Coordinated Entry) to determine and prioritize who will receive RRH assistance. Households with moderate service needs will be offered rapid rehousing assistance, with priority going to unsheltered households. Families and individuals with low service needs are not currently served with these beds.

Participants must meet the HUD definition of homelessness for Categories 1, 2, or 4. Households must lack sufficient resources and support networks to sustain stability in permanent housing. Rapid Rehousing will be offered on a Housing First basis and re-house households in less than 30 days. Rapid Rehousing utilizes the Transition-In-Place model which allows program participants to retain the unit when the rental assistance and supportive services end.

### Standards for determining what percentage or amount of rent each program participant must pay while receiving Rapid Rehousing assistance

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The percentage of income each household will pay will increase over time. (NOTE: participants without income will not pay rent; x% of 0 = 0). The rent the participant pays shall not exceed the rental costs on the unit; programs will not profit from participant contributions. Annual earnings are divided by 12 months to calculate a monthly earning amount.

The rent schedule is as follows:

Participants in short-term rental assistance (1-3 months in duration) may pay up to 10% of their income for rent and utilities.

Participants in medium-term rental assistance (4-8 months) may pay up to 25% of their income for rent and utilities.

Participants in long term rental assistance (months 9-24) may pay up to 50% of their income for rent and utilities.

At no point shall the rent collected from the household exceed the lease rent on the property.

### Standards regarding utility assistance

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If utilities are not included in a project participant's rent, the agency administering the project grant will pay the utilities up to the amount of the participant's utility allowance, which shall not exceed FMR. If the cost of such utilities exceeds the amount of the utility allowance, the project or project participant must pay the excess amount from other sources.

### Standards for case management with Rapid Rehousing Assistance.

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All agencies are expected to assist their RRH project participants in accessing or increasing income and want to obtain or maintain mainstream benefits (e.g. health insurance, nutritional assistance, child care) to which they may be entitled. All agencies also are expected to progressively engage their clients in case management and all other services (e.g. education, job training, job development, budgeting) that they may need to attain and maintain housing stability. Agencies may neither require participation in services either to obtain or maintain housing nor may they exit a project participant from housing for non-participation in services.

Projects are expected to identify clients among their participants who may be Chronically Homeless and to verify length of time homeless and disabling conditions to facilitate potential transfers.

## TRANSITIONAL HOUSING

### Introduction

Transitional Housing (TH) facilitates the movement of homeless families and individuals to permanent housing within 24 months of entering Transitional Housing.

### Community Priorities

Transitional Housing programs will use SPDAT tools (through the HMIS per Coordinated Entry) to determine and prioritize who will receive assistance. Households with moderate service needs will be offered assistance; priority going to unsheltered households who are less likely to be able to secure a lease in their own name. Families and individuals with low service needs are not served with these CoC-funded beds.

### Eligibility

Participants must meet the HUD definition of homelessness Categories 1, 2 and 4.

### Documentation Protocol

Documentation to verify homeless status must be obtained per the Evaluating and Documenting Eligibility (Categories of Homelessness & Required Types of Verification) section of this document.

## EVALUATING & DOCUMENTING ELIGIBILITY

HUD further defines homelessness into various categories. This section contains the category definitions and documentation requirements for each level of homelessness. Procedures for evaluating and documenting eligibility are unique to each category of homelessness. HUD has two levels of documentation; Level 2 is only acceptable if level 1 documentation cannot be obtained.

### Literally Homeless (also referred to as Category 1)

An individual or family sleeping in an emergency shelter or a Safe Haven (Sonora House), sleeping in a place not meant for human habitation, (staying in someone else's residence does not meet the requirements for literal homeless), or exiting an institution where s/he has resided for 90 days or less and was at one of the above places immediately before entering the institution.

Level 1 Options:

- Written observation by the outreach worker
- Written referral by another housing or service provider

Level 2 Options (to be obtained when none of the above are available)

- Certification by the individual or head of household seeking assistance stating that s(he) was living on the streets or in shelter PLUS documentation outlining efforts to obtain both level 1 forms of documentation.

For individuals exiting an institution obtain one of the forms of evidence above for where the person slept prior to entering the institution and one of the following regarding the institution stay:

- Discharge paperwork or written/oral referral
- Written record of intake worker's due diligence to obtain the evidence and certification by individual that they exited institution

---

**At Imminent Risk of Homelessness (also referred to as Category 2)**

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An individual or family who will imminently lose their primary nighttime residence is considered to be imminently homeless if the residence will be lost within 14 days of the application for homeless assistance, no subsequent residence has been identified and the individual or family lacks the resources or support networks needed to obtain other permanent housing.

Level 1 Options:

- If in housing, a court order resulting from an eviction action notifying the individual or family that they must leave.
- If in a motel; evidence showing they lack the financial resources to stay.

Level 2 Options consist of three components, all of which must be obtained:

- A documented and verified oral statement with certification that no subsequent residence has been identified
- Self-certification or other written documentation that the individual lacks the financial resources and support necessary to obtain permanent housing.
- Documentation outlining efforts to obtain the level 1 documentation.

---

**Homeless under other Federal Statutes (Category 3) This category is available for RHY and ESG programs; Category 3 households are not eligible for COC programs**

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

There are no level 2 sources of documentation for this category, all of the following must be obtained:

- v) Certification by the nonprofit, state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute
- vi) Certification of no permanent housing in the last 60 days
- vii) Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved two or more times in the past 60 days
- viii) Documentation of special needs or two (2) or more barriers

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**Fleeing/Attempting to flee domestic violence (Category 4)**

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An individual or family is considered to be fleeing domestic violence when fleeing, or attempting to flee, domestic violence, has no other residence and lacks the resources or support networks to obtain other permanent housing. There are no level 2 sources of documentation for this category.

For victim service providers:

- An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker.

For non-victim service providers all of the below must be gathered:

- Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker.
- Certification that no subsequent residence has been identified
- Self-certification or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

## Chronically Homelessness

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See the key terms section for the definition of Chronic Homelessness.

Projects must document households meeting the HUD criteria for chronic homelessness. This documentation includes three things

- i) Documentation of the current household status as Category 1; Literally Homeless.
- ii) Documentation of disability
- iii) Documentation of the homeless history required to qualify as chronically homeless.

These documents may be obtained after the household has moved in. These documents have levels of documentation as prescribed by HUD. Time spent homeless must be verified; breaks in homelessness do not require third-party verification.

Level 1: Third-Party documentation. This includes written observation by an outreach worker, a written referral by another housing or service provider, or documentation from institutions such as hospitals, correctional facilities, etc. when they include length of stay and are signed by the institution staff. HMIS data may be used in when it contains the information required of all third-party documentation.

Level 2: Self-Certification. This is a signed certification by the individual seeking assistance describing how they meet the definition accompanied with the intake worker's documentation of the living situation and the steps taken to obtain evidence to support this. (A minimum of 5 must be made, and documented, to entities that could provide third-party verification).

Projects are capped at the number of households that can self-certify. A household's documentation packet is considered complete when it verifies disability and third-party verification for at least 9 months of the household's time homeless. 75% of the project's households must have complete documentation packets on file. 25% of the project's households may self-certify all of their time homeless.

## REFERENCES

24 CFR 578 HEARTH Act (amending McKinney-Vento Act) and all subsequent amendments

U.S. Department of Housing and Urban Development Notice CPD 16-11: Prioritizing Persons Experiencing Chronic Homeless and Other Vulnerable Homeless Persons in Permanent Supportive Housing.

U.S. Department of Housing and Urban Development Notice CPD 17-01: Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System



**Exhibit I: Tucson/Pima Continuum of Care HMIS Policies & Procedures**



**TUCSON PIMA COLLABORATION TO END HOMELESSNESS**

**HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)**

Pima County, Arizona

**POLICIES & PROCEDURES MANUAL**

*Approved October 28, 2014, amended February 23, 2016, amended June 26, 2017*

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Tucson Pima Collaboration to End Homelessness

[www.tpch.net](http://www.tpch.net)

Pima County Community Services Employment & Training

[www.pima.gov](http://www.pima.gov)

HMIS Lead Agency

2797 E Ajo Way

Tucson, AZ 85713

Staff and Support

Charles Casey

Director

(520)724-3777

[charles.casey@pima.gov](mailto:charles.casey@pima.gov)

Daniel P. Sullivan

Program Manager

(520)724-7309

[daniel.sullivan@pima.gov](mailto:daniel.sullivan@pima.gov)

Pam Moseley

Program Coordinator

[pamela.moseley@pima.gov](mailto:pamela.moseley@pima.gov)

Susanna Rodriguez

HMIS Team

[susanna.rodriguez@pima.gov](mailto:susanna.rodriguez@pima.gov)

Cheryl Lopez

HMIS Team

[cheryl.lopez@pima.gov](mailto:cheryl.lopez@pima.gov)

***For HMIS technical support please email [HMIShelp@pima.gov](mailto:HMIShelp@pima.gov) or call (520) 724-7300 to speak with an HMIS Team member.***

## Introduction

The Tucson Pima Collaboration to End Homelessness (TPCH) is a coalition of community and faith-based organizations, government entities, business, individuals committed to the mission of ending homelessness and representatives of persons experiencing homelessness, addressing the issues that contribute to homelessness, and acting as the local Continuum of Care (CoC) for the geographic area of Tucson/Pima County, Arizona (AZ-501), as defined by the U.S. Department of Housing and Urban Development (HUD) and the Federal Homeless Emergency Assistance and Rapid Transition to Housing Continuum of Care Program (HEARTH Act – 24 CFR 578.) TPCH brings together homeless assistance providers within the community to create a more coordinated and effective housing and service delivery system.

Pursuant to the requirements established by HUD, these Policies & Procedures set forth the intended governance structure for the operation of the Homeless Management Information System (HMIS) in Pima County, Arizona, and defines the intended roles of the various entities that provide services to people experiencing homelessness in Pima County. In order to ensure an effective, efficient, and secure system, this includes: general parameters for the system, confidentiality and security practices, network operations, and HMIS user training availability.

The Pima County HMIS meets the HUD requirements to record and store client- level information on the characteristics and service needs of homeless persons. This system utilizes a software application called Service Point, which is operated by Bowman Systems, LLC. TPCH has selected the HMIS Lead to provide technical assistance and support.

In order to meet the federal requirements for HUD CoC funding, TPCH utilizes HMIS to collect client information, to prepare the APR, and to report aggregate community-wide data as required. HUD requires that all HUD-funded projects participate in HMIS and comply with HUD Data and Technical Standards.

Non-HUD funded homeless programs and service providers are encouraged to participate in HMIS to provide a comprehensive source of available services and identify gaps in services within Pima County.

All HMIS participating agencies are required to be members of TPCH and attend the monthly HMIS committee meetings. All HMIS participating agencies are required to complete an Agency Agreement and accept the conditions, requirements, and regulations of HMIS participation. Each agency is encouraged to identify a high-level user who can accept the responsibility of an Agency Administrator and complete the required training. All HMIS users must be trained and maintain a high level of competency, confidentiality and commitment to high data quality.

## KEY SUPPORT ROLES AND RESPONSIBILITIES

### Tucson Pima Collaboration to End Homelessness General Council

- Approves the HMIS Lead Agency

### Tucson Pima Collaboration to End Homelessness Board of Directors

- Recommends HMIS Lead Agency to the TPCB General Council for approval
- Encourages and facilitates HMIS participation
- Approves and facilitates enforcement of HMIS policies as set forth in the TPCB HMIS Policies and Procedures Manual
- Designates software to be used for the HMIS in Pima County
- Approves HMIS Protocol Agreement with HMIS Lead Agency

### HMIS Committee

- Oversees the HMIS project and has oversight responsibility for all HMIS activities
- Guides the implementation of the HMIS
- Develops, informs, and reviews HMIS policies and procedures, recommending changes to HMIS policies and procedures to the TPCB Board on an annual basis
- Reviews and addresses Data Quality on a monthly basis

### HMIS Lead Agency

- Authorizes and makes decisions regarding day-to-day operations of HMIS
- Ensures HMIS compliance with all HUD requirements
- Advises TPCB Board of non-compliance with HMIS policies and HUD requirements
- Monitors data quality in accordance with the Data Quality Plan
- Acts as liaison between TPCB and regional or nation HMIS related organizations and participates in related activities
- Supervises contract(s) with vendor(s), including software vendor
- Maintains all written agreements with Participating Agencies, Agency Administrators and Users
- Provides training and support to Participating Agency users
- Facilitates continuing quality improvement via data analyses and knowledge of best practices
- Submits HUD required reports, such as AHAR, CAPER, HMIS APR, HMIS Renewal application, and HMIS related data required for CoC application

### HMIS Participating Agencies

- Complete a HMIS Participating Agency Agreement signed by authorized agency executive
- Agree to abide by ***HMIS Policies and Procedures Manual*** approved and adopted by the TPCB Board, as well as all HUD requirements
  - Ensure that all employees and agents comply with the Policy
  - Ensure staffing and equipment necessary to implement and ensure HMIS participation

### HMIS Primary Point Person/Agency Administrators

- Complete Agency Administrator Agreement, approved by authorized agency executive
- Act as main point-of-contact and the liaison between the HMIS Lead Agency and their respective agency's users
- Ensure compliance with HMIS Policies & Procedures and HUD requirements within their agency
- Provide HMIS support for other users within their agency

#### HMIS Users

- Complete Pima County HMIS User Agreement, approved by authorized agency administrator or executive
- Attend HMIS Committee meetings
- Complies with HMIS Policies & Procedures and HUD requirements within their agency
- Provides feedback on system performance and enhancements
- Provides information and support for policy enforcement

#### Clients

- Sign Client Release of Information to allow their information to be entered into HMIS by the HMIS Participating Agency
- May request specific information regarding how their information may be shared among Data Sharing agencies
- May refuse to participate in HMIS and this may not prevent the client from receiving assistance

## **HMIS AGENCY IMPLEMENTATION POLICIES AND PROCEDURES**

### **MANDATED PARTICIPATION**

All projects that are authorized under HUD and the McKinney-Vento Act, as amended by the HEARTH Act, to provide homeless assistance services are required to enter client data into the local HMIS. These participating agencies will be required to comply with all applicable operating procedures and must agree to execute and comply with an HMIS Participating Agency Agreement.

### **VOLUNTARY PARTICIPATION**

While HUD- funded projects are required to meet only minimum participation standards, HUD strongly encourages all agencies to fully participate in HMIS with all of their homeless assistance programs. While the TPCP cannot require non-funded providers to participate in the HMIS, the TPCP works closely with non-funded agencies to articulate the benefits of the HMIS and to strongly encourage their participation in order to achieve a comprehensive and accurate understanding of homelessness in Tucson/Pima County.

### **MINIMUM PARTICIPATION STANDARDS**

- Each participating agency complete a HMIS Participating Agency Agreement and, if applicable, a Data Sharing Agreement.
- Agency staff collects client information as HUD required Client Record Creation elements which are shared by all HMIS Participating Projects and include: Name, Date of Birth, Social Security Number and Veteran Status. Agency staff shall also collect client information as HUD required Universal data elements.
- HUD funded projects are also required to collect Program-Specific Data Elements as defined by HUD and other data elements as determined by the CoC for all clients served by programs participating in HMIS.
- Data may be shared among agencies and subject to appropriate client consent and Data Sharing agreements.
- Agency staff enters client-level data into the HMIS following the HMIS Entry/Exit Policy (see Appendix C.)
- Participating agencies shall comply with all HUD regulations for HMIS participation located at: <https://www.hudexchange.info/hmis/>.
- Each agency designates at least one HMIS point-of-contact, often known as the HMIS Agency Administrator. This person may or may not also be the Agency Administrator (see below). The HMIS Agency Administrator functions as the main liaison with the HMIS Team and is responsible for organizing its agency's users, making sure proper training has taken place for the users and that all paperwork and confidentiality requirements are being followed by all users from that agency.
- Each agency must designate at least one user to function as an Agency Administrator. The Agency Administrator is expected to provide on-site support to the agency's end-users, run agency reports, monitor the agency's data quality, and work with the HMIS Management Team to troubleshoot HMIS issues. Agency Administrators are expected to attend HMIS Committee meetings.
- Each HMIS participating agency is required to have a representative at the HMIS Committee meeting who can effectively communicate what is covered in the meeting to the rest of the project's HMIS users.

## HMIS PARTICIPATING AGENCY TERMINATION

In the event that the relationship between the TPCB HMIS and a Partner Agency is terminated, the Partner Agency will no longer have access to the HMIS. The HMIS Team will report the termination to the TPCB Board of Directors.

## SYSTEM REQUIREMENTS

The HMIS Team is responsible for controlling access to the system and will authorize access to essential services sites. The HMIS is designed to protect against the recording of information in unauthorized locations or systems.

Users must not attempt to gain physical or logical access to data or systems for which they are not authorized through written agreements.

## WORKSTATIONS AND INTERNET ACCESS

The Pima County HMIS is accessible by all computers through stable Internet access. *ServicePoint* is designed to be compatible with the newest versions of *Internet Explorer*, *Google Chrome*, *Mozilla Firefox* and *Apple Safari*.

*Java* is a required component for the Advanced Reporting Tool (ART); however, not all versions of *Java* are compatible with ART. Currently, *Java* version 6 release 45 (32 bit) is the only version of *Java* that is recommended by Bowman Systems in order to run ART.

## MOBILE DEVICES

The only mobile device that is officially supported by Bowman Systems is the Apple iPad. However, many mobile devices may be able to run *ServicePoint*.

## TRAINING

Pima County, the HMIS Lead Agency, provides training to all HMIS projects and users. HMIS application training will be conducted periodically throughout the year. If additional, or specific, training needs arise, the HMIS Team may arrange for special training sessions.

Training may be conducted in a 'hands-on' computer lab, online, in a classroom setting, or on-site at an agency.

- ***New Users***  
All new users are required to attend New User training and submit an approved New User Agreement to be granted HMIS access.
- ***Existing Users***  
Existing users will be required to attend New User training after a leave of absence or if a license remains unused for 6 months or longer.



- ***Follow-up***  
All users are encouraged to attend all trainings offered by Pima County. Trainings are offered on specific topics, to increase data quality, and to trouble- shoot common problems.
- ***Security & Privacy***  
Security and privacy training is provided to all new users, existing users and in follow-up trainings.
- ***Reports***  
Report training is offered to all ART license users and to assist with preparation of required HUD reports including, but not limited to: AHAR, PIT, HIC, APR, and CAPER.

## **TECHNICAL SUPPORT**

Pima County, the HMIS Lead Agency, provides technical support to all HMIS projects and users.

Pima County has a Help Desk which is available during Pima County business hours Monday through Friday.

Request for assistance should be made directly through the HMIS help email:

[hmishelp@pima.gov](mailto:hmishelp@pima.gov).

Technical support includes:

- Password Reset Assistance
- New User / Program Setup
- Training
- Report Requests
- Technical Assistance and Support
- Other Issues or concerns

The HMIS Team provides support to HMIS participating agencies through the following methods:

1. CoC Meeting participation
2. Provision of workflow documents
3. Provision of user trainings
4. Help Desk support
5. On-Site support as required

Pima County is responsible for working directly with the software vendor to report system issues, troubleshoot, coordinated system upgrades, additional software modules and user licenses.

## REPORTS

Pima County, the HMIS Lead Agency, shall provide support directly to HMIS participating agencies for completing HUD required reports including, but not limited to: APR, CAPER, PIT, and HIC, along with the AHAR and other reports required by Federal, State and local entities as directed by TPOCH.

Pima County shall produce an annual report for TPOCH, along with other reports as requested for community-wide data analysis.

Each Agency may send its Agency Administrator to receive training on how to run agency-specific reports using HMIS. The HMIS Lead will be a resource to agency users as they develop reports but will be available to provide only a limited, reasonable level of support to each Agency and the agency may be required to pay additional cost.

The HMIS Committee will be the primary body to query HMIS participating agencies on their reporting needs and to prioritize a list of reports to be developed by TPOCH for use by all HMIS participating agencies.

The HMIS Lead shall be responsible for assisting in the development of custom reports for participating HMIS agencies.

The HMIS may require additional cost to develop custom reports for any HMIS participating agency or agencies. Approval must be made through the HMIS Committee and approved by the TPOCH Board of Directors.

Development of custom reports is of secondary priority to assisting with or running HUD-required reports and may require additional cost.

All requests for community-wide data and reports must be made through the HMIS Committee and approved by the TPOCH Board of Directors and may require additional cost.

## APPENDIX A: GLOSSARY OF HMIS ACRONYMS AND TERMS

### Acronyms

|        |   |
|--------|---|
| AIRS   | Alliance of Information & Referral Systems  |
| AHAR   | Annual Homeless Assessment Report   |
| APR    | Annual Performance Report   |
| CHO    | Contributing HMIS Organization  |
| CoC    | Continuum of Care   |
| DV     | Domestic Violence   |
| ESG    | Emergency Solutions Grants  |
| FIPS   | Federal Information Processing Standards<br>Codes for states, counties, and named<br>populated places |
| HEARTH | Homeless Emergency Assistance and Rapid<br>Transition to Housing                                      |
| HHS    | U.S. Department of Health & Human<br>Services   |
| HIC    | Housing Inventory Chart   |
| HIPAA  | Health Insurance Portability and<br>Accountability Act of 1996  |
| HMIS   | Homeless Management Information System  |
| HOPWA  | Housing Opportunities for Persons with<br>HIV/AIDS  |
| HUD    | U.S. Department of Housing and Urban<br>Development   |
| I&R    | Information and Referral  |
| MH     | Mental Health   |
| NOFA   | Notice of Funding Availability  |
| PATH   | Projects for Assistance from Homelessness   |
| PIT    | Point in Time   |
| PPI    | Personal Protected Information  |
| S+C    | Shelter Plus Care (McKinney-Vento<br>Program)   |
| SA     | Substance Abuse   |
| SHP    | Supportive Housing Program  |
| SRO    | Single Room Occupancy   |
| SSO    | Supportive Services Only  |
| SSVF   | Supportive Services for Veteran Families  |
| TA     | Technical Assistance  |
| VA     | Veterans Administration   |
| VAWA   | Violence Against Women Act  |
| XML    | Extensible Markup   |

## **Terms**

### **Alliance of Information and Referral Systems (AIRS)**

The professional association for over 1,000 community information and referral (I&R) providers serving primarily the United States and Canada. AIRS maintains a taxonomy of human services.

### **Annual Performance Report (APR)**

A report that tracks program progress and accomplishments in HUD's competitive homeless assistance programs. The APR provides the grantee and HUD with information necessary to assess each grantee's performance.

### **Audit Trail**

A record showing who has accessed a computer system and what operations he or she has performed during a given period of time. Most database management systems include an audit trail component.

### **Bed Utilization**

An indicator of whether shelter beds are occupied on a particular night or over a period of time.

### **Chronic homelessness**

HUD defines a chronically homeless person as a homeless individual with a disabling condition who has either been continuously homeless for a year or more

OR has had at least four (4) episodes of homelessness in the past three (3) years. To be considered chronically homeless, persons must have been sleeping in a place not meant for human habitation (e.g., living on the streets) and/or in an emergency homeless shelter during that time. *Persons under the age of 18 are not counted as chronically homeless individuals.*

### **Chronically Homeless Household**

HUD defines a chronically household as a family that has at least one adult member (persons 18 or older) who has a disabling condition who has either been continuously homeless for a year or more OR has had at least four (4) episodes of homelessness in the past three (3) years. To be considered chronically homeless, persons must have been sleeping in a place not meant for human habitation (e.g., living on the streets) and/or in an emergency shelter/safe haven during that time.

### **Client Intake**

The process of collecting client information upon entrance into a program.

### **Consumer**

An individual or family who has experienced or is currently experiencing homelessness.

## **Continuum of Care (CoC)**

A community with a unified plan to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximize self-sufficiency. HUD funds many homeless programs and HMIS implementations through Continuum of Care grants.

## **Coverage**

A term commonly used by CoCs or homeless providers. It refers to the number of beds represented in an HMIS divided by the total number of beds available.

## **Contributing HMIS Organization (CHO)**

Any organization (including its employees, volunteers, affiliates, contractors, and associates) that records, uses or processes data on homeless clients for an HMIS. The requirements of the HMIS Final Notice apply to all Contributing HMIS Organizations.

## **Data Quality**

The accuracy and completeness of all information collected and reported to the HMIS.

## **Data Standards**

See HMIS Data and Technical Standards Final Notice.

## **De-identification**

The process of removing or altering data in a client record that could be used to identify the person. This technique allows research, training, or other non-clinical applications to use real data without violating client privacy.

## **Digital Certificate**

An attachment to an electronic message used for security purposes. The most common use of a digital certificate is to verify that a user sending a message is who he or she claims to be and to provide the receiver with the means to encode a reply.

## **Disabling Condition**

A disabling condition in reference to chronic homelessness is defined by HUD as a diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness or disability, including the co-occurrence of two or more of these conditions. A disabling condition limits an individual's ability to work or perform one or more activities of daily living.

## **Emergency Shelter**

Any facility whose primary purpose is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

## **Emergency Solutions Grant (ESG)**

A federal grant program designed to help improve the quality of existing emergency shelters for the homeless, to make available additional shelters, to meet the costs of operating shelters, to provide essential social services to homeless individuals, and to help prevent homelessness.

## **Encryption**

Conversion of plain text into unreadable data by scrambling it using a code that masks the meaning of the data to any unauthorized viewer. Computers encrypt data by using algorithms or formulas. Encrypted data are not readable unless they are converted back into plain text via decryption.

## **Family**

HUD defines a family as a household with at least one adult and at least one child.

## **HEARTH Act**

On May 20, 2009, President Obama signed the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. The HEARTH Act amends and reauthorizes the McKinney-Vento Homeless Assistance Act.

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

Computerized data collection tool designed to capture client-level information over time on the characteristics and service needs of men, women, and children experiencing homelessness.

Regulations issued by HUD via the Federal Register describing the requirements for implementing HMIS. HMIS requirements and regulations are located at: <https://www.hudexchange.info/hmis/>.

## **Housing Inventory Chart (HIC)**

A calculation of the numbers of beds and housing units in a region on one particular night, usually coinciding with the annual Point-in-Time count.

## **Inferred Consent**

Once clients receive an oral explanation of HMIS, consent is assumed for data entry into HMIS. The client must be a person of age, and in possession of all his/her faculties (for example, not mentally ill).

## **Informed Consent**

A client is informed of options of participating in an HMIS system and then specifically asked to consent. The individual needs to be of age and in possession of all of his faculties (for example, not mentally ill), and his/her judgment not impaired at the time of consenting (by sleep, illness, intoxication, alcohol, drugs or other health problems, etc.).

## **Information and Referral**

A process for obtaining information about programs and services available and linking individuals to these services. These services can include emergency food pantries, rental assistance, public health clinics, childcare resources, support groups, legal aid, and a variety of non-profit and governmental agencies. An HMIS usually includes features to facilitate information and referral.

## **McKinney-Vento Act**

The McKinney-Vento Homeless Assistance Act was signed into law by President Ronald Reagan on July 22, 1987. The McKinney-Vento Act funds numerous programs providing a range of services to homeless people, including the Continuum of Care Programs: the Supportive Housing Program, the Shelter Plus Care Program, and the Single Room Occupancy Program, as well as the Emergency Solutions Grant Program.

## **Notice of Funding Availability (NOFA)**

An announcement of funding available for a particular program or activity.

## **Permanent Supportive Housing**

Long term, community based housing that has supportive services for homeless persons with disabilities. This type of supportive housing enables special needs populations to live as independently as possible in a permanent setting. Permanent housing can be provided in one structure or in several structures at one site or in multiple structures at scattered sites.

## **Point in Time Count**

A snapshot of the homeless population taken on a given day. Since 2005, HUD requires all CoC applicants to complete this count every other year in the last week of January. This count includes a street count in addition to a count of all clients in emergency and transitional beds.

## **Privacy Notice**

A written, public statement of an agency's privacy practices. A notice informs clients of how personal information is used and disclosed. According to the *HMIS Data and Technical Standards*, all covered homeless organizations must have a privacy notice.

## **Project-Specific Data Elements**

Data elements required for projects that receive funding under the McKinney-Vento Homeless Assistance Act and complete the Annual Performance Reports (APRs).

## **Public Keys**

Public keys are included in digital certificates and contain information that a sender can use to encrypt information such that only a particular key can read it. The recipient can also verify the identity of the sender through the sender's public key.

## **Scan Cards**

Some communities use ID cards with bar codes to reduce intake time by electronically scanning ID cards to register clients in a bed for a night. These ID cards are commonly referred to as scan cards.

## **Single Room Occupancy (SRO)**

A residential property that includes multiple single room dwelling units. Each unit is for occupancy by a single eligible individual. The unit need not, but may, contain food preparation or sanitary facilities, or both. It provides rental assistance on behalf of homeless individuals in connection with moderate rehabilitation of SRO dwellings.

## **Shelter Plus Care Program**

A program that provides grants for rental assistance for homeless persons with disabilities through four component programs: Tenant, Sponsor, Project, and Single Room Occupancy (SRO) Rental Assistance.

## **Supportive Housing Program**

A program that provides housing, including housing units and group quarters, that has a supportive environment and includes a planned service component.

## **Supportive Services**

Services that may assist homeless participants in the transition from the streets or shelters into permanent or permanent supportive housing, and that assist persons with living successfully in housing.

## **Transitional Housing**

A project that has as its purpose facilitating the movement of homeless individuals and families to permanent housing within a reasonable amount of time (usually 24 months).

## **Unduplicated Count**

The number of people who are homeless within a specified location and time period. An unduplicated count ensures that individuals are counted only once regardless of the number of times they entered or exited the homeless system or the number of programs in which they participated. Congress directed HUD to develop a strategy for data collection on homelessness so that an unduplicated count of the homeless at the local level could be produced.

## **Universal Data Elements**

Data required to be collected from all clients serviced by homeless assistance programs using an HMIS. These data elements include date of birth, gender, race, ethnicity, veteran's status, and Social Security Number (SSN). These elements are needed for CoCs to understand the basic dynamics of homelessness in their community and for HUD to meet the Congressional directive.



## **Written Consent**

Written consent embodies the element of informed consent in a written form. A client completes and signs a form documenting the client's understanding of the options and risks of participating or sharing data in an HMIS system and consenting to such participation and data sharing. The signed document is then kept on file at the agency.

# Pima County Homeless Management Information System

## Protocol for the Governance of the Homeless Management Information System in Pima County, Arizona

### I. Purpose

Pursuant to the requirements established by the U.S. Department of Housing and Urban Development (HUD), this Protocol sets forth the intended governance structure for the operation of the Homeless Management Information System (HMIS) in Pima County, Arizona. This Protocol defines the intended roles of the various entities that provide services to homeless people in Pima County. In order to ensure an effective, efficient, and secure system, this Protocol includes: general parameters for the system, confidentiality and security practices, network operations, and HMIS user training availability.

### II. Glossary

Agency  
Administrator: An HMIS user who is designated by a participating agency as the primary contact for all communication regarding Pima County HMIS at that agency and to fulfill the responsibilities of that designation.

AHAR: Annual Homeless Assessment Report, an official report to the U.S. Congress

APR: Annual Performance Report, a report required by HUD

Client: An individual who is receiving homeless or homelessness prevention services from an HMIS participating agency about whom service data is tracked in HMIS.

CoC: The Continuum of Care

CSET: Pima County Community Services, Employment and Training Department

Continuum of Care: A geographically based group of representatives that carries out the planning responsibilities of the Continuum of Care program, as directed by the HUD Continuum of Care Program Regulations (24 CFR Part 578.) In Pima County, the Continuum of Care is the Tucson Pima Collaboration to End Homelessness.

|                          |  |
|--------------------------|--|
| Data Subcommittee:       | The purpose of the Data Subcommittee is to develop HMIS policies and procedures and to coordinate and analyze data for the monitoring of the continuum performance.  |
| Grantee:                 | Pima County through CSET   |
| <u>HMIS:</u>             | Homeless Management Information System; electronic database utilized by member agencies to track the provision of services to and needs of homeless people within the geographic boundaries of Pima County.  |
| <u>HMIS Committee:</u>   | The HMIS Committee provides guidance to TPCH, including planning, software selection, implementation and administration of the database according to HUD's HMIS Data and Technical Standards. Active participation on this Committee is mandatory for all organizations that have licensed users of HMIS.  |
| <u>HMIS Lead Agency:</u> | Pima County, HUD HMIS Grantee responsible for coordination of the HMIS.  |
| <u>HMIS Users:</u>       | Members of participating agencies authorized to access and enter data into HMIS  |
| HUD:                     | U.S. Department of Housing and Urban Development   |
| <u>NOFA:</u>             | Notice of Funding Availability issued by HUD for CoC funds   |
| Participating Agencies:  | Community and faith-based organizations, government entities, businesses and individuals that participate in the CoC and provide services to homeless persons.   |
| TPCH:                    | Tucson Pima Collaboration to End Homelessness, a coalition of community and faith-based organizations, government entities, businesses and individuals committed to the mission of reducing homelessness and to addressing the challenges associated with homelessness in Pima County. TPCH is the Continuum of Care in Pima County and is the lead decision-making group for homeless services funded by the HUD Continuum of Care Program, which includes HMIS, and represents the geographic area of Pima County. |
| Vendor:                  | Bowman Systems, L.L.C., contractor providing ServicePoint, the HMIS software, a contractor to Pima County  |

### III. Background

The Pima County HMIS meets the HUD requirements to record and store client-level information on the characteristics and service needs of homeless persons. This system utilizes a software application called ServicePoint, which is operated by the vendor. Pima County CSET provides technical assistance and support. The CoC brings together homeless assistance providers within the community to create a more coordinated and effective housing and service delivery system.

In order to meet the federal requirements for HUD CoC funding, the CoC utilizes HMIS to collect client information, to prepare the APR, and to report aggregate community-wide data as required.

Non HUD funded homeless service providers are encouraged to participate in HMIS to provide a comprehensive source of available services and identify gaps in services within Pima County.

All HMIS participating agencies are required to be members of the CoC and attend the monthly HMIS committee meetings. All HMIS participating agencies are required to complete an Agency Agreement and accept the conditions, requirements, and regulations of HMIS participation. Each agency is encouraged to identify a high-level user who can accept the responsibility of an Agency Administrator and complete the required training.

### IV. General Parameters and Goals for HMIS Implementation and Use

- A. HMIS Lead Agency and the CoC shall work cooperatively to:
1. Develop HMIS policies, procedures, and support to meet HUD requirements and to maximize the utility of HMIS.
  2. Prioritize use of HMIS funding to meet HUD requirements. Uses will include, but are not limited to: determination of license distribution, user access levels, training, reporting, technical support, and addition of software modules components.
  3. Develop and submit the CoC application.
  4. Develop strategies to secure local match funds.
  5. Regularly review HMIS data and reports required by HUD.
  6. Encourage participating agency compliance with all Federal and State laws and regulations relating to the operation of HMIS.
  7. Encourage HMIS user compliance with HUD HMIS Data Standards relating to the collection, storage, retrieval, and dissemination of client data.

8. Encourage the use of HMIS data to inform policy decisions and to establish CoC performance measures.
9. Adhere to the HMIS grant parameters.
10. Select an HMIS software system and technical support provider.

B. HMIS Lead Agency will:

1. Designate liaison(s) to coordinate HMIS efforts with HUD and the CoC.
2. Attend and, when appropriate, provide input at TPCH HMIS Committee meetings.
3. Provide the CoC with reports regarding HMIS utilization.
4. Pursuant to County procurement policies and procedures, procure and administer the vendor and consultant contracts related to the HMIS grant and abide by the terms and conditions of such contracts.
5. Remain in good standing with HUD as an HMIS Grantee.
6. Submit reports required of the HMIS Grantee to HUD in a timely manner.
7. Prepare of the AHAR and provide AHAR to the CoC.
8. Provide HMIS data to the CoC.
9. Upon request and approval of the CoC, provide HMIS data to local, state or Federal entities.
10. Be the sole contractor for HMIS software and services with Vendor.

C. The CoC will:

1. Ensure that:
  - a. The CoC approves and submits the HMIS and CoC application.
  - b. Participating agencies implement HUD HMIS standards.
2. Monitor HMIS and review successes and failures to validate system effectiveness.

3. Elect a CoC member representative to chair the HMIS Committee and serve as liaison for coordinating HMIS efforts with the HMIS Lead Agency, HMIS Committee and participating agencies.
4. Educate and instruct participating agencies through the HMIS Committee:
  - a. To collect accurate data from consenting clients as mandated by HUD.
  - b. Not to transmit information in violation of any Federal or State laws or regulations, including, but not limited to, copyright law, protected trade secrets, obscenity, or threats.
  - c. Not to release HMIS data to any person, agency, or organization other than the CoC, other participating agencies, HUD, and the HMIS Lead Agency, unless specific consent is received from the client and approved by the CoC.
  - d. That HMIS Lead Agency is the sole contractor for HMIS software and services with Vendor and that participating agencies and HMIS users cannot instruct Vendor to act outside the scope of their contracts with Pima County.
5. Develop HMIS policies and procedures in conjunction with the HMIS Lead Agency, as required by HUD.

V. Network Operations

A. Pima County/HMIS Lead Agency

1. With regard to the HMIS Vendor, Pima County as HMIS Lead Agency:
  - a. Retains all authority for the administration of vendor and consultant contracts.
  - b. Will be the sole liaison with the Vendor for any contract performance issues.
  - c. Will monitor performance of Vendor to ensure that necessary technical support and the appropriate training to HMIS users is provided.
  - d. Will ensure that Vendor is required to provide an Information Services Help Desk for HMIS-related questions

from participating agencies.

2. Will monitor software and license use. Pima County or the Vendor, in consultation with Pima County, may restrict participating agency access to HMIS for inappropriate use or terminate a participating agency's licenses to maintain the integrity of the HMIS.
3. Will provide HMIS implementation, operations and expansion services, as required by HUD.
4. Will provide trained and qualified personnel to assist all users with the following services and support:
  - a. Training
  - b. Reporting
  - c. Meetings/Facilitation
  - d. Security
  - e. Project Management
  - f. Technical Assistance & Support
  - g. Data Quality Monitoring
  - h. System Administration
  - i. Data Analysis Support
  - j. HMIS Regulatory Compliance
  - k. Support for all HUD programs including, but not limited to: CoC Programs, Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), and Supportive Services for Veteran Families (SSVF).

## **B. Participating Agency**

Each participating agency will be required to:

1. Complete an HMIS Participating Agency Agreement.
2. Identify an Agency Administrator, if appropriate, and submit an Agency Administrator Agreement.
3. Warrant that all individuals entering or accessing HMIS data have completed HMIS training, signed User Agreement and are approved by both the participating agency and the HMIS Lead Agency prior to being allowed to use HMIS.
4. Ensures that no user shares his or her login and password under any circumstance.
5. Establish and enforce agency-level HMIS policies and procedures.

6. Maintain an electronic data security program, Internet connectivity, and computer equipment to meet data standards and regulations.
7. Take all necessary precautions to prevent any destructive or malicious program from being introduced to the System, including virus protection software.
8. In the event that a virus, worm or other malicious code is introduced to HMIS through the agency's computer network, notify Pima County immediately and employ all appropriate resources to efficiently disinfect the systems as quickly as possible.
9. Immediately notify Pima County either prior to, or immediately upon, user change.
10. Monitor use of HMIS and insure HMIS users comply with license requirements.
11. Recognize that the HMIS Lead Agency is the sole contractor for HMIS software and services with Vendor and that participating agencies and HMIS users cannot instruct Vendor to act outside the scope of their contracts with Pima County.
12. Execute and comply with the terms of:
  - a. HMIS Participating Agency Agreement; and
  - b. The HMIS Data Sharing Agreement

## **VI. Security**

### **A. Pima County:**

1. Will assign HMIS user licenses and login IDs.
2. May deny HMIS access to any HMIS user.
3. Will maintain copies of all HMIS Agreements.
4. Monitor license usage including inactivating, deleting, or terminating users as required.
5. Reset passwords.
6. Create and manage "Enter Data As" (EDA) and reporting groups set up.



7. Assign ART licenses as required.
8. Set up and maintain visibility settings for data sharing/data security for all assessments and data types as directed.
9. Maintain security setup as required by HUD technical standards.

**B. TPOCH:**

1. Will identify each participating agency authorized to use HMIS.
2. Through the HMIS Committee, will monitor each participating agency to insure that:
  - a. HMIS users are properly trained in HMIS use and security.
  - b. Participating agencies agree to keep login IDs and passwords confidential and assure that HMIS users do not share with anyone.
  - c. Internal security protocols are established and followed to prevent unauthorized utilization, access or transmission of HMIS data.
  - d. That HMIS equipment, data, and software is secured and access is limited only to users who have completed training and have a specific job-related need.
3. Will develop a process for dealing with the violations of any of the HMIS information security protocols.
4. Will immediately notify Pima County of any deletion of an authorized participating agency to insure timely deactivation of the HMIS user IDs and passwords.

**VII. Amendments**

Amendments, including additions, deletions, or modifications to this Protocol may be proposed in writing by either TPOCH or Pima County. Proposals will be presented to the CoC for consideration. If approved by the CoC, TPOCH and Pima County will amend the Protocol. Amendments will be effective only when in writing and executed by the Parties.



**VIII. Attachment**

The following documents are important to the functioning of HMIS and are, therefore attached:

- A. Tucson Pima Collaboration to End Homelessness- Operating Policies (most recently amended version)
- B. HMIS Participating Agency Agreement
- C. Pima County HMIS Agency Administrator Agreement
- D. HMIS User Agreement
- E. HMIS Data Sharing Agreement

IX. Agreement

This Protocol, signed by Pima County, as the HMIS Lead Agency, and TPCH defines the governance roles in relation to HMIS. Both Parties acknowledge that this Protocol shall serve as the written agreement between the Continuum of Care and the HMIS Lead Agency required by HUD.

|   |         |  |  |         |
|---|---------|--|--|---------|
|  | 1/16/14 |  |  | 1-16-14 |
| TPCH Chair  | Date    |  | Art Eckstrom   | Date    |
| Tucson Pima Collaboration to End Homelessness                                     |         |  | Director   |         |
| David Roun  |         |  | Pima County Community Services,  |         |
| Print TPCH Chair Name   |         |  | Employment and Training Department   |         |
|   |         |  | 2797 E. Ajo Way, 3 <sup>rd</sup> Floor   |         |
|   |         |  | Tucson, Arizona 85713  |         |

## **Pima County Homeless Management Information System (HMIS)**

### **Entry & Exit Policy**

Approved February 23, 2016

The Tucson Pima Collaboration to End Homelessness (TPCH) recognized the important of consistent data entry in HMIS. HMIS is a client record-keeping system and its goal is to accurately reflect the activities of clients and services provided by providers throughout Pima County. HMIS Entry/Exit dates for a client mirror when the service and/or residence actually begins and ends. TPCH adopts for the data entry requirements for each of the following:

***Emergency Shelter-*** All clients must be entered/exited in HMIS for all Emergency Shelter programs within 48 hours (2 business days) of their entry/exit in the program.

***Permanent Supportive Housing-*** All clients must be entered/exited into HMIS for all Permanent Housing programs within 5 business days of their entry/exit in the program.

***Rapid Re-Housing-*** All clients must be entered/exited into HMIS for all Rapid Re-Housing programs within 48 hours (2 business days) of their entry/exit in the program.

***Transitional Housing-*** All clients must be entered/exited in HMIS for all Transitional Shelter programs within 48 hours (2 business days) of their entry/exit in the program.

#### **Supportive Services Only-**

***Street Outreach-*** An Outreach Engagement/Enrollment for each client must be entered into HMIS for Street Outreach programs within 48 hours (2 business days) of the initial Engagement/Enrollment. All contacts should be entered into HMIS within 48 hours (2 business days) of their AFTER initial Engagement/Enrollment and subsequently after each additional contact.

Clients should be exited after 6 months if no additional contacts or engagements occur after initial Engagement/Enrollment. If possible, clients should be exited from Outreach after entering a permanent housing program.

***Day Center-*** All clients must be entered/exited in HMIS for all Day Shelter programs within 48 hours (2 business days) of their entry/exit in the program. Clients should be exited after 6 months if no additional contacts or engagements occur after initial Engagement/Enrollment.

***Case Management-*** All clients must be entered/exited in HMIS for all Case Management only programs within 48 hours (2 business days) of their entry/exit in the program. Clients should be exited after 6 months if no additional contacts or engagements occur after initial Engagement/Enrollment.

# TUCSON PIMA COLLABORATION TO END HOMELESSNESS

## Pima County

### Homeless Management Information System (HMIS)

#### Security Plan

Approved August 26, 2014

#### **HMIS SECURITY PLAN**

The goal of the HMIS Security Plan is to ensure that HMIS data is collected, used, and maintained in a confidential and secure environment at all times. The HMIS Security Plan applies to the HMIS Lead/Administrator, HMIS participating agencies, and the HMIS Bowman software. These standards apply to all client information that is collected in the HMIS or through comparable databases.

The purpose of this document is to outline security standards and define the parameters of compliance with these standards. These standards represent a minimum level of security required for all HMIS participating agencies. Another key purpose of this document is to describe how the HMIS Lead/Administrator and HMIS vendor software meet and maintain security requirements established in HUD's security standards.

#### **LEVELS OF USER ACCESS AND SECURITY**

Each HMIS Participating Agency will maintain a written policy detailing organizational management control over access authorization, user levels, and the internal process for activating new HMIS users. The HMIS Administrator will be solely responsible for establishing new users in the HMIS.

HMIS Participating Agencies must establish an internal point of contact, known as the Agency Administrator, for establishing new users with the HMIS Administrator. Individual staff should not email or request new HMIS users or HMIS program changes without permission from the Agency Administrator. Directors should be copied on the correspondence so that they are aware of new user requests.

The Pima County HMIS has four levels of user types:

- 1) ***Volunteer*** –HMIS users are assigned to programs at an agency to view and modify client records and can be assigned 'Enter Data As' rights for programs outside of their agency.
- 2) ***Agency Staff*** – HMIS users are assigned to programs at an agency to view and modify client records, can be assigned 'Enter Data As' rights for programs outside of their agency and update their agency's 'system news'.
- 3) ***Case Manager II***– HMIS users are assigned to program at an agency to view and modify client records and goals/action steps, can be assigned 'Enter Data As' rights for programs outside of their agency, and update their agency's 'system news'. This user can also access the Call Point module, modify case managers, and run agency reports.

4) **Case Manager III**– HMIS users are assigned to program at an agency to view and modify client records and goals/action steps, can be assigned 'Enter Data As' rights for programs outside of their agency, and update their agency's 'system news'. This user can also access the Call Point module, modify case managers, and run agency reports. This user has an 'agency administrator' view of all programs within their agency.

An agency must identify the both the type of user and programs each user should access within their agency. The Agency Administrator must maintain listings of active users and notify the HMIS Administrator immediately (within 24 hours) of any HMIS users that are no longer employed with the agency.

## **SECURITY INCIDENT PROCEDURES**

All HMIS Participating Agencies and their authorized users must abide to the terms of the HMIS agreements. Failure to fulfill these agreements may result in immediate termination of HMIS access until issues are resolved.

All breaches related to security or privacy must be reported to the HMIS Lead immediately (within 24 hours) of discovery. The HMIS Participating Agencies assumes all liability due to data breaches or risk of incident within their organization.

All HMIS users are obligated to report suspected instances of noncompliance with these Standards that may leave HMIS vulnerable to intrusion or compromise client information. The HMIS Lead Agency/Administrator is responsible for reporting any security incidents involving the real or potential intrusion.

All HMIS users will report any incident in which unauthorized use or disclosure of client information has occurred. Security breaches that have the possibility to impact the HMIS must be reported to the HMIS Participating Agency Administrator who notified the HMIS Lead Agency/Administrator. Each HMIS Participating Agency will maintain and follow all procedures established by the HMIS Lead Agency, HMIS software, and Continuum of Care related to thresholds for security incident reporting.

The HMIS Lead Agency staff, in conjunction with the HMIS Administrator will review violations and recommend corrective and disciplinary actions. Each TPCP Partner Agency will maintain and follow procedures related to internal reporting of security incidents.

## **AUDIT AND ACCESS CONTROLS**

The HMIS Lead Agency will maintain an accessible audit trail that allows the monitoring of user activity. The HMIS will also authenticate user activity via Internet Protocol (IP) address and prevent simultaneous user access.

All HMIS users are setup so that the HMIS uses the IP to validate the user. At no time and under no circumstance should an HMIS user share their user login and password or allow anyone to use their license. Each user is assigned a license.

## **PERSONNEL AUTHENTICATION & PASSWORD PROTOCOLS**

All users are required to attend New User Training to obtain an HMIS license.

The below outlines password and user inactivity protocols for the each HMIS user:

- 1) All passwords must be unique,
- 2) All passwords must be rotated every 45 days,
- 3) All passwords must be in a prescribed format,
- 4) Upon the third unsuccessful login try, users will be locked out of the system and the HMIS administrator must reset.
- 5) All users with no login activity for at least 45 days will be automatically inactivated.

Locked out users will have to contact the HMIS administrator to have their account reactivated. All users with no login activity for at least 90 days will be automatically deactivated. The HMIS Administrator must be notified and will then have to reactivate. Users who reactivate after 6 months will be required to attend a New User Training for their license to be reactivated.

## **PUBLIC ACCESS PROTOCOLS**

Program staff should be present to monitor workstations containing access to the HMIS. Additionally, when workstations are not in use and staff are not present, steps should be taken to ensure that the computers and data are secure and not usable by unauthorized individuals. After a short amount of time, workstations should automatically turn on a password protected screen saver when the workstation is temporarily not in use. Password protected screen savers are a standard feature with most operating systems and the amount of time can be regulated by the HMIS Participating Agency. If staff from an HMIS Participating Agency will be gone for an extended period of time, staff should log off the data entry system and shut down the computer. The HMIS will automatically log users out after 15 minutes of inactivity.

## **MALWARE AND VIRUS PROTECTION WITH AUTO UPDATE**

HMIS Participating Agencies accessing the HMIS must protect the system by using commercially available malware, virus protection software, and must also maintain a secure firewall.

The HMIS Software Provider places firewalls on all data-hosting servers and regularly monitors all activity.

## **DISASTER PROTECTION AND RECOVERY**

The HMIS Software Provider is contractually required to back up all HMIS data. Data back- up is conducted every 24 hours and is maintained using both power and alternative power systems at a different location from the primary HMIS server.

## **ENCRYPTION**

SSL (Secure Sockets Layer) is standard security technology for establishing an encrypted link between a website and a browser. The HMIS Software Provider ensures that HMIS SSL certificates are maintained and the SSL encryption ONLY encrypts data going across the Internet to the end-user's web browser. The traffic that then flows between the server and the end-user's workstation is encrypted using the SSL certificate installed on that server.

At no time should client information be sent un-secured outside the HMIS software. Any email or other electronic correspondence regarding should be secured by the user and HMIS Participating Agency.



## **HMIS PARTICIPATING AGENCY AGREEMENT**

### **Pima County Homeless Management Information System (HMIS)**

This agreement is entered into by and between the Pima County, through the Community Services, Employment and Training Department ("CSET"), and \_\_\_\_\_

\_\_\_\_\_, ("AGENCY") located at \_\_\_\_\_

The U.S. Department of Housing and Urban Development ("HUD") and the Tucson Pima Collaboration to End Homelessness ("TPCH"), the local Continuum of Care ("CoC"), have designated CSET the Homeless Management Information System ("HMIS") Grantee. As the HMIS Grantee, CSET is the HMIS Lead Agency responsible for implementing and operating the HMIS system and data collection requirements. The "HMIS System" is an internet-based management information software system.

This Agreement shall be effective on the date signed below and shall remain in effect until terminated in writing by either Party or until HUD and/or the CoC require execution of a new Agreement.

By signing below, the Parties agree to the following **Terms, Conditions and Responsibilities**:

A. **CSET**. CSET will perform the duties of the HMIS Lead Agency, which include, but are not limited to:

1. Approve use of HMIS System by AGENCY.
2. Procure, and retain sole ownership of, HMIS hardware and software.
3. Require the HMIS software developer to provide disaster recovery and data security controls.
4. Control the use and dissemination of all data entered into the HMIS System, pursuant to HUD regulations and the TPCH HMIS Protocol.

B. **AGENCY**. AGENCY provides services through various HUD-funded agreements that require it to enter data into the HMIS system. To use the HMIS System, AGENCY shall:

1. Ensure that Agency Administrator(s), or, if no Agency Administrator is available, an HMIS User, attends all mandatory HMIS Committee meetings and communicates HMIS business with other Agency HMIS Users.
2. Follow HMIS Procedures regarding timely entry of data into HMIS System.

3. Maintain a high level of data quality, ensuring that such quality is reviewed no less than monthly.
4. Immediately resolve data discrepancies and inconsistencies to ensure data integrity and accuracy for reports to HUD and the CoC.
5. Ensure that, if AGENCY uses the HMIS System to maintain data on non-HUD funded client services, such use has no impact on the data integrity and operation of the HMIS System.
6. Determine the specific individuals that will be allowed to enter data into the HMIS System, obtain authorization from CSET for each individual to use the HMIS System, and obtain a license for each specific individual. **AGENCY MAY NOT ALLOW AN INDIVIDUAL TO ACCESS THE HMIS SYSTEM PRIOR TO CSET AUTHORIZATION AND PROPER LICENSING.**
7. Ensure that each individual authorized to enter data into the HMIS System has a secure user ID and password. **UNDER NO CIRCUMSTANCES SHALL AGENCY ALLOW THE SHARING OF USER IDS AND PASSWORDS NOR THE USE OF AN USER ID AND PASSWORD BY ANY INDIVIDUAL NOT SPECIFICALLY AUTHORIZED BY CSET.**
8. Notify CSET immediately when an authorized HMIS User leaves the Agency's employment and ensure that no other individual has the ability to use that individual's HMIS System user ID and password.
9. Contact CSET regarding HMIS System software and technical assistance needs. Absent written approval from CSET, **AGENCY MAY NOT CONTACT THE HMIS SYSTEM SOFTWARE PROVIDER FOR ANY REASON, INCLUDING REQUESTING MODIFICATION OF THE SOFTWARE.**
10. Ensure that all authorized HMIS Users adhere to the HMIS Privacy Policies and Protocols and develop an internal HMIS Privacy Policy to prevent unauthorized, inappropriate, or illegal use of the data entered into the HMIS System.
11. Obtain a signed "Client Release of Information" form from each client and ensure that the executed releases are maintained in a secure and controlled location.
12. Designate at least one Agency Administrator to monitor AGENCY's use of the HMIS System and adherence to all privacy policies and CSET and CoC directives.
13. Comply with HUD HMIS Data and Technical Standards which is attached as **Exhibit A**, except when these Standards conflict with Arizona law. In such cases, Arizona law supersedes these Standards.
14. Ensure staff workstations are configured in a manner that prevents access to and viewing of the HMIS System data by anyone not specifically authorized and approved to see the data.



15. Not export client data from the HMIS System to any other organization, entity, government unit or person without first obtaining written permission from CSET.

16. Maintain secure Internet connectivity and computers for approved HMIS users.

C. **Indemnification.** AGENCY shall indemnify, defend, and hold harmless COUNTY, its officers, employees and agents from and against any and all suits, actions, legal administrative proceedings, claims or demands and costs attendant thereto, arising out of any act, omission, fault or negligence by the SUBGRANTEE, its agents, employees or anyone under its direction or control or on its behalf in connection with performance of this Grant Agreement.

D. **Termination.** CSET has the right to terminate this Agreement at any time it determines that AGENCY has failed to comply with its responsibilities under this Agreement.

***AGENCY agrees to abide by the terms, conditions and responsibilities set forth in this Letter of Agreement. CSET agrees to perform the responsibilities set forth above. Further, CSET hereby authorizes AGENCY to use the HMIS System in the conduct of its activities pursuant to the terms and conditions set forth above. This Agreement supersedes and replaces any other agreement, oral or written, regarding the use of the HMIS System.***

**AGENCY (authorized signature):**

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Date

**CSET (approval):**

\_\_\_\_\_  
Director

\_\_\_\_\_  
Date



## Pima County HMIS Agency Administrator Agreement

\_\_\_\_\_  
Agency Name "Agency"

Agency designates the following individual as HMIS Administrator: \_\_\_\_\_  
The Agency HMIS Administrator is the primary contact for all communication regarding Pima County HMIS at this agency. Agency will ensure that the HMIS Administrator complies with all requirements set forth below. The Agency Administrator must acknowledge acceptance of the following responsibilities by initialing in the space provided:

- \_\_\_\_\_ Coordinate Confidentiality Training, when available.
- \_\_\_\_\_ Maintain executed "Client Release of Information" forms in a **secure** location.
- \_\_\_\_\_ Request username and password authorizations from the Pima County HMIS Administrator for HMIS user at Agency.
- \_\_\_\_\_ Monitor user adherence to workstation security and client information confidentiality policies.
- \_\_\_\_\_ Ensure adherence to both the Agency's and Pima County's HMIS Protocols, policies and procedures.
- \_\_\_\_\_ Provide technical support to Agency HMIS users, as needed.
- \_\_\_\_\_ Regularly check accuracy of data entered into HMIS by Agency HMIS users, provide training and guidance.
- \_\_\_\_\_ Monitor use of HMIS for data quality and timeliness.
- \_\_\_\_\_ Regularly run data quality reports and work with Agency's HMIS users to implement corrective measures, as necessary.
- \_\_\_\_\_ Immediately cancel Agency's HMIS user authorization upon separation of user from Agency.
- \_\_\_\_\_ Notify Pima County HMIS Administrator of any changes in authorized users.

**I understand and agree to comply with all statements initialed above.**

\_\_\_\_\_  
Print Partner Agency Administrator Name

\_\_\_\_\_  
Partner Agency Administrator Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Partner Agency Executive Director Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Pima County HMIS Lead Agency Signature

\_\_\_\_\_  
Date

Pima County HMIS Partner Agency User Agreement (rev. 10/22/2012)

Page 1 of 1



## Pima County HMIS User Agreement

\_\_\_\_\_("Agency" or "Employer")  
Agency Name

Agency designates the following individual as an HMIS User: \_\_\_\_\_  
HMIS User Name

The above-named HMIS User is an individual who works directly with clients to obtain information from and enter data regarding clients into the Pima County Homeless Management Information System ("HMIS System") or who accesses the data from the HMIS System in the course of performing his or her duties for the Agency. Agency will ensure that this HMIS User complies with all requirements set forth below.

**My initials in the spaces provided below, and my signature, are proof that I understand, accept and agree to comply with the following HMIS System User requirements:**

### 1. **HMIS DATA CONFIDENTIALITY:**

\_\_\_\_\_ **The information entered into the HMIS system is sensitive and confidential, and is not to be shared, disseminated, discussed or otherwise disclosed,** except as specifically instructed by my Employer or as directed in writing by the client.

\_\_\_\_\_ **Unauthorized, inappropriate, or illegal use of the data entered into the HMIS System may subject me to discipline and/or criminal penalties.**

\_\_\_\_\_ The data that I am able to access in the HMIS System is not to be viewed by or shared with any other HMIS User either in my Agency or in another Agency unless specifically authorized by my Employer and the Pima County HMIS System Manager or as specified in a written request of the client.

\_\_\_\_\_ I may only view, obtain, disclose or use data in the HMIS System as necessary to perform my job duties and responsibilities associated with providing services to my Agency's clients.

\_\_\_\_\_ Information in the HMIS System about an individual client may only be shared with that client.

\_\_\_\_\_ I must immediately report any suspected or actual security breach to the HMIS Agency Administrator or the Pima County System Administrator.

### 2. **HMIS USER ID AND PASSWORD CONFIDENTIALITY:**

\_\_\_\_\_ My HMIS user ID and password **may not be accessible to, shared with or given to any other person.**

\_\_\_\_\_ My HMIS user ID and password will be kept in a secure location that prevents anyone else from seeing and learning what they are.

\_\_\_\_\_ If I leave employment at the Agency, I will not give my HMIS user ID and password to anyone else in the Agency or to the new person assuming my job.

3. **COMPUTER SECURITY:**

\_\_\_\_\_ **I will never leave my computer unattended when I am logged into the HMIS System.**

\_\_\_\_\_ If I leave my computer and work area, I will log out of the HMIS System and close the internet browser.

4. **DATA ENTRY:**

\_\_\_\_\_ **The computer's automatic data saving must be set to occur every four (4) minutes.**

\_\_\_\_\_ HMIS data must be entered according to AGENCY policies and Pima County HMIS data standards.

\_\_\_\_\_ I will be careful when entering data into the HMIS System to be accurate.

\_\_\_\_\_ The following will NOT be entered into the HMIS System, unless a direct quote of a client AND essential to assessment, services or treatment:

\_\_\_\_\_ **Discriminatory comments** by or about any person regarding race, color, religion, national origin, ancestry, discrimination, age, sex, or sexual orientation.

\_\_\_\_\_ **Offensive language and/or profanity.**

5. **FAILURE TO COMPLY:**

\_\_\_\_\_ I may be subject to personnel action, including, but not limited to termination from employment or volunteer status with the Agency if I fail to comply with the provisions of this User Agreement.

\_\_\_\_\_  
Printed HMIS User Name

\_\_\_\_\_  
HMIS User Job Title

\_\_\_\_\_  
HMIS User Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agency Executive Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
HMIS Agency Administrator Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Pima County HMIS Administrator Signature

\_\_\_\_\_  
Date

**Pima County**

**Homeless Management Information System  
(HMIS)**

**Privacy Plan**

**Approved August 26, 2014**

## **COLLECTION OF PERSONAL INFORMATION**

Personal information will be collected for HMIS only when it is needed to provide services, when it is needed for another specific purpose of the agency where a client is receiving services, or when it is required by law. Personal information may be collected for these purposes:

- To provide or coordinate services for clients
- To find programs that may provide additional client assistance
- To comply with government and grant reporting obligations
- To assess the state of homelessness in the community, and to assess the condition and availability of affordable housing to better target services and resources

Personal information is collected with the knowledge and consent of clients through the signing of the HMIS Client Consent to Release Information form. It is assumed that clients consent to the collection their personal information as described in this notice when they seek assistance from an agency using HMIS and provide the agency with their personal information. An implied consent is acceptable in certain situations, such as during Point-in-Time Street Count interviews.

If an agency reasonably believes that a client is a victim of abuse, neglect or domestic violence, or if a client reports that he/she is a victim of abuse, neglect or domestic violence, special precautions should be taken to protect the client and their personal information.

## **USE AND DISCLOSURE OF PERSONAL INFORMATION**

The U.S. Department of Housing and Urban Development (HUD) and the agencies that fund programs require the use of HMIS when assisting people in need. Clients must give consent before their personal information is used or disclosed for any purpose. Each agency should provide their clients a list of HMIS Participating Agencies.

All agencies in the Pima County HMIS share the following information: name, date of birth and last four digits of the social security number. This sharing avoids the duplication of client records.

Personal information may be used or disclosed for the following purposes:

1. To provide or coordinate services to individuals and families. Agencies that may share client records with other organizations have a data sharing agreement, separate privacy policies and that may allow different uses and disclosures of the information. Clients may ask these agencies for the specific uses of their information. Some agencies work together (collaborate) on programs and share more detailed information. All agencies participating in HMIS must keep client information confidential and only use it for program purposes.
2. To carry out administrative functions such as required reports, legal audits, personnel, oversight, and management functions.
3. When required by law. Personal information will be released to the extent that use or disclosure complies with the requirements of the law.
4. To avert a serious threat to health or safety if:
  - a. the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public, and
  - b. the use or disclosure is made to a person reasonably able to prevent or lessen the threat, including the target of the threat.
5. To comply with government reporting obligations for homeless management information systems and for oversight of compliance with homeless management information system requirements.

Clients may withdraw permission to share their personal information in HMIS at any time. This request must be made in writing to the agency providing assistance. The agency where the client receives services will offer to explain any information that a client may not understand.

If the information listed in HMIS is believed to be inaccurate or incomplete, a client may submit a verbal or written request to have his/her information corrected. Inaccurate or incomplete data may be deleted, or marked as inaccurate or incomplete and supplemented with additional information.

## **LIMITS ON COLLECTION OF PERSONAL INFORMATION**

Only personal information relevant for the purpose(s) for which it will be used will be collected. Personal information must be accurate and complete.

Client files become a permanent record in HMIS. Personal information may be retained for a longer period if required by statute, regulation, contract or another obligation.

## **LIMITS ON PARTICIPATING AGENCY USE OF HMIS CLIENT INFORMATION**

The Pima County HMIS allows the sharing of some personal information and is an open data system. This system allows Participating Agencies to share client information in order to coordinate services for clients. However, Participating Agencies may not limit client service or refuse to provide service in a way that discriminates against clients based on information the Partner Agency obtained from HMIS.

## **COMPLAINTS AND ACCOUNTABILITY**

Questions or complaints about the privacy policies and practices may be submitted to the agency where the client receives services. If no resolution can be found, the complaint will be forwarded to the agency's executive director.

Complaints specific to HMIS operation should be submitted to [hmishelp@pima.gov](mailto:hmishelp@pima.gov). If no resolution can be found, the complaint will be forwarded to Pima County HMIS System Administrator, Pima County CSET Department.

All other complaints will follow the agency's grievance procedure as outlined in the agency's handbook.

All HMIS users (including employees, volunteers, affiliates, contractors and associates) are required to comply with this privacy notice. Users must receive and acknowledge receipt of a copy of this privacy notice.



## **Public Privacy Notice (Posted Sign)**

### **Pima County Homeless Management Information System PRIVACY NOTICE**

**THIS NOTICE DESCRIBES HOW INFORMATION ABOUT YOU MAY BE USED AND  
DISCLOSED AND HOW YOU CAN OBTAIN ACCESS TO THAT INFORMATION.  
PLEASE READ IT CAREFULLY**

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

#### **Our Duty to Safeguard your Personal Information:**

\_\_\_\_\_ (Agency Name) collects information about which clients utilize services that we provide. We will ask for your permission to enter the information we collect about you and your family (as applicable) into a program called the HMIS. Although the HMIS helps us keep track of your information, individually identifiable information about you is considered Personal Information. We are required to protect the privacy of your identifying information and to give you notice about how, when and why we may use or disclose the information.

We are also required to follow the privacy practices described in this Notice, although \_\_\_\_\_ (Agency Name) may have additional privacy practices. You may request a copy of this notice at any time.

#### **How We May Use and Disclose Your Information:**

We use and disclose aggregate information for a variety of reports. We have a limited right to include some of your information for reports on homelessness and services needed by those who are homeless. Personal identifying information may not be used without your specific consent. We will not turn your information over to a national database. We must have your consent to use or disclose your information unless the law permits or requires us to make the use or disclosure without your permission. Please review the client consent form for further details.

#### **Your Rights Regarding Your Information:**

- You have the right to receive services even if you choose NOT to participate in the Pima County HMIS. However, clients may be refused program entry for not meeting other agency eligibility criteria.
- You have the right to ask for information about who has seen your information.
- You have the right to view your information and change it, if it is not correct.

**Pima County**  
**Homeless Management Information System (HMIS)**  
**Mandatory Collection Notice**

**We collect personal information directly from you for reasons that are discussed in our privacy statement. We may be required to collect some personal information as mandated by law or as requested from organizations that fund this program. Other personal information we collect is necessary to operate programs, improve services, and better understand the needs of homelessness. We collect appropriate information only. A Privacy Notice is available upon request.**

## HMIS Client Consent To Release Information

### Homeless Management Information System in Pima County

\_\_\_\_\_ (AGENCY) participates in the Homeless Management Information System (“HMIS”). HMIS is a secure computer database kept for the Tucson Pima Collaboration to End Homelessness (“TPCH”), a group of agencies which work together to provide services for the homeless. Any information entered into HMIS is protected by passwords and encryption technology. Steps are taken to safeguard the information that is entered into HMIS, but no system is foolproof.

The U. S. Department of Housing and Urban Development and the agencies that fund our programs require us to use HMIS when assisting people in need. We also have to prepare reports from HMIS. The reports do not require the release of your personal identifying information.

Some agencies work together (collaborate) on programs and share more detailed information about their clients through HMIS. Collaborating agencies may share your information to better provide you with services. Any agency that views your information on HMIS must keep it confidential and use it only for program purposes.

Three things from HMIS are shared among all agencies that provide services to the homeless in Pima County. These are: your name; birthday; and the last four digits of your social security number. This sharing avoids the creation of more than one record about you in HMIS. Our Notice of Privacy Practices describes the ways in which your personal information could be used and disclosed by this agency.

**By signing this form, you agree to let this agency enter your personal information into HMIS. YOUR NAME, BIRTHDAY AND LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER WILL BE SHARED WITH ALL OF THE AGENCIES ON THE ATTACHED LIST. If this agency has an agreement to collaborate with another agency to share additional information about you, this agency will, at your request, provide specific information about this collaboration.**

I understand that:

- I am not required to sign this Consent to Release Information. My treatment, payments or eligibility for benefits will not be affected if I do not sign. If I do not sign my information will not be entered into HMIS.
- I understand that if this agency has a collaborative data sharing agreement it may share data entered into HMIS.
- This consent will not expire. I have the right to withdraw this permission to share my information at any time. I must give this agency written notice that I no longer want my information shared.
- This agency, TPCH, and the HMIS project cannot control, and are not responsible for, how another agency uses or discloses my information.

[ ] I would like a copy of this signed consent form.

[ ] I would like a copy of this agency’s Notice of Privacy Practices.

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Client Name

\_\_\_\_\_  
Agency Staff Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Agency Staff Name

HMIS Participating Agencies: (as  
of June 1, 2014)

American Red Cross Arizona  
Housing and Prevention  
Arizona Youth Partnership Bowman  
Systems  
Catholic Community Services  
Chicanos por la Causa  
City of Tucson  
CODAC Behavioral Health Services  
Pasadera Behavioral Health Network (Compass Healthcare/SAMHC) Compass  
Affordable Housing  
Cope Community Services Community  
Partnership of Southern Arizona  
Esperanza en Escalante Exodus  
Community Services Gospel  
Rescue Mission  
La Frontera  
La Paloma  
Old Pueblo Community Services Open  
Inn, Inc.  
Our Family Services Pima  
County Primavera  
Foundation  
Southern Arizona AIDS Foundation The  
Salvation Army of Tucson TMM Family  
Services  
Tucson Preparatory School  
Youth On Their Own

# **TUCSON PIMA COLLABORATION TO END HOMELESSNESS**

## **PIMA COUNTY HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)**

### **DATA QUALITY PLAN**

Adopted August 26, 2014

#### **HMIS DATA QUALITY STANDARDS**

The goal of the HMIS Data Quality Standards is to ensure that HMIS data are collected, entered, and maintained in a consistent, accurate, and timely manner at all times. The HMIS Data Quality Standards apply to the HMIS Lead, TPCP Participating Agencies, and the overall HMIS Bowman software. These standards apply to all data collected in the HMIS or uploaded through comparable databases.

The HMIS Lead Agency recognizes that agencies may have established their own data quality standards that meet the HUD data quality requirements and minimum standards set forth below. The purpose of this document is to outline those standards to all HMIS Participating Agencies and define the parameters of compliance with these standards. HMIS Participating Agencies may establish additional or more stringent data quality requirements. Another key purpose of this document is to describe how the HMIS Lead Agency will monitor and assist the HMIS Participating Agencies to meet and maintain data quality requirements established in HUD's HMIS standards. This document is subject to revisions based upon new HMIS requirements from HUD.

#### **DATA COLLECTION REQUIREMENTS**

Each HMIS Participating Agency will ensure that a minimum set of data elements, referred to as the Universal Data Elements (UDE's) and Program-specific Data Elements as defined by the HUD Data and Technical Standards, will be collected and/or verified from all clients at their initial program enrollment.

Each HMIS Participating Agency is required to enter data into the local Continuum of Care HMIS system. HMIS Participating Agencies must report client-level UDE's and Program-specific Data Elements using the required response categories detailed in the HUD Data and Technical Standards. These standards are already incorporated into the HMIS software.

Program entry and exit dates should be recorded upon any program entry or exit on all participants. Entry dates should record the first day of service or program entry with a new program entry date for each period/episode of service. Exit dates should record the last day of service in a program's housing or the last day a service was provided.

#### **TIMELINESS AND FREQUENCY OF DATA ENTRY**

Each HMIS Participating Agency will ensure that data is entered following the Continuum of Care approved Entry/Exit Policy.

Each HMIS Participating Agency must utilize their local Continuum of Care HMIS system for intake, service provision, and program exit data collection as required by the grant guidelines. Many of the program-specific data elements represent transactions that may change over time. Some data elements will only need to be captured at entry, exit, or on an annual basis, while other elements may need to be updated upon service provision, required annually, or when a change in income or employment status is necessary to enhance case management services.



## **DATA COMPLETENESS AND ACCURACY**

Each HMIS Participating Agency will ensure a 100% standard of data completeness and accuracy for data entered into HMIS.

HMIS Participating Agencies will work toward ensuring that 100% of all required client- level UDE's and Program-specific Data Elements are entered correctly into the HMIS. Data collected and entered need to be complete. Each HMIS Participating Agency will make every attempt to collect and enter all required information on all persons served within each household during the time period the household is enrolled in the program.

Achieving adequate HMIS coverage is essential to ensuring that the records are representative of all the clients being served. Missing individual records may result in the inability to determine whether or not the characteristics of those served are significantly different than those that are included. A significant number of missing records may result in aggregate reports that do not accurately reflect the homeless population being served.

Data entered into an HMIS needs to be accurate. If valid data cannot be collected it should be entered as "client doesn't know" or "client refused to answer". Missing information can be acknowledged as missing, while inaccurate data, whether intentional or unintentional, is misleading and may result in the inability to accurately measure performance or report results.

## **DATA QUALITY MONITORING**

The HMIS Lead Agency will perform regular data quality checks on the HMIS data.

On a regular basis, designated staff of the HMIS Lead Agency will perform data quality checks on the HMIS data. Any patterns of error at a HMIS Participating Agency will be reported to the Agency Administrator and/or Primary Contact Person. When patterns of error have been discovered, users will be required to correct data entry techniques and will be monitored for compliance.

Agencies are expected to run their own data quality reports so that they can monitor their own data quality and become more effective in serving persons who experience homelessness across the Continuum. TPCH Partner Agencies are expected to:

- Run and submit data completeness reports, data incongruities reports, and other data quality reports as required by HMIS Lead staff ;
- Notify HMIS Lead staff of findings and timelines for correction; and
- Rerun reports for errant agencies/programs to confirm data correction

## **DATA QUALITY TRAINING REQUIREMENTS**

Each HMIS Participating Agency and user must complete an approved HMIS training before being given HMIS login credentials.

The HMIS Lead Agency will provide or arrange for regular HMIS training. It is recommended that all HMIS Participating Agencies identify a staff person from whom Agency users may also receive training. The Agency Administrator will notify the HMIS Lead when they have specific training needs for their end-users.

Reports training for Agency Administrators and other interested users will be made available as needed. These will include training on how to use Provider Reports in how to run existing reports in the Advanced Reporting Tool

(ART.

## **PIMA COUNTY HMIS SUPPORT**

The HMIS Lead will assist agencies and programs to look for data quality, consistency and completeness errors by running reports and sharing them with HMIS users.

Samples of reports the HMIS Lead staff will run include, but are not limited to:

Monthly reports will normally be run the first week after the prior month ending. Some of these reports will be shared directly with TPCCH and individual agencies.

- 0252 Data Completeness Summary and Detail
- Children Not in Households
- 0220 Data Incongruity Locator
- Clients Incorrectly at Level 1
- 0212 Duplicate Clients in ServicePoint

The HMIS Lead will run additional reports as needs arise or to assist the Continuum of Care or other HMIS Participating Agencies.





## **HMIS PARTICIPATING AGENCY AGREEMENT**

### **Pima County Homeless Management Information System (HMIS)**

This agreement is entered into by and between the Pima County, through the Community Services, Employment and Training Department ("CSET"), and \_\_\_\_\_

\_\_\_\_\_, ("AGENCY") located at \_\_\_\_\_

The U.S. Department of Housing and Urban Development ("HUD") and the Tucson Pima Collaboration to End Homelessness ("TPCH"), the local Continuum of Care ("CoC"), have designated CSET the Homeless Management Information System ("HMIS") Grantee. As the HMIS Grantee, CSET is the HMIS Lead Agency responsible for implementing and operating the HMIS system and data collection requirements. The "HMIS System" is an internet-based management information software system.

This Agreement shall be effective on the date signed below and shall remain in effect until terminated in writing by either Party or until HUD and/or the CoC require execution of a new Agreement.

By signing below, the Parties agree to the following **Terms, Conditions and Responsibilities**:

A. **CSET**. CSET will perform the duties of the HMIS Lead Agency, which include, but are not limited to:

1. Approve use of HMIS System by AGENCY.
2. Procure, and retain sole ownership of, HMIS hardware and software.
3. Require the HMIS software developer to provide disaster recovery and data security controls.
4. Control the use and dissemination of all data entered into the HMIS System, pursuant to HUD regulations and the TPCH HMIS Protocol.

B. **AGENCY**. AGENCY provides services through various HUD-funded agreements that require it to enter data into the HMIS system. To use the HMIS System, AGENCY shall:

1. Ensure that Agency Administrator(s), or, if no Agency Administrator is available, an HMIS User, attends all mandatory HMIS Committee meetings and communicates HMIS business with other Agency HMIS Users.
2. Follow HMIS Procedures regarding timely entry of data into HMIS System.

3. Maintain a high level of data quality, ensuring that such quality is reviewed no less than monthly.
4. Immediately resolve data discrepancies and inconsistencies to ensure data integrity and accuracy for reports to HUD and the CoC.
5. Ensure that, if AGENCY uses the HMIS System to maintain data on non-HUD funded client services, such use has no impact on the data integrity and operation of the HMIS System.
6. Determine the specific individuals that will be allowed to enter data into the HMIS System, obtain authorization from CSET for each individual to use the HMIS System, and obtain a license for each specific individual. **AGENCY MAY NOT ALLOW AN INDIVIDUAL TO ACCESS THE HMIS SYSTEM PRIOR TO CSET AUTHORIZATION AND PROPER LICENSING.**
7. Ensure that each individual authorized to enter data into the HMIS System has a secure user ID and password. **UNDER NO CIRCUMSTANCES SHALL AGENCY ALLOW THE SHARING OF USER IDS AND PASSWORDS NOR THE USE OF AN USER ID AND PASSWORD BY ANY INDIVIDUAL NOT SPECIFICALLY AUTHORIZED BY CSET.**
8. Notify CSET immediately when an authorized HMIS User leaves the Agency's employment and ensure that no other individual has the ability to use that individual's HMIS System user ID and password.
9. Contact CSET regarding HMIS System software and technical assistance needs. Absent written approval from CSET, **AGENCY MAY NOT CONTACT THE HMIS SYSTEM SOFTWARE PROVIDER FOR ANY REASON, INCLUDING REQUESTING MODIFICATION OF THE SOFTWARE.**
10. Ensure that all authorized HMIS Users adhere to the HMIS Privacy Policies and Protocols and develop an internal HMIS Privacy Policy to prevent unauthorized, inappropriate, or illegal use of the data entered into the HMIS System.
11. Obtain a signed "Client Release of Information" form from each client and ensure that the executed releases are maintained in a secure and controlled location.
12. Designate at least one Agency Administrator to monitor AGENCY's use of the HMIS System and adherence to all privacy policies and CSET and CoC directives.
13. Comply with HUD HMIS Data and Technical Standards which is attached as **Exhibit A**, except when these Standards conflict with Arizona law. In such cases, Arizona law supersedes these Standards.
14. Ensure staff workstations are configured in a manner that prevents access to and viewing of the HMIS System data by anyone not specifically authorized and approved to see the data.

15. Not export client data from the HMIS System to any other organization, entity, government unit or person without first obtaining written permission from CSET.
16. Maintain secure Internet connectivity and computers for approved HMIS users.

- C. **Indemnification.** AGENCY shall indemnify, defend, and hold harmless COUNTY, its officers, employees and agents from and against any and all suits, actions, legal administrative proceedings, claims or demands and costs attendant thereto, arising out of any act, omission, fault or negligence by the SUBGRANTEE, its agents, employees or anyone under its direction or control or on its behalf in connection with performance of this Grant Agreement.
- D. **Termination.** CSET has the right to terminate this Agreement at any time it determines that AGENCY has failed to comply with its responsibilities under this Agreement.

***AGENCY agrees to abide by the terms, conditions and responsibilities set forth in this Letter of Agreement. CSET agrees to perform the responsibilities set forth above. Further, CSET hereby authorizes AGENCY to use the HMIS System in the conduct of its activities pursuant to the terms and conditions set forth above. This Agreement supersedes and replaces any other agreement, oral or written, regarding the use of the HMIS System.***

**AGENCY (authorized signature):**

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Date

**CSET (approval):**

\_\_\_\_\_  
Director

\_\_\_\_\_  
Date



## **HMIS Data Sharing Agreement**

### **Pima County Homeless Management Information System (HMIS)**

This agreement is entered into by and between the Pima County, through the Community Services, Employment and Training Department ("CSET"), and the following agencies:

\_\_\_\_ ("Grantee");  
\_\_\_\_ ("Subrecipient");  
\_\_\_\_ ("Subrecipient");  
\_\_\_\_ ("Subrecipient"); and  
\_\_\_\_ ("Subrecipient") (collectively "the parties").

Grant project: \_\_\_\_\_ ("the grant").

This agreement establishes the rights and responsibilities of the parties associated with access to, sharing and use of the personal information obtained from clients and entered into the Pima County HMIS system.

The Parties agree as follows:

- A. **Data.** Grantee and Subrecipients, as participants in the grant, obtain, and enter into the Pima County HMIS System ("HMIS"), data from individual clients that contains personal, private, medical and confidential information that must be protected and secured. The information entered falls into two general categories:
1. **Basic Demographic Data.** Name, address (if any), age, date of birth, social security number, gender, ethnicity, race, veteran status, prior residence and program status; and
  2. **Sensitive Personal Data.** Income, benefits being received, education, employment, destination, disability, general health and medical conditions, as well as pregnancy, HIV/AIDS, behavioral health, legal, and domestic violence situation.
- B. **Data Sharing.** The parties warrant that, to efficiently and effectively provide services under the grant, Grantee and Subrecipient(s) must have access to clients' Basic Demographic Data. The parties further warrant that Grantee must have access to clients' Sensitive Personal Data from each Subrecipient in order to comply with the grant's reporting requirements.
1. **Subject to valid client authorization, each Subrecipient hereby authorizes Grantee to access the Basic Demographic Data and Sensitive Personal Data that it enters into HMIS to comply with the grant reporting requirements.**
  2. **Subject to valid client authorization, Grantee and each Subrecipient hereby authorizes Grantee and every other Subrecipient to access its Basic Demographic Data.** No Subrecipient shall have access to the Sensitive Personal Data of the Grantee or any other Subrecipient.

3. Grantee and each Subrecipient shall ensure that:
  - a. Any client information entered into HMIS, whether maintained electronically or on paper, is secured from access and use:
    - i. By any person, political subdivision, entity or agency, except the Grantee; and
    - ii. Unless the individual client has signed a Release of Client Information document to allow sharing between the Grantee and Subrecipient.
  - b. Client services are not negatively impacted or denied to an eligible client based on:
    - i. Information contained in the shared data; or
    - ii. A client's decision not to consent to the sharing of his or her data.
  - c. No one within its agency shall access or share information except as provided herein.
  - d. All collection, maintenance, access and sharing of client data complies with State and Federal law, rules and regulations governing confidentiality of patient records, including, but not limited to:
    - i. Confidentiality for Alcohol and Drug Abuse Patients (42 CFR, Part 2); and
    - ii. Health Insurance Portability and Accountability Act of 1996 (45 CFR, Parts 160 & 164) ("HIPAA").
  - e. Data is accessed only by properly authorized individuals within the organization and only as necessary to:
    - i. Determine client eligibility for homeless services; and
    - ii. Provide quality services to the individual client.
- C. **HMIS LEAD AGENCY**. CSET shall perform the duties of the HMIS Lead Agency as established by the U.S. Department of Housing and Urban Development. For purposes of this Agreement, CSET shall:
  1. Maintain current copies of all Data Sharing Agreements ("DSA") within the Pima County Continuum of Care.
  2. Authorize access to HMIS and data sharing among signatories to each DSA.

3. Work with HMIS vendors to ensure HMIS software is properly configured to:
    - a. Comply with the terms and conditions of each DSA: and
    - b. Ensure that Grantee and each Subrecipient have the necessary technical support to comply with grant reporting requirements.
  4. Monitor the use and dissemination of all data entered into HMIS to ensure compliance with applicable federal regulations and the Tucson Pima Collaboration to End Homelessness HMIS Protocol.
  5. Prohibit access to HMIS data by the Grantee or any Subrecipient that CSET finds has failed to comply with the terms of this Agreement or if this Agreement is terminated.
- D. **TERM.** This Agreement shall be effective on the date signed by all parties below and shall remain in effect until terminated in writing or until HUD and/or the CoC require execution of a new Agreement. This Agreement may not be amended.
- E. **TERMINATION.** The abilities of the parties to use and access HMIS data will be immediately withdrawn upon termination of this Agreement.
1. Any party may terminate this Agreement, by providing 30 days written notice of its intent to terminate. Such notice by a party shall constitute an automatic termination of this Agreement which will be effective on the 30<sup>th</sup> day after the date of notice.
  2. The provision of access to HMIS data to any person, government agency, entity or organization that is not a party to this Agreement shall constitute an automatic and immediate termination of the Agreement.
  3. Any attempt by any party to transfer or assign any rights or obligations set forth under this Agreement shall constitute an automatic and immediate termination of the Agreement.
  4. Should parties fail to cure any compliance problems within 15 calendar days of the date of written notice of a breach or problem, terminate this agreement.
- F. **ASSIGNMENT.** Grantee and Subgrantee(s) may not assign any rights or obligations under this Agreement without the express written permission of CSET and unless and until a new DSA is executed to account for the assignment.
- G. **INDEMNIFICATION.** Grantee and each Subrecipient shall indemnify, defend and hold harmless County, its officers, employees and agents from and against any and all suits, actions, legal, administrative proceedings, claims or demands and costs attendant thereto, arising out of any act, omission, fault or negligence by the Grantee and/or any Subrecipient, their agents, employees or anyone acting under their direction or control or on their behalf in connections with the performance of this Agreement.

H. **PRIOR AGREEMENTS.**

1. This Agreement supersedes and replaces any other agreement, oral or written, regarding access to and sharing of Basic Demographic Data and Sensitive Personal Data entered into and maintained in the Pima County HMIS system.
2. **This Agreement does not relieve any of the parties from the responsibilities established under the HMIS PARTICIPATING AGENCY AGREEMENTS and the HMIS USER AGREEMENTS executed by Grantee and each Subrecipient or the TUCSON PIMA COLLABORATION TO END HOMELESSNESS PROTOCOL.**

This document constitutes the entire Agreement between parties pertaining to the subject matter hereof. This Agreement shall not be modified, amended, altered, or extended.

## HMIS Data Sharing Agreement

IN WITNESS WHEREOF, the parties agree to affix their signatures to execute this Agreement on the dates written below:

### **GRANTEE (authorized signature):**

---

Director/Executive Director

---

Date

### **SUBRECIPIENT (authorized signature):**

---

Director/Executive Director

---

Date

### **SUBRECIPIENT (authorized signature):**

---

Director/Executive Director

---

Date

### **SUBRECIPIENT (authorized signature):**

---

Director/Executive Director

---

Date

### **CSET (approval):**

---

Director

---

Date





## Pima County HMIS Agency Administrator Agreement

\_\_\_\_\_  
Agency Name "Agency"

Agency designates the following individual as HMIS Administrator: \_\_\_\_\_  
The Agency HMIS Administrator is the primary contact for all communication regarding Pima County HMIS at this agency. Agency will ensure that the HMIS Administrator complies with all requirements set forth below. The Agency Administrator must acknowledge acceptance of the following responsibilities by initialing in the space provided:

- \_\_\_\_\_ Coordinate Confidentiality Training, when available.
- \_\_\_\_\_ Maintain executed "Client Release of Information" forms in a **secure** location.
- \_\_\_\_\_ Request username and password authorizations from the Pima County HMIS Administrator for HMIS user at Agency.
- \_\_\_\_\_ Monitor user adherence to workstation security and client information confidentiality policies.
- \_\_\_\_\_ Ensure adherence to both the Agency's and Pima County's HMIS Protocols, policies and procedures.
- \_\_\_\_\_ Provide technical support to Agency HMIS users, as needed.
- \_\_\_\_\_ Regularly check accuracy of data entered into HMIS by Agency HMIS users, provide training and guidance.
- \_\_\_\_\_ Monitor use of HMIS for data quality and timeliness.
- \_\_\_\_\_ Regularly run data quality reports and work with Agency's HMIS users to implement corrective measures, as necessary.
- \_\_\_\_\_ Immediately cancel Agency's HMIS user authorization upon separation of user from Agency.
- \_\_\_\_\_ Notify Pima County HMIS Administrator of any changes in authorized users.

**I understand and agree to comply with all statements initialed above.**

\_\_\_\_\_  
Print Partner Agency Administrator Name

\_\_\_\_\_  
Partner Agency Administrator Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Partner Agency Executive Director Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Pima County HMIS Lead Agency Signature

\_\_\_\_\_  
Date



## Pima County HMIS User Agreement

\_\_\_\_\_("Agency" or "Employer")  
Agency Name

Agency designates the following individual as an HMIS User: \_\_\_\_\_  
HMIS User Name

The above-named HMIS User is an individual who works directly with clients to obtain information from and enter data regarding clients into the Pima County Homeless Management Information System ("HMIS System") or who accesses the data from the HMIS System in the course of performing his or her duties for the Agency. Agency will ensure that this HMIS User complies with all requirements set forth below.

**My initials in the spaces provided below, and my signature, are proof that I understand, accept and agree to comply with the following HMIS System User requirements:**

### 1. **HMIS DATA CONFIDENTIALITY:**

\_\_\_\_\_ **The information entered into the HMIS system is sensitive and confidential, and is not to be shared, disseminated, discussed or otherwise disclosed,** except as specifically instructed by my Employer or as directed in writing by the client.

\_\_\_\_\_ **Unauthorized, inappropriate, or illegal use of the data entered into the HMIS System may subject me to discipline and/or criminal penalties.**

\_\_\_\_\_ The data that I am able to access in the HMIS System is not to be viewed by or shared with any other HMIS User either in my Agency or in another Agency unless specifically authorized by my Employer and the Pima County HMIS System Manager or as specified in a written request of the client.

\_\_\_\_\_ I may only view, obtain, disclose or use data in the HMIS System as necessary to perform my job duties and responsibilities associated with providing services to my Agency's clients.

\_\_\_\_\_ Information in the HMIS System about an individual client may only be shared with that client.

\_\_\_\_\_ I must immediately report any suspected or actual security breach to the HMIS Agency Administrator or the Pima County System Administrator.

### 2. **HMIS USER ID AND PASSWORD CONFIDENTIALITY:**

\_\_\_\_\_ My HMIS user ID and password **may not be accessible to, shared with or given to any other person.**

\_\_\_\_\_ My HMIS user ID and password will be kept in a secure location that prevents anyone else from seeing and learning what they are.

\_\_\_\_\_ If I leave employment at the Agency, I will not give my HMIS user ID and password to anyone else in the Agency or to the new person assuming my job.

3. **COMPUTER SECURITY:**

\_\_\_\_\_ **I will never leave my computer unattended when I am logged into the HMIS System.**

\_\_\_\_\_ If I leave my computer and work area, I will log out of the HMIS System and close the internet browser.

4. **DATA ENTRY:**

\_\_\_\_\_ **The computer's automatic data saving must be set to occur every four (4) minutes.**

\_\_\_\_\_ HMIS data must be entered according to AGENCY policies and Pima County HMIS data standards.

\_\_\_\_\_ I will be careful when entering data into the HMIS System to be accurate.

\_\_\_\_\_ The following will NOT be entered into the HMIS System, unless a direct quote of a client AND essential to assessment, services or treatment:

\_\_\_\_\_ **Discriminatory comments** by or about any person regarding race, color, religion, national origin, ancestry, discrimination, age, sex, or sexual orientation.

\_\_\_\_\_ **Offensive language and/or profanity.**

5. **FAILURE TO COMPLY:**

\_\_\_\_\_ I may be subject to personnel action, including, but not limited to termination from employment or volunteer status with the Agency if I fail to comply with the provisions of this User Agreement.

\_\_\_\_\_  
Printed HMIS User Name

\_\_\_\_\_  
HMIS User Job Title

\_\_\_\_\_  
HMIS User Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agency Executive Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
HMIS Agency Administrator Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Pima County HMIS Administrator Signature

\_\_\_\_\_  
Date

## HMIS Client Consent To Release Information

Homeless Management Information System in Pima County

\_\_\_\_\_ (AGENCY) participates in the Homeless Management Information System (“HMIS”). HMIS is a secure computer database kept for the Tucson Pima Collaboration to End Homelessness (“TPCH”), a group of agencies which work together to provide services for the homeless. Any information entered into HMIS is protected by passwords and encryption technology. Steps are taken to safeguard the information that is entered into HMIS, but no system is foolproof.

The U. S. Department of Housing and Urban Development and the agencies that fund our programs require us to use HMIS when assisting people in need. We also have to prepare reports from HMIS. The reports do not require the release of your personal identifying information.

Some agencies work together (collaborate) on programs and share more detailed information about their clients through HMIS. Collaborating agencies may share your information to better provide you with services. Any agency that views your information on HMIS must keep it confidential and use it only for program purposes.

Four things from HMIS are shared among all agencies that provide services to the homeless in Pima County. These are: your name; birthday; the last four digits of your social security number; and Veteran Status. This sharing avoids the creation of more than one record about you in HMIS. Our Notice of Privacy Practices describes the ways in which your personal information could be used and disclosed by this agency.

**By signing this form, you agree to let this agency enter your personal information into HMIS. YOUR NAME, BIRTHDAY, LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER AND VETERAN STATUS WILL BE SHARED WITH ALL OF THE AGENCIES ON THE ATTACHED LIST. If this agency has an agreement to collaborate with another agency to share additional information about you, this agency will, at your request, provide specific information about this collaboration.**

---

I understand that:

- I am not required to sign this Consent to Release Information. My treatment, payments or eligibility for benefits will not be affected if I do not sign. If I do not sign my information will not be entered into HMIS.
- I understand that if this agency has a collaborative data sharing agreement it may share data entered into HMIS.
- This consent will not expire. I have the right to withdraw this permission to share my information at any time. I must give this agency written notice that I no longer want my information shared.
- This agency, TPCH, and the HMIS project cannot control, and are not responsible for, how another agency uses or discloses my information.

[ ] I would like a copy of this signed consent form.

[ ] I would like a copy of this agency’s Notice of Privacy Practices.

---

Client Signature

Date

---

Printed Client Name

---

Agency Staff Signature

Date

---

Printed Agency Staff Name

10/2014

HMIS Participating Agencies:  
(As of October, 2014)

American Red Cross Arizona Housing  
and Prevention  
Arizona Youth Partnership Bowman  
Systems  
Catholic Community Services Chicanos  
por la Causa  
City of Tucson  
CODAC Behavioral Health Services Compass  
Affordable Housing  
Cope Community Services  
Community Partnership of Southern Arizona Esperanza en  
Escalante  
Exodus Community Services Gospel  
Rescue Mission  
Green Valley Assistance Services La Frontera  
La Paloma  
New Beginnings Treatment Center Old Pueblo  
Community Services Open Inn, Inc.  
Our Family Services  
Pasadera Behavioral Health Network (Compass Healthcare/SAMHC) Pima County  
Primavera Foundation Southern Arizona  
AIDS Foundation  
The Salvation Army of Tucson TMM Family  
Services  
Tucson Preparatory School  
Southern Arizona Veterans Administration  
Youth On Their Own



# **Tucson Pima Collaboration to End Homelessness**

## **Coordinated Entry Policies and Procedures**

**REVISION DATE: March 23, 2021**

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# **Tucson Pima Collaboration to End Homelessness (TPCH) Coordinated Entry Policies and Procedures Manual**

## **Purpose**

This document and appendices define the TPCH Coordinated Entry System and state the system's operating policies and procedures.

The Coordinated Entry system is a client-centered process of standardized access and assessment and uniform referral priorities for coordinated referral and housing placement to ensure that people experiencing homelessness or at imminent risk of homelessness receive appropriate assistance with both immediate and long-term housing and service needs. (See Appendix for U.S. Department of Housing & Urban Development (HUD) Coordinated Entry requirements.)

The Coordinated Entry system employs a phased approach to assessment, which segments the collection of participant information into the following stages:

- Initial Triage – resolving the immediate housing crisis, identifying whether the CoC crisis response system is the appropriate system to address the potential participant's immediate needs.
- Diversion and/or Prevention Screening – the examination of existing participant resources and options that could be used to avoid entering the homeless system of care.
- Crisis Services Intake – information necessary to enroll the participant in a crisis response project such as emergency shelter or other homeless assistance projects.
- Initial Assessment – information to identify a participant's housing and service needs with the intent to resolve participant's immediate housing crisis.
- Comprehensive Assessment – information necessary to refine, clarify, and verify a participant's housing and homeless history, barriers, goals, and preferences. Assessment information supports the evaluation of participant's vulnerability and prioritization for assistance.
- Next Step/Move-On Assessment – information revealed or known after an Initial Assessment is conducted when that new information may suggest a revised referral strategy. Alternatively, reevaluating participants who have been stably housed for some time and who may be ready for less intensive housing and service strategies.

## **Geographic Area**

TPCH encompasses Pima County and incorporated cities Marana, Oro Valley, Sahuarita, South Tucson and Tucson that are easily accessed by individuals and families seeking housing or services. CoC and ESG recipients all work together to ensure that coordinated screening, assessment and referrals for the Coordinated Entry are consistent. (See Appendix for link to geographic area maps.)

## **Communication**

TPCH Coordinated Entry system process requires that all CoC projects exercise due diligence to identify and engage all persons experiencing homelessness within the CoC geographic area. Policies and procedures dictate that effective communication with individuals with disabilities is provided and appropriate auxiliary aids and services are in place such as braille, audio, large type,

assistive listening devices, sign language interpreters, wheelchair accessibility and Limited English Proficiency (LEP) assistance. (See Appendix for Communication Plan.)

## **Non-discrimination**

The Coordinated Entry system operates a coordinated entry system that permits recipients of Federal and State funds to coordinate entry support with applicable civil rights and fair housing laws and requirements. Recipients and sub-recipients of CoC Program and ESG Program-funded projects must comply with the nondiscrimination and equal opportunity provisions of Federal civil rights laws, including the following:

- Fair Housing Act, which prohibits discriminatory housing practices.
- Section 504 of the Rehabilitation Act, which prohibits discrimination based on disability under any program or activity receiving Federal financial assistance.
- Title VI of the Civil Rights Act, which prohibits discrimination based on race, color or national origin under any program or activity receiving Federal financial assistance.
- Title II of the Americans with Disabilities Act, which prohibits public entities, which includes State and local governments and special purpose districts from discriminating against individuals with disabilities in all their services program and activities, which include housing and housing related services such as housing search and referral assistance.
- Title III of the American with Disabilities Act, which prohibits private entities that own, lease and operate places of public accommodations providing housing, from discriminating based on disability. (See Appendix for links to all above non-discrimination policies.)

## **Access Points**

The TPCCH Coordinated Entry system uses a "no wrong door" approach through a standardized process from initial engagement to successful housing placement. Access Points are updated, and updates published regularly on the TPCCH website and other community venues. (See [www.tpch.net/coordinatedentry](http://www.tpch.net/coordinatedentry) for access points information sheet.)

## **Domestic Violence**

Victim service providers offer, shelter, rapid rehousing and support services to victims of domestic violence. This means any individual or family who:

1. Is fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions, such as sex trafficking, that relate to violence against the individual or a family member, including a child that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; and
2. Has no other residence; and
3. Lacks the resources or support networks to obtain other permanent housing.

As part of Tucson/Pima County's Continuum of Care, Emerge Center Against Domestic Abuse serves as a Coordinated Entry Access Point specifically for victims of domestic violence. Emerge's wide range of intervention services include a 24/7 bilingual crisis hotline, emergency shelter, non-residential community-based and court-based services, and a housing stabilization program.

Housing services include one-time subsidies (in support of homelessness diversion), transitional housing, and permanent housing using a Rapid Re-housing model.

All persons requesting services through Emerge (including shelter and housing stabilization,) initially contact the hotline numbers: (520)795-4266 or 888-428-0101. The hotline support specialists provide immediate safety planning and crisis intervention, offer emotional support, assess the victim's risk for lethality, and match up their needs and goals with the services available through Emerge and/or other community resources. Victims at high risk of lethality are never denied or made to wait for emergency services, even when the emergency shelter facility is at full capacity. All program participants seeking housing services are connected to Emerge's housing stabilization program and/or the Continuum of Care's Coordinated Entry process, as appropriate.

Participants who are currently experiencing homelessness, interested in a housing referral and consent to participate in the TPCCH Coordinated Entry system will be entered into HMIS and a referral made to a housing provider as available. Participants who are currently experiencing homelessness, are interested in a housing referral but wish to maintain their secure identity will be referred to the TPCCH Coordinated Entry system using a special client ID and type of household (household with children or individual), age and VI-SPDAT score. These clients will be added to the Active By Name List for a referral to a housing provider as available. When the referral is made, the client will be provided the contact information for the housing program to contact directly.

Several mechanisms are in place within the Continuum of Care to ensure that the safety of domestic violence victims is addressed throughout the service delivery system. Emerge and the non-victim service providers work collaboratively to ensure that referrals are made to Emerge when domestic violence is a primary issue for a client and/or safety is an imminent issue for that client. Emerge also offers trainings to non-victim service providers on how to: 1) ensure basic safety needs are met for domestic violence victims while being served at their agencies, and 2) facilitate a warm hand-off to Emerge for extensive safety planning with victims. Domestic violence victims who choose not to engage with Emerge or receive domestic violence-specific services for any reason still receive housing services through non-victim service providers.

## **Emergency Services**

The TPCCH housing crisis response includes various emergency shelters and motel voucher programs. Coordinated Entry is accessible through many of these emergency shelter locations or through outreach contacts, as indicated on the TPCCH Coordinated Entry Access Points information sheet.

In addition, there are various emergency crisis response options available 24 hours a day through the Crisis Response Center and the 911 response system including the Tucson Police Department, the Pima County Sheriff Department, and various fire departments across the geographic area. (See Appendix for information about crisis response assistance.)

## **Mainstream Resources**

TPCCH ensures that people experiencing or at risk of homelessness have the support necessary to maintain stable housing or connect to mainstream resources. One-Stop, Arizona Long Term Care System (ALTCS), Pima Council on Aging (PCOA), Arizona Health Care Cost Containment System

(AHCCCS), SOAR/SSDI and Pima Community Access Program (PCAP) are all partners who collaborate with housing providers to connect individuals and families with needed mainstream resources at various locations throughout the community.

TPCH written standards ensure that agencies provide the support that people experiencing or at risk of homelessness need to maintain stable housing and connect to mainstream resources.

## **Diversion**

Diversion is a service that helps families and individuals find safe and appropriate alternatives to using shelters and housing projects by trying to resolve problems through natural supports. It also helps prevent unnecessary needs-assessments (VI-SPDAT) for shelter and housing services.

TPCH is committed to reducing the homeless population by implementing best practices in providing prevention assistance and shelter diversion as part of the Coordinated Entry process. These practices will reduce new entries into homelessness by consistently offering prevention and diversion resources upfront. This will reduce the number of people entering the system unnecessarily while improving data collection and quality and providing accurate information on the type of assistance needed in the community.

Front-line workers are the key to a successful diversion policy. They prevent homelessness for people seeking shelter by helping them identify immediate alternate housing arrangements and if necessary connecting them with services and financial assistance to help them return to permanent housing.

At emergency shelters, TPCH encourages the use of a diversion tool, when possible, during the initial entry assessment process to help determine whether shelter entry is appropriate. If shelter staff determine that immediate shelter entry prior to use of a diversion tool is necessary, then staff will use a diversion tool as soon as possible after entry to help determine whether a continued shelter stay is appropriate.

At non-shelter housing program agencies, staff should ask prospective applicants to complete a homeless information sheet prior to an assessment meeting in order to determine their current housing status (Category 1, Category 2, or Category 4).

Agency staff should use the Triage Tool at the beginning of an assessment meeting to help determine if completion of the VI-SPDAT assessment tool is appropriate.

An example of the Triage Tool is in the Appendix.

## **Homeless Prevention Services**

The Coordinated Entry homeless prevention assistance can aid households in preserving their current housing situation. Prevention services assist people who have the highest risk of becoming homeless but who also have a good chance of remaining housed if they receive assistance and divert those who have housing options to that option and away from homeless assistance.

If an individual or family is literally homeless, the VI SPDAT, F VI SPDAT or TAY VI SPDAT

assessment with Coordinated Entry Data Elements should be completed and a referral made for Coordinated Entry Homeless Assistance.

If an individual or family is at risk of homelessness (1-14 days), the TPCCH Homelessness Prevention Prioritization Assessment with Coordinated Entry Data Elements should be completed and a referral made for Coordinated Entry Homeless Prevention.

Homeless Prevention referrals remain active up to 30 days. After the 30<sup>th</sup> day, the previous referral is longer valid, and a new Homelessness Prevention Prioritization Assessment should be completed.

## **Homelessness Prevention Prioritization**

TPCH uses separate prioritization methodologies for projects operating standard Homelessness Prevention services and projects approved by the CoC to deliver Integrated Homelessness Prevention Access Point/Service Systems. All ESG-funded projects not authorized by TPCCH to provide Integrated Homelessness Prevention Access Point/Service Systems are required to follow the standard Homelessness Prevention prioritization and referral process.

### **Standard Homelessness Prevention Prioritization**

Standard Homelessness Prevention referrals requested through the Coordinated Entry System are made within 2 business days of referral request based on the TPCCH Homelessness Prevention Prioritization Assessment scoring prioritization methodology defined below:

1. Top Priority: The TPCCH Coordinated Entry Committee, in consult with the TPCCH Lead Agencies and ESG recipients, establishes a top priority score threshold. The top priority threshold is reviewed and updated not less than every 60 days to account for changes in service demand and availability of homelessness prevention funds in the community. Households with assessment scores at or above the scoring threshold shall be included in the top priority pool.

Referrals from the top priority pool will be ordered based on the expected date of actual housing loss such that households with the most imminent housing loss are referred first.

If multiple households will experience housing loss in the same 5-day period, referrals of those households will be ordered based on Homelessness Prevention Prioritization Assessment scores such that households with the highest assessment score are referred first.

In the event that multiple households will experience housing loss in the same 5-day period and have the same housing assessment score, the following factors will be used as tie-breakers. Such households will continue through each tie breaker consecutively until the tie is broken.

Tie Breaker 1: Household has one or more prior evictions.

Tie Breaker 2: Household has experienced literal homelessness in the past 3 year.

Tie Breaker 3: Date of Homelessness Prevention Prioritization Assessment with oldest assessment receiving first referral.

2. Second Priority: Prioritization Assessment score is below currently established top priority threshold.

Referrals from the second priority pool will be made only if there are no households awaiting referral from the top priority pool. Referrals from the second priority pool will be made using the same prioritization methodology described for the top priority pool.

All persons with a score below 18 should be immediately referred to the Pima County Community Action Agency for possible eviction prevention assistance.

### **Standard Homelessness Prevention Referral Process**

All COC and ESG funded programs, with the exception of those projects operating as designated by the CoC Homelessness Prevention Access Points/Services Systems as defined above, are required to request and accept referrals only through the Coordinated Entry system. Projects funded through other sources are encouraged to participate:

1. The Homeless Prevention project will notify the HMIS Lead when they have available Homeless Prevention funded openings through the HMIS Revelation Help Desk and the HMIS Lead will provide a Homeless Prevention referral within two working days.
2. The Homeless Prevention project will be responsible for determining eligibility of client using the program requirements for each of their programs.
3. A Homeless Prevention project will receive a referral for openings as requested and agrees to aid all eligible referrals made. Clients ultimately have the choice in agreeing to participate in project.
4. Upon receiving the referrals, the Homeless Prevention project makes all attempts to contact the client within 2 *working days*, using all available information in HMIS. If the Homeless Prevention project is unable to locate the client within the 2 working days, project may decline referral in HMIS and send through the HMIS Revelation Help Desk and request another. The referral will be closed, and no additional referrals will be made until a new Homelessness Prevention Prioritization Assessment is completed.

### **Integrated Homelessness Prevention Access Point/Service Systems**

The CoC may authorize Integrated Homelessness Prevention Access Points/Service Systems so that people at risk of homelessness can receive urgent services when and where they are needed (e.g. on-site at a courthouse or hospital). Integrated Homelessness Prevention Access Points/Service Systems are limited in scope and must provide services on-site or through direct coordination with locations at which urgent services are needed.

Integrated Homelessness Prevention Access Point/Service Systems are designed to provide urgent services rapidly through immediate service delivery for top priority households and must abide by TPCCH Coordinated Entry Policies and Procedures, TPCCH Homeless Management Information System Policies and Procedures, and TPCCH Written Standards.

### **Integrated Homelessness Prevention Access Point/Service System Prioritization**

Homelessness Prevention projects approved to operate an Integrated Homelessness Prevention Access Point/Service System by the CoC Board as defined above may initiate urgent service delivery at the approved On-Site Access Point as follows:

1. Top Priority: Prioritization Assessment score is equal to or higher than the currently established top priority threshold.

The Integrated Homelessness Prevention Access Point/Service System may initiate immediate services for households in the top priority pool identified at the approved Access Point in order assessed. The Access Point must collect all required Coordinated Entry Data Elements, complete a project entry and referral into the Coordinated Entry System indicating that services have been initiated, and complete a Homelessness Prevention project entry in the Homeless Management Information System within two working days.

If the Integrated Homelessness Prevention Access Point/Service System project has exhausted its available homelessness prevention funds, the project will initiate referrals into the Coordinated Entry system within two working days. Households will be prioritized and referred to community homelessness prevention projects according to the Standard Homelessness Prevention prioritization and referral process defined herein.

2. Second Priority: Prioritization Assessment Score is below the currently established top priority threshold.

Households in the Second Priority Pool will be referred into the Coordinated Entry system for referral to community homelessness prevention projects if funding is available.

If the Integrated Homelessness Prevention Access Point/Service System project has available funding but has not identified eligible households in the top priority pool, the project shall request referrals from the Coordinated Entry system. Referrals will be prioritized using the Standard Homelessness Prevention prioritization and referral process defined herein.

## **Homelessness Prevention Supplemental Documents**

The Homeless Prevention information including Triage Too and Homeless Prevention project eligibility are located in the Appendix.

## **TPCH Outreach Policy**

All agencies participating in Coordinated Entry will have a staff member participate in the COC collaborative outreach efforts, as frequently as possible, to attain the goal of covering the geographic area and engage people experiencing homelessness in housing opportunities. These outreach efforts include:

- Monthly 1½ hour Outreach Subcommittee meeting- where outreach coordination, data sharing, and outreach strategies are discussed
- Weekly 2-hour Collaborative Outreach “attempt to locate” - teams who go out into the community searching for referrals on the Active BY NAME LIST in a unified outreach endeavor

- Other planned community outreach events sponsored by, or supported by the Tucson Pima Collaboration to End Homelessness (TPCH)
- Act as Coordinated Entry access points – trained street outreach staff will offer the VI SPDAT assessment to people in camps and other places not meant for human habitation OR provide information about access point locations

Data collection and entry for contacts and engagements in HMIS as required by the U.S. Department of Housing & Urban Development (HUD) - to assist in tracking and coordination of outreach benchmark goals, as well as provide historic records for persons experiencing homelessness in our geographic area.

Participation in CoC collaborative outreach efforts are tracked through sign-in sheets and reviewed by the Coordinated Entry Committee. All ESG and COC funded agencies are required to participate in these activities. Any other HMIS participating agencies are encouraged to be involved in the collaborative outreach efforts and work with non-HMIS participating agencies to connect with people experiencing homelessness in our geographic area.

## **Youth**

### Youth aged 12-17

Unaccompanied youth are youth experiencing homelessness while not in the physical custody of a parent or legal guardian. This includes youth who have run away or have been forced to leave their homes.

No TAY-VI-SPDAT should be completed for a youth under the age of 18. An assessor who comes across an unaccompanied youth can assist the youth in contacting Safe Place in order to connect them with services, including immediate access to shelter. For Safe Place contact information, refer to the Access Points information at [www.tpch.net/coordinatedentry](http://www.tpch.net/coordinatedentry).

### Young adults and parenting young adults, aged 18-24

For these young adults, assessors should follow the assessment process outlined for other adults. The TAY-VI-SPDAT should be used for single young adults, and the F-VI-SPDAT should be used for young adult-headed households with children.

## **Assessment Process – VI-SPDATs and SPDATs**

Homeless service providers throughout Pima County utilize the Vulnerability Index and Service Prioritization Decision Assistance Tool (VI-SPDAT) family of tools as the common assessment. Providers use the VI-SPDAT to screen any single individual experiencing homelessness. Providers use the Family or F-VI-SPDAT to screen any family experiencing homelessness. They use the Transition Age Youth or TAY-VI-SPDAT as the common assessment tool to screen youth aged 18-24. Individuals or families not identifying themselves as homeless do not receive an assessment. The assessment is conducted by any provider who has been trained to use the tool by the HMIS Lead or other authorized community member trained as a trainer using the locally approved training curriculum. (See Appendices)

While VI-SPDATs should primarily only be completed for individuals and families who are currently



homeless, there may be some exceptions. One exception would be for an individual or family at risk for homelessness and in a dangerous situation.

All assessors receive standardized training so that the assessment process and its results are communicated clearly and consistently across the community. This messaging contains the following components:

- There are very few housing resources immediately connected to the assessment. The primary benefit of completing the assessment is to help determine the individuals' needs and resources to which they can be referred.
- Assessment information is shared with providers connected to the coordinated entry system, so that the assessed person is connected to housing and does not need to complete the assessment multiple times. Providers will use the assessment to target people for housing resources as they become available. (See Appendix for Assessment Tips.)

A new assessment should be completed whenever an individual or family's situation changes (including hospitalization, etc.) or if an assessment has not been completed for 90 days or longer.

### **Full SPDAT/F SPDAT Process**

To provide a safety net for individuals that are presumed to be highly vulnerable but score too low on the VI-SPDAT to qualify for permanent supportive housing (i.e., 7 or below for individuals or 8 or below for families). TPCH recommends that assessors administer a full SPDAT assessment to those individuals or families.

While the VI-SPDAT is a pre-screen or triage tool that looks to confirm or deny the presence of more acute issues or vulnerabilities, the SPDAT (or "full SPDAT") or F SPDAT is an assessment tool looking at the depth or nuances of an issue and the degree to which housing may be impacted.

For those limited instances where an assessor determines that the VI-SPDAT score may warrant a more comprehensive assessment, they may elect to complete a SPDAT/F SPDAT. Once the SPDAT is entered into HMIS, if the individual scores at least 35 or family scores at least 54, the SPDAT/F SPDAT score may be considered along with VI- SPDAT when prioritizing housing navigator assignments and/or housing placement. Those who have received a full SPDAT assessment will periodically be reviewed through the case conferencing and housing referral processes.

By allowing case managers to spend the time to complete this more in-depth analysis, the small set of individuals whose full depth of vulnerability may not be reflected in their VI-SPDAT assessment may still be considered for housing navigator assignments and/or housing placement. In a subset of these very limited instances, it is possible for a full SPDAT to produce different results than the VI-SPDAT because it is a multi-method assessment compared to the self-reported survey of VI-SPDAT.

In instances where individuals have both a full SPDAT and VI-SPDAT assessment, whenever possible, referral for housing placement will prioritize the full SPDAT/F SPDAT and not solely the VI-SPDAT score.

## **Release of Information and HMIS**

Any individual or family who agrees to participate in the coordinated entry process described must be asked to sign or give verbal consent to the Homeless Management Information System (HMIS) Release of Information (ROI).

These Coordinated Entry policies and procedures prohibit denying services to participants if the participant refuses to allow their data to be shared unless Federal statute requires collection, use, storage, and reporting of a participant's personally identifiable information (PII) as a condition of program participation.

All service providers offer clients the HMIS ROI, providing either a verbal HMIS ROI which must be verbally consented to, or a paper HMIS ROI which must be signed and retained or uploaded to the HMIS. The provider must have a signed or verbally agreed upon ROI before entering any information into HMIS and must enter into HMIS the SPDAT tool information on each individual or family seeking housing assistance within two (2) business days.

Coordinated Entry assessors are required to review the release of information and HMIS Privacy Notice with persons conducting assessments by phone, document their verbal consent, and maintain record of that documentation at the agency site and/or uploaded into HMIS. The option of conducting assessments by phone is voluntary and agencies are responsible for determining whether there are laws, regulations, or other relevant oversight guidance which prohibits them from doing so at their site.

TPCH Coordinated Entry prohibits the screening out of people due to income, active or a history of substance abuse, domestic violence history, resistance to receiving services, the type or extent of a disability-related services or supports that are needed, history of evictions or poor credit, lease violations or history of not being a leaseholder, or criminal record.

Participants freely decide what information they provide during the assessment process, to refuse to answer assessment questions and to refuse housing and service options without retribution or limiting their access to other forms of assistance. (See Appendix for full HMIS Policies and Procedures, including the Privacy Plan.)

## **Assessor Training**

Pima County, the HMIS (Homeless Management Information System) Lead Agency provides application training and technical support to all HMIS projects and users.

HMIS provides application training throughout the year to new users, existing users, follow-up, security & privacy, and reports.

HMIS provides technical support to all HMIS projects and users that include the reset of passwords, new user/program setup, training, report requests, technical assistance & support and other issues or concerns. (See Appendix for sample training schedule.)

## **Active By Name List/Priority List**

All VI-SPDAT assessments must be entered in HMIS within two (2) business days of when the information was first collected. Each assessment is included in a weekly report and clients are placed on the housing priority list also known as Active By Name List from which referrals to supportive housing are made. .

The HMIS Lead maintains the Active By Name List/Priority List (BNL) to ensure the HMIS Privacy Policy is followed (see Appendix for link to the HMIS Policies and Procedures). Persons are removed from the BNL at the time that they enter permanent housing; however, persons are moved to inactive status after 90 days without documented contact of interaction with an emergency shelter, street outreach, day shelter, navigation, diversion, Coordinated Entry, or other supportive services only project.

## **Housing Navigation**

The Coordinated Entry system embraces a Housing First model, which focuses on rapidly housing participants without preconditions.

Each housing program will serve as the primary point of contact to assist their assigned client(s) with navigating their referred housing program. The navigator will work with outreach teams if needed to locate the client and help collect any documentation needed. Prior to and throughout the housing assignment process, the navigator may also do regular outreach to an individual or family in an effort to build rapport with him or her. The housing program must always determine final client eligibility for the housing opening.

All individuals and families will be assigned a housing navigator upon referral to housing. Housing navigators are those who currently work for agencies participating in Coordinated Entry.

Housing referrals must be updated with HMIS Lead within 7 days and on a biweekly basis while client is being located. During this time, the client will not be referred to other housing. If client cannot be located, or is incarcerated, the client will be returned to the Priority List and another client can be referred to the housing project.

The VA navigation staff includes Social Workers, Registered Nurses, Health Techs, and Peer Support Specialists who assist Veterans in the housing process regardless of score.

## **Referral Policy**

Referrals are made from Coordinated Entry to housing project through HMIS. Project engages with client to determine eligibility and client's desire to participate in project. Referral rejection should be rare, and HUD requires a protocol (See CPD-17-01) that participating projects must follow to reject a referral, as well as the protocol the coordinated entry process must follow to connect the rejected household with a new project.

## **Supportive Housing Prioritization – Individual and Family Projects**

TPCH establishes and documents its supportive housing prioritization factors in its Written Standards. In accordance with the Written Standards, the prioritization factors and process described in this section is used to prioritize referrals to all supportive housing projects serving individuals and families that are not specifically designated as youth projects.

### Prioritization Factors

Households are prioritized for supportive housing including transitional housing, rapid rehousing, and permanent supportive housing using the following prioritization factors:

- Chronic homeless status/Dedicated Plus eligibility
- Domestic Violence
- Severity of service needs as indicated by VI-SPDAT score of 12 or above
- Risk of severe medical complication associated with COVID-19 as defined by U.S. Centers for Disease Control and Prevention
  - Age 50 or over
  - One or more pregnant person(s) and/or child under the age of 18 in household
  - Currently or previously tested positive for COVID-19
  - Current diagnosis of chronic health condition:
    - Cancer
    - Chronic kidney disease
    - Chronic obstructive pulmonary disease (COPD)
    - Immunocompromised stated resulting from solid organ transplant
    - Obesity (body mass index of 30 or higher)
    - Serious heart condition defined as heart failure, coronary artery disease, or cardiomyopathies
    - Sickle cell disease
    - Type 2 diabetes mellitus

### Prioritization Process

The following represents the uniform process to be used across the community to assess persons, refer them to an intervention, and within each category, prioritize offers of housing:

The VI-SPDAT, F VI-SPDAT, and approved TPCH Coordinated Entry assessments will be the ONLY tools used to assess individuals for housing, prioritization factors, and severity of needs at the time of assessment. The results of these assessments will be used to triage individuals or families into the appropriate category of intervention and project.

To house individuals and families, the prioritization will first be filtered into three priority pools.

1. Top Priority: The Top Priority Pool shall consist of households experiencing chronic homelessness and/or fleeing domestic violence, and who meet one or more additional supportive housing prioritization factors as defined above.

Referrals from the top priority pool will be ordered based on the number of priority factors met such that households with the highest number of priority factors met will be referred first.

If multiple households meet the same number of priority factors, referrals of those households will be ordered based on the VI-SPDAT score such that households with the highest assessment score are referred first.

In the event that multiple households within this group have the same VI-SPDAT score, the following factors will be used as tie-breakers. Such households will continue through each tie breaker consecutively until the tie is broken.

Tie-Breaker 1: Greatest number of days homeless during the current episode of homelessness as recorded in the HMIS (length of time homeless).

Tie-Breaker 2: Greatest number of days since date of project entry into TPCH Coordinated Entry system for housing assistance (referral date).

2. Second Priority: The second priority pool shall consist of all households not included in the top priority pool which meet one or more supportive housing priority factors as defined above.

Referrals from the second priority pool will be made only if there are no households awaiting referral from the top priority pool. Referrals from the second priority pool will be made using the same prioritization methodology described for the top priority pool.

3. Third Priority: The third priority pool shall consist of households experiencing homelessness which do not meet any of the supportive housing priority factors as defined above.

Referrals from the third priority pool will be made only if there are no households awaiting referral from the top or second priority pools. Referrals from the third priority pool will be ordered based on VI-SPDAT score such that the household with the highest score is referred first.

In the event that multiple households within this group have the same VI-SPDAT score, the following factors will be used as tie-breakers. Such households will continue through each tie breaker consecutively until the tie is broken.

Tie-Breaker 1: Greatest number of days homeless during the current episode of homelessness as recorded in the HMIS (length of time homeless).

Tie-Breaker 2: Greatest number of days since date of project entry into TPCH Coordinated Entry system for housing assistance (referral date).

This process is based on the current TPCH written standards and must be re-evaluated if the written standards adjusts priorities.

### **Supportive Housing Prioritization - Youth Projects**

TPCH establishes and documents its supportive housing prioritization factors in its Written Standards. In accordance with the Written Standards, the prioritization factors and process described in this section is used to prioritize referrals to supportive housing projects designated for unaccompanied and pregnant/parenting youth age 24 and younger.

#### **Prioritization Factors**

Households are prioritized for youth projects using factors that account for the unique circumstances of young adults experiencing homelessness. These prioritization factors are used for two subsets of youth households:

- Unaccompanied youth ages 17+9 months to 24 years
- Parenting youth households in which no member of the household is age 25 or older

Such households are prioritized for supportive housing including transitional housing, rapid rehousing, and permanent supportive housing using the following prioritization factors:

1. History of exploitation/victimization as indicated on the TAY-VI-SPDAT or F-VI-SPDAT.
2. Co-morbidity defined as the presence of two or more of the following as indicated on the TAY-VI-SPDAT or F-VI-SPDAT.
  - Chronic health issue
  - Mental health/substance abuse disorder
  - Disability
3. Risk of severe medical complication associated with COVID-19 as defined by U.S. Centers for Disease Control and Prevention
  - Age 50 or over
  - One or more pregnant person and/or child in household
  - Currently or previously tested positive for COVID-19
  - Current diagnosis of chronic health condition:
    - Cancer
    - Chronic kidney disease
    - Chronic obstructive pulmonary disease (COPD)
    - Immunocompromised stated resulting from solid organ transplant
    - Obesity (body mass index of 30 or higher)
    - Serious heart condition defined as heart failure, coronary artery disease, or cardiomyopathies
    - Sickle cell disease
    - Type 2 diabetes mellitus
4. Recent discharge from jail, child welfare, or juvenile detention, or other institutions within the past 90 days or pending discharge from these institutions within 90 days of assessment
5. Recent discharge from homelessness assistance program for minors or homeless assistance program for family households in which the youth cannot remain within the past 90 days or pending discharge from these programs within 90 days of assessment.
6. Safety and stability of current sleeping location
7. Length of time homeless
8. Disability
9. Severity of service needs (as indicated by TAY-VI-SPDAT or F-VI-SPDAT)
10. Client choice
11. Specialized services offered by supportive housing project (project specialization)

### Prioritization Process

TPCH maintains a Youth By Name List consistent with the Criteria and Benchmarks for Achieving the Goal of Ending Youth Homelessness as defined by the United States Interagency Council on Homelessness. The Youth By Name List is comprised of all unaccompanied and pregnant/parenting youth households in which no member of the household is age 25 or older which are known to the

TPCH Coordinated Entry system and are experiencing or at risk of experiencing homelessness as defined by the United States Departments of Housing and Urban Development, Health and Human Services, and/or Education.

The following represents the uniform process to be used across the community to assess persons, refer them to an intervention, and within each category, prioritize offers of housing:

The F VI-SPDAT, TAY-VI-SPDAT, and approved TPCH Coordinated Entry assessments will be the ONLY tools used to assess individuals for housing, prioritization factors, and severity of needs at the time of entry. The results of these assessments will be used to filter youth households into five priority pools:

| Priority Pool                            | Prioritization Process & Associated Factors   |
|--|---|
| Pool 1: Youth Coordinated Entry List     | <p>Pool 1 is comprised of all households on the Youth By Name List in which the youth members of the household are between the ages of 17+9 months and 24.</p> <p>Households in Pool 1 are subdivided into two groups by the HMIS Lead:</p> <ul style="list-style-type: none"> <li>Households prioritized for supportive housing assistance as defined in Priority Pool 2 below.</li> <li>Households not prioritized for supportive housing assistance. Such households may be referred to Navigation and/or Diversion services during Youth Case Conferencing based on service capacity and household needs.</li> </ul> <p>Households not prioritized for supportive housing assistance may be referred to supportive housing if there are no known households in Pools 2, 3, 4, or 5. Such households shall be prioritized such that households with contact with street outreach, emergency shelter, and/or Coordinated Entry projects in the past 90 days are referred first. Referrals from within this pool will be ordered such that households with the highest TAY-VI-SPDAT or F-VI-SPDAT score are referred. In the event that multiple households within this pool have the same VI-SPDAT score, referrals will be ordered such that households with the greatest number of documented days homeless during the current episode of homelessness are referred first. In the event that there are no households with documented contact in the past 90 days, referrals of households outside of this pool will be prioritized using the same prioritization process as those with contact in the past 90 days.</p> |
| Pool 2: Supportive Housing Priority Pool | Pool 2 is comprised of all households in Pool 1 which meet Supportive Housing Prioritization Factors 1-5 as defined in the previous section.  |

|   |  |
|---|--|
|   | <p>Households in Pool 2 are subdivided into two groups by the HMIS Lead:</p> <ul style="list-style-type: none"> <li>• Prioritized households with recent engagement as defined in Priority Pool 3 below.</li> <li>• Prioritized households without recent engagement. Prioritized households without recent engagement will be added to the TPCY Youth Outreach List for continued engagement and/or to document change in housing status, if applicable.</li> </ul> <p>Prioritized households without recent engagement may be referred to supportive housing if there are no known households in Pools 3, 4, or 5 and will be prioritized by TAY VI-SPDAT or F VI-SPDAT score. In the event that multiple households have the same VI-SPDAT score, referrals will be ordered such that households with the greatest number of documented days homeless during the current episode of homelessness are referred first.</p>  |
| Pool 3: Prioritized Households with Recent Engagement | <p>Pool 3 is comprised of all households in Pool 2 which have had contact with shelter, supportive service, and/or Coordinated Entry projects documented in the HMIS within the past 30 days.</p> <p>Households in Priority Pool 3 will be forwarded to Youth Case Conferencing by the HMIS Lead using the case conferencing worksheet established by the HMIS Lead and Youth Homelessness Demonstration Project Coordinated Entry Action Team.</p> <p>Youth Case Conferencing participants, in collaboration with the HMIS Lead, will subdivide Pool 3 into two groups:</p> <ul style="list-style-type: none"> <li>• Households known or believed to be document ready as defined in Priority Pool 4 below.</li> <li>• Households known to lack documents or for which document status is unknown. Such households will be referred to Navigation services during Youth Case Conferencing in order to obtain identity documents and will be added to the Supportive Housing Match List (Pool 5).</li> </ul> |
| Pool 4: Prioritized and Document Ready Households     | <p>Priority Pool 4 is comprised of all households in Priority Pool 3 which are documented or known to have the following identity documents needed for project eligibility and leasing:</p> <ul style="list-style-type: none"> <li>• State ID or Driver's License</li> <li>• Income Documents (if applicable)</li> <li>• Social Security card/Immigration documents (if applicable)</li> </ul>   |



|                                       |  |
|---------------------------------------|--|
|                                       | <ul style="list-style-type: none"> <li>• Birth certificate</li> <li>• Disability documentation (if applicable)</li> <li>• Evidence of length of time homeless (if household meets chronic homelessness and/or Dedicated Plus eligibility requirements)</li> </ul> <p>Households in Priority Pool 4 will be added to the Supportive Housing Match List (Pool 5) for supportive housing referral.</p>                |
| Pool 5: Supportive Housing Match List | Pool 5 is comprised of all households in Priority Pool 3. Referral of households to supportive housing projects from Pool 5 will be directed by Youth Case Conferencing participants using the Supportive Prioritization Factors 6-11 defined above. Priority may be given to households in Pool 4 based on the documentation requirements of the supportive housing project(s) to which referrals are being made. |

## VI-SPDAT Scores and Interventions

TPCH prioritizes households for all available supportive housing options based on vulnerability as defined in the prioritization process above. The table below indicates the scoring range that is eligible for each supportive housing type in the CoC. The table also provides an indication of the preferred range for each type based on the length of assistance available. The preferred ranges provide a benchmark in the ideal housing system in which there is sufficient permanent supportive housing resources to meet the needs of higher-scoring households.

| Project Type                 | Scoring Range for Adult Only Households (Age 25+) | Scoring Range for Families with Children <18 | Scoring Range for Youth Households (Age <25) |
|------------------------------|---|--|--|
| Transitional Housing         | 4-17 (Eligible)<br>4-7 (Preferred)                | 4-22 (Eligible)<br>4-10 (Preferred)          | 4-17 (Eligible)<br>4-7 (Preferred)           |
| Rapid Rehousing              | 4-17 (Eligible)<br>4-7 (Preferred)                | 4-22 (Eligible)<br>4-10 (Preferred)          | 4-17 (Eligible)<br>4-10 (Preferred)          |
| Permanent Supportive Housing | 8-17  | 11-22  | 8-17   |

## VI-SPDAT Scores and Veterans Administration Interventions

In addition to being eligible for community housing programs using the prioritization models above, military veterans may be additionally eligible for programs funded and/or administered through the US Department of Veterans Affairs. The table below indicates the scoring range of households referred to these programs as jointly determined by TPCCH and Southern Arizona VA Health Care Services. Referrals are made to these services as they are received and prioritized by the VA and/or its designated provider agency.

| Veteran Project Type | Scoring Range for Adult Only Households (Age 25+) | Scoring Range for Families with Children <18 | Scoring Range for Youth (Age <25) |
|----------------------|---|--|-----------------------------------|
|----------------------|---|--|-----------------------------------|

|  |       |       |       |
|--|-------|-------|-------|
| Southern AZ VA Homeless Program          | 11-17 | 11-22 | 11-17 |
| Supportive Services for Veteran Families | 4-10  | 4-10  | 4-10  |

## Housing Provider Responsibilities

All CoC and ESG funded programs are required to accept referrals through the Coordinated Entry system. Organizations that provide housing to those experiencing homelessness and would like to dedicate all or some of their housing vacancies to coordinated entry follow the process outlined:

1. Identify if the housing is permanent supportive housing, rapid rehousing, transitional housing or affordable/one-time assistance housing.
2. The Housing Provider will be responsible for determining eligibility of client using the program requirements for each of their programs that they will be dedicating to the coordinated entry process.
3. The Housing Provider will notify the HMIS Lead when they have available housing inventory by emailing [hmishelp@pima.gov](mailto:hmishelp@pima.gov) and the HMIS Lead will provide a housing referral within two working days. Each provider must be represented at case conferencing to provide updates on all referrals received.
4. The Housing Provider commits to following the Housing Referrals Prioritization Process for Permanent Supportive Housing, Transitional Housing and Rapid Rehousing.
5. A Housing Provider will receive a referral for everyone opening/vacancy they have. Clients ultimately have the choice in selecting their housing provider. Referrals will be made by the HMIS Lead in HMIS for individuals or families to be referred to each Housing Provider
6. Upon receiving the referrals, the Housing Provider first attempts to contact the client within 7 days, using the information on the last page of the VI-SPDAT, F VI-SPDAT or TAY-VI-SPDAT. Housing Provider utilizes checklist to document outreach efforts. If the housing program is unable to locate the client, email [hmishelp@pima.gov](mailto:hmishelp@pima.gov) to add client to 'clients to be located' list in HMIS.
7. The Housing Provider commits to working with the outreach team to locate the individual and engage with them to see if the housing referral provides a good match. The referred client should be included in the Community Outreach Collaborative efforts for a minimum of 2 Wednesdays.
8. For Rapid Rehousing, housing program completes the checklist efforts over 2 weeks. For Permanent Supportive Housing, the housing program completes the checklist twice per month for a total of 4 weeks.
9. The Housing Provider brings the open referral to the Case Conferencing meeting to request a 'Missing/No Contact' status for client.
10. The Housing Provider commits to communicating with the HMIS Lead when each referral does lead to successful program entry and the reason following the Referral Rejection policy. The housing provider must identify the date the individual moves into housing and complete the entry into HMIS

## Case Conferencing

### Purpose of Case Conferencing:

Case Conferencing is a community meeting where all homeless service providers discuss the provision of housing to those experiencing homelessness. Case Conferencing meetings will discuss identified barriers to securing housing for matched households and will provide assistance to housing providers by improving collaboration and sharing resources within the community. This is done with the intention of decreasing the rate of homelessness in our community and minimizing barriers to securing housing.

### Process:

1. The Case Conferencing meeting is held twice per month, the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month (if a CC meeting is rescheduled, the schedule below will shift accordingly)
2. Should a provider want a household added to the list for discussion, the provider will inform the HMIS Lead through Revelation no later than the Thursday prior to the next Case Conferencing.
3. HMIS Lead will post the Case Conferencing list in HMIS, located under the 'Home' tab under "System News" on the Fridays following the case conferencing. HMIS Lead will email providers once the list had been posted.
4. Each provider reviews the list and brings the relevant information about their listed households to the meeting. The meeting facilitator ensures each household on the list is reviewed.

### List Composition:

Matched households will be added to the Case Conferencing list based on three parameters:

1. The household has exceeded the Coordinated Entry time frame. All households who have not been transitionally or permanently housed within that time frame, from initial referral date, will be added to the Case Conferencing list by the HMIS Lead. Those benchmarks are as follows:
  - a. Entry into Rapid Re-Housing unit within 90 days
  - b. Entry into Transitional Housing unit within 90 days
  - c. Entry into Permanent Supportive Housing unit within 90 days
  - d. Continue to be case conferenced every 30 days until household is permanently housed, with the exception of youth adults (ages 18-24), who will be brought back every 180 days.
2. Providers, who have identified a barrier to housing a matched household, may request that the household is added to the Case Conferencing list by emailing the HMIS Lead through the Revelation Help Desk *at least five full business days* prior to the next Case Conferencing meeting. Examples of provider housing barriers include, but are not limited to:
  - a. Attempting to Engage: A household's location is known, but contact has been unsuccessful.
  - b. Negative Exit: A household that is actively enrolled with a housing provider who is heading toward or facing an exit into a nonpermanent destination.
3. Declined referrals that have not resulted in a housing solution will be referred three times before being brought to Case Conferencing by the HMIS Lead. Per the HMIS filters, unresolved cases are as follows:
  - a. Program choice to decline
  - b. Client choice to decline/ housing offer declined
  - c. Eligibility – other

### No Case Conferencing Update Needed:

Certain case statuses do not require the collaborative assistance of the community, and therefore will not be brought to Case Conferencing. The following are examples of household statuses that do not need to be reported at the Case Conferencing meeting unless they have exceeded the aforementioned time frames:

- Attempt to Locate
- In Process
- Housed
- Not Homeless
- Self-Resolved
- Out of Area
- Deceased
- Institutionalized >90 days
- Missing/No Contact

## **Program Transfer Policy and Process**

A sound and successful Coordinated Entry system takes into account the need for transfers between program types to better meet the preferences and needs of a household. A key component to any transfer process is an on-going assessment of a household to determine whether the levels of service are appropriate or need to be increased or reduced.

A household may need to transfer to another program within the Coordinated Entry system for a myriad of reasons. Moreover, a successful CES will engage in ongoing assessment focused on ensuring that the levels of assistance are most appropriate for the need. Providers are often confronted with scenarios in which a household may wish to move from permanent supportive housing to a less-intensive service -housing or a household that requires a move from rapid re-housing to permanent supportive housing.

TPCH's Coordinated Entry program transfer policy is focused on providing a flexible strategy to structure assistance to meet a household's needs and employing ongoing assessment to determine those needs.

### Transfer of Coordinated Entry Referrals Prior to Project Entry

It is not uncommon for a project to receive a referral through the Coordinated Entry system and, upon making contact with the client, find that another project of the same project type operated by the same organization is better equipped to meet the referred household's needs. If a project wishes to serve a referred household through another of its projects of the same project type, the project must notify the HMIS Lead of the project to which the referral is to be transferred using the Revelation Help Desk.

Requests to transfer a project referral are automatically approved under the following circumstances:

- The project to which the referral will be transferred is operated by the same organization,
- The project type to which the referral will be transferred matches the project type of the original project to which the household was referred,
- The household has not yet been entered into any supportive housing project (project entry not yet complete)

### Transfers between Projects of the Same Project Type

The TPOCH Coordinated Entry system allows households enrolled in a project to be transferred to another project of the same project type (SH, TH, RRH, PSH) under the following conditions:

- Household has a current HMIS program entry for a Safe Haven, Transitional Housing, Rapid Rehousing, or Permanent Supportive Housing project which is dedicated to persons experiencing homelessness and participates in the TPOCH Coordinated Entry system, and any one or more of the following:
  - Household being served requests a change of housing service provider to better meet their needs,
  - One or more members of household are experiencing domestic violence, dating violence, sexual assault, stalking, or other victimization and require separation of the household and/or relocation of the household to protect safety of household members,
  - Project determines that household would be better served by another project within the same organization that is better suited to the household's service needs,
  - Project recommends that household's service needs would be better met by another organization (requires identification of specific supportive services/specialization not provided by current project but available one or more alternative organizations, subject to availability of openings within such projects), and/or
  - Project closure/reduction of funding in the project in which the household is enrolled.

#### Transfers between Project Types

The TPOCH Coordinated Entry system utilizes a dynamic prioritization approach which matches the most vulnerable households to the next available housing opening. Using this approach, households may be identified during service participation as being in need of more intensive supportive services, lengthier periods of housing assistance, and/or the opportunity to move from leasing assistance to rental assistance as part of a coordinated strategy to support housing permanency. TPOCH permits the following types of transfers between project types:

- Transfers from Safe Haven: Households enrolled in Safe Haven projects may transfer to Transitional Housing, Rapid Rehousing, and Permanent Supportive Housing projects.
- Transfers from Transitional Housing: Households enrolled in Transitional Housing projects may transfer to Rapid Rehousing and Permanent Supportive Housing projects.
- Transfers from Rapid Rehousing: Households enrolled in Rapid Rehousing projects may transfer to Permanent Supportive Housing projects.

#### Transfers from Safe Haven to Transitional Housing

Households may be transferred from Safe Haven projects to transitional housing under the following circumstances:

- Household has a current HMIS program entry for a Safe Haven project which is dedicated to persons experiencing homelessness and participates in the TPCH Coordinated Entry system, and any one or more of the following:
  - Household requests a change of housing service provider to better meet their needs and a) is not eligible for any alternative project of the same type or b) there are no openings in an alternative project of the same type for which the household is eligible anticipated to occur within 60 days,
  - One or more members of household are experiencing domestic violence, dating violence, sexual assault, stalking, or other victimization and require separation of the household and/or relocation of the household to protect safety of household members,
  - Household is within 90 days of reaching the maximum length of service for which the household is eligible and is unlikely to achieve housing stability without supportive housing assistance,
  - Project determines that household is no longer in need of intensive Safe Haven services but is unlikely to achieve housing stability without further supportive housing assistance, and/or
  - Project closure/reduction of funding in the project in which the household is enrolled.

#### Transfers from Safe Haven or Transitional Housing to Rapid Rehousing

Households may be transferred from Safe Haven and Transitional Housing projects to Rapid Rehousing projects under the following circumstances:

- Household has a current HMIS program entry for a Safe Haven or Transitional Housing project which is dedicated to persons experiencing homelessness and participates in the TPCH Coordinated Entry system, and any one or more of the following:
  - One or more members of household are experiencing domestic violence, dating violence, sexual assault, stalking, or other victimization and require separation of the household and/or relocation of the household to protect safety of household members,
  - Household requests a change of housing service provider to better meet their needs and a) is not eligible for any alternative project of the same type or b) there are no openings in an alternative project of the same type for which the household is eligible anticipated to occur within 60 days,
  - Project determines that household is no longer in need of more intensive Safe Haven or Transitional Housing services but is unlikely to achieve permanent housing stability without further supportive housing assistance, and/or
  - Project closure/reduction of funding in the project in which the household is enrolled.

## Transfers from Safe Haven, Transitional Housing, or Rapid Rehousing to Permanent Supportive Housing

If it is determined through program participation that an enrolled household will require a longer duration of housing assistance to successfully achieve long-term housing stability, such households may be transferred to permanent supportive housing project openings under the following circumstances:

- Household has a current HMIS Project entry for a Safe Haven, Transitional Housing, or Rapid Rehousing project which is dedicated to persons experiencing homelessness and participates in the TPCH Coordinated Entry system, and each of the following:
- Household presents a high severity of service needs as defined by the TPCH Written Standards,
- Project has verified that the household is currently, or was at the time of entry to permanent housing (if rapid rehousing), experiencing chronic homelessness and/or meets DedicatedPlus eligibility requirements, and current project has uploaded documentation to evidence such verification to the HMIS, and
- Current project has attempted to address service needs within the current level of care for at least 90 days and has documented specific needs that cannot be addressed by the project and are likely to prevent permanent housing stability in the absence of non-time-limited supportive housing.

## Transfer Process

When it is determined by a project or participant that a transfer to another project and/or project type may better support the long-term outcomes of the household being served, the project must complete the TPCH Coordinated Entry Transfer Request form (see Appendix) and submit the form to the HMIS Lead through the Revelation Help Desk. The HMIS Lead will confirm required documentation is uploaded to the HMIS, if applicable, and bring the transfer request forward for review at the next regularly scheduled case conferencing session. If required documentation is incomplete, the HMIS Lead will notify the requestor and require that documentation be provided before scheduling the request for case conferencing review. A determination as to the transfer will be determined by case conferencing participants present. The HMIS Lead Agency will communicate this decision to the project submitting the transfer request within 2 business days following the case conferencing at which it is discussed. If the transfer is approved, the household will be prioritized for the next opening into a project that is able to address the transfer need and will be referred as a project transfer through the Coordinated Entry system.

## Prioritization of Transfers

Households will be prioritized for transfer openings using the established supportive housing prioritization process as outlined in the TPCH Coordinated Entry Policies & Procedures. Pending transfers will be prioritized for openings before persons referred through the active by name list to reduce exits to homelessness and prevent returns to homelessness.

## Sensitive Transfers

In some instances, coordination of transfers may be beyond the scope of the TPOCH case conferencing process and/or unnecessarily provide sensitive information to case conferencing participants. The HMIS Lead Agency and CoC Lead Agency may jointly approve and coordinate project transfers outside of the case conferencing procedures under the following circumstances:

- Transfers occurring as a result one or more project closures which require coordination of multiple project transfers within a short period of time,
- Transfers to permit households or members of a household to relocate and/or separate as a result of domestic violence, dating violence, sexual assault, stalking, or other victimization, or
- Transfers resulting from an imminent loss of housing which will result to an exit to homelessness within 30 days.

In the event of sensitive transfer needs, the CoC Lead Agency and HMIS Lead Agency will coordinate with the referring and accepting projects to arrange the most appropriate transfer and will notify case conferencing participants of the transfer and results, without providing personally identifying household information, at the next regularly scheduled case conferencing meeting.

### **Evaluation and Improvement Process**

Data from the TPOCH Coordinated Entry system will be reviewed monthly by the Coordinated Entry Committee using various reports such as VI-SPDAT reports, Referral Reports, Housing Placement Reports, etc.

A full system review and evaluation will be conducted on an annual basis reviewing the above data as well as a Consumer Satisfaction Survey, administered to formerly homeless individuals and families, as well as currently homeless individuals and families to provide an ongoing system improvement process.

The Coordinated Entry Policies and Procedures will be reviewed and updated at least annually, or as required by HUD regulatory guidance changes.

### **Coordinated Entry System Grievance and Appeals Policy**

#### Purpose

The purpose of the TPOCH grievance and appeals policy is to ensure that individuals and families assisted through the Tucson Pima Collaboration to End Homelessness Coordinated Entry system have a confidential means to report and resolve problems or concerns related to their treatment or services offered through the Coordinated Entry process.. Completing the grievance form will not negatively affect an individual's or family's ability to receive services to which they are entitled through the Coordinated Entry system.

#### Applicability

This policy relates to an individual's or family's access to the Coordinated Entry system, completion of appropriate assessments based on household needs and circumstances, prioritization, housing



referrals and acceptance, and treatment in covered Coordinated Entry services (Access Point services, navigation, diversion, prioritization and referral, and housing acceptance).

## Policy

Individuals and families accessing or attempting to access services through the Tucson Pima Collaboration to End Homelessness Coordinated Entry system shall have the right to fair treatment, confidentiality, and services for which they are eligible and prioritized as outlined by the TPCCH Coordinated Entry Policies and Procedures. Individuals and families shall have the right to report and receive timely response to and resolution in the event that these rights are impeded.

Service providers delivering covered Coordinated Entry shall have a grievance policy in place which, at a minimum, allows persons served by the provider to grieve unfair treatment or other concerns and receive resolution of their grievance within 30 days. All persons receiving services shall be informed of the agency's grievance procedure. Grievances related to covered services shall be reported to TPCCH using the approved TPCCH Grievance and Appeals form within 10 days of resolution.

TPCCH shall additionally permit service providers delivering covered Coordinated Entry services and individuals and families served through the TPCCH Coordinated Entry system to submit grievances related to covered Coordinated Entry services directly to the Continuum of Care. All persons entering or providing covered Coordinated Entry services shall be made aware of this right and provided with a copy of the TPCCH grievance procedure and form in electronic and/or paper form at the time of entry. TPCCH shall respond to and attempt to resolve grievances received within 30 days of receipt.

## Grievance Procedure

1. Individuals who wish to file a grievance must complete the TPCCH Grievance and Appeals form at [www.tpch.net/coordinatedentry](http://www.tpch.net/coordinatedentry).
2. The form may be completed online or downloaded and emailed to [TPCH@tucsonaz.gov](mailto:TPCH@tucsonaz.gov) with the subject line "Coordinated Entry Grievance". The CoC Lead Agency will provide confirmation of receipt within 5 business days.
3. The TCH Lead Agencies will review the grievance, verify the grievance process is the appropriate place for the complaint, complete an investigation, and forward the grievance form and investigation results to the Continuum of Care Board Officers for final resolution within 30 days.
4. The individual submitting the complaint shall be notified of the decision of the Continuum of Care Board Officers within 30 days of grievance submission.
5. The CoC Lead Agency will document and report to the Coordinated Entry Committee and Continuum of Care Board quarterly the number and types of grievances received and grievance outcomes. Personal identifying information will not be shared in presentations to the Continuum of Care Board to protect the confidentiality of individuals involved.
6. The annual Coordinated Entry evaluation shall include a review of the number and types of grievances received, grievance outcomes, and trends to inform on-going system improvements.



## **APPENDICES**

## **Coordinated Entry/Prioritization Regulations and Documents**

### **HUD Coordinated Entry Notice CPD-17-01 – Notice Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System (2017):**

<https://www.hudexchange.info/resource/5208/notice-establishing-additional-requirements-for-acontinuum-of-care-centralized-or-coordinated-assessment-system/>

### **TPCH Geographic Area Map**

<https://pimamaps.pima.gov/Html5Viewer/index.html?configBase=https://pimamaps.pima.gov/Geortex/Essentials/REST/sites/mainsite/viewers/mainmap/virtualdirectory/Resources/Config/Default>

### **Non-discrimination HUD Equal Access rule: 24 CFR 5.105(a)(2) and 5.106(b)**

<https://www.hudexchange.info/resource/1991/equal-access-to-housing-final-rule/>

### **Fair Housing Act**

[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/FHLaws/your\\_rights](https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws/your_rights)

### **Section 504 of the Rehabilitation Act**

<https://www.section508.gov/sites/default/files/Section504.pdf>

Title VI of the Civil Rights Act <https://www.justice.gov/crt/fcs/TitleVI-Overview>

### **Title II of the Americans with Disabilities Act**

<https://www.ada.gov/t2hlt95.htm>

### **Title III of the American with Disabilities Act**

<https://www.ada.gov/t3hilight.htm>

### **Assessment Tool**

Information about the TPCP Coordinated Entry System family of assessment tools can be located at: <http://www.orgcode.com/what-we-do/tools/>. The TPCP Homelessness Prevention Prioritization Assessment is provided in this Appendix.

### **HMIS Policy and Procedures**

<https://tpch.net/about/tpch-governing-documents/>

### **TPCH Written Standards**

<https://tpch.net/about/tpch-governing-documents/>

### **TPCH Coordinated Entry Access Points**

<https://tpch.net/coordinatedentry>

## Assessment Talking Points

### Suggested Messaging

"I have a 10-minute survey I would like to complete with you. The answers will help us determine how we can go about providing supports. Most questions only require a "yes" or "no." Some questions require a one-word answer. The information collected goes into the Homeless Management Information System, the database for homeless services in the Tucson/Pima County area. If you have a case manager who is helping you apply for housing, you should still work with them once you have finished this survey. The primary benefit to doing the survey is that it will help give you and me a better sense of your needs and what resources I can refer you to.

Would you like to take the survey with me?"

- If "yes," ask the individual to sign the ROI before proceeding with the survey. Then state "If at any point you don't understand what I am really asking, just let me know and I can clarify for you. Let's start with the first question..." If an individual refuses to sign the ROI, complete the VI-SPDAT, but do not add to list. Continue to engage and proceed with housing options available without ROI.
- If "no," individual can still be added to the by-name list but need to use alternative prioritization process.

### Client FAQs

**Where am I on the waiting list?** The survey does not place you on a waiting list. It's designed to help us figure out the right type of resource for you. Continue to pursue resources on your own and continue to connect with your case manager.

**When do I hear back?** There is no specific timeline for hearing back. Please continue to work with your case manager if you already have one or continue to check in at assessment location for information

### DOs and DON'Ts for Explaining VI-SPDAT and Coordinated Assessment

- ✓ Do explain that we are collaboration of service providers working to streamline services to help connect homeless individuals to available resources and appropriate housing.
- ✓ Do explain the VI-SPDAT as an assessment that enables our network of service providers to understand their needs, program eligibility, and assist in matching them to the next resources available.
- ✓ Do ask the client to sign the VI-SPDAT consent form prior to conducting the survey.
- ✓ Do encourage clients to seek out other housing opportunities. ✓ Do encourage clients to connect with their case managers.

✗ Don't mention a list.

✗ Don't explain to a client the type of housing program for which they are most appropriate for.

✗ Don't mention that people will receive a score after participating in a VI-SPDAT, and don't give the score or the assessment.

✗ Don't guarantee housing to a client or give them a timeframe in which they will be housed.

✗ Don't say what programs can offer (i.e. RRH can pay for a year)

✗ Don't tell a client that the most vulnerable are being prioritized for housing. Please remember that we are using the VI-SPDAT to match to appropriate housing.

## Emergency Services and Crisis Response

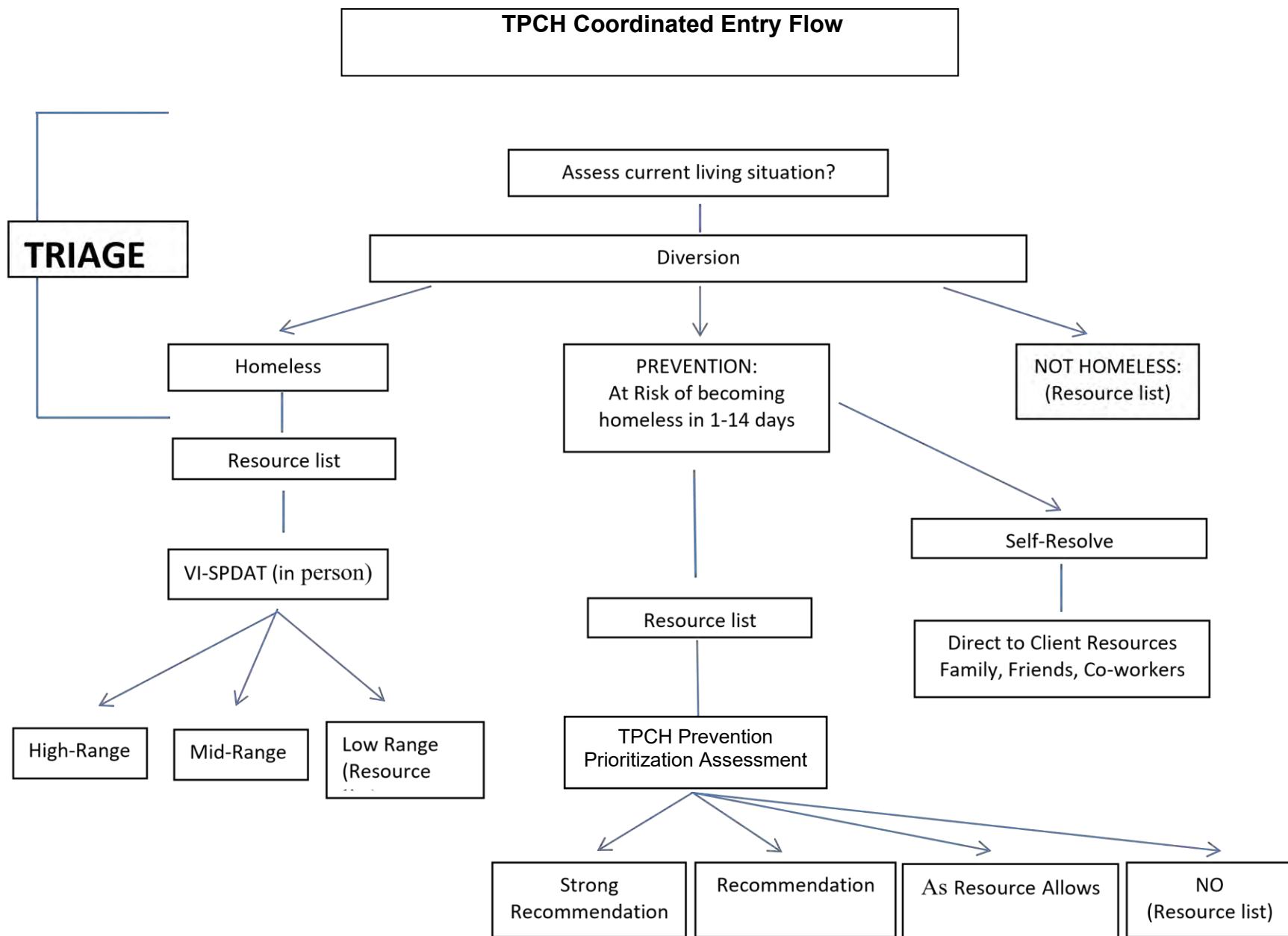
### In case of threats to life, bodily illness or injury: Phone 9-1-1

**To find available shelter beds:** Go to [www.tpch.net](http://www.tpch.net) or <http://mycommunitypt.com/pima/> . Choose “click here for shelter information”.

**To find an assessment location for homelessness or homeless prevention** or contact someone who can assess you where you are: Go to [www.tpch.net](http://www.tpch.net) and click on TPCCH\_Coordinated\_Entry\_Access\_Points\_01-05-18.pdf.

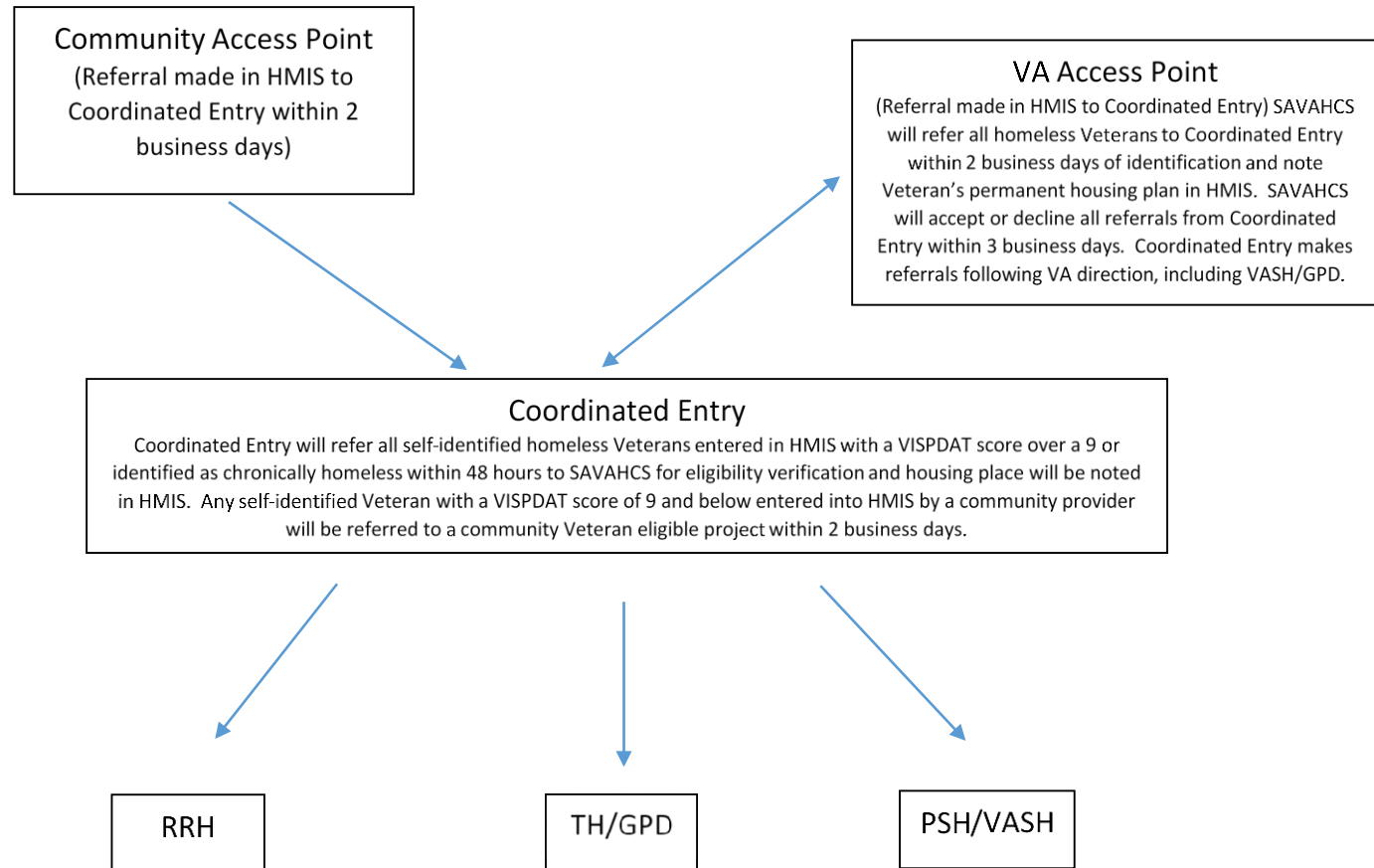
**To find resources if you need rental assistance or are concerned that you will be homeless in more than 14 days:** [www.pimacountyhelp.org](http://www.pimacountyhelp.org)

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## TPCH Coordinated Entry Flow: Veterans





## **TPCH Procedures for Non-Victim Service Providers Engaging People Fleeing Domestic Violence.**

If working with the client via phone:

Let the person know you believe them, that what is happening to them (DV) is not their fault, that you are concerned for their safety, and want them to know that help is available. Ask if they would like to talk to a specialist in providing DV-related support and safety planning via Emerge's 24/7 multilingual hotline (520-795-4266).

- If yes: If your phone system allows it, make the call to Emerge's hotline and transfer the call so that a "warm handoff" can be made. If that's not feasible, then provide them with Emerge's hotline number for them to call directly.
- If no: Provide them with Emerge's hotline number in case they change their mind or wish to call at a later time.
- NOTE: Do not try to safety plan with the person, as some actions that create safety for one person/situation can cause increased danger for another person/situation. If needed, you (as a service provider) can call the Emerge hotline and get support in devising basic safety planning steps customized to that person's specific situation.
- NOTE: Do not call the police outside of the client's wishes unless you know that a physical assault is taking place in the moment.

If working with the client in-person:

If the victim is with their abusive partner, notify the couple that you need to speak with each person individually to collect certain information. Use this as an opportunity to speak to the victim in private to share your concern and offer help.

Let the person know you believe them, that what is happening to them (DV) is not their fault, that you are concerned for their safety, and want them to know that help is available. Ask if they would like to talk to a specialist in providing DV-related support and safety planning via Emerge's 24/7 multilingual hotline (520-795-4266).

- If yes: Provide the person with a private place to call the Emerge hotline and provide them with the phone number, a glass of water (if they would like it) and something to write on/with.
- If no: Provide them with Emerge's hotline number in case they change their mind or wish to call at a later time. This can be done using a "Need Help" pamphlet or, if available, an Emerge "wallet card."
- NOTE: Do not try to safety plan with the person, as some actions that create safety for one person/situation can cause increased danger for another person/situation. If needed, you (as a service provider) can call the Emerge hotline and get support in devising basic safety planning steps customized to that person's specific situation. ○ NOTE: Do not call the police outside of the client's wishes unless you see a physical assault taking place in the moment.

## Triage Tool Process

1. The first thing you should ask the person in front of you is the GENERAL QUESTION, “Are you currently homeless?”
2. Regardless of the answer, please answer the “Diversion” questions on the Triage Tool.
3. If “Diversion” doesn’t resolve the issue at hand, and the person in front of you said, “YES” to being homeless, complete the following:
  - a. Complete the appropriate VI-SPDAT along with the Universal Data Elements.
  - b. Provide Resource Guide if needed

Please enter data into HMIS.

4. If DIVERSION doesn’t resolve the issue at hand, and the person in front of you said, “NO” to being homeless, complete the following:
  - a. Complete the appropriate prevention VI-SPDAT along with the Universal Data Elements b.
  - b. Provide Resource Guide if needed.

Please enter data into HMIS.

5. After completing 3. or 4 above. Please make sure back page questions in HMIS are answered.
6. If during the Diversion stage the person is not interested in services, but wants resources, please provide them a Resource Guide.

## TPCH Coordinated Entry Triage and Diversion Tool

**Introduction Script:** (may be paraphrased and used at beginning of conversation): To determine what services may be available for you, I will need to collect some basic information about your current situation. This information is confidential and will only be used to assist you in accessing appropriate resources or programs. You may refuse to answer any question, but doing so may mean you will not be referred to available resources that might best help you in your current situation.

**Housing Status and Prevention/Diversion/Rapid Exit Assistance:** During conversation about housing situation, obtain the following information and (if ROI) enter into HMIS.

- 1 Is applicant **homeless**? (e.g., living on street, in vehicle, in uninhabitable place or at a shelter; or exiting an institution such as treatment or incarceration *in which the individual resided for less than 90 days and entered from a homeless situation*) ☐ Yes ☐ No
- 2 If not Homeless, is applicant **at risk of becoming homeless** within the next fourteen (14) days? ☐ Yes ☐ No ☐ N/A
- 3 Is applicant in a **dangerous or life-threatening situation** such as domestic violence, trafficking, sexual assault, or stalking? (See Coordinated Entry policy on Domestic Violence) ☐ Yes ☐ No
- 4 Is there somewhere applicant (and family) could **safely stay temporarily**? (Help applicant think through potential places – with family, friends, co-workers; at motel? Have applicant identify what barriers seem to exist and possible ways to overcome them.) ☐ Yes ☐ No ☐ N/A
- 5 What **assistance** might help applicant **stay housed or quickly get housing**?
 

☐ Rent Assistance (catch-up)  
☐ Utility Assistance  
☐ Move-in Costs (deposit, 1<sup>st</sup> month rent)  
☐ Child Care  
☐ Transportation (vehicle repair, bus pass)  
☐ Food Assistance  
☐ Tenant/Landlord mediation  
☐ Legal Services  
☐ Employment  
☐ Other \_\_\_\_\_
- 6 Has applicant **exhausted all options** to get/maintain permanent housing on own? ☐ Yes ☐ No
- 7 **Triage Outcome:** (please select one)
 

☐ VI-SPDAT (homeless and/or dangerous life threatening situation)  
☐ PR-VI-SPDAT (program/case management – if late notice, eviction court notice, or some eviction notice situations))  
☐ Diversion/Rapid Exit: Self-resolve  
☐ Diversion/Rapid Exit: Natural Support (family/friends)  
☐ Diversion/Rapid Exit: Mainstream Financial Resources (rent, utilities, etc.)  
☐ Not homeless or at risk (resource list provided)

### BEFORE STARTING ANY VI-SPDAT OR PR-VI-SPDAT, ASK THE FOLLOWING:

I have a 10-15 minute assessment tool that I'd like to complete with you for possible referral to the Coordinated Entry homeless housing (or homeless prevention) program system. Would you be willing to do that with me?  
(If yes, complete the appropriate VI-SPDAT or PR-VI-SPDAT.)

In addition, I would like to provide you with information on possible resources that may be helpful in your situation. Would you be interested in getting those resources?

## TPCH Coordinated Entry: COVID-19 Assessment

Was your current episode of homelessness caused by (select all that apply):

- Loss of hours or employment related to the COVID-19 pandemic
- Unable to maintain employment because of childcare needs as a result of school/childcare closures
- Eviction or foreclosure from housing you rented or owned because of pandemic
- Other reason related to the COVID-19 pandemic (text box – describe)

Have you been diagnosed by a medical provider as currently having any of the following health conditions? Yes/No/Unsure/Client Refused

- Cancer
- Chronic kidney disease
- Chronic obstructive pulmonary disease (COPD)
- Immunocompromised state (weakened immune system) from solid organ transplant
- Obesity (body mass index [BMI] of 30 or higher)
- Serious heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies
- Sickle cell disease
- Type 2 diabetes mellitus

Have you or anyone in your household tested positive for COVID-19 at any point?

- Yes, no, unsure, client refused

## TPCH Homelessness Prevention Prioritization Assessment

**Q1: Is household's monthly rent cost equal to or greater than 40% of monthly household income?**

- ☐ Yes (5 points)
- ☐ No (0 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q2: Is the household within 7 days of losing primary nighttime residence?**

- ☐ Yes (5 points)
- ☐ No (0 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q3: Not including this time, how many times has the household been evicted in the past?**

- ☐ Total Number of Prior Evictions (1 point per prior eviction)
- ☐ Client Doesn't Know/Refused (0 points)

**Q4: Have you or any other adult member of your household previously had a lease in your name(s)?**

- ☐ Yes (0 points)
- ☐ No (1 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q5: Have you or a member of your household broken a lease in the past (refused to pay rent, moved out before the lease ended without terminating the lease, etc.)?**

- ☐ Yes (1 points)
- ☐ No (0 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q6: Not including this time, have there been other times when you were unable to pay your rent, utilities, or other bills?**

- ☐ Yes (1 points)
- ☐ No (0 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q7: Are you or an adult member of your household currently residing in a prison, hospital, or other institution or did you exit one of these facilities in the last 30 days?**

- ☐ Yes (1 points)
- ☐ No (0 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q8: Have you or an adult member of your household been convicted of a felony crime related to drugs, sex crimes, arson, or crimes against other people?**

- ☐ Yes (1 points)
- ☐ No (0 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q9: Is any member of your household pregnant or under the age of 18?**

- ☐ Yes (5 points)
- ☐ No (0 points)
- ☐ Client Doesn't Know/Refused (0 points)

**Q10: Have you or any member of your household experienced homelessness that required you to sleep outside or in a car, in another place not meant for people to live, or at an emergency shelter or transitional housing program in the past 3 years?1**

- \_\_\_\_\_ Yes (3 points)
- \_\_\_\_\_ No (0 points)
- \_\_\_\_\_ Client Doesn't Know/Refused (0 points)

**Q11: Is your current situation in any way caused by a relationship that broke down, an unhealthy or abusive relationship, or because family or friends caused you to lose your housing?**

- \_\_\_\_\_ Yes (2 points)
- \_\_\_\_\_ No (0 points)
- \_\_\_\_\_ Client Doesn't Know/Refused (0 points)

\_\_\_\_\_ **Subtotal**

\_\_\_\_\_ **(Add 2 points if household is currently fleeing or attempting to flee domestic violence, sexual assault, or stalking based on response provided in triage and diversion tool)**

\_\_\_\_\_ **Total**

## Homeless Prevention Eligibility Information

|  |  |
|--|--|
| <p><b>Agency:</b> Interfaith Community Services</p> <p><b>Program:</b> Homeless Prevention Emergency Solutions Grant (ESG) City of Tucson &amp; Pima County</p> <p><b>Population:</b> Individuals and/or families at imminent risk of homelessness</p> <p><b>Income:</b> No more than 30% Area Median Income</p> <p><b>Criteria:</b> Rental must meeting HUD Fair Market Rent Rate and pass Housing Quality Standards inspection; Past due rent letter</p> | <p><b>Agency:</b> Our Family Services</p> <p><b>Program:</b> Homeless Prevention Emergency Solutions Grant (ESG)</p> <p><b>Population:</b> Individuals and/or families at imminent risk of homelessness</p> <p><b>Income:</b> Preferred; No more than 50% Area Median Income</p> <p><b>Criteria:</b> 5-day notice to evict</p> |
| <p><b>Agency:</b> Primavera Foundation</p> <p><b>Program:</b> Project Action for Veterans (PAV)/Supportive Service for Veteran Families (SSVF)</p> <p><b>Population:</b> Veterans and their families at imminent risk of homelessness</p> <p><b>Income:</b> No more than 50% Area Median Income</p> <p><b>Criteria:</b> Must have Active Duty service with no dishonorable discharge; Eviction notice; Proof of Hardship; Rent Reasonableness</p>          | <p><b>Agency:</b> Our Family Services</p> <p><b>Program:</b> Homeless Prevention funded by Arizona Department of Housing</p> <p><b>Population:</b> Individuals and/or families at imminent risk of homelessness</p> <p><b>Income:</b> Preferred</p> <p><b>Criteria:</b> 5-days late notice</p>                                 |
| <p><b>Agency:</b> Primavera Foundation</p> <p><b>Program:</b> Homeless Prevention funded by Arizona Department of Housing</p> <p><b>Population:</b> Individuals and/or families at imminent risk of homelessness</p> <p><b>Income:</b> Preferred</p> <p><b>Criteria:</b> 5-days late notice</p>  |  |

**Area Median Income information located at:** <https://www.huduser.gov/portal/datasets/il.html>

**Fair Market Rent Rate information located at:** <https://www.huduser.gov/portal/datasets/fmr.html>

**Housing Quality Standards information located at:**  
[https://www.hud.gov/sites/documents/DOC\\_9143.PDF](https://www.hud.gov/sites/documents/DOC_9143.PDF)

## Rapid Rehousing (RRH) Projects Eligibility Information

|   |   |
|---|---|
| <p><b>Agency:</b> American Red Cross<br/> <b>Project:</b> Supportive Service for Veteran Families (SSVF) RRH<br/> <b>Population:</b> Veterans and their families who are homeless<br/> <b>Income:</b> No more than 50% Area Median Income<br/> <b>Criteria:</b> Must have Active Duty service with no dishonorable discharge; Eviction notice; Proof of Hardship; Rent Reasonableness</p>   | <p><b>Agency:</b> Community Bridges, Inc. (CBI)<br/> <b>Project:</b> ADOH Rapid Rehousing Project<br/> <b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management</p>       |
| <p><b>Agency:</b> Compass Affordable Housing<br/> <b>Project:</b> Housing Solutions Tucson (ESG) RRH<br/> <b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, remain in housing 6-months, and includes case management</p> | <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> ADOH Rapid Rehousing Project<br/> <b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management</p>                 |
| <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> DES Rapid Rehousing (ESG)<br/> <b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, and includes case management</p>   | <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> Home Again (CoC) RRH<br/> <b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, and includes case management</p>                        |
| <p><b>Agency:</b> Pima County/Sullivan Jackson Employment Center<br/> <b>Project:</b> ADOH Pima County Links RRH<br/> <b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, and includes case management</p>                 | <p><b>Agency:</b> Pima County/Sullivan Jackson Employment Center<br/> <b>Project:</b> Advent (CoC) RRH<br/> <b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, and includes case management</p> |



|  |   |
|--|---|
| <p><b>Agency:</b> Pima County/Sullivan Jackson Employment Center</p> <p><b>Project:</b> Casa (CoC) RRH</p> <p><b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)</p> <p><b>Income:</b> None Required</p> <p><b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, and includes case management</p>  | <p><b>Agency:</b> Pima County/Sullivan Jackson Employment Center</p> <p><b>Project:</b> One Stop (CoC) RRH</p> <p><b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)</p> <p><b>Income:</b> None Required</p> <p><b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, and includes case management</p> |
| <p><b>Agency:</b> Primavera Foundation</p> <p><b>Program:</b> Project Action for Veterans (PAV) /Supportive Service for Veteran Families (SSVF) RRH</p> <p><b>Population:</b> Veterans and their families at imminent risk of homelessness</p> <p><b>Income:</b> No more than 50% Area Median Income</p> <p><b>Criteria:</b> Must have Active Duty service in the active military, naval or air service (active duty may include basic training) with other than dishonorable discharge and not dismissed by reason of a General Court-martial. To be eligible, National Guard and Reserve members must have been called into Federal service. Eviction notice; Proof of Hardship; Rent Reasonableness</p> | <p><b>Agency:</b> Primavera Foundation</p> <p><b>Project:</b> ADOH Rapid Rehousing Project</p> <p><b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)</p> <p><b>Income:</b> None Required</p> <p><b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management</p>                  |
| <p><b>Agency:</b> Primavera Foundation</p> <p><b>Project:</b> Home Again (CoC) RRH</p> <p><b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)</p> <p><b>Income:</b> None Required</p> <p><b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management</p>   | <p><b>Agency:</b> Primavera Foundation</p> <p><b>Project:</b> Rapid Rehousing (CoT ESG)</p> <p><b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)</p> <p><b>Income:</b> None Required</p> <p><b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management</p>                     |
| <p><b>Agency:</b> Primavera Foundation</p> <p><b>Project:</b> DES Rapid Rehousing (ESG)</p> <p><b>Population:</b> Individuals, Couples, Families, Youth &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)</p> <p><b>Income:</b> None Required</p> <p><b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management</p>  |   |

## Transitional Housing (TH) Projects Eligibility Information

|  |  |
|--|--|
| <p><b>Agency:</b> OPCS<br/> <b>Project:</b> Oasis Project (CoC) TH<br/> <b>Population:</b> Individuals &amp; Families who have been discharged from Jail or Prison in the previous 12 months AND HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> | <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> Blacklidge Youth Transitional<br/> <b>Population:</b> Youth (aged 18-24) &amp; Meet HUD Literally Homeless Definition (see Homeless Definition Page)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Project based housing and includes case management</p>   |
| <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> Community Unity (RHY) TH<br/> <b>Population:</b> Youth (aged 18-21)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Includes case management</p>  | <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> Couples (RHY) w/ children TH<br/> <b>Population:</b> Youth (aged 18-21)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Includes case management</p>  |
| <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> Your Place (CoC) TH<br/> <b>Population:</b> Youth (aged 18-24)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Includes case management</p>   | <p><b>Agency:</b> Pima County/Sullivan Jackson Employment Center<br/> <b>Project:</b> La Casita (CoC) TH<br/> <b>Population:</b> Youth (aged 18-24) &amp; Meet HUD Literally Homeless Definition (see Homeless Definition below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> |

## Permanent Supportive Housing (PSH) Projects Eligibility Information

|  |   |
|--|---|
| <p><b>Agency:</b> CODAC<br/> <b>Project:</b> Enhanced Supportive Housing (ESH)(CoC) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management.</p>   | <p><b>Agency:</b> CODAC<br/> <b>Project:</b> Solitude (CoC) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management.</p>  |
| <p><b>Agencies:</b> CODAC, Cope, OPCS<br/> <b>Project:</b> ECHO (CoC) (CoT) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below) and Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management.</p>  | <p><b>Agencies:</b> Community Bridges (CBI), Community Partners (CPI), Southern Arizona AIDS Foundation (SAAF) PSH<br/> <b>Project:</b> Shelter Plus Care II (CoC) (CoT)<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> |
| <p><b>Agencies:</b> Community Bridges (CBI), Community Partners (CPI), OPCS, Southern Arizona AIDS Foundation (SAAF), TMM Family Services<br/> <b>Project:</b> Shelter Plus Care IV (CoC) (CoT) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> | <p><b>Agencies:</b> Community Partners (CPI), Southern Arizona AIDS Foundation (SAAF)<br/> <b>Project:</b> Pathways (CoC) (CoT) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p>                                      |

|   |  |
|---|--|
| <p><b>Agency:</b> Community Partners Inc. (CPI)<br/> <b>Project:</b> Shelter Plus Care TRA Pima (CoC) (ADOH) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> | <p><b>Agency:</b> Community Partners Inc. (CPI)<br/> <b>Project:</b> Frontiers (CoC) PSH<br/> <b>Population:</b> Youth (aged 18-24) with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> |
| <p><b>Agency:</b> Cope Community Services<br/> <b>Project:</b> Lifeworks Supportive Housing Project (CoC) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p>    | <p><b>Agency:</b> OPCS<br/> <b>Project:</b> Agave (CoC) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below) and Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p>                    |
| <p><b>Agency:</b> OPCS<br/> <b>Project:</b> My Home (CoC) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below) and Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p>   | <p><b>Agency:</b> Our Family Services<br/> <b>Project:</b> Homes First PSH (CoC) PSH<br/> <b>Population:</b> Youth (aged 18-24) with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below); and Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection, and includes case management</p>   |

|  |  |
|--|--|
| <p><b>Agency:</b> Southern Arizona AIDS Foundation (SAAF)<br/> <b>Project:</b> Long Term Housing (CoC) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below) and Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p>       | <p><b>Agency:</b> Southern Arizona AIDS Foundation (SAAF)<br/> <b>Project:</b> Positive Housing Opportunities II (CoC) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below) and Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> |
| <p><b>Agency:</b> Southern Arizona AIDS Foundation (SAAF)<br/> <b>Project:</b> Project Bienestar (CoC) (CPI) PSH<br/> <b>Population:</b> Individuals, Couples, Families, Youth with a HUD disabling condition &amp; HUD Literally Homeless Definition (see Homeless Definition below) and Prioritizes Chronic Homelessness (see below)<br/> <b>Income:</b> None Required<br/> <b>Criteria:</b> Rental must meet HUD Fair Market Rent Rate, pass Housing Quality Standards inspection and includes case management; Project based housing also available.</p> | <p><b>Agency:</b> Southern Arizona VA Health Care System (SAVAHCS)<br/> <b>Project:</b> HUD- VA Supportive Housing (VASH)<br/> <b>Population:</b> Veterans who qualify for VA services and their family<br/> <b>Income:</b> No more than 50% Area Median Income<br/> <b>Criteria:</b> Veteran must be homeless, have a disabling condition and need for case management and be willing to engage in case management. Rental must meet HUD requirements.</p>  |
| <p><b>Agency:</b> Tohono O'Odham Ki:Ki Association (TOKA)<br/> <b>Project:</b> Tribal Housing HUD- VA Supportive Housing (VASH)<br/> <b>Population:</b> Veterans who qualify for VA services and their family<br/> <b>Income:</b> No more than 80% Area Median Income<br/> <b>Criteria:</b> Veteran must be homeless, have a disabling condition and need for case management and be willing to engage in case management. Rental must meet HUD requirements.</p>  |  |

#### HUD Homeless Definitions:

[https://www.hudexchange.info/resources/documents/HomelessDefinition\\_RecordkeepingRequirementsandCriteria.pdf](https://www.hudexchange.info/resources/documents/HomelessDefinition_RecordkeepingRequirementsandCriteria.pdf)

#### HUD Chronic Homeless Definition:

<https://www.hudexchange.info/resources/documents/Flowchart-of-HUDs-Definition-of-Chronic-Homelessness.pdf>

**Area Median Income information located at:** <https://www.huduser.gov/portal/datasets/il.html>

**Fair Market Rent Rate information located at:**

<https://www.huduser.gov/portal/datasets/fmr.html> **Housing Quality Standards information**

**located at:** [https://www.hud.gov/sites/documents/DOC\\_9143.PDF](https://www.hud.gov/sites/documents/DOC_9143.PDF)

## Outreach Checklist for Permanent Supportive Housing Providers

|                      |                          |                          |
|----------------------|--------------------------|--------------------------|
| HMIS Client ID: ____ | Agency & Project Name: _ | Responsible Staff: _____ |
|----------------------|--------------------------|--------------------------|

| Outreach Effort  | W<br>e<br>e<br>k<br>1 | W<br>e<br>e<br>k<br>2 | W<br>e<br>e<br>k<br>3 | W<br>e<br>e<br>k<br>4 | Date/Notes/Staff |
|--|-----------------------|-----------------------|-----------------------|-----------------------|------------------|
| <b>HMIS Clues:</b>                                     |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Agency Affiliations           |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Call Records/Notes            |                       |                       |                       |                       |                  |
| <input type="checkbox"/> VI SPDAT Agency               |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Family/Messag<br>e Info       |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Program Entries               |                       |                       |                       |                       |                  |
| <b>Check the Community:</b>                            |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Downtown Donut visit          |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Court Roster (Ward 5)         |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Social Media (Facebook, etc.) |                       |                       |                       |                       |                  |
| <input type="checkbox"/> Pima County Inmate Lookup     |                       |                       |                       |                       |                  |
| <input type="checkbox"/> State Inmate Lookup           |                       |                       |                       |                       |                  |

|                                     |  |  |  |  |  |  |
|-------------------------------------|--|--|--|--|--|--|
|                                     | VA Bldg. 90  |  |  |  |  |  |
|                                     | VI SPDAT<br>Noted Location   |  |  |  |  |  |
| <b>Shelters/Agency<br/>POCS:</b>    |  |  |  |  |  |  |
| <input type="checkbox"/>            | Casa Maria<br>visit  |  |  |  |  |  |
|                                     | Church on the<br>Street visit  |  |  |  |  |  |
|                                     | Gospel Rescue<br>Mission   |  |  |  |  |  |
|                                     | Primavera +<br>Mail  |  |  |  |  |  |
|                                     | Salvation Army   |  |  |  |  |  |
|                                     | Sister Jose's  |  |  |  |  |  |
|                                     | St Francis<br>Shelter  |  |  |  |  |  |
| <input type="checkbox"/>            | Summer<br>Cooling<br>sites/Winter<br>Shelter (TPCH<br>website updates) |  |  |  |  |  |
|                                     | Veterans on<br>Patrol  |  |  |  |  |  |
| <b>Community<br/>Outreach Dates</b> |  |  |  |  |  |  |

## Outreach Checklist for Rapid Re-Housing Providers

|                      |                          |                          |
|----------------------|--------------------------|--------------------------|
| HMIS Client ID: ____ | Agency & Project Name: _ | Responsible Staff: _____ |
|----------------------|--------------------------|--------------------------|

| Outreach Effort  | Week 1 | Final Week | Date/Notes/Staff |
|--|--------|------------|------------------|
| <b>HMIS Clues:</b>                                     |        |            |                  |
| <input type="checkbox"/> Agency Affiliations           |        |            |                  |
| <input type="checkbox"/> Call Records/Notes            |        |            |                  |
| <input type="checkbox"/> VI SPDAT Agency               |        |            |                  |
| <input type="checkbox"/> Family/Message Info           |        |            |                  |
| <input type="checkbox"/> Program Entries               |        |            |                  |
| <b>Check the Community:</b>                            |        |            |                  |
| <input type="checkbox"/> Downtown Donut visit          |        |            |                  |
| <input type="checkbox"/> Court Roster (Ward 5)         |        |            |                  |
| <input type="checkbox"/> Social Media (Facebook, etc.) |        |            |                  |
| <input type="checkbox"/> Pima County Inmate Lookup     |        |            |                  |
| <input type="checkbox"/> State Inmate Lookup           |        |            |                  |
| <input type="checkbox"/> VA Bldg. 90                   |        |            |                  |
| <input type="checkbox"/> VI SPDAT Noted Location       |        |            |                  |
| <b>Shelters/Agency POCS:</b>                           |        |            |                  |



|                          |  |  |  |  |
|--------------------------|--|--|--|--|
| <input type="checkbox"/> | Casa Maria visit   |  |  |  |
| <input type="checkbox"/> | Church on the Street visit                                 |  |  |  |
| <input type="checkbox"/> | Gospel Rescue Mission                                      |  |  |  |
| <input type="checkbox"/> | Primavera + Mail   |  |  |  |
| <input type="checkbox"/> | Salvation Army   |  |  |  |
| <input type="checkbox"/> | Sister Jose's  |  |  |  |
| <input type="checkbox"/> | St Francis Shelter   |  |  |  |
| <input type="checkbox"/> | Summer Cooling sites/Winter Shelter (TPCH website updates) |  |  |  |
| <input type="checkbox"/> | Veterans on Patrol   |  |  |  |
| Community Outreach Dates |  |  |  |  |

## Outreach Contacts

| Agency/Location                    | Point of Contact  | Details  |
|------------------------------------|---|--|
| City Court                         | Lupita Robles   | 791-4231 or<br><a href="mailto:lupita.robles@tucsonaz.gov">lupita.robles@tucsonaz.gov</a>  |
| Hospitals & Crisis Response Center | (Tucson Fire TC3 Navigator)   | Physical Visit   |
| Pima County inmate Lookup          | <a href="http://www.sheriff.pima.gov/inmate/">www.sheriff.pima.gov/inmate/</a>  | Internet; also contact Community Health Associates   |
| State Inmate Lookup                | <a href="https://corrections.az.gov/public-resources/inmate-datasearch">https://corrections.az.gov/public-resources/inmate-datasearch</a> | Internet   |
| Casa Maria                         | Physical Visit 352 E 25 <sup>th</sup> St  | Daily 8:30 – 11:30 am  |
| Church on the Street               | Physical Visit 1402 S Tyndall   | Pastor Tim Booker<br><a href="mailto:Pastortim.cots@gmail.com">Pastortim.cots@gmail.com</a>  |
| Gospel Rescue Mission              | 740-1501  |  |
| Primavera                          | Emma Hockenberg 623-5111  | <a href="mailto:ehockenberg@primavera.org">ehockenberg@primavera.org</a>   |
| Salvation Army                     | 1002 N Main Ave<br>Kim Graham Ph# 448-5506 Steve Adams Ph# 448-5523   | <a href="mailto:kim.graham@usw.salvationarmy.org">kim.graham@usw.salvationarmy.org</a><br><a href="mailto:steven.adams@usw.salvationarmy.org">steven.adams@usw.salvationarmy.org</a> |
| Sister Jose Women's Center         | 1050 S Park Ave Ph#909-3905<br>Penny Buckley C# 471-4903  | <a href="mailto:admin@sisterjose.org">admin@sisterjose.org</a>   |
| St. Francis Shelter                | 601 E Ft Lowell Rd Ph# 269-2169<br>Carl Zawatski C# 406-5300  | <a href="mailto:czawatski56@gmail.com">czawatski56@gmail.com</a><br>Facebook: St Francis Men's Center  |
| VA Bldg. 90                        | Jocelyn Muzzin<br>792-1450 x1901  | <a href="mailto:jocelyn.muzzin@va.gov">jocelyn.muzzin@va.gov</a>   |

## **Case Conferencing Key Terms and Definitions**

Attempting To Locate (ATL) – Housing provider is working to engage with client.  
Being Served – Client is engaged with the VA and their providers for permanent housing. Community Vouchered – Veteran is accepted for community Permanent Supportive Housing (PSH) and must locate housing within 60-days of voucher before expiration.

Housed by Self – Client has obtained permanent housing.

Housed/VASH Housed – Client is in Rapid Rehousing or Permanent Supportive Housing (PSH). In Process – Housing provider is engaged with client with housing plan. Missing/No Contact – Client has not been in contact with the community for a minimum of 90 days or longer.

No Update/Pending – Housing provider has no current or new status report. Outreach – Community Outreach List.

Priority/By-Name List – Client(s) VI-SPDAT sent to HMIS and placed on priority list.

“Tax Credit” Wait List – Veteran is being referred for special tax credit housing.

VASH Referred – Veteran is referred for VASH housing. VASH Accepted – Veteran is approved for VASH housing.

Vouchered – Person is accepted for housing and must locate housing within a certain time frame (120-days for VASH or 90 days for HCV) of voucher before expiration.



### TPCH Coordinated Entry Transfer Request

Date of Request \_\_\_\_/\_\_\_\_/\_\_\_\_ Client HMIS ID \_\_\_\_\_  
Provider Name \_\_\_\_\_ Provider Contact \_\_\_\_\_  
Contact Phone \_\_\_\_\_ Contact E-mail \_\_\_\_\_

**Is the request being made out of an immediate concern for the client's risk of inflicting harm to themselves or to others? No**

#### Transfer Timeline

Date Client Entered Housing Program \_\_\_\_\_ Date of Transfer Request \_\_\_\_\_  
Date Assistance Ends (End date of maximum period of assistance per program funding guidelines) \_\_\_\_\_

#### Type of Transfer Requested

- ☐ Request to transfer between two projects of the same type at the same organization  
☐ Request to transfer to the same project type at another organization  
☐ Request to transfer from one project type to another project type  
Current project type: Permanent Supportive Housing  
Project Type to Which Transfer is Requested Permanent Supportive Housing

#### Reason(s) for Transfer Request

Reason for transfer must be allowable for the type of transfer requested as defined by the TPCH Coordinated Entry Policies & Procedures.

- ☐ Client request  
☐ Current project has exhausted all efforts to meet client needs  
☐ Household is within 90 days of reaching maximum length of service and unlikely to achieve housing stability without further assistance.  
☐ Project is closing or has experienced reduction in funding.  
☐ Client is no longer in need of intensive residential services but is unlikely to achieve housing stability without further supportive housing assistance (Safe Haven projects only).

#### Client Choice

Has the client agreed to switch programs if the transfer request is approved? Client has not been consulted  
*Do not submit transfer request if client has not been consulted or has not agreed to switch programs.*

#### Additional Requirements for Transfers to Permanent Supportive Housing

- ☐ Current project staff have verified that household meets chronic homelessness and/or Dedicated Plus eligibility requirements and uploaded complete documentation to the client's HMIS record.  
☐ Current project staff have conducted a VI-SPDAT within 30 days prior to transfer request and confirmed that household presently experiences high severity of service needs as defined by the TPCH Written Standards.  
☐ Current project has provided housing and supportive services assistance for at least 90 days and has documented specific needs that cannot be addressed by the project to achieve housing stability within the maximum period of assistance allowed under the project's funding guidelines).

**Justification for Transfer Request**

Please provide a detailed description of this transfer request. Identify the specific needs that cannot be addressed by the current project and detail all efforts taken to address those needs prior to making this transfer request. Attach additional pages if needed.

**For Coordinated Entry Staff Only:**

Transfer Request is Allowable: No – household did not enter through Coordinated Entry

Outcome of Transfer Request: Returned for Further Attempts to Address Household Needs (May Resubmit at Later Date if Needed)

Staff Person: \_\_\_\_\_

## Exhibit K: HUD Continuum of Care Interim Rule (24 CFR 578)

### Ofc. of Asst. Secy., Comm. Planning, Develop., HUD

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(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 recipient'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 recipient 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 recipient to make further matching contributions to make up for the contribution determined to be ineligible.

(6) HUD may require the recipient 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 recipient and reallocate those funds to other recipients 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.

(c) *Recipient sanctions.* If the recipient determines that a subrecipient is not complying with an ESG program requirement or its subgrant agreement, the recipient must take appropriate actions, as prescribed for HUD in paragraphs (a) and (b) of this section. If the recipient is a State and funds become available as a result of an action under this section, the recipient must reallocate those funds to other subrecipients as soon as practicable. If the recipient 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 recipient as soon as practicable. The re-

cipient must 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 §576.203.

### PART 578—CONTINUUM OF CARE PROGRAM

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AUTHORITY: 42 U.S.C. 11371 *et seq.*, 42 U.S.C. 3535(d).

SOURCE: 77 FR 45442, July 31, 2012, unless otherwise noted.

### Subpart A—General Provisions

#### § 578.1 Purpose and scope.

(a) The Continuum of Care program is authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381–11389).

(b) The program is designed to:

- (1) Promote communitywide commitment to the goal of ending homelessness;
- (2) Provide funding for efforts by non-profit providers, States, and local governments to quickly rehouse homeless individuals (including unaccompanied youth) and families, while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness;

(3) Promote access to and effective utilization of mainstream programs by homeless individuals and families; and

(4) Optimize self-sufficiency among individuals and families experiencing homelessness.

#### § 578.3 Definitions.

As used in this part:

*Act* means the McKinney-Vento Homeless Assistance Act as amended (42 U.S.C. 11371 *et seq.*).

*Annual renewal amount* means the amount that a grant can be awarded on an annual basis when renewed. It includes funds only for those eligible activities (operating, supportive services, leasing, rental assistance, HMIS, and administration) that were funded in the original grant (or the original grant as amended), less the unrenewable activities (acquisition, new construction, rehabilitation, and any administrative costs related to these activities).

*Applicant* means an eligible applicant that has been designated by the Continuum of Care to apply for assistance under this part on behalf of that Continuum.

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

*Centralized or coordinated assessment system* means a centralized or coordinated process designed to coordinate program participant intake assessment and provision of referrals. A centralized or coordinated assessment system covers the geographic area, is easily accessed by individuals and families seeking housing or services, is well advertized, and includes a comprehensive and standardized assessment tool.

*Chronically homeless.* (1) An individual who:

(i) Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and

(ii) Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years; and

(iii) Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;

(2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

*Collaborative applicant* means the eligible applicant that has been designated by the Continuum of Care to apply for a grant for Continuum of Care planning funds under this part on behalf of the Continuum.

*Consolidated plan* means the HUD-approved plan developed in accordance with 24 CFR 91.

*Continuum of Care and Continuum* means the group organized to carry out the responsibilities required under this part and that is composed of representatives of organizations, including non-profit 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 to the extent these groups are represented within the geographic area and are available to participate.

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

(1) A severe, chronic disability of an individual that—

(i) Is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) Is manifested before the individual attains age 22;

(iii) Is likely to continue indefinitely;

(iv) Results in substantial functional limitations in three or more of the following areas of major life activity:

(A) Self-care;

(B) Receptive and expressive language;

(C) Learning;

(D) Mobility;

(E) Self-direction;

(F) Capacity for independent living;

(G) Economic self-sufficiency.

(v) Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(2) An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting three or more of the criteria described in paragraphs (1)(i) through (v) of the definition of “developmental disability” in this section if the individual, without services and supports, has a high probability of meeting these criteria later in life.

*Eligible applicant* means a private nonprofit organization, State, local government, or instrumentality of State and local government.

*Emergency shelter* is defined in 24 CFR part 576.

*Emergency Solutions Grants (ESG)* means the grants provided under 24 CFR part 576.

*Fair Market Rent (FMR)* means the Fair Market Rents published in the FEDERAL REGISTER annually by HUD.

*High-performing community (HPC)* means a Continuum of Care that meets the standards in subpart E of this part and has been designated as a high-performing community by HUD.

*Homeless* means:

(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, and faith-based or other social networks, to obtain other permanent housing.

*Homeless Management Information System (HMIS)* means the information system designated by the Continuum of

Care to comply with the HMIS requirements prescribed by HUD.

*HMIS Lead* means the entity designated by the Continuum of Care in accordance with this part to operate the Continuum's HMIS on its behalf.

*Permanent housing* means community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid rehousing. To be permanent housing, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause.

*Permanent supportive housing* means permanent housing in which supportive services are provided to assist homeless persons with a disability to live independently.

*Point-in-time count* means a count of sheltered and unsheltered homeless persons carried out on one night in the last 10 calendar days of January or at such other time as required by HUD.

*Private nonprofit organization* means an organization:

(1) No part of the net earnings of which inure to the benefit of any member, founder, contributor, or individual;

(2) That has a voluntary board;

(3) That has a functioning accounting system that is operated in accordance with generally accepted accounting principles, or has designated a fiscal agent that will maintain a functioning accounting system for the organization in accordance with generally accepted accounting principles; and

(4) That practices nondiscrimination in the provision of assistance.

A private nonprofit organization does not include governmental organizations, such as public housing agencies.

*Program participant* means an individual (including an unaccompanied youth) or family who is assisted with Continuum of Care program funds.

*Project* means a group of eligible activities, such as HMIS costs, identified as a project in an application to HUD for Continuum of Care funds and includes a structure (or structures) that is (are) acquired, rehabilitated, constructed, or leased with assistance provided under this part or with respect to which HUD provides rental assistance

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or annual payments for operating costs, or supportive services under this subtitle.

*Recipient* means an applicant that signs a grant agreement with HUD.

*Safe haven* means, for the purpose of defining chronically homeless, supportive housing that meets the following:

(1) Serves hard to reach homeless persons with severe mental illness who came from the streets and have been unwilling or unable to participate in supportive services;

(2) Provides 24-hour residence for eligible persons for an unspecified period;

(3) Has an overnight capacity limited to 25 or fewer persons; and

(4) Provides low-demand services and referrals for the residents.

*State* means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Marianas, and the Virgin Islands.

*Subrecipient* means a private nonprofit organization, State, local government, or instrumentality of State or local government that receives a subgrant from the recipient to carry out a project.

*Transitional housing* means housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended.

*Unified Funding Agency* (UFA) means an eligible applicant selected by the Continuum of Care to apply for a grant for the entire Continuum, which has the capacity to carry out the duties in § 578.11(b), which is approved by HUD and to which HUD awards a grant.

*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 vio-

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lence transitional housing programs, and other programs.

### Subpart B—Establishing and Operating a Continuum of Care

#### § 578.5 Establishing the Continuum of Care.

(a) *The Continuum of Care.* Representatives from relevant organizations within a geographic area shall establish a Continuum of Care for the geographic area to carry out the duties of this part. Relevant organizations include nonprofit homeless assistance 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, and organizations that serve veterans and homeless and formerly homeless individuals.

(b) *The board.* The Continuum of Care must establish a board to act on behalf of the Continuum using the process established as a requirement by § 578.7(a)(3) and must comply with the conflict-of-interest requirements at § 578.95(b). The board must:

(1) Be representative of the relevant organizations and of projects serving homeless subpopulations; and

(2) Include at least one homeless or formerly homeless individual.

(c) *Transition.* Continuums of Care shall have 2 years after August 30, 2012 to comply with the requirements of paragraph (b) of this section.

#### § 578.7 Responsibilities of the Continuum of Care.

(a) *Operate the Continuum of Care.* The Continuum of Care must:

(1) Hold meetings of the full membership, with published agendas, at least semi-annually;

(2) Make an invitation for new members to join publicly available within the geographic area at least annually;

(3) Adopt and follow a written process to select a board to act on behalf of the Continuum of Care. The process must be reviewed, updated, and approved by the Continuum at least once every 5 years;

(4) Appoint additional committees, subcommittees, or workgroups;

(5) In consultation with the collaborative applicant and the HMIS Lead, develop, follow, and update annually a governance charter, which will include all procedures and policies needed to comply with subpart B of this part and with HMIS requirements as prescribed by HUD; and a code of conduct and recusal process for the board, its chair(s), and any person acting on behalf of the board;

(6) Consult with recipients and subrecipients to establish performance targets appropriate for population and program type, monitor recipient and subrecipient performance, evaluate outcomes, and take action against poor performers;

(7) Evaluate outcomes of projects funded under the Emergency Solutions Grants program and the Continuum of Care program, and report to HUD;

(8) In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. The Continuum must develop a specific policy to guide the operation of the centralized or coordinated assessment system on how its system will address the needs of individuals and families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from non-victim service providers. This system must comply with any requirements established by HUD by Notice.

(9) In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and consistently follow written standards for providing Continuum of Care assistance. At a minimum, these written standards must include:

(i) Policies and procedures for evaluating individuals' and families' eligibility for assistance under this part;

(ii) Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance;

(iii) Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid rehousing assistance;

(iv) Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance;

(v) Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance; and

(vi) Where the Continuum is designated a high-performing community, as described in subpart G of this part, policies and procedures set forth in 24 CFR 576.400(e)(3)(vi), (e)(3)(vii), (e)(3)(viii), and (e)(3)(ix).

(b) *Designating and operating an HMIS.* The Continuum of Care must:

(1) Designate a single Homeless Management Information System (HMIS) for the geographic area;

(2) Designate an eligible applicant to manage the Continuum's HMIS, which will be known as the HMIS Lead;

(3) Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.

(4) Ensure consistent participation of recipients and subrecipients in the HMIS; and

(5) Ensure the HMIS is administered in compliance with requirements prescribed by HUD.

(c) *Continuum of Care planning.* The Continuum must develop a plan that includes:

(1) Coordinating the implementation of a housing and service system within its geographic area that meets the needs of the homeless individuals (including unaccompanied youth) and families. At a minimum, such system encompasses the following:

(i) Outreach, engagement, and assessment;

(ii) Shelter, housing, and supportive services;

(iii) Prevention strategies.

(2) Planning for and conducting, at least biennially, a point-in-time count of homeless persons within the geographic area that meets the following requirements:

(i) Homeless persons who are living in a place not designed or ordinarily

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used as a regular sleeping accommodation for humans must be counted as unsheltered homeless persons.

(ii) Persons living in emergency shelters and transitional housing projects must be counted as sheltered homeless persons.

(iii) Other requirements established by HUD by Notice.

(3) Conducting an annual gaps analysis of the homeless needs and services available within the geographic area;

(4) Providing information required to complete the Consolidated Plan(s) within the Continuum's geographic area;

(5) Consulting with State and local government Emergency Solutions Grants program recipients within the Continuum's geographic area on the plan for allocating Emergency Solutions Grants program funds and reporting on and evaluating the performance of Emergency Solutions Grants program recipients and subrecipients.

## § 578.9 Preparing an application for funds.

(a) The Continuum must:

(1) Design, operate, and follow a collaborative process for the development of applications and approve the submission of applications in response to a NOFA published by HUD under § 578.19 of this subpart;

(2) Establish priorities for funding projects in the geographic area;

(3) Determine if one application for funding will be submitted for all projects within the geographic area or if more than one application will be submitted for the projects within the geographic area;

(i) If more than one application will be submitted, designate an eligible applicant to be the collaborative applicant that will collect and combine the required application information from all applicants and for all projects within the geographic area that the Continuum has selected funding. The collaborative applicant will also apply for Continuum of Care planning activities. If the Continuum is an eligible applicant, it may designate itself;

(ii) If only one application will be submitted, that applicant will be the collaborative applicant and will collect and combine the required application

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information from all projects within the geographic area that the Continuum has selected for funding and apply for Continuum of Care planning activities;

(b) The Continuum retains all of its responsibilities, even if it designates one or more eligible applicants other than itself to apply for funds on behalf of the Continuum. This includes approving the Continuum of Care application.

## § 578.11 Unified Funding Agency.

(a) *Becoming a Unified Funding Agency.* To become designated as the Unified Funding Agency (UFA) for a Continuum, a collaborative applicant must be selected by the Continuum to apply to HUD to be designated as the UFA for the Continuum.

(b) *Criteria for designating a UFA.* HUD will consider these criteria when deciding whether to designate a collaborative applicant a UFA:

(1) The Continuum of Care it represents meets the requirements in § 578.7;

(2) The collaborative applicant has financial management systems that meet the standards set forth in 24 CFR 84.21 (for nonprofit organizations) and 24 CFR 85.20 (for States);

(3) The collaborative applicant demonstrates the ability to monitor subrecipients; and

(4) Such other criteria as HUD may establish by NOFA.

(c) *Requirements.* HUD-designated UFAs shall:

(1) Apply to HUD for funding for all of the projects within the geographic area and enter into a grant agreement with HUD for the entire geographic area.

(2) Enter into legally binding agreements with subrecipients, and receive and distribute funds to subrecipients for all projects within the geographic area.

(3) Require subrecipients to establish fiscal control and accounting procedures as necessary to assure the proper disbursement of and accounting for federal funds in accordance with the requirements of 24 CFR parts 84 and 85 and corresponding OMB circulars.

(4) Obtain approval of any proposed grant agreement amendments by the

Continuum of Care before submitting a request for an amendment to HUD.

**§ 578.13 Remedial action.**

(a) If HUD finds that the Continuum of Care for a geographic area does not meet the requirements of the Act or its implementing regulations, or that there is no Continuum for a geographic area, HUD may take remedial action to ensure fair distribution of grant funds within the geographic area. Such measures may include:

(1) Designating a replacement Continuum of Care for the geographic area;

(2) Designating a replacement collaborative applicant for the Continuum's geographic area; and

(3) Accepting applications from other eligible applicants within the Continuum's geographic area.

(b) HUD must provide a 30-day prior written notice to the Continuum and its collaborative applicant and give them an opportunity to respond.

**Subpart C—Application and Grant Award Process**

**§ 578.15 Eligible applicants.**

(a) *Who may apply.* Nonprofit organizations, States, local governments, and instrumentalities of State or local governments are eligible to apply for grants.

(b) *Designation by the Continuum of Care.* Eligible applicant(s) must have been designated by the Continuum of Care to submit an application for grant funds under this part. The designation must state whether the Continuum is designating more than one applicant to apply for funds and, if it is, which applicant is being designated as the collaborative applicant. If the Continuum is designating only one applicant to apply for funds, the Continuum must designate that applicant to be the collaborative applicant.

(c) *Exclusion.* For-profit entities are not eligible to apply for grants or to be subrecipients of grant funds.

**§ 578.17 Overview of application and grant award process.**

(a) *Formula.* (1) After enactment of the annual appropriations act for each fiscal year, and issuance of the NOFA, HUD will publish, on its Web site, the

Preliminary Pro Rata Need (PPRN) assigned to metropolitan cities, urban counties, and all other counties.

(2) HUD will apply the formula used to determine PPRN established in paragraph (a)(3) of this section, to the amount of funds being made available under the NOFA. That amount is calculated by:

(i) Determining the total amount for the Continuum of Care competition in accordance with section 413 of the Act or as otherwise directed by the annual appropriations act;

(ii) From the amount in paragraph (a)(2)(i) of this section, deducting the amount published in the NOFA as being set aside to provide a bonus to geographic areas for activities that have proven to be effective in reducing homelessness generally or for specific subpopulations listed in the NOFA or achieving homeless prevention and independent living goals established in the NOFA and to meet policy priorities set in the NOFA; and

(iii) Deducting the amount of funding necessary for Continuum of Care planning activities and UFA costs.

(3) PPRN is calculated on the amount determined under paragraph (a)(2) of this section by using the following formula:

(i) Two percent will be allocated among the four insular areas (American Samoa, Guam, the Commonwealth of the Northern Marianas, and the Virgin Islands) on the basis of the ratio of the population of each insular area to the population of all insular areas.

(ii) Seventy-five percent of the remaining amount will be allocated, using the Community Development Block Grant (CDBG) formula, to metropolitan cities and urban counties that have been funded under either the Emergency Shelter Grants or Emergency Solutions Grants programs in any one year since 2004.

(iii) The amount remaining after the allocation under paragraphs (a)(1) and (2) of this section will be allocated, using the CDBG formula, to metropolitan cities and urban counties that have not been funded under the Emergency Solutions Grants program in any year since 2004 and all other counties in the United States and Puerto Rico.

(4) If the calculation in paragraph (a)(2) of this section results in an amount less than the amount required to renew all projects eligible for renewal in that year for at least one year, after making adjustments proportional to increases in fair market rents for the geographic area for leasing, operating, and rental assistance for permanent housing, HUD will reduce, proportionately, the total amount required to renew all projects eligible for renewal in that year for at least one year, for each Continuum of Care. HUD will publish, via the NOFA, the total dollar amount that every Continuum will be required to deduct from renewal projects Continuum-wide.

(b) *Calculating a Continuum of Care's maximum award amount.* (1) *Establish the PPRN amount.* First, HUD will total the PPRN amounts for each metropolitan city, urban county, other county, and insular area claimed by the Continuum as part of its geographic area, excluding any counties applying for or receiving funding from the Rural Housing Stability Assistance program under 24 CFR part 579.

(2) *Establishing renewal demand.* Next, HUD will determine the renewal demand within the Continuum's geographic area. Renewal demand is the sum of the annual renewal amounts of all projects within the Continuum eligible to apply for renewal in that fiscal year's competition, before any adjustments to rental assistance, leasing, and operating line items based on FMR changes.

(3) *Establishing FPRN.* The higher of PPRN or renewal demand for the Continuum of Care is the FPRN, which is the base for the maximum award amount for the Continuum.

(4) *Establishing the maximum award amount.* The maximum award amount for the Continuum is the FPRN amount plus any additional eligible amounts for Continuum planning; UFA costs; adjustments to leasing, operating and rental assistance line items based on changes to FMR; and available bonuses.

**§ 578.19 Application process.**

(a) *Notice of Funding Availability.* After enactment of the annual appropriations act for the fiscal year, HUD

will issue a NOFA in accordance with the requirements of 24 CFR part 4.

(b) *Applications.* All applications to HUD, including applications for grant funds and requests for designation as a UFA or HPC, must be submitted at such time and in such manner as HUD may require, and contain such information as HUD determines necessary. At a minimum, an application for grant funds must contain a list of the projects for which it is applying for funds; a description of the projects; a list of the projects that will be carried out by subrecipients and the names of the subrecipients; a description of the subpopulations of homeless or at risk of homelessness to be served by projects; the number of units to be provided and/or the number of persons to be served by each project; a budget request by project; and reasonable assurances that the applicant, or the subrecipient, will own or have control of a site for the proposed project not later than the expiration of the 12-month period beginning upon notification of an award for grant assistance.

**§ 578.21 Awarding funds.**

(a) *Selection.* HUD will review applications in accordance with the guidelines and procedures provided in the NOFA and will award funds to recipients through a national competition based on selection criteria as defined in section 427 of the Act.

(b) *Announcement of awards.* HUD will announce awards and notify selected applicants of any conditions imposed on awards. Conditions must be satisfied before HUD will execute a grant agreement with the applicant.

(c) *Satisfying conditions.* HUD will withdraw an award if the applicant does not satisfy all conditions imposed on it. Correcting all issues and conditions attached to an award must be completed within the time frame established in the NOFA. Proof of site control, match, environmental review, and the documentation of financial feasibility must be completed within 12 months of the announcement of the award, or 24 months in the case of funds for acquisition, rehabilitation, or new construction. The 12-month deadline may be extended by HUD for up to 12 additional months upon a showing of

compelling reasons for delay due to factors beyond the control of the recipient or subrecipient.

**§ 578.23 Executing grant agreements.**

(a) *Deadline.* No later than 45 days from the date when all conditions are satisfied, the recipient and HUD must execute the grant agreement.

(b) *Grant agreements.* (1) *Multiple applicants for one Continuum.* If a Continuum designates more than one applicant for the geographic area, HUD will enter into a grant agreement with each designated applicant for which an award is announced.

(2) *One applicant for a Continuum.* If a Continuum designates only one applicant for the geographic area, after awarding funds, HUD may enter into a grant agreement with that applicant for new awards, if any, and one grant agreement for renewals, Continuum of Care planning, and UFA costs, if any. These two grants will cover the entire geographic area. A default by the recipient under one of those grant agreements will also be a default under the other.

(3) *Unified Funding Agencies.* If a Continuum is a UFA that HUD has approved, then HUD will enter into one grant agreement with the UFA for new awards, if any, and one grant agreement for renewals, Continuum of Care planning and UFA costs, if any. These two grants will cover the entire geographic area. A default by the UFA under one of those grant agreements will also be a default under the other.

(c) *Required agreements.* Recipients will be required to sign a grant agreement in which the recipient agrees:

(1) To ensure the operation of the project(s) in accordance with the provisions of the McKinney-Veto Act and all requirements under 24 CFR part 578;

(2) To monitor and report the progress of the project(s) to the Continuum of Care and HUD;

(3) To ensure, to the maximum extent practicable, that individuals and families experiencing homelessness are involved, through employment, provision of volunteer services, or otherwise, in constructing, rehabilitating, maintaining, and operating facilities for the project and in providing supportive services for the project;

(4) To require certification from all subrecipients that:

(i) Subrecipients will maintain the confidentiality of records pertaining to any individual or family that was provided family violence prevention or treatment services through the project;

(ii) The address or location of any family violence project assisted under this part will not be made public, except with written authorization of the person responsible for the operation of such project;

(iii) Subrecipients will establish policies and practices that are consistent with, and do not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness;

(iv) In the case of projects that provide housing or services to families, that subrecipients will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of the Act;

(v) The subrecipient, its officers, and employees are not debarred or suspended from doing business with the Federal Government; and

(vi) Subrecipients will provide information, such as data and reports, as required by HUD; and

(5) To establish such fiscal control and accounting procedures as may be necessary to assure the proper disbursement of, and accounting for grant funds in order to ensure that all financial transactions are conducted, and records maintained in accordance with generally accepted accounting principles, if the recipient is a UFA;

(6) To monitor subrecipient match and report on match to HUD;

(7) To take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education;



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(8) To monitor subrecipients at least annually;

(9) To use the centralized or coordinated assessment system established by the Continuum of Care as set forth in § 578.7(a)(8). A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system, provided that victim service providers in the area use a centralized or coordinated assessment system that meets HUD's minimum requirements and the victim service provider uses that system instead;

(10) To follow the written standards for providing Continuum of Care assistance developed by the Continuum of Care, including the minimum requirements set forth in § 578.7(a)(9);

(11) Enter into subrecipient agreements requiring subrecipients to operate the project(s) in accordance with the provisions of this Act and all requirements under 24 CFR part 578; and

(12) To comply with such other terms and conditions as HUD may establish by NOFA.

### § 578.25 Site control.

(a) *In general.* When grant funds will be used for acquisition, rehabilitation, new construction, operating costs, or to provide supportive services, the recipient or subrecipient must demonstrate that it has site control within the time frame established in section § 578.21 before HUD will execute a grant agreement. This requirement does not apply to funds used for housing that will eventually be owned or controlled by the individuals or families served or for supportive services provided at sites not operated by the recipient or subrecipient.

(b) *Evidence.* Acceptable evidence of site control is a deed or lease. If grant funds will be used for acquisition, acceptable evidence of site control will be a purchase agreement. The owner, lessee, and purchaser shown on these documents must be the selected applicant or intended subrecipient identified in the application for assistance.

(c) *Tax credit projects.* (1) Applicants that plan to use the low-income housing tax credit authorized under 26 U.S.C. 42 to finance a project must prove to HUD's satisfaction that the

applicant or subrecipient identified in the application is in control of the limited partnership or limited liability corporation that has a deed or lease for the project site.

(i) To have control of the limited partnership, the applicant or subrecipient must be the general partner of the limited partnership or have a 51 percent controlling interest in that general partner.

(ii) To have control of the limited liability company, the applicant or subrecipient must be the sole managing member.

(2) If grant funds are to be used for acquisition, rehabilitation, or new construction, the recipient or subrecipient must maintain control of the partnership or corporation and must ensure that the project is operated in compliance with law and regulation for 15 years from the date of initial occupancy or initial service provision. The partnership or corporation must own the project site throughout the 15-year period. If grant funds were not used for acquisition, rehabilitation, or new construction, then the recipient or subrecipient must maintain control for the term of the grant agreement and any renewals thereof.

### § 578.27 Consolidated plan.

(a) *States or units of general local government.* An applicant that is a State or a unit of general local government must have a HUD-approved, complete or abbreviated, consolidated plan in accordance with 24 CFR part 91. The applicant must submit a certification that the application for funding is consistent with the HUD-approved consolidated plan(s) for the jurisdiction(s) in which the proposed project will be located. Funded applicants must certify in a grant agreement that they are following the HUD-approved consolidated plan.

(b) *Other applicants.* Applicants that are not States or units of general local government must submit a certification by the jurisdiction(s) in which the proposed project will be located that the applicant's application for funding is consistent with the jurisdiction's HUD-approved consolidated plan. The certification must be made by the unit of general local government or the

State, in accordance with the consistency certification provisions under 24 CFR part 91, subpart F. If the jurisdiction refuses to provide a certification of consistency, the applicant may appeal to HUD under § 578.35.

(c) *Timing of consolidated plan certification submissions.* The required certification that the application for funding is consistent with the HUD-approved consolidated plan must be submitted by the funding application submission deadline announced in the NOFA.

#### § 578.29 Subsidy layering.

HUD may provide assistance under this program only in accordance with HUD subsidy layering requirements in section 102 of the Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545) and 24 CFR part 4, subpart A. An applicant must submit information in its application on other sources of governmental assistance that the applicant has received, or reasonably expects to receive, for a proposed project or activities. HUD's review of this information is intended to prevent excessive public assistance for proposed project or activities by combining (layering) assistance under this program with other governmental housing assistance from federal, State, or local agencies, including assistance such as tax concessions or tax credits.

#### § 578.31 Environmental review.

(a) Activities under this part are subject to environmental review by HUD under 24 CFR part 50. The recipient or 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 recipient or subrecipient must carry out mitigating measures required by HUD or select an alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement.

(b) The recipient or subrecipient, its project partners, and their contractors 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 such eligible activities under this part, until HUD has per-

formed an environmental review under 24 CFR part 50 and the recipient or subrecipient has received HUD approval of the property.

#### § 578.33 Renewals.

(a) *In general.* Awards made under this part and title IV of the Act, as in effect before August 30, 2012 (the Supportive Housing Program and the Shelter Plus Care program), may be renewed to continue ongoing leasing, operations, supportive services, rental assistance, HMIS, and administration beyond the initial funding period. To be considered for funding, recipients must submit a request in a form specified by HUD, must meet the requirements of this part, and must submit the request within the time frame established by HUD.

(b) *Length of renewal.* HUD may award up to 3 years of funds for supportive services, leasing, HMIS, and operating costs. Renewals of tenant-based and sponsor-based rental assistance may be for up to one year of rental assistance. Renewals of project-based rental assistance may be for up to 15 years of rental assistance, subject to availability of annual appropriations.

(c) *Assistance available.* (1) Assistance during each year of a renewal period may be for:

(i) Up to 100 percent of the amount for supportive services and HMIS costs in the final year of the prior funding period;

(ii) Up to 100 percent of the amount for leasing and operating in the final year of the prior funding period adjusted in proportion to changes in the FMR for the geographic area; and

(iii) For rental assistance, up to 100 percent of the result of multiplying the number and unit size(s) in the grant agreement by the number of months in the renewal grant term and the applicable FMR.

(d) *Review criteria.* (1) Awards made under title IV of the Act, as in effect before August 30, 2012 are eligible for renewal in the Continuum of Care program even if the awardees would not be eligible for a new grant under the program, so long as they continue to serve the same population and the same number of persons or units in the same type of housing as identified in their

most recently amended grant agreement signed before August 30, 2012. Grants will be renewed if HUD receives a certification from the Continuum that there is a demonstrated need for the project, and HUD finds that the project complied with program requirements applicable before August 30, 2012. For purposes of meeting the requirements of this part, a project will continue to be administered in accordance with 24 CFR 582.330, if the project received funding under the Shelter Plus Care program, or 24 CFR 583.325, if the project received funding under the Supportive Housing Program.

(2) *Renewal of awards made after August 30, 2012.* Review criteria for competitively awarded renewals made after August 30, 2012 will be described in the NOFA.

(e) *Unsuccessful projects.* HUD may renew a project that was eligible for renewal in the competition and was part of an application that was not funded despite having been submitted on time, in the manner required by HUD, and containing the information required by HUD, upon a finding that the project meets the purposes of the Continuum of Care program. The renewal will not exceed more than one year and will be under such conditions as HUD deems appropriate.

(f) *Annual Performance Report condition.* HUD may terminate the renewal of any grant and require the recipient to repay the renewal grant if:

(1) The recipient fails to timely submit a HUD Annual Performance Report (APR) for the grant year immediately prior to renewal; or

(2) The recipient submits an APR that HUD deems unacceptable or shows noncompliance with the requirements of the grant and this part.

**§ 578.35 Appeal.**

(a) *In general.* Failure to follow the procedures or meet the deadlines established in this section will result in denial of the appeal.

(b) *Solo applicants.* (1) *Who may appeal.* Nonprofits, States, and local governments, and instrumentalities of State or local governments that attempted to participate in the Continuum of Care planning process in the geographic area in which they operate,

that believe they were denied the right to participate in a reasonable manner, and that submitted a solo application for funding by the application deadline established in the NOFA, may appeal the decision of the Continuum to HUD.

(2) *Notice of intent to appeal.* The solo applicant must submit a written notice of intent to appeal, with a copy to the Continuum, with their funding application.

(3) *Deadline for submitting proof.* No later than 30 days after the date that HUD announces the awards, the solo applicant shall submit in writing, with a copy to the Continuum, all relevant evidence supporting its claim, in such manner as HUD may require by Notice.

(4) *Response from the Continuum of Care.* The Continuum shall have 30 days from the date of its receipt of the solo applicant's evidence to respond to HUD in writing and in such manner as HUD may require, with a copy to the solo applicant.

(5) *Decision.* HUD will notify the solo applicant and the Continuum of its decision within 60 days of receipt of the Continuum's response.

(6) *Funding.* If HUD finds that the solo applicant was not permitted to participate in the Continuum of Care planning process in a reasonable manner, then HUD may award a grant to the solo applicant when funds next become available and may direct the Continuum of Care to take remedial steps to ensure reasonable participation in the future. HUD may also reduce the award to the Continuum's applicant(s).

(c) *Denied or decreased funding.* (1) *Who may appeal.* Eligible applicants that are denied funds by HUD, or that requested more funds than HUD awarded to them, may appeal the award by filing a written appeal, in such form and manner as HUD may require by Notice, within 45 days of the date of HUD's announcement of the award.

(2) *Decision.* HUD will notify the applicant of its decision on the appeal within 60 days of HUD's receipt of the written appeal. HUD will reverse a decision only when the applicant can show that HUD error caused the denial or decrease.

(3) *Funding.* Awards and increases to awards made upon appeal will be made from next available funds.

(d) *Competing Continuums of Care.* (1) *In general.* If more than one Continuum of Care claims the same geographic area, HUD will award funds to the Continuum applicant(s) whose application(s) has the highest total score. No projects will be funded from the lower scoring Continuum. No projects that are submitted in two or more competing Continuum of Care applications will be funded.

(2) *Who may appeal.* The designated applicant(s) for the lower scoring Continuum may appeal HUD's decision to fund the application(s) from the competing Continuum by filing a written appeal, in such form and manner as HUD may require by Notice, within 45 days of the date of HUD's announcement of the award.

(3) *Decision.* HUD will notify the applicant(s) of its decision on the appeal within 60 days of the date of HUD's receipt of the written appeal. HUD will reverse a decision only upon a showing by the applicant that HUD error caused the denial.

(e) *Consolidated plan certification.* (1) *In general.* An applicant may appeal to HUD a jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan.

(2) *Procedure.* The applicant must submit a written appeal with its application to HUD and send a copy of the appeal to the jurisdiction that denied the certification of consistency. The appeal must include, at a minimum:

(i) A copy of the applicant's request to the jurisdiction for the certification of consistency with the Consolidated Plan;

(ii) A copy of the jurisdiction's response stating the reasons for denial, including the reasons the proposed project is not consistent with the jurisdiction's Consolidated Plan in accordance with 24 CFR 91.500(c); and

(iii) A statement of the reasons why the applicant believes its project is consistent with the jurisdiction's Consolidated Plan.

(3) *Jurisdiction response.* The jurisdiction that refused to provide the certification of consistency with the jurisdiction's Consolidated Plan shall have 10

days after receipt of a copy of the appeal to submit a written explanation of the reasons originally given for refusing to provide the certification and a written rebuttal to any claims made by the applicant in the appeal.

(4) *HUD review.* (i) HUD will issue its decision within 45 days of the date of HUD's receipt of the jurisdiction's response. As part of its review, HUD will consider:

(A) Whether the applicant submitted the request to the appropriate political jurisdiction; and

(B) The reasonableness of the jurisdiction's refusal to provide the certificate.

(ii) If the jurisdiction did not provide written reasons for refusal, including the reasons why the project is not consistent with the jurisdiction's Consolidated Plan in its initial response to the applicant's request for a certification, HUD will find for the applicant without further inquiry or response from the political jurisdiction.

## Subpart D—Program Components and Eligible Costs

### § 578.37 Program components and uses of assistance.

(a) Continuum of Care funds may be used to pay for the eligible costs listed in § 578.39 through § 578.63 when used to establish and operate projects under five program components: permanent housing; transitional housing; supportive services only; HMIS; and, in some cases, homelessness prevention. Although grant funds may be used by recipients and subrecipients in all components for the eligible costs of contributing data to the HMIS designated by the Continuum of Care, only HMIS Leads may use grant funds for an HMIS component. Administrative costs are eligible for all components. All components are subject to the restrictions on combining funds for certain eligible activities in a single project found in § 578.87(c). The eligible program components are:

(1) *Permanent housing (PH).* Permanent housing is community-based housing, the purpose of which is to provide housing without a designated length of

stay. Grant funds may be used for acquisition, rehabilitation, new construction, leasing, rental assistance, operating costs, and supportive services. PH includes:

(i) *Permanent supportive housing for persons with disabilities (PSH)*. PSH can only provide assistance to individuals with disabilities and families in which one adult or child has a disability. Supportive services designed to meet the needs of the program participants must be made available to the program participants.

(ii) *Rapid rehousing*. Continuum of Care funds may provide supportive services, as set forth in § 578.53, and/or short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance, as set forth in § 578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing. When providing short-term and/or medium-term rental assistance to program participants, the rental assistance is subject to § 578.51(a)(1), but not § 578.51(a)(1)(i) and (ii); (a)(2); (c) and (f) through (i); and (1)(1). These projects:

(A) Must follow the written policies and procedures established by the Continuum of Care for determining and prioritizing which eligible families and individuals will receive rapid rehousing assistance, as well as the amount or percentage of rent that each program participant must pay.

(B) 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, and/or a maximum number of times that a program participant may receive rental assistance. The recipient or subrecipient may also require program participants to share in the costs of rent. For the purposes of calculating rent for rapid rehousing, the rent shall equal the sum of the total monthly rent for the unit 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.

(C) Limit rental assistance to no more than 24 months to a household.

(D) May provide supportive services for no longer than 6 months after rental assistance stops.

(E) Must re-evaluate, not less than once annually, that the program participant lacks sufficient resources and support networks necessary to retain housing without Continuum of Care assistance and the types and amounts of assistance that the program participant needs to retain housing. The recipient or subrecipient may require each program participant receiving assistance to notify the recipient or subrecipient of 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. When notified of a relevant change, the recipient or subrecipient must reevaluate the program participant's eligibility and the amount and types of assistance that the program participant needs.

(F) 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. The project is exempt from this requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13925 *et seq.*) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 *et seq.*) prohibits the recipient carrying out the project from making its housing conditional on the participant's acceptance of services.

(2) *Transitional Housing (TH)*. Transitional housing facilitates the movement of homeless individuals and families to PH within 24 months of entering TH. Grant funds may be used for acquisition, rehabilitation, new construction, leasing, rental assistance, operating costs, and supportive services.

(3) *Supportive Service Only (SSO)*. Funds may be used for acquisition, rehabilitation, relocation costs, or leasing of a facility from which supportive services will be provided, and supportive services in order to provide supportive services to unsheltered and sheltered homeless persons for whom the recipient or subrecipient is not providing housing or housing assistance. SSO includes street outreach.

(4) *HMIS*. Funds may be used by HMIS Leads to lease a structure in which the HMIS is operated or as operating funds to operate a structure in which the HMIS is operated, and for other costs eligible in § 578.57.

(5) *Homelessness prevention*. Funds may be used by recipients in Continuums of Care-designated high-performing communities for housing relocation and stabilization services, and short- and/or medium-term rental assistance, as described in 24 CFR 576.105 and 24 CFR 576.106, that are necessary to prevent an individual or family from becoming homeless.

(b) *Uses of assistance*. Funds are available to pay for the eligible costs listed in § 578.39 through § 578.63 when used to:

(1) Establish new housing or new facilities to provide supportive services;

(2) Expand existing housing and facilities in order to increase the number of homeless persons served;

(3) Bring existing housing and facilities into compliance with State and local government health and safety standards, as described in § 578.87;

(4) Preserve existing permanent housing and facilities that provide supportive services;

(5) Provide supportive services for residents of supportive housing or for homeless persons not residing in supportive housing;

(6) Continue funding permanent housing when the recipient has received funding under this part for leasing, supportive services, operating costs, or rental assistance;

(7) Establish and operate an HMIS or comparable database; and

(8) Establish and carry out a Continuum of Care planning process and operate a Continuum of Care.

(c) *Multiple purposes*. Structures used to provide housing, supportive housing, supportive services, or as a facility for HMIS activities may also be used for other purposes. However, assistance under this part will be available only in proportion to the use of the structure for supportive housing or supportive services. If eligible and ineligible activities are carried out in separate portions of the same structure or in separate structures, grant funds may not be used to pay for more than the actual cost of acquisition, construction, or rehabilitation of the

portion of the structure or structures used for eligible activities. If eligible and ineligible activities are carried out in the same structure, the costs will be prorated based on the amount of time that the space is used for eligible versus ineligible activities.

#### **§ 578.39 Continuum of Care planning activities.**

(a) *In general*. Collaborative applicants may use up to 3 percent of their FPRN, or a maximum amount to be established by the NOFA, for costs of:

(1) Designing and carrying out a collaborative process for the development of an application to HUD;

(2) Evaluating the outcomes of projects for which funds are awarded in the geographic area under the Continuum of Care and the Emergency Solutions Grants programs; and

(3) Participating in the consolidated plan(s) for the geographic area(s).

(b) *Continuum of Care planning activities*. Eligible planning costs include the costs of:

(1) Developing a communitywide or regionwide process involving the coordination of 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 veterans, and homeless and formerly homeless individuals;

(2) Determining the geographic area that the Continuum of Care will serve;

(3) Developing a Continuum of Care system;

(4) Evaluating the outcomes of projects for which funds are awarded in the geographic area, including the Emergency Solutions Grants program;

(5) Participating in the consolidated plan(s) of the jurisdiction(s) in the geographic area; and

(6) Preparing and submitting an application to HUD on behalf of the entire Continuum of Care membership, including conducting a sheltered and unsheltered point-in-time count and other data collection as required by HUD.

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(c) *Monitoring costs.* The costs of monitoring recipients and subrecipients and enforcing compliance with program requirements are eligible.

#### § 578.41 Unified Funding Agency costs.

(a) *In general.* UFAs may use up to 3 percent of their FPRN, or a maximum amount to be established by the NOFA, whichever is less, for fiscal control and accounting costs necessary to assure the proper disbursement of, and accounting for, federal funds awarded to subrecipients under the Continuum of Care program.

(b) *UFA costs.* UFA costs include costs of ensuring that all financial transactions carried out under the Continuum of Care program are conducted and records are maintained in accordance with generally accepted accounting principles, including arranging for an annual survey, audit, or evaluation of the financial records of each project carried out by a subrecipient funded by a grant received through the Continuum of Care program.

(c) *Monitoring costs.* The costs of monitoring subrecipients and enforcing compliance with program requirements are eligible for costs.

#### § 578.43 Acquisition.

Grant funds may be used to pay up to 100 percent of the cost of acquisition of real property selected by the recipient or subrecipient for use in the provision of housing or supportive services for homeless persons.

#### § 578.45 Rehabilitation.

(a) *Use.* Grant funds may be used to pay up to 100 percent of the cost of rehabilitation of structures to provide housing or supportive services to homeless persons.

(b) *Eligible costs.* Eligible rehabilitation costs include installing cost-effective energy measures, and bringing an existing structure to State and local government health and safety standards.

(c) *Ineligible costs.* Grant funds may not be used for rehabilitation of leased property.

#### § 578.47 New construction.

(a) *Use.* Grant funds may be used to:

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(1) Pay up to 100 percent of the cost of new construction, including the building of a new structure or building an addition to an existing structure that increases the floor area by 100 percent or more, and the cost of land associated with that construction, for use as housing.

(2) If grant funds are used for new construction, the applicant must demonstrate that the costs of new construction are substantially less than the costs of rehabilitation or that there is a lack of available appropriate units that could be rehabilitated at a cost less than new construction. For purposes of this cost comparison, costs of rehabilitation or new construction may include the cost of real property acquisition.

(b) *Ineligible costs.* Grant funds may not be used for new construction on leased property.

#### § 578.49 Leasing.

(a) *Use.* (1) Where the recipient or subrecipient is leasing the structure, or portions thereof, grant funds may be used to pay for 100 percent of the costs of leasing a structure or structures, or portions thereof, to provide housing or supportive services to homeless persons for up to 3 years. Leasing funds may not be used to lease units or structures owned by the recipient, subrecipient, their parent organization(s), any other related organization(s), or organizations that are members of a partnership, where the partnership owns the structure, unless HUD authorized an exception for good cause.

(2) Any request for an exception must include the following:

(i) A description of how leasing these structures is in the best interest of the program;

(ii) Supporting documentation showing that the leasing charges paid with grant funds are reasonable for the market; and

(iii) A copy of the written policy for resolving disputes between the landlord and tenant, including a recusal for officers, agents, and staff who work for both the landlord and tenant.

(b) *Requirements.* (1) *Leasing structures.* When grants are used to pay rent for all or part of a structure or structures, the rent paid must be reasonable

in relation to rents being charged in the area for comparable space. In addition, the rent paid may not exceed rents currently being charged by the same owner for comparable unassisted space.

(2) *Leasing individual units.* When grants are used to pay rent for individual housing units, the rent paid must be reasonable in relation to rents being charged for comparable units, taking into account the location, size, type, quality, amenities, facilities, and management services. In addition, the rents may not exceed rents currently being charged for comparable units, and the rent paid may not exceed HUD-determined fair market rents.

(3) *Utilities.* If electricity, gas, and water are included in the rent, these utilities may be paid from leasing funds. If utilities are not provided by the landlord, these utility costs are an operating cost, except for supportive service facilities. If the structure is being used as a supportive service facility, then these utility costs are a supportive service cost.

(4) *Security deposits and first and last month's rent.* Recipients and subrecipients may use grant funds to pay security deposits, in an amount not to exceed 2 months of actual rent. An advance payment of the last month's rent may be provided to the landlord in addition to the security deposit and payment of the first month's rent.

(5) *Occupancy agreements and subleases.* Occupancy agreements and subleases are required as specified in § 578.77(a).

(6) *Calculation of occupancy charges and rent.* Occupancy charges and rent from program participants must be calculated as provided in § 578.77.

(7) *Program income.* Occupancy charges and rent collected from program participants are program income and may be used as provided under § 578.97.

(8) *Transition.* Beginning in the first year awards are made under the Continuum of Care program, renewals of grants for leasing funds entered into under the authority of title IV, subtitle D of the Act as it existed before May 20, 2009, will be renewed either as grants for leasing or as rental assistance, depending on the characteristics

of the project. Leasing funds will be renewed as rental assistance if the funds are used to pay rent on units where the lease is between the program participant and the landowner or sublessor. Projects requesting leasing funds will be renewed as leasing if the funds were used to lease a unit or structure and the lease is between the recipient or subrecipient and the landowner.

#### § 578.51 Rental assistance.

(a) *Use.* (1) Grant funds may be used for rental assistance for homeless individuals and families. Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.

(i) The rental assistance may be short-term, up to 3 months of rent; medium-term, for 3 to 24 months of rent; or long-term, for longer than 24 months of rent and must be administered in accordance with the policies and procedures established by the Continuum as set forth in § 578.7(a)(9) and this section.

(ii) The rental assistance may be tenant-based, project-based, or sponsor-based, and may be for transitional or permanent housing.

(2) Grant funds may be used for security deposits in an amount not to exceed 2 months of rent. An advance payment of the last month's rent may be provided to the landlord, in addition to the security deposit and payment of first month's rent.

(b) *Rental assistance administrator.* Rental assistance must be administered by a State, unit of general local government, or a public housing agency.

(c) *Tenant-based rental assistance.* Tenant-based rental assistance is rental assistance in which program participants choose housing of an appropriate size in which to reside. When necessary to facilitate the coordination of supportive services, recipients and subrecipients may require program participants to live in a specific area for their entire period of participation, or in a specific structure for the first year and in a specific area for the remainder



of their period of participation. Program participants who are receiving rental assistance in transitional housing may be required to live in a specific structure for their entire period of participation in transitional housing.

(1) Up to 5 years worth of rental assistance may be awarded to a project in one competition.

(2) Program participants who have complied with all program requirements during their residence retain the rental assistance if they move within the Continuum of Care geographic area.

(3) Program participants who have complied with all program requirements during their residence and who have been a victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believe they are imminently threatened by harm from further domestic violence, dating violence, sexual assault, or stalking (which would include threats from a third party, such as a friend or family member of the perpetrator of the violence), if they remain in the assisted unit, and are able to document the violence and basis for their belief, may retain the rental assistance and move to a different Continuum of Care geographic area if they move out of the assisted unit to protect their health and safety.

(d) *Sponsor-based rental assistance.* Sponsor-based rental assistance is provided through contracts between the recipient and sponsor organization. A sponsor may be a private, nonprofit organization, or a community mental health agency established as a public nonprofit organization. Program participants must reside in housing owned or leased by the sponsor. Up to 5 years worth of rental assistance may be awarded to a project in one competition.

(e) *Project-based rental assistance.* Project-based rental assistance is provided through a contract with the owner of an existing structure, where the owner agrees to lease the subsidized units to program participants. Program participants will not retain rental assistance if they move. Up to 15 years of rental assistance may be awarded in one competition.

(f) *Grant amount.* The amount of rental assistance in each project will be based on the number and size of units proposed by the applicant to be assisted over the grant period. The amount of rental assistance in each project will be calculated by multiplying the number and size of units proposed by the FMR of each unit on the date the application is submitted to HUD, by the term of the grant.

(g) *Rent reasonableness.* HUD will only provide rental assistance for a unit if the rent is reasonable. The recipient or subrecipient must determine whether the rent charged for the unit receiving rental assistance is reasonable in relation to rents being charged for comparable unassisted units, taking into account the location, size, type, quality, amenities, facilities, and management and maintenance of each unit. Reasonable rent must not exceed rents currently being charged by the same owner for comparable unassisted units.

(h) *Payment of grant.* (1) The amount of rental assistance in each project will be reserved for rental assistance over the grant period. An applicant's request for rental assistance in each grant is an estimate of the amount needed for rental assistance. Recipients will make draws from the grant funds to pay the actual costs of rental assistance for program participants.

(2) For tenant-based rental assistance, on demonstration of need:

(i) Up to 25 percent of the total rental assistance awarded may be spent in any year of a 5-year grant term; or

(ii) A higher percentage if approved in advance by HUD, if the recipient provides evidence satisfactory to HUD that it is financially committed to providing the housing assistance described in the application for the full 5-year period.

(3) A recipient must serve at least as many program participants as shown in its application for assistance.

(4) If the amount in each grant reserved for rental assistance over the grant period exceeds the amount that will be needed to pay the actual costs of rental assistance, due to such factors as contract rents being lower than FMRs and program participants being able to pay a portion of the rent, recipients or subrecipients may use the

excess funds for covering the costs of rent increases, or for serving a greater number of program participants.

(i) *Vacancies.* If a unit assisted under this section is vacated before the expiration of the lease, the assistance for the unit may continue for a maximum of 30 days from the end of the month in which the unit was vacated, unless occupied by another eligible person. No additional assistance will be paid until the unit is occupied by another eligible person. Brief periods of stays in institutions, not to exceed 90 days for each occurrence, are not considered vacancies.

(j) *Property damage.* Recipients and subrecipients may use grant funds in an amount not to exceed one month's rent to pay for any damage to housing due to the action of a program participant. This shall be a one-time cost per participant, incurred at the time a participant exits a housing unit.

(k) *Resident rent.* Rent must be calculated as provided in § 578.77. Rents collected from program participants are program income and may be used as provided under § 578.97.

(l) *Leases.* (1) *Initial lease.* For project-based, sponsor-based, or tenant-based rental assistance, program participants must enter into a lease agreement for a term of at least one year, which is terminable for cause. The leases must be automatically renewable upon expiration for terms that are a minimum of one month long, except on prior notice by either party.

(2) *Initial lease for transitional housing.* Program participants in transitional housing must enter into a lease agreement for a term of at least one month. The lease must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months.

#### § 578.53 Supportive services.

(a) *In general.* Grant funds may be used to pay the eligible costs of supportive services that address the special needs of the program participants. If the supportive services are provided in a supportive service facility not contained in a housing structure, the costs of day-to-day operation of the supportive service facility, including maintenance, repair, building security,

furniture, utilities, and equipment are eligible as a supportive service.

(1) Supportive services must be necessary to assist program participants obtain and maintain housing.

(2) Recipients and subrecipients shall conduct an annual assessment of the service needs of the program participants and should adjust services accordingly.

(b) *Duration.* (1) For a transitional housing project, supportive services must be made available to residents throughout the duration of their residence in the project.

(2) Permanent supportive housing projects must provide supportive services for the residents to enable them to live as independently as is practicable throughout the duration of their residence in the project.

(3) Services may also be provided to former residents of transitional housing and current residents of permanent housing who were homeless in the prior 6 months, for no more than 6 months after leaving transitional housing or homelessness, respectively, to assist their adjustment to independent living.

(4) Rapid rehousing projects must require the program participant to meet with a case manager not less than once per month as set forth in § 578.37(a)(1)(ii)(F), to assist the program participant in maintaining long-term housing stability.

(c) *Special populations.* All eligible costs are eligible to the same extent for program participants who are unaccompanied homeless youth; persons living with HIV/AIDS; and victims of domestic violence, dating violence, sexual assault, or stalking.

(d) *Ineligible costs.* Any cost that is not described as an eligible cost under this section is not an eligible cost of providing supportive services using Continuum of Care program funds. Staff training and the costs of obtaining professional licenses or certifications needed to provide supportive services are not eligible costs.

(e) *Eligible costs.*

(1) *Annual Assessment of Service Needs.* The costs of the assessment required by § 578.53(a)(2) are eligible costs.

(2) *Assistance with moving costs.* Reasonable one-time moving costs are eligible and include truck rental and hiring a moving company.

(3) *Case management.* The costs of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant(s) are eligible costs. Component services and activities consist of:

- (i) Counseling;
- (ii) Developing, securing, and coordinating services;
- (iii) Using the centralized or coordinated assessment system as required under § 578.23(c)(9).
- (iv) Obtaining federal, State, and local benefits;
- (v) Monitoring and evaluating program participant progress;
- (vi) Providing information and referrals to other providers;
- (vii) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and
- (viii) Developing an individualized housing and service plan, including planning a path to permanent housing stability.

(4) *Child care.* The costs of establishing and operating child care, and providing child-care vouchers, for children from families experiencing homelessness, including providing meals and snacks, and comprehensive and coordinated developmental activities, are eligible.

(i) The children must be under the age of 13, unless they are disabled children.

(ii) Disabled children must be under the age of 18.

(iii) The child-care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible.

(5) *Education services.* The costs of improving knowledge and basic educational skills are eligible.

(i) Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED).

(ii) 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.

(6) *Employment assistance and job training.* The costs of establishing and operating employment assistance and job training programs are eligible, including classroom, online and/or computer instruction, on-the-job instruction, 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 also an eligible cost.

(i) Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates.

(ii) Services that assist individuals in securing employment consist of:

(A) Employment screening, assessment, or testing;

(B) Structured job skills and job-seeking skills;

(C) Special training and tutoring, including literacy training and pre-vocational training;

(D) Books and instructional material;

(E) Counseling or job coaching; and

(F) Referral to community resources.

(7) *Food.* The cost of providing meals or groceries to program participants is eligible.

(8) *Housing search and counseling services.* Costs of assisting eligible program participants to locate, obtain, and retain suitable housing are eligible.

(i) Component services or activities are tenant counseling; assisting individuals and families to understand leases; securing utilities; and making moving arrangements.

(ii) Other eligible costs are:

(A) Mediation with property owners and landlords on behalf of eligible program participants;

(B) Credit counseling, accessing a free personal credit report, and resolving personal credit issues; and

(C) The payment of rental application fees.

(9) *Legal services.* Eligible costs are the fees charged by licensed attorneys and by person(s) under the supervision

of licensed attorneys, for advice and representation in matters that interfere with the homeless individual or family's ability to obtain and retain housing.

(i) Eligible subject matters are child support; guardianship; paternity; emancipation; legal separation; orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking; appeal of veterans and public benefit claim denials; landlord tenant disputes; and the resolution of outstanding criminal warrants.

(ii) Component services or activities may include receiving and preparing cases for trial, provision of legal advice, representation at hearings, and counseling.

(iii) 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.

(iv) Legal services for immigration and citizenship matters and issues related to mortgages and homeownership are ineligible. Retainer fee arrangements and contingency fee arrangements are ineligible.

(10) *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 abuse, and homelessness are eligible. These services must be necessary to assist the program participant to function independently in the community. Component life skills training are the budgeting of resources and money management, household management, conflict management, shopping for food and other needed items, nutrition, the use of public transportation, and parent training.

(11) *Mental health services.* Eligible costs are the direct outpatient treatment of mental health conditions that are provided by licensed professionals. Component services are crisis interven-

tions; counseling; 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.

(12) *Outpatient health services.* Eligible costs are the direct outpatient treatment of medical conditions when provided by licensed medical professionals including:

(i) Providing an analysis or assessment of an individual's health problems and the development of a treatment plan;

(ii) Assisting individuals to understand their health needs;

(iii) Providing directly or assisting individuals to obtain and utilize appropriate medical treatment;

(iv) Preventive medical care and health maintenance services, including in-home health services and emergency medical services;

(v) Provision of appropriate medication;

(vi) Providing follow-up services; and

(vii) Preventive and noncosmetic dental care.

(13) *Outreach services.* The costs of activities to engage persons for the purpose of providing immediate support and intervention, as well as identifying potential program participants, are eligible.

(i) Eligible costs include the outreach worker's transportation costs and a cell phone to be used by the individual performing the outreach.

(ii) Component activities and services consist of: initial assessment; crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; actively connecting and providing people with information and referrals to homeless and mainstream programs; and publicizing the availability of the housing and/or services provided within the geographic area covered by the Continuum of Care.

(14) *Substance abuse treatment services.* The costs of program participant intake and assessment, outpatient treatment, group and individual counseling, and drug testing are eligible. Inpatient detoxification and other inpatient drug or alcohol treatment are ineligible.

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(15) *Transportation*. Eligible costs are:

(i) The costs of program participant's travel on public transportation or in a vehicle provided by the recipient or subrecipient to and from medical care, employment, child care, or other services eligible under this section.

(ii) Mileage allowance for service workers to visit program participants and to carry out housing quality inspections;

(iii) The cost of purchasing or leasing a vehicle in which staff transports program participants and/or staff serving program participants;

(iv) The cost of gas, insurance, taxes, and maintenance for the vehicle;

(v) The costs of recipient or subrecipient staff to accompany or assist program participants to utilize public transportation; and

(vi) If public transportation options are not sufficient within the area, the recipient may make a one-time payment on behalf of a program participant needing car repairs or maintenance required to operate a personal vehicle, subject to the following:

(A) Payments for car repairs or maintenance on behalf of the program participant may not exceed 10 percent of the Blue Book value of the vehicle (Blue Book refers to the guidebook that compiles and quotes prices for new and used automobiles and other vehicles of all makes, models, and types);

(B) Payments for car repairs or maintenance must be paid by the recipient or subrecipient directly to the third party that repairs or maintains the car; and

(C) The recipients or subrecipients may require program participants to share in the cost of car repairs or maintenance as a condition of receiving assistance with car repairs or maintenance.

(16) *Utility deposits*. This form of assistance consists of paying for utility deposits. Utility deposits must be a one-time fee, paid to utility companies.

(17) *Direct provision of services*. If the service described in paragraphs (e)(1) through (e)(16) of this section is being directly delivered by the recipient or subrecipient, eligible costs for those services also include:

(i) The costs of labor or supplies, and materials incurred by the recipient or

subrecipient in directly providing supportive services to program participants; and

(ii) The salary and benefit packages of the recipient and subrecipient staff who directly deliver the services.

### § 578.55 Operating costs.

(a) *Use*. Grant funds may be used to pay the costs of the day-to-day operation of transitional and permanent housing in a single structure or individual housing units.

(b) *Eligible costs*. (1) The maintenance and repair of housing;

(2) Property taxes and insurance;

(3) Scheduled payments to a reserve for replacement of major systems of the housing (provided that the payments must be based on the useful life of the system and expected replacement cost);

(4) Building security for a structure where more than 50 percent of the units or area is paid for with grant funds;

(5) Electricity, gas, and water;

(6) Furniture; and

(7) Equipment.

(c) *Ineligible costs*. Program funds may not be used for rental assistance and operating costs in the same project. Program funds may not be used for the operating costs of emergency shelter- and supportive service-only facilities. Program funds may not be used for the maintenance and repair of housing where the costs of maintaining and repairing the housing are included in the lease.

### § 578.57 Homeless Management Information System.

(a) *Eligible costs*. (1) The recipient or subrecipient may use Continuum of Care program funds to pay the costs of contributing data to the HMIS designated by the Continuum of Care, 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; 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, as authorized by HUD, if the recipient or subrecipient is not the HMIS Lead.

(2) If the recipient or subrecipient is the HMIS Lead, it may also use Continuum of Care 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, including traveling to the training.

(3) If the recipient or subrecipient is a victim services provider, or a legal services provider, it may use Continuum of Care funds to establish and operate a comparable database that complies with HUD's HMIS requirements.

(b) *General restrictions.* Activities funded under this section must comply with the HMIS requirements.

#### § 578.59 Project administrative costs.

(a) *Eligible costs.* The recipient or subrecipient may use up to 10 percent of any grant awarded under this part, excluding the amount for Continuum of Care Planning Activities and UFA costs, for the payment of project administrative costs related to the planning and execution of Continuum of Care activities. This does not include staff and overhead costs directly related to carrying out activities eligible under § 578.43 through § 578.57, because those costs are eligible as part of those activities. Eligible administrative costs include:

(1) *General management, oversight, and coordination.* Costs of overall program management, coordination, monitoring, and evaluation. These costs include, but are not limited to, necessary expenditures for the following:

(i) Salaries, wages, and related costs of the recipient's staff, the staff of subrecipients, or other staff engaged in program administration. In charging costs to this category, the recipient may include the entire salary, wages, and related costs allocable to the program of each person whose primary responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes any program administration assignments. The recipient may use only one of these methods for each fiscal year grant. Program administration assignments include the following:

(A) Preparing program budgets and schedules, and amendments to those budgets and schedules;

(B) Developing systems for assuring compliance with program requirements;

(C) Developing agreements with subrecipients and contractors to carry out program activities;

(D) Monitoring program activities for progress and compliance with program requirements;

(E) Preparing reports and other documents directly related to the program for submission to HUD;

(F) Coordinating the resolution of audit and monitoring findings;

(G) Evaluating program results against stated objectives; and

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(H) Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described in paragraph (a)(1)(i)(A) through (G) of this section.

(ii) Travel costs incurred for monitoring of subrecipients;

(iii) Administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; and

(iv) Other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.

(2) *Training on Continuum of Care requirements.* Costs of providing training on Continuum of Care requirements and attending HUD-sponsored Continuum of Care trainings.

(3) *Environmental review.* Costs of carrying out the environmental review responsibilities under § 578.31.

(b) *Sharing requirement.* (1) *UFAs.* If the recipient is a UFA that carries out a project, it may use up to 10 percent of the grant amount awarded for the project on project administrative costs. The UFA must share the remaining project administrative funds with its subrecipients.

(2) *Recipients that are not UFAs.* If the recipient is not a UFA, it must share at least 50 percent of project administrative funds with its subrecipients.

## § 578.61 Relocation costs.

(a) *In general.* Relocation costs under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 are eligible.

(b) *Eligible relocation costs.* Eligible costs are costs to provide relocation payments and other assistance to persons displaced by a project assisted with grant funds in accordance with § 578.83.

## § 578.63 Indirect costs.

(a) *In general.* Continuum of Care funds may be used to pay indirect costs in accordance with OMB Circulars A-87 or A-122, as applicable.

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(b) *Allocation.* Indirect costs may be allocated to each eligible activity as provided in subpart D, so long as that allocation is consistent with an indirect cost rate proposal developed in accordance with OMB Circulars A-87 or A-122, as applicable.

(c) *Expenditure limits.* The indirect costs charged to an activity subject to an expenditure limit under §§ 578.39, 578.41, and 578.59 must be added to the direct costs charged for that activity when determining the total costs subject to the expenditure limits.

## Subpart E—High-Performing Communities

### § 578.65 Standards.

(a) *In general.* The collaborative applicant for a Continuum may apply to HUD to have the Continuum be designated a high-performing community (HPC). The designation shall be for grants awarded in the same competition in which the designation is applied for and made.

(b) *Applying for HPC designation.* The application must be submitted at such time and in such manner as HUD may require, must use HMIS data where required to show the standards for qualifying are met, and must contain such information as HUD requires, including at a minimum:

(1) A report showing how the Continuum of Care program funds received in the preceding year were expended;

(2) A specific plan for how grant funds will be expended; and

(3) Information establishing that the Continuum of Care meets the standards for HPCs.

(c) *Standards for qualifying as an HPC.* To qualify as an HPC, a Continuum must demonstrate through:

(1) Reliable data generated by the Continuum of Care's HMIS that it meets all of the following standards:

(i) *Mean length of homelessness.* Either the mean length of episode of homelessness within the Continuum's geographic area is fewer than 20 days, or the mean length of episodes of homelessness for individuals or families in similar circumstances was reduced by at least 10 percent from the preceding federal fiscal year.

(ii) *Reduced recidivism.* Of individuals and families who leave homelessness, less than 5 percent become homeless again at any time within the next 2 years; or the percentage of individuals and families in similar circumstances who become homeless again within 2 years after leaving homelessness was decreased by at least 20 percent from the preceding federal fiscal year.

(iii) *HMIS coverage.* The Continuum's HMIS must have a bed coverage rate of 80 percent and a service volume coverage rate of 80 percent as calculated in accordance with HUD's HMIS requirements.

(iv) *Serving families and youth.* With respect to Continuums that served homeless families and youth defined as homeless under other federal statutes in paragraph (3) of the definition of homeless in § 576.2:

(A) 95 percent of those families and youth did not become homeless again within a 2-year period following termination of assistance; or

(B) 85 percent of those families achieved independent living in permanent housing for at least 2 years following termination of assistance.

(2) Reliable data generated from sources other than the Continuum's HMIS that is provided in a narrative or other form prescribed by HUD that it meets both of the following standards:

(i) *Community action.* All the metropolitan cities and counties within the Continuum's geographic area have a comprehensive outreach plan, including specific steps for identifying homeless persons and referring them to appropriate housing and services in that geographic area.

(ii) *Renewing HPC status.* If the Continuum was designated an HPC in the previous federal fiscal year and used Continuum of Care grant funds for activities described under § 578.71, that such activities were effective at reducing the number of individuals and families who became homeless in that community.

#### § 578.67 Publication of application.

HUD will publish the application to be designated an HPC through the HUD Web site, for public comment as to whether the Continuum seeking des-

ignation as an HPC meets the standards for being one.

#### § 578.69 Cooperation among entities.

An HPC must cooperate with HUD in distributing information about its successful efforts to reduce homelessness.

#### § 578.71 HPC-eligible activities.

In addition to using grant funds for the eligible costs described in subpart D of this part, recipients and subrecipients in Continuums of Care designated as HPCs may also use grant funds to provide housing relocation and stabilization services and short- and/or medium-term rental assistance to individuals and families at risk of homelessness as set forth in 24 CFR 576.103 and 24 CFR 576.104, if necessary to prevent the individual or family from becoming homeless. Activities must be carried out in accordance with the plan submitted in the application. When carrying out housing relocation and stabilization services and short- and/or medium-term rental assistance, the written standards set forth in § 578.7(a)(9)(v) and recordkeeping requirements of 24 CFR 576.500 apply.

### Subpart F—Program Requirements

#### § 578.73 Matching requirements.

(a) *In general.* The recipient or subrecipient must match all grant funds, except for leasing funds, with no less than 25 percent of funds or in-kind contributions from other sources. For Continuum of Care geographic areas in which there is more than one grant agreement, the 25 percent match must be provided on a grant-by-grant basis. Recipients that are UFAs or are the sole recipient for their Continuum, may provide match on a Continuum-wide basis. Cash match must be used for the costs of activities that are eligible under subpart D of this part, except that HPCs may use such match for the costs of activities that are eligible under § 578.71.

(b) *Cash sources.* A recipient or subrecipient may use funds from any source, including any other federal sources (excluding Continuum of Care program funds), as well as State, local, and private sources, provided that



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funds from the source are not statutorily prohibited to be used as a match. The recipient must ensure that any funds used to satisfy the matching requirements of this section are eligible under the laws governing the funds in order to be used as matching funds for a grant awarded under this program.

(c) *In-kind contributions.* (1) The recipient or subrecipient may use the value of any real property, equipment, goods, or services contributed to the project as match, provided that if the recipient or subrecipient had to pay for them with grant funds, the costs would have been eligible under Subpart D, or, in the case of HPCs, eligible under § 578.71.

(2) The requirements of 24 CFR 84.23 and 85.24 apply.

(3) Before grant execution, services to be provided by a third party must be documented by a memorandum of understanding (MOU) between the recipient or subrecipient and the third party that will provide the services. Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in the recipient's or subrecipient's organization. If the recipient or subrecipient does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.

(i) The MOU must establish the unconditional commitment, except for selection to receive a grant, by the third party to provide the services, the specific service to be provided, the profession of the persons providing the service, and the hourly cost of the service to be provided.

(ii) During the term of the grant, the recipient or subrecipient must keep and make available, for inspection, records documenting the service hours provided.

### § 578.75 General operations.

(a) *State and local requirements.* (1) Housing and facilities constructed or rehabilitated with assistance under this part must meet State or local building codes, and in the absence of State or local building codes, the International Residential Code or International Building Code (as applicable

to the type of structure) of the International Code Council.

(2) Services provided with assistance under this part must be provided in compliance with all applicable State and local requirements, including licensing requirements.

(b) *Housing quality standards.* Housing leased with Continuum of Care program funds, or for which rental assistance payments are made with Continuum of Care program funds, must meet the applicable housing quality standards (HQS) under 24 CFR 982.401 of this title, except that 24 CFR 982.401(j) applies only to housing occupied by program participants receiving tenant-based rental assistance. For housing rehabilitated with funds under this part, the lead-based paint requirements in 24 CFR part 35, subparts A, B, J, and R apply. For housing that receives project-based or sponsor-based rental assistance, 24 CFR part 35, subparts A, B, H, and R apply. For residential property for which funds under this part are used for acquisition, leasing, services, or operating costs, 24 CFR part 35, subparts A, B, K, and R apply.

(1) Before any assistance will be provided on behalf of a program participant, the recipient, or subrecipient, must physically inspect each unit to assure that the unit meets HQS. Assistance will not be provided for units that fail to meet HQS, unless the owner corrects any deficiencies within 30 days from the date of the initial inspection and the recipient or subrecipient verifies that all deficiencies have been corrected.

(2) Recipients or subrecipients must inspect all units at least annually during the grant period to ensure that the units continue to meet HQS.

(c) *Suitable dwelling size.* The dwelling unit must have at least one bedroom or living/sleeping room for each two persons.

(1) Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.

(2) If household composition changes during the term of assistance, recipients and subrecipients may relocate the household to a more appropriately sized unit. The household must still

have access to appropriate supportive services.

(d) *Meals.* Each recipient and subrecipient of assistance under this part who provides supportive housing for homeless persons with disabilities must provide meals or meal preparation facilities for residents.

(e) *Ongoing assessment of supportive services.* To the extent practicable, each project must provide supportive services for residents of the project and homeless persons using the project, which may be designed by the recipient or participants. Each recipient and subrecipient of assistance under this part must conduct an ongoing assessment of the supportive services needed by the residents of the project, the availability of such services, and the coordination of services needed to ensure long-term housing stability and must make adjustments, as appropriate.

(f) *Residential supervision.* Each recipient and subrecipient of assistance under this part must provide residential supervision as necessary to facilitate the adequate provision of supportive services to the residents of the housing throughout the term of the commitment to operate supportive housing. Residential supervision may include the employment of a full- or part-time residential supervisor with sufficient knowledge to provide or to supervise the provision of supportive services to the residents.

(g) *Participation of homeless individuals.* (1) Each recipient and 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 recipient or subrecipient, to the extent that such entity considers and makes policies and decisions regarding any project, supportive services, or assistance provided under this part. This requirement is waived if a recipient or subrecipient is unable to meet such requirement and obtains HUD approval for a plan to otherwise consult with homeless or formerly homeless persons when considering and making policies and decisions.

(2) Each recipient and subrecipient of assistance under this part must, to the

maximum extent practicable, involve homeless individuals and families through employment; volunteer services; or otherwise in constructing, rehabilitating, maintaining, and operating the project, and in providing supportive services for the project.

(h) *Supportive service agreement.* Recipients and subrecipients may require the program participants to take part in supportive services that are not disability-related services provided through the project as a condition of continued participation in the program. Examples of disability-related services include, but are not limited to, mental health services, outpatient health services, and provision of medication, which are provided to a person with a disability to address a condition caused by the disability. Notwithstanding this provision, if the purpose of the project is to provide substance abuse treatment services, recipients and subrecipients may require program participants to take part in such services as a condition of continued participation in the program.

(i) *Retention of assistance after death, incarceration, or institutionalization for more than 90 days of qualifying member.* For permanent supportive housing projects surviving, members of any household who were living in a unit assisted under this part at the time of the qualifying member's death, long-term incarceration, or long-term institutionalization, have the right to rental assistance under this section until the expiration of the lease in effect at the time of the qualifying member's death, long-term incarceration, or long-term institutionalization.

#### **§ 578.77 Calculating occupancy charges and rent.**

(a) *Occupancy agreements and leases.* Recipients and subrecipients must have signed occupancy agreements or leases (or subleases) with program participants residing in housing.

(b) *Calculation of occupancy charges.* Recipients and subrecipients are not required to impose occupancy charges on program participants as a condition of residing in the housing. However, if occupancy charges are imposed, they may not exceed the highest of:

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(1) 30 percent of the family's monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child-care expenses);

(2) 10 percent of the family's monthly income; or

(3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family's actual housing costs) is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated for housing costs.

(4) *Income.* Income must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a). Recipients and subrecipients must examine a program participant's income initially, and if there is a change in family composition (*e.g.*, birth of a child) or a decrease in the resident's income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly.

(c) *Resident rent.* (1) *Amount of rent.* (i) Each program participant on whose behalf rental assistance payments are made must pay a contribution toward rent in accordance with section 3(a)(1) of the U.S. Housing Act of 1937 (42 U.S.C. 1437a(a)(1)).

(ii) Income of program participants must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a).

(2) *Review.* Recipients or subrecipients must examine a program participant's income initially, and at least annually thereafter, to determine the amount of the contribution toward rent payable by the program participant. Adjustments to a program participant's contribution toward the rental payment must be made as changes in income are identified.

(3) *Verification.* As a condition of participation in the program, each program participant must agree to supply the information or documentation necessary to verify the program participant's income. Program participants must provide the recipient or subrecipient with information at any time regarding changes in income or other circumstances that may result in changes to a program participant's

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contribution toward the rental payment.

### § 578.79 Limitation on transitional housing.

A homeless individual or family may remain in transitional housing for a period longer than 24 months, if permanent housing for the individual or family has not been located or if the individual or family requires additional time to prepare for independent living. However, HUD may discontinue assistance for a transitional housing project if more than half of the homeless individuals or families remain in that project longer than 24 months.

### § 578.81 Term of commitment, repayment of grants, and prevention of undue benefits.

(a) *In general.* All recipients and subrecipients receiving grant funds for acquisition, rehabilitation, or new construction must operate the housing or provide supportive services in accordance with this part, for at least 15 years from the date of initial occupancy or date of initial service provision. Recipient and subrecipients must execute and record a HUD-approved Declaration of Restrictive Covenants before receiving payment of grant funds.

(b) *Conversion.* Recipients and subrecipients carrying out a project that provides transitional or permanent housing or supportive services in a structure may submit a request to HUD to convert a project for the direct benefit of very low-income persons. The request must be made while the project is operating as homeless housing or supportive services for homeless individuals and families, must be in writing, and must include an explanation of why the project is no longer needed to provide transitional or permanent housing or supportive services. The primary factor in HUD's decision on the proposed conversion is the unmet need for transitional or permanent housing or supportive services in the Continuum of Care's geographic area.

(c) *Repayment of grant funds.* If a project is not operated as transitional or permanent housing for 10 years following the date of initial occupancy,

HUD will require repayment of the entire amount of the grant used for acquisition, rehabilitation, or new construction, unless conversion of the project has been authorized under paragraph (b) of this section. If the housing is used for such purposes for more than 10 years, the payment amount will be reduced by 20 percentage points for each year, beyond the 10-year period in which the project is used for transitional or permanent housing.

(d) *Prevention of undue benefits.* Except as provided under paragraph (e) of this section, upon any sale or other disposition of a project site that received grant funds for acquisition, rehabilitation, or new construction, occurring before the 15-year period, the recipient must comply with such terms and conditions as HUD may prescribe to prevent the recipient or subrecipient from unduly benefiting from such sale or disposition.

(e) *Exception.* A recipient or subrecipient will not be required to comply with the terms and conditions prescribed under paragraphs (c) and (d) of this section if:

(1) The sale or disposition of the property used for the project results in the use of the property for the direct benefit of very low-income persons;

(2) All the proceeds are used to provide transitional or permanent housing that meet the requirements of this part;

(3) Project-based rental assistance or operating cost assistance from any federal program or an equivalent State or local program is no longer made available and the project is meeting applicable performance standards, provided that the portion of the project that had benefitted from such assistance continues to meet the tenant income and rent restrictions for low-income units under section 42(g) of the Internal Revenue Code of 1986; or

(4) There are no individuals and families in the Continuum of Care geographic area who are homeless, in which case the project may serve individuals and families at risk of homelessness.

#### § 578.83 Displacement, relocation, and acquisition.

(a) *Minimizing displacement.* Consistent with the other goals and objectives of this part, recipients and subrecipients must ensure that they have taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of projects assisted under this part. "Project," as used in this section, means any activity or series of activities assisted with Continuum of Care funds received or anticipated in any phase of an undertaking.

(b) *Temporary relocation.* (1) *Existing Building Not Assisted under Title IV of the McKinney-Vento Act.* No tenant may be required to relocate temporarily for a project if the building in which the project is being undertaken or will be undertaken is not currently assisted under Title IV of the McKinney-Vento Act. The absence of such assistance to the building means the tenants are not homeless and the tenants are therefore not eligible to receive assistance under the Continuum of Care program. When a tenant moves for such a project under conditions that cause the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. 4601-4655, to apply, the tenant must be treated as permanently displaced and offered relocation assistance and payments consistent with paragraph (c) of this section.

(2) *Existing Transitional Housing or Permanent Housing Projects Assisted Under Title IV of the McKinney-Vento Act.* Consistent with paragraph (c)(2)(ii) of this section, no program participant may be required to relocate temporarily for a project if the person cannot be offered a decent, safe, and sanitary unit in the same building or complex upon project completion under reasonable terms and conditions. The length of occupancy requirements in § 578.79 may prevent a program participant from returning to the property upon completion (See paragraph (c)(2)(iii)(D) of this section). Any program participant who has been temporarily relocated for a period beyond one year

must be treated as permanently displaced and offered relocation assistance and payments consistent with paragraph (c) of this section. Program participants temporarily relocated in accordance with the policies described in this paragraph must be provided:

(i) Reimbursement for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from the temporarily occupied housing and any increase in monthly rent/occupancy charges and utility costs; and

(ii) Appropriate advisory services, including reasonable advance written notice of:

(A) The date and approximate duration of the temporary relocation;

(B) The location of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary period;

(C) The reasonable terms and conditions under which the program participant will be able to occupy a suitable, decent, safe, and sanitary dwelling in the building or complex upon completion of the project; and

(D) The provisions of paragraph (b)(2)(i) of this section.

(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 in accordance with the requirements of the URA and implementing regulations at 49 CFR part 24. A displaced person must be advised of his or her rights under the Fair Housing Act. Whenever possible, minority persons must be given reasonable opportunities to relocate to 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).

(2) *Displaced person.* (i) For the purposes of paragraph (c) of this section, the term “displaced person” means any person (family, individual, business, nonprofit organization, or farm) 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. This includes any permanent, involuntary move for a 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 after the date of the submission by the recipient or subrecipient of an application for assistance to HUD (or the recipient, as applicable) that is later approved and funded and the recipient or subrecipient has site control as evidenced in accordance with § 578.25(b); or

(B) 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 after the date the recipient or subrecipient obtains site control, as evidenced in accordance with § 578.25(b), if that occurs after the application for assistance; or

(C) Before the date described under paragraph (c)(2)(i)(A) or (B) of this section, if the recipient or HUD determines that the displacement resulted directly from acquisition, rehabilitation, or demolition for the project; or

(D) By a tenant of a building that is not assisted under Title IV of the McKinney-Vento Act, if the tenant moves after execution of the agreement covering the acquisition, rehabilitation, or demolition of the property for the project; or

(ii) For the purposes of paragraph (c) of this section, the term “displaced person” means any person (family, individual, business, nonprofit organization, or farm) 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. This includes any permanent, involuntary move for a project that is made by a program participant occupying transitional housing or permanent housing assisted under Title IV of the McKinney-Vento Act, if any one of the following three situations occurs:

(A) The program participant moves after execution of the agreement covering the acquisition, rehabilitation, or

demolition of the property for the project and is either not eligible to return upon project completion or the move occurs before the program participant is provided written notice offering the program participant an opportunity to occupy a suitable, decent, safe, and sanitary dwelling in the same building or complex upon project completion under reasonable terms and conditions. Such reasonable terms and conditions must include a lease (or occupancy agreement, as applicable) consistent with Continuum of Care program requirements, including a monthly rent or occupancy charge and monthly utility costs that does not exceed the maximum amounts established in § 578.77; or

(B) The program participant is required to relocate temporarily, does not return to the building or complex, and any one of the following situations occurs:

(1) The program participant is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation;

(2) The program participant is not eligible to return to the building or complex upon project completion; or

(3) Other conditions of the temporary relocation are not reasonable; or

(C) The program participant is required to move to another unit in the same building or complex, and any one of the following situations occurs:

(1) The program participant is not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move;

(2) The program participant is not eligible to remain in the building or complex upon project completion; or

(3) Other conditions of the move are not reasonable.

(iii) Notwithstanding the provisions of paragraph (c)(2)(i) or (ii) of this section, a person does not qualify as a "displaced person" if:

(A) The person has been evicted for serious or repeated violation of the terms and conditions of the lease or occupancy agreement; the eviction complied with applicable federal, State, or local requirements (see § 578.91); and the recipient or 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 or occupancy agreement and commencing occupancy, was provided written notice of the project's possible impact on the person (*e.g.*, the person may be displaced, temporarily relocated, or incur a rent increase) and the fact that the person would not qualify as a "displaced person" (or for any relocation assistance provided under this section), as a result of the project;

(C) The person is ineligible under 49 CFR 24.2(a)(9)(ii);

(D) The person is a program participant occupying transitional housing or permanent housing assisted under Title IV of the Act who must move as a direct result of the length-of-occupancy restriction under § 578.79; or

(E) HUD determines that the person was not displaced as a direct result of acquisition, rehabilitation, or demolition for the project.

(iv) The recipient may request, at any time, HUD's determination of whether a displacement is or would be covered under this section.

(3) *Initiation of negotiations.* For purposes of determining the formula for computing replacement housing payment assistance to be provided to a displaced person pursuant to this section, if the displacement is a direct result of privately undertaken rehabilitation, demolition, or acquisition of the real property, "initiation of negotiations" means the execution of the agreement between the recipient and the subrecipient, or between the recipient (or subrecipient, as applicable) and the person owning or controlling the property. In the case of an option contract to acquire property, the initiation of negotiations does not become effective until execution of a written agreement that creates a legally enforceable commitment to proceed with the purchase, such as a purchase agreement.

(d) *Real property acquisition requirements.* Except for acquisitions described in 49 CFR 24.101(b)(1) through (5), the URA and the requirements of 49 CFR part 24, subpart B apply to any acquisition of real property for a project

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where there are Continuum of Care funds in any part of the project costs.

(e) *Appeals.* A person who disagrees with the recipient's (or subrecipient's, if applicable) determination concerning whether the person qualifies as a displaced person, or the amount of relocation assistance for which the person is eligible, may file a written appeal of that determination with the recipient (see 49 CFR 24.10). A low-income person who is dissatisfied with the recipient's determination on his or her appeal may submit a written request for review of that determination to the local HUD field office.

### § 578.85 Timeliness standards.

(a) *In general.* Recipients must initiate approved activities and projects promptly.

(b) *Construction activities.* Recipients of funds for rehabilitation or new construction must meet the following standards:

(1) Construction activities must begin within 9 months of the later of signing of the grant agreement or of signing an addendum to the grant agreement authorizing use of grant funds for the project.

(2) Construction activities must be completed within 24 months of signing the grant agreement.

(3) Activities that cannot begin until after construction activities are completed must begin within 3 months of the date that construction activities are completed.

(c) *Distribution.* A recipient that receives funds through this part must:

(1) Distribute the funds to subrecipients (in advance of expenditures by the subrecipients);

(2) Distribute the appropriate portion of the funds to a subrecipient no later than 45 days after receiving an approvable request for such distribution from the subrecipient; and

(3) Draw down funds at least once per quarter of the program year, after eligible activities commence.

### § 578.87 Limitation on use of funds.

(a) *Maintenance of effort.* No assistance provided under this part (or any State or local government funds used to supplement this assistance) may be used to replace State or local funds

previously used, or designated for use, to assist homeless persons.

(b) *Faith-based activities.* (1) *Equal treatment of program participants and program beneficiaries.* (i) *Program participants.* Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in the Continuum of Care program. Neither the Federal Government nor a State or local government receiving funds under the Continuum of Care program shall discriminate against an organization on the basis of the organization's religious character or affiliation. Recipients and subrecipients of program funds shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

(ii) *Beneficiaries.* In providing services supported in whole or in part with federal financial assistance, and in their outreach activities related to such services, program participants shall not discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

(2) *Separation of explicitly religious activities.* Recipients and subrecipients of Continuum of Care funds that engage in explicitly religious activities, including activities that involve overt religious content such as worship, religious instruction, or proselytization, must perform such activities and offer such services outside of programs that are supported with federal financial assistance separately, in time or location, from the programs or services funded under this part, and participation in any such explicitly religious activities must be voluntary for the program beneficiaries of the HUD-funded programs or services.

(3) *Religious identity.* A faith-based organization that is a recipient or subrecipient of Continuum of Care program funds is eligible to use such funds as provided under the regulations of this part without impairing its independence, autonomy, expression of religious beliefs, or religious character. Such organization will retain its independence from federal, State, and local

government, and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use direct program funds to support or engage in any explicitly religious activities, including activities that involve overt religious content, such as worship, religious instruction, or proselytization, or any manner prohibited by law. Among other things, faith-based organizations may use space in their facilities to provide program-funded services, without removing or altering religious art, icons, scriptures, or other religious symbols. In addition, a Continuum of Care program-funded religious organization retains its authority over its internal governance, and it 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.

(4) *Alternative provider.* If a program participant or prospective program participant of the Continuum of Care program supported by HUD objects to the religious character of an organization that provides services under the program, that organization shall, within a reasonably prompt time after the objection, undertake reasonable efforts to identify and refer the program participant to an alternative provider to which the prospective program participant has no objection. Except for services provided by telephone, the Internet, or similar means, the referral must be to an alternate provider in reasonable geographic proximity to the organization making the referral. In making the referral, the organization shall comply with applicable privacy laws and regulations. Recipients and subrecipients shall document any objections from program participants and prospective program participants and any efforts to refer such participants to alternative providers in accordance with the requirements of § 578.103(a)(13). Recipients shall ensure that all subrecipient agreements make organizations receiving program funds aware of these requirements.

(5) *Structures.* Program funds may not be used for the acquisition, construc-

tion, or rehabilitation of structures to the extent that those structures are used for explicitly religious activities. Program funds may be used for the acquisition, construction, or rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under this part. When a structure is used for both eligible and explicitly religious activities, program funds may not exceed the cost of those portions of the acquisition, new construction, or rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to the Continuum of Care program. Sanctuaries, chapels, or other rooms that a Continuum of Care program-funded religious congregation uses as its principal place of worship, however, are ineligible for Continuum of Care program-funded improvements. Disposition of real property after the term of the grant, or any change in the use of the property during the term of the grant, is subject to governmentwide regulations governing real property disposition (see 24 CFR parts 84 and 85).

(6) *Supplemental funds.* If a State or local government voluntarily contributes its own funds to supplement federally funded activities, the State or local government 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.

(c) *Restriction on combining funds.* In a single structure or housing unit, the following types of assistance may not be combined:

(1) Leasing and acquisition, rehabilitation, or new construction;

(2) Tenant-based rental assistance and acquisition, rehabilitation, or new construction;

(3) Short- or medium-term rental assistance and acquisition, rehabilitation, or new construction;

(4) Rental assistance and leasing; or

(5) Rental assistance and operating.

(d) *Program fees.* Recipients and subrecipients may not charge program participants program fees.



**§ 578.89 Limitation on use of grant funds to serve persons defined as homeless under other federal laws.**

(a) *Application requirement.* Applicants that intend to serve unaccompanied youth and families with children and youth defined as homeless under other federal laws in paragraph (3) of the homeless definition in § 576.2 must demonstrate in their application, to HUD's satisfaction, that the use of grant funds to serve such persons is an equal or greater priority than serving persons defined as homeless under paragraphs (1), (2), and (4) of the definition of homeless in § 576.2. To demonstrate that it is of equal or greater priority, applicants must show that it is equally or more cost effective in meeting the overall goals and objectives of the plan submitted under section 427(b)(1)(B) of the Act, especially with respect to children and unaccompanied youth.

(b) *Limit.* No more than 10 percent of the funds awarded to recipients within a single Continuum of Care's geographic area may be used to serve such persons.

(c) *Exception.* The 10 percent limitation does not apply to Continuums in which the rate of homelessness, as calculated in the most recent point-in-time count, is less than one-tenth of one percent of the total population.

**§ 578.91 Termination of assistance to program participants.**

(a) *Termination of assistance.* The recipient or subrecipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination under this section does not bar the recipient or subrecipient from providing further assistance at a later date to the same individual or family.

(b) *Due process.* In terminating assistance to a program participant, the recipient or subrecipient must provide a formal process that recognizes the rights of individuals receiving assistance under the due process of law. This process, at a minimum, must consist of:

(1) Providing the program participant with a written copy of the program rules and the termination process be-

fore the participant begins to receive assistance;

(2) Written notice to the program participant containing a clear statement of the reasons for termination;

(3) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and

(4) Prompt written notice of the final decision to the program participant.

(c) *Hard-to-house populations.* Recipients and subrecipients that are providing permanent supportive housing for hard-to-house populations of homeless persons must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant's assistance is terminated only in the most severe cases.

**§ 578.93 Fair Housing and Equal Opportunity.**

(a) *Nondiscrimination and equal opportunity requirements.* The nondiscrimination and equal opportunity requirements set forth in 24 CFR 5.105(a) are applicable.

(b) *Housing for specific subpopulations.* Recipients and subrecipients may exclusively serve a particular homeless subpopulation in transitional or permanent housing if the housing addresses a need identified by the Continuum of Care for the geographic area and meets one of the following:

(1) The housing may be limited to one sex where such housing consists of a single structure with shared bedrooms or bathing facilities such that the considerations of personal privacy and the physical limitations of the configuration of the housing make it appropriate for the housing to be limited to one sex;

(2) The housing may be limited to a specific subpopulation, so long as admission does not discriminate against any protected class under federal nondiscrimination laws in 24 CFR 5.105 (*e.g.*, the housing may be limited to homeless veterans, victims of domestic violence and their children, or chronically homeless persons and families).

(3) The housing may be limited to families with children.

(4) If the housing has in residence at least one family with a child under the age of 18, the housing may exclude registered sex offenders and persons with a criminal record that includes a violent crime from the project so long as the child resides in the housing.

(5) Sober housing may exclude persons who refuse to sign an occupancy agreement or lease that prohibits program participants from possessing, using, or being under the influence of illegal substances and/or alcohol on the premises.

(6) If the housing is assisted with funds under a federal program that is limited by federal statute or Executive Order to a specific subpopulation, the housing may be limited to that subpopulation (*e.g.*, housing also assisted with funding from the Housing Opportunities for Persons with AIDS program under 24 CFR part 574 may be limited to persons with acquired immunodeficiency syndrome or related diseases).

(7) Recipients may limit admission to or provide a preference for the housing to subpopulations of homeless persons and families who need the specialized supportive services that are provided in the housing (*e.g.*, substance abuse addiction treatment, domestic violence services, or a high intensity package designed to meet the needs of hard-to-reach homeless persons). While the housing may offer services for a particular type of disability, no otherwise eligible individuals with disabilities or families including an individual with a disability, who may benefit from the services provided may be excluded on the grounds that they do not have a particular disability.

(c) *Affirmatively furthering fair housing.* A recipient must implement its programs in a manner that affirmatively furthers fair housing, which means that the recipient must:

(1) Affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities;

(2) Where a recipient encounters a condition or action that impedes fair housing choice for current or prospective program participants, provide such information to the jurisdiction that provided the certification of consistency with the Consolidated Plan; and

(3) Provide program participants with information on rights and remedies available under applicable federal, State and local fair housing and civil rights laws.

(d) *Accessibility and integrative housing and services for persons with disabilities.* Recipients and subrecipients must comply with the accessibility requirements of the Fair Housing Act (24 CFR part 100), Section 504 of the Rehabilitation Act of 1973 (24 CFR part 8), and Titles II and III of the Americans with Disabilities Act, as applicable (28 CFR parts 35 and 36). In accordance with the requirements of 24 CFR 8.4(d), recipients must ensure that their program's housing and supportive services are provided in the most integrated setting appropriate to the needs of persons with disabilities.

(e) *Prohibition against involuntary family separation.* The age and gender of a child under age 18 must not be used as a basis for denying any family's admission to a project that receives funds under this part.

#### § 578.95 Conflicts of interest.

(a) *Procurement.* For the procurement of property (goods, supplies, or equipment) and services, the recipient and its subrecipients must comply with the codes of conduct and conflict-of-interest requirements under 24 CFR 85.36 (for governments) and 24 CFR 84.42 (for private nonprofit organizations).

(b) *Continuum of Care board members.* No Continuum of Care board member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.

(c) *Organizational conflict.* An organizational conflict of interest arises when, because of activities or relationships with other persons or organizations, the recipient or subrecipient is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance under

this part, or when a covered person's, as in paragraph (d)(1) of this section, objectivity in performing work with respect to any activity assisted under this part is or might be otherwise impaired. Such an organizational conflict would arise when a board member of an applicant participates in decision of the applicant concerning the award of a grant, or provision of other financial benefits, to the organization that such member represents. It would also arise when an employee of a recipient or subrecipient participates in making rent reasonableness determinations under § 578.49(b)(2) and § 578.51(g) and housing quality inspections of property under § 578.75(b) that the recipient, subrecipient, or related entity owns.

(d) *Other conflicts.* For all other transactions and activities, the following restrictions apply:

(1) No covered person, meaning a person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its subrecipients and who exercises or has exercised any functions or responsibilities with respect to activities assisted under this part, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under this part, may obtain a financial interest or benefit from an assisted activity, have a financial interest in any contract, sub-contract, 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 immediate family or business ties, during his or her tenure or during the one-year period following his or her tenure.

(2) *Exceptions.* Upon the written request of the recipient, HUD may grant an exception to the provisions of this section on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (d)(2)(ii) of this section, provided that the recipient has satisfactorily met the threshold requirements of paragraph (d)(2)(ii) of this section.

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

(A) Disclosure of the nature of the conflict, accompanied by a written assurance, if the recipient is a government, that there has been public disclosure of the conflict and a description of how the public disclosure was made; and if the recipient is a private nonprofit organization, that the conflict has been disclosed in accordance with their written code of conduct or other conflict-of-interest policy; and

(B) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law, or if the subrecipient is a private nonprofit organization, the exception would not violate the organization's internal policies.

(ii) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements under paragraph (c)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the Continuum of Care program and the effective and efficient administration of the recipient's or subrecipient's 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 (c)(1) of this section;

(E) Whether undue hardship will result to the recipient, the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict;

(F) Whether the person affected is a member of a group or class of persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as

are being made available or provided to the group or class; and

(G) Any other relevant considerations.

#### § 578.97 Program income.

(a) *Defined.* Program income is the income received by the recipient or subrecipient directly generated by a grant-supported activity.

(b) *Use.* Program income earned during the grant term shall be retained by the recipient, and added to funds committed to the project by HUD and the recipient, used for eligible activities in accordance with the requirements of this part. Costs incident to the generation of program income may be deducted from gross income to calculate program income, provided that the costs have not been charged to grant funds.

(c) *Rent and occupancy charges.* Rents and occupancy charges collected from program participants are program income. In addition, rents and occupancy charges collected from residents of transitional housing may be reserved, in whole or in part, to assist the residents from whom they are collected to move to permanent housing.

#### § 578.99 Applicability of other federal requirements.

In addition to the requirements set forth in 24 CFR part 5, use of assistance provided under this part must comply with the following federal requirements:

(a) *Environmental review.* Activities under this part are subject to environmental review by HUD under 24 CFR part 50 as noted in § 578.31.

(b) *Section 6002 of the Solid Waste Disposal Act.* State agencies and agencies of a political subdivision of a state that are using assistance under this part for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6003 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. In accordance with Section 6002, these agencies and persons must:

(1) Procure 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 in the preceding fiscal year exceeded \$10,000;

(2) Procure solid waste management services in a manner that maximizes energy and resource recovery; and

(3) Must have established an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

(c) *Transparency Act Reporting.* Section 872 of the Duncan Hunter Defense Appropriations Act of 2009, and additional requirements published by the Office of Management and Budget (OMB), requires recipients to report subawards made either as pass-through awards, subrecipient awards, or vendor awards in the Federal Government Web site [www.fgws.gov](http://www.fgws.gov) or its successor system. The reporting of award and subaward information is in accordance with the requirements of the Federal Financial Assistance Accountability and Transparency Act of 2006, as amended by section 6202 of Public Law 110-252 and in OMB Policy Guidance issued to the federal agencies on September 14, 2010 (75 FR 55669).

(d) *The Coastal Barrier Resources Act of 1982* (16 U.S.C. 3501 *et seq.*) may apply to proposals under this part, depending on the assistance requested.

(e) *Applicability of OMB Circulars.* The requirements of 24 CFR part 85—Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments and 2 CFR part 225—Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87)—apply to governmental recipients and subrecipients except where inconsistent with the provisions of this part. The requirements of 24 CFR part 84—Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations; 2 CFR part 230—Cost Principles for Non-Profit Organizations (OMB Circular A-122); and 2 CFR part

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220—Cost Principles for Education Institutions apply to the nonprofit recipients and subrecipients, except where inconsistent with the provisions of the McKinney-Vento Act or this part.

(f) *Lead-based paint.* The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations at 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to activities under this program.

(g) *Audit.* Recipients and subrecipients must comply with the audit requirements of OMB Circular A–133, “Audits of States, Local Governments, and Non-profit Organizations.”

(h) *Davis-Bacon Act.* The provisions of the Davis-Bacon Act do not apply to this program.

(i) *Section 3 of the Housing and Urban Development Act.* Recipients and subrecipients must, as applicable, comply with Section 3 of the Housing and Urban Development Act of 1968 and its implementing regulations at 24 CFR part 135, as applicable.

### Subpart G—Grant Administration

#### § 578.101 Technical assistance.

(a) *Purpose.* The purpose of Continuum of Care technical assistance is to increase the effectiveness with which Continuums of Care, eligible applicants, recipients, subrecipients, and UFAs implement and administer their Continuum of Care planning process; improve their capacity to prepare applications; prevent the separation of families in projects funded under the Emergency Solutions Grants, Continuum of Care, and Rural Housing Stability Assistance programs; and adopt and provide best practices in housing and services for persons experiencing homelessness.

(b) *Defined.* Technical assistance means the transfer of skills and knowledge to entities that may need, but do not possess, such skills and knowledge. The assistance may include, but is not limited to, written information such as papers, manuals, guides, and brochures; person-to-person exchanges; web-based curriculums, training and Webinars, and their costs.

(c) *Set-aside.* HUD may set aside funds annually to provide technical assistance, either directly by HUD staff or indirectly through third-party providers.

(d) *Awards.* From time to time, as HUD determines the need, HUD may advertise and competitively select providers to deliver technical assistance. HUD may enter into contracts, grants, or cooperative agreements, when necessary, to implement the technical assistance. HUD may also enter into agreements with other federal agencies for awarding the technical assistance funds.

#### § 578.103 Recordkeeping requirements.

(a) *In general.* The recipient and its subrecipients must establish and maintain standard operating procedures for ensuring that Continuum of Care program funds are used in accordance with the requirements of this part and must establish and maintain sufficient records to enable HUD to determine whether the recipient and its subrecipients are meeting the requirements of this part, including:

(1) *Continuum of Care records.* Each collaborative applicant must keep the following documentation related to establishing and operating a Continuum of Care:

(i) Evidence that the Board selected by the Continuum of Care meets the requirements of § 578.5(b);

(ii) Evidence that the Continuum has been established and operated as set forth in subpart B of this part, including published agendas and meeting minutes, an approved Governance Charter that is reviewed and updated annually, a written process for selecting a board that is reviewed and updated at least once every 5 years, evidence required for designating a single HMIS for the Continuum, and monitoring reports of recipients and subrecipients;

(iii) Evidence that the Continuum has prepared the application for funds as set forth in § 578.9, including the designation of the eligible applicant to be the collaborative applicant.

(2) *Unified funding agency records.* UFAs that requested grant amendments from HUD, as set forth in § 578.105, must keep evidence that the

grant amendment was approved by the Continuum. This evidence may include minutes of meetings at which the grant amendment was discussed and approved.

(3) *Homeless status.* Acceptable evidence of the homeless as status is set forth in 24 CFR 576.500(b).

(4) *At risk of homelessness status.* For those recipients and subrecipients that serve persons at risk of homelessness, the recipient or subrecipient must keep records that establish “at risk of homelessness” status of each individual or family who receives Continuum of Care homelessness prevention assistance. Acceptable evidence is found in 24 CFR 576.500(c).

(5) *Records of reasonable belief of imminent threat of harm.* For each program participant who moved to a different Continuum of Care due to imminent threat of further domestic violence, dating violence, sexual assault, or stalking under §578.51(c)(3), each recipient or subrecipient of assistance under this part must retain:

(i) Documentation of the original incidence of domestic violence, dating violence, sexual assault, or stalking, only if the original violence is not already documented in the program participant’s case file. This may be written observation of the housing or service provider; a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom the victim has sought assistance; medical or dental records; court records or law enforcement records; or written certification by the program participant to whom the violence occurred or by the head of household.

(ii) Documentation of the reasonable belief of imminent threat of further domestic violence, dating violence, or sexual assault or stalking, which would include threats from a third-party, such as a friend or family member of the perpetrator of the violence. This may be written observation by the housing or service provider; a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other pro-

fessional from whom the victim has sought assistance; current restraining order; recent court order or other court records; law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts; or a written certification by the program participant to whom the violence occurred or the head of household.

(6) *Annual income.* For each program participant who receives housing assistance where rent or an occupancy charge is paid by the program participant, the recipient or subrecipient must keep the following documentation of annual income:

(i) Income evaluation form specified by HUD and completed by the recipient or subrecipient; and

(ii) Source documents (*e.g.*, most recent wage statement, unemployment compensation statement, public benefits statement, bank statement) for the assets held by the program participant and income received before the date of the evaluation;

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

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

(7) *Program participant records.* In addition to evidence of “homeless” status or “at-risk-of-homelessness” status, as applicable, the recipient or subrecipient must keep records for each program participant that document:

(i) The services and assistance provided to that program participant, including evidence that the recipient or subrecipient has conducted an annual

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assessment of services for those program participants that remain in the program for more than a year and adjusted the service package accordingly, and including case management services as provided in § 578.37(a)(1)(ii)(F); and

(ii) Where applicable, compliance with the termination of assistance requirement in § 578.91.

(8) *Housing standards.* The recipient or subrecipient must retain documentation of compliance with the housing standards in § 578.75(b), including inspection reports.

(9) *Services provided.* The recipient or subrecipient must document the types of supportive services provided under the recipient's program and the amounts spent on those services. The recipient or subrecipient must keep record that these records were reviewed at least annually and that the service package offered to program participants was adjusted as necessary.

(10) *Match.* The recipient must keep records of the source and use of contributions made to satisfy the match requirement in § 578.73. The records must indicate the grant and fiscal year for which each matching contribution is counted. The records must show how the value placed on third party in-kind 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.

(11) *Conflicts of interest.* The recipient and its subrecipients must keep records to show compliance with the organizational conflict-of-interest requirements in § 578.95(c), the Continuum of Care board conflict-of-interest requirements in § 578.95(b), the other conflict requirements in § 578.95(d), a copy of the personal conflict-of-interest policy developed and implemented to comply with the requirements in § 578.95, and records supporting exceptions to the personal conflict-of-interest prohibitions.

(12) *Homeless participation.* The recipient or subrecipient must document its compliance with the homeless participation requirements under § 578.75(g).

(13) *Faith-based activities.* The recipient and its subrecipients must document their compliance with the faith-

based activities requirements under § 578.87(b).

(14) *Affirmatively Furthering Fair Housing.* Recipients and subrecipients must maintain copies of their marketing, outreach, and other materials used to inform eligible persons of the program to document compliance with the requirements in § 578.93(c).

(15) *Other federal requirements.* The recipient and its subrecipients must document their compliance with the federal requirements in § 578.99, as applicable.

(16) *Subrecipients and contractors.* (i) The recipient must retain copies of all solicitations of and agreements with subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable.

(ii) The recipient must retain documentation of monitoring subrecipients, including any monitoring findings and corrective actions required.

(iii) The recipient and its subrecipients must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 24 CFR 85.36 and 24 CFR part 84.

(17) *Other records specified by HUD.* The recipient and subrecipients must keep other records specified by HUD.

(b) *Confidentiality.* In addition to meeting the specific confidentiality and security requirements for HMIS data, the recipient and its subrecipients must develop and implement written procedures to ensure:

(1) All records containing protected identifying information of any individual or family who applies for and/or receives Continuum of Care assistance will be kept secure and confidential;

(2) The address or location of any family violence project assisted with Continuum of Care funds will not be made public, except with written authorization of the person responsible for the operation of the project; and

(3) The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of

the recipient or subrecipient and consistent with State and local laws regarding privacy and obligations of confidentiality;

(c) *Period of record retention.* All records pertaining to Continuum of Care 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; and

(2) Where Continuum of Care funds are used for the acquisition, new construction, or rehabilitation of a project site, records must be retained until 15 years after the date that the project site is first occupied, or used, by program participants.

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

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

(e) *Reports.* In addition to the reporting requirements in 24 CFR parts 84 and 85, the recipient must collect and report data on its use of Continuum of

Care funds in an Annual Performance Report (APR), as well as in any additional reports as and when required by HUD. Projects receiving grant funds only for acquisition, rehabilitation, or new construction must submit APRs for 15 years from the date of initial occupancy or the date of initial service provision, unless HUD provides an exception under § 578.81(e).

#### § 578.105 Grant and project changes.

(a) *For Unified Funding Agencies and Continuums having only one recipient.* (1) The recipient may not make any significant changes without prior HUD approval, evidenced by a grant amendment signed by HUD and the recipient. Significant grant changes include a change of recipient, a shift in a single year of more than 10 percent of the total amount awarded under the grant for one approved eligible activity category to another activity and a permanent change in the subpopulation served by any one project funded under the grant, as well as a permanent proposed reduction in the total number of units funded under the grant.

(2) Approval of substitution of the recipient is contingent on the new recipient meeting the capacity criteria in the NOFA under which the grant was awarded, or the most recent NOFA. Approval of shifting funds between activities and changing subpopulations is contingent on the change being necessary to better serve eligible persons within the geographic area and ensuring that the priorities established under the NOFA in which the grant was originally awarded, or the most recent NOFA, are met.

(b) *For Continuums having more than one recipient.* (1) The recipients or subrecipients may not make any significant changes to a project without prior HUD approval, evidenced by a grant amendment signed by HUD and the recipient. Significant changes include a change of recipient, a change of project site, additions or deletions in the types of eligible activities approved for a project, a shift of more than 10 percent from one approved eligible activity to another, a reduction in the number of units, and a change in the subpopulation served.



(2) Approval of substitution of the recipient is contingent on the new recipient meeting the capacity criteria in the NOFA under which the grant was awarded, or the most recent NOFA. Approval of shifting funds between activities and changing subpopulations is contingent on the change being necessary to better serve eligible persons within the geographic area and ensuring that the priorities established under the NOFA in which the grant was originally awarded, or the most recent NOFA, are met.

(c) *Documentation of changes not requiring a grant amendment.* Any other changes to an approved grant or project must be fully documented in the recipient's or subrecipient's records.

**§ 578.107 Sanctions.**

(a) *Performance reviews.* (1) HUD will review the performance of each recipient in carrying out its responsibilities under this part, with or without prior notice to the recipient. In conducting performance reviews, HUD will rely primarily on information obtained from the records and reports from the recipient and subrecipients, as well as information from on-site monitoring, audit reports, and information generated from HUD's financial and reporting systems (e.g., LOCCS and e-snaps) and HMIS. Where applicable, HUD may also consider relevant information pertaining to the recipient's performance gained from other sources, including citizen comments, complaint determinations, and litigation.

(2) If HUD determines preliminarily that the recipient or one of its subrecipients has not complied with a program requirement, HUD will give the recipient notice of this determination and an opportunity to demonstrate, within the time prescribed by HUD and on the basis of substantial facts and data that the recipient has complied with the requirements. HUD may change the method of payment to require the recipient to submit documentation before payment and obtain HUD's prior approval each time the recipient draws down funds. To obtain prior approval, the recipient may be required to manually submit its payment requests and supporting documentation

to HUD in order to show that the funds to be drawn down will be expended on eligible activities in accordance with all program requirements.

(3) If the recipient fails to demonstrate to HUD's satisfaction that the activities were carried out in compliance with program requirements, HUD may take one or more of the remedial actions or sanctions specified in paragraph (b) of this section.

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

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

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

(ii) Establishing and following a management plan that assigns responsibilities for carrying out the remedial actions;

(iii) Canceling or revising activities or projects likely to be affected by the noncompliance, before expending grant funds for them;

(iv) Reprogramming grant funds that have not yet been expended from affected activities or projects to other eligible activities or projects;

(v) Suspending disbursement of grant funds for some or all activities or projects;

(vi) Reducing or terminating the remaining grant of a subrecipient and either reallocating those funds to other subrecipients or returning funds to HUD; and

(vii) Making matching contributions before or as draws are made from the recipient's grant.

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

(3) HUD may suspend payments to the extent HUD determines necessary

to preclude the further expenditure of funds for affected activities or projects.

(4) HUD may continue the grant with a substitute recipient of HUD's choosing.

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

(6) HUD may require the recipient to reimburse the recipient's 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 recipient.

(8) HUD may condition a future grant.

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

(c) *Recipient sanctions.* If the recipient determines that a subrecipient is not complying with a program requirement or its subrecipient agreement, the recipient must take one of the actions listed in paragraphs (a) and (b) of this section.

(d) *Deobligation.* HUD may deobligate funds for the following reasons:

(1) If the timeliness standards in § 578.85 are not met;

(2) If HUD determines that delays completing construction activities for a project will mean that the funds for other funded activities cannot reasonably be expected to be expended for eligible costs during the remaining term of the grant;

(3) If the actual total cost of acquisition, rehabilitation, or new construction for a project is less than the total cost agreed to in the grant agreement;

(4) If the actual annual leasing costs, operating costs, supportive services costs, rental assistance costs, or HMIS costs are less than the total cost agreed to in the grant agreement for a one-year period;

(5) Program participants have not moved into units within 3 months of the time that the units are available for occupancy; and

(6) The grant agreement may set forth in detail other circumstances under which funds may be deobligated and other sanctions may be imposed.

#### § 578.109 Closeout.

(a) *In general.* Grants will be closed out in accordance with the requirements of 24 CFR parts 84 and 85, and closeout procedures established by HUD.

(b) *Reports.* Applicants must submit all reports required by HUD no later than 90 days from the date of the end of the project's grant term.

(c) *Closeout agreement.* Any obligations remaining as of the date of the closeout must be covered by the terms of a closeout agreement. The agreement will be prepared by HUD in consultation with the recipient. The agreement must identify the grant being closed out, and include provisions with respect to the following:

(1) Identification of any closeout costs or contingent liabilities subject to payment with Continuum of Care program funds after the closeout agreement is signed;

(2) Identification of any unused grant funds to be deobligated by HUD;

(3) Identification of any program income on deposit in financial institutions at the time the closeout agreement is signed;

(4) Description of the recipient's responsibility after closeout for:

(i) Compliance with all program requirements in using program income on deposit at the time the closeout agreement is signed and in using any other remaining Continuum of Care program funds available for closeout costs and contingent liabilities;

(ii) Use of real property assisted with Continuum of Care program funds in accordance with the terms of commitment and principles;

(iii) Use of personal property purchased with Continuum of Care program funds; and

(iv) Compliance with requirements governing program income received subsequent to grant closeout.

(5) Other provisions appropriate to any special circumstances of the grant closeout, in modification of or in addition to the obligations in paragraphs (c)(1) through (4) of this section.