

## **Substantial Amendment to the FY 2011 Annual Action Plan for the Second Allocation of Emergency Solutions Grants Program Funds**

### **Overview**

On December 5, 2011, HUD revised the regulations for the Emergency Shelter Grant program by renaming the grant, now called the Emergency Solutions Grant and establishing new regulations under the HEARTH ACT.

Prior to the reauthorization of HUD McKinney-Vento programs (HEARTH Act), the program was known as the Emergency Shelter Grant (ESG). Significant changes were made to the HEARTH act, among those changes; the previously named Emergency Shelter Grant was changed to the Emergency Solutions Grant. Changes to the Act include the definition of homelessness, requiring increased coordination and collaboration between the Emergency Solutions Grantee and the local Continuum of Care (CoC), requiring the adoption of performance and outcome measures and encourages Grantees to build on successful homelessness prevention and rapid re-housing strategies developed through the ARRA-funded Homelessness Prevention and Rapid Re-Housing Program (HPRP).

The City of Las Vegas is receiving a second allocation (Phase II) of the ESG program funds for FY 2011 in the amount of **\$126,267**. Per the guidelines outlined by HUD, these funds will be used specifically for **Homeless Prevention and Rapid-Re-housing** activities. The purpose of this Substantial Amendment is to propose changes to our 2011 Action Plan due to the HEART Act specifically with respect to the ESG program as mandated by HUD.

The following sections explain how the City will comply with the new requirements contained within the HEARTH act.

### **Required Contents of Substantial Amendments**

#### **2.Summary of Consultation Process**

The city of Las Vegas is an active and engaged member of the Southern Nevada Continuum of Care (SNCoC). City staff participates with all of the SNCoC workgroups, committees and subcommittees encompassing workforce housing, advocacy building, education and job training, the local HMIS system, participation assistance, federal entitlement grant coordination, homeless youth issues and regional Requests for Proposals as well as the prevention workgroup. Participation on all of these groups ensures collaboration, non-duplication of services and maximum use of resources. Moreover, the Southern Nevada Regional Planning Coalition acts as the decision-

making group over the SNCoC, which includes city of Las Vegas Councilwoman Tarkanian and Mayor Goodman (former chair) as active members.

The city of Las Vegas is a member of the SNRPC Committee on Homelessness (CoH), whose primary responsibility is to manage the overall planning effort for the entire CoC, including, but not limited to:

- Setting agendas for full Continuum of Care meetings
- Project monitoring
- Determining project priorities
- Providing final approval for the CoC application submission

The CoH is also responsible for the implementation of the CoC's HMIS, either through direct oversight or through the designation of an HMIS implementing agency. This group may be the CoC Lead Agency or may authorize another entity to be the CoC Lead Agency under its direction.

City of Las Vegas staff are also members of the Continuum of Care Evaluation Committee (CoCEC) which oversees the operations and activities of the CoC. It includes representatives from both public and private agencies, ensuring compliance with the regional 10-year strategic plan through:

- Monitoring of performance measures and outcomes
- Identifying potential gaps in services and housing
- Reviewing/recommending potential CoC projects

The committee will also be providing assistance on the development of ESG Performance Standards which will be developed in collaboration with a HUD Technical Assistance organization, Home Base in March and April 2012.

The Clark County/Las Vegas Continuum of Care is currently undergoing a technical assistance for a Community Action Planning process that will last about 12 months. One of the goals is to create program measurement and evaluation standards. In April, 2011, a group of Las Vegas/Clark County CoC stake holders completed an assessment; results were presented on August 1, 2011. On March 7, 2012, the first performance measurement workgroup took place.

With the input and assistance from HUD provided technical assistance meetings, the development and improvement of performance standards process and ESG written policies and procedures will be an ongoing process.

### **3. Citizen Participation**

The public will have two opportunities to comment on the FY 2011 Amendment to our Action Plan. The first opportunity for Public Comment will be at the Southern Nevada Regional Planning Coalition's Committee On Homelessness, Continuum of Care Evaluation Working Group located at Clark County Social Services 3<sup>rd</sup> Floor Training Room, 1600 Pinto Lane, Las Vegas, NV 89106.

The second in opportunity will be at the May 2<sup>nd</sup> City Council meeting located at 495 S. Main Street Las Vegas, NV 89101, in the City Hall Council Chambers 2<sup>nd</sup> Floor, City Hall.

### **4. Match**

The recipients of the Emergency Solutions Grant awards are responsible for providing the required match. The match may be cash or an in-kind, however, it cannot be from another federally funded source. Match documentation will be required before the agency receiving funding may enter into a contract with the City.

## **5. Proposed Activities and Overall Budget**

### **a. Proposed Activities**

### **b. Discussion of Funding Priorities**

The city of Las Vegas prioritized Homeless Prevention and Rapid Re-housing over the other three components based on experience with administering the Homeless Prevention & Rapid Re-housing Program (HPRP) carried out by City staff. Initially, the city used a majority of the funds for homeless prevention. The demand for homeless prevention was great however, upon further evaluation and review, it was determined that many citizens may have other resources available to them and their situations are less dire than someone who is literally homeless. The city currently uses unique methods to identify those appropriate for rapid re-housing which has dramatically increased the number of rapid re-housing households served. Throughout the community, current emergency shelter system need to be maintained to continue to provide for individuals falling into homelessness as a place for them to land so that they are not out on the street. However, the continuum of care is working to provide more homeless prevention activities and develop a rapid re-housing system.

The Homeless Prevention and Rapid Re-housing (HPRP) Program used the majority of its funds for Rapid Re-housing as opposed to homeless prevention. While we originally thought the need was greater for homeless prevention, the majority of the households served used rapid-re-housing dollars. Those who were homeless generally required greater case management and services and had little to no income making it harder to find a landlord who was willing to rent to them when they know that without long term rental assistance, once our funds have been depleted, they may have to evict the household for non-payment.

As the federal government is strongly encouraging grantees to emphasize the rapid re-housing component, the Federal Plan to end chronic homelessness, and the limited amount of funding available, CLV is working to develop its rapid re-housing system.

### **c. Budget**

The city of Las Vegas proposes to spend: \$126,267

\$75,760	Rapid Re-housing (60% of the funding allocated)
\$50,507	Homeless Prevention (40% of the funding allocated)

## **6. Written Standards for Provision of ESG Assistance**

### **a. Evaluation of Eligibility for ESG**

Individuals and families assisted with ESG funds must be homeless or at imminent risk of homelessness as defined by The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH Act), and in the definition of at “Risk of Homelessness” found in the 24 CFR Parts 91 and 576 Homeless Emergency Assistance and Rapid Transition to Housing: Emergency Solutions Grants Program and Consolidated Plan Conforming Amendments.

The client intake process completed by Sub recipients must ensure that assisted clients fall within one of the four categories of homeless, or one of the three categories of at risk of homelessness as defined by the definitions of homeless and at risk of homelessness. “Homeless”, “homeless individual”, and “homeless person” is defined as:

#### **Homeless Category 1- Literally Homeless**

- I. An individual or family who lacks a fixed, regular, and adequate nighttime residence;
- II. 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;
- III. 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);
- IV. 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.

#### **Homeless Category 2- At risk of homelessness**

- I. An individual or family who will imminently lose their primary nighttime residence [housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in motels not paid for by the Federal, State, or local government programs for low-income individuals or by charitable organizations] provided that:
- II. The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
- III. No subsequent residence has been identified; and

- IV. 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.

**Homeless Category 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 meet the homeless definition under another federal statute (a) below and 3 additional criteria (b, c, d below):**

- I. Are defined as homeless under these Federal statutes:
- Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a),
  - Section 637 of the Head Start Act (42U.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.

**Homeless Category 4- Any individual or family who fleeing domestic violence and other dangerous or life-threatening conditions:**

- I. Individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- II. Has no other residence; and
- III. Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

In addition, an individual or family may also be at "At-Risk of Homelessness" as defined by the Interim rule- Homeless Emergency Assistance and Rapid Transition to Housing:

**At Risk Category 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; and
- 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; and
- III. Meets one of the following conditions:
  - Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
  - Is living in the home of another because of economic hardship;
  - Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
  - 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;
  - 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;

- Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
- Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan.

### **At Risk Category 2**

A child or youth who does not qualify as "homeless" under the interim rule, but who qualify as "homeless" under other Federal Statutes (see applicable federal statutes listed under homeless category 3).

### **At Risk Category 3**

A child or youth who does not qualify as "homeless" under the HUD homeless definition, but who qualify as "homeless" under the Education for Children and Youth Program, 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.

## **b. Coordination among Homeless Service Providers**

HUD requires coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing assistance providers; other homeless assistance providers; and mainstream service and housing providers. The local government entities, community service providers and other stakeholders in Southern Nevada have worked together to develop several ways to ensure coordination, mainstream benefits and other human service providers. Currently coordination of services and providers include:

- I. SNRPC Committee on Homelessness - Established in 2004, the Committee oversees regional homeless activities. They coordinate housing and service programs; assess current needs and gaps in services to the homeless. They also work with the United Way to access dollars to fund projects and services, coordinate case management services with Southern Nevada Mental Health, other governmental jurisdictions in Southern Nevada, and non-profit groups. This committee also identifies and applies for competitive homeless-related federal, state and local grants. Homeless providers frequently attend and participate in these meetings.
- II. Clark County Social Services holds free monthly mainstreams basic training workshops designed to train front-line staff on the existing system of services and programs available to help all low-income and disadvantaged Southern



Nevadans. The core topics include: Income Supports, Employment Services, Health Care, Legal Services, and Housing Resources. It is also an opportunity to network and develop key relationships with other community service providers.

- III. Help Hope Home is Southern Nevada's regional effort to end homelessness. The initial business case was completed in 2007. The Implementation Schedule and a detailed Work Plan supports the business case and identifies the strategies, action steps and evaluation methodology to be used to ensure that progress is made toward the overarching goal of ending homelessness. The latest implementation schedule was revised and updated in 2010.
- IV. All sub recipients of ESG funds are required to enter ESG beneficiary client information in HMIS during client intake and have a minimum of 90% HMIS data quality. (Note: exception to agency specific to providing emergency shelter to DV, victims of stalking, sexual abuse, and trafficking. In this case a comparable database that protects the identity and safety of clients should be used instead.)
- V. HMIS must be utilized during client intake and management. Additionally, staff must also complete the Homeless Prevention Assistance Consortium Housing Needs Assessment matrix when conducting client intake. Intake matrix should be printed on the non-profit agency's letterhead and kept in client file.
- VI. All Sub recipients of the ESG grant are required to attend:
  - A minimum of 6 SNRPC Committee on Homelessness meetings. Attendees should be on the director or management level.
  - Mainstreams basic training classes. Attendees should be direct supervisors of members of staff providing case management to clients assisted with ESG funds.
  - Homeless Provider meetings.
  - One staff member from the program or overseeing department of the program using ESG funds will be required to obtain SOAR training within 18 months of the date the resolution is executed with Clark County.
- VII. In March, 2011, Las Vegas/Clark County Continuum of Care was selected by HUD to participate in HUD's newly developed Continuum of Care, CoC Check-up and technical assistance process.
- VIII. HCP Consortium - Clark County and the Cities of North Las Vegas, Boulder City and Mesquite are the local entitlement communities that comprise the HCP Consortium. The City of Henderson and the City of Las Vegas are affiliate

jurisdictions but operate their programs independently. The HCP Consortium was formed to respond to HUD's requirements for completion of the Consolidated Plan. Clark County is the lead agency in the HCP Consortium. The planning period for the HCP is from Fiscal Year (FY) 2010 to 2014. All members have the same program year. The HCP is a five-year plan, which provides an assessment of the Consortium's needs, resources and gaps as well as develops strategies to eliminate any gaps in service. The city of Las Vegas is an active participant and coordinates activities to ensure non-duplication of efforts and best use of resources.

### **Determining and Prioritizing eligible households for Homelessness Prevention Services vs. Rapid Re-housing Assistance**

Intake and HMIS: Sub recipients will be required to use HMIS during client intake and also complete the Homeless Prevention Assistance Consortium Housing Needs Assessment matrix when conducting client intake. Criteria must be supported by documentation that has been copied and uploaded into the electronic file in HMIS and stored in the client's paper file. Intake workers must complete the Housing Needs Assessment Matrix for each client. Clients scoring between 30 and 50 points on the Housing Needs Assessment Matrix will be given priority for assistance.

Individuals and families shall be eligible for assistance only if the individual complies with the income eligibility requirements. Documentation for eligibility should include the following:

- I. Verification of homeless/ at risk of homelessness documentation
- II. Income Documentation which includes the calculation of income: Annualize hourly, weekly or monthly payment information, as appropriate compared against Area Median Income (AMI) or Gross Income or anticipated income during the coming 12 months

Income inclusions (these DO count as income):

- Earned Income
- Interest & Dividend Income
- Pension/Retirement Income
- Unemployment & Disability Income
- TANF/Public Assistance
- Alimony and child support income
- Armed forces income

Income exclusions (these do NOT count as income)

- Income of Children
- Inheritance and Insurance Income

- Medical Expense Reimbursements
- Income of Live-in Aides
- Certain State payments re disability
- Student Financial Aid
- Armed Forces Hostile Fire Pay

- III. All the eligibility criteria listed above must be documented in the client file and scanned for storage with the client's HMIS electronic file. The paper file shall be retained for a minimum of four years.
- III. Third-party verification shall be the preferred method. This means something other than the client's statement, such as pay stubs, letters signed and dated on letterhead from authorized persons or professionals, statements from government sources concerning benefit payments, and case worker telephone confirmation with a third-party, etc.
- IV. If third-party verification is not possible and the client household seems earnest and honest, a HUD approved self-declaration form may be substituted. Be sure to inform the client household that if it is discovered that anything is misrepresented, HUD and the U.S. Attorney General will prosecute for fraud.
- V. The Case Manager must explain the efforts made to obtain third-party verification and sign the self- Declaration form, as well as the client's signature and declaration.
- VI. Whenever possible, other third-party verifiers will be required to add the following language to their written verification:

*"Under 18 USC 1001, knowingly and willingly concealing a material fact by any trick, scheme or device OR knowingly making a false statement in connection with this ESG assistance is a Federal Offense, punishable by a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both."*

**d. Determining Clients Share of Household Rent/Utilities**

- I. For short-term rent (1-3 months of rental assistance allowed at 100% rate of rent and 100% of utilities assistance)
- II. For medium term rent (4-12 months of rental assistance and utilities assistance)
  - Up to 100% of the fourth month of rent may be paid
  - If the client is employed or has income months 5-12 can be paid at a rate of 75% of rent
  - If the client is unemployed or has no income months 5-12 can be paid at a rate of 100% of rent until the client receives income

**e. Determining Length and Amount of Rental Assistance**

Below are the policies and procedures regarding how rental assistance will be provided to approved, eligible households:

- I. There will be no maximum amount of assistance established per client.
- II. The maximum amount of time a client may be assisted within a 3 year period:
  - 18 months for Homeless Prevention assistance
  - 24 months for Rapid-Re-housing assistance
- III. Arrears - up to 6 months of rent “arrears” may be paid on behalf of the client as allowed per HUD ESG regulations. Please note that this arrearage payment is to be included in the 12 month total program participation unless otherwise approved by the supervisor or management.
- IV. The maximum times a participant can receive assistance is 3 times per 12 month period
- V. For short-term rent (1-3 months of assistance)
  - The household will actively engage in a Housing Stabilization Plan, the goal of which will be to either increase income and/or reduce expenses such that the rental cost is no more than 80% of the household’s net income;
  - The head of applying household has a signed rental agreement or lease for a housing unit that does not exceed \$1,000 per month in rent costs, unless utilities are included;
  - The household will be “recertified” for eligibility no later than the 20<sup>th</sup> day at the end of the 3<sup>rd</sup> month;
  - The initial assistance must have been necessary to avoid eviction (eviction notice required), or to avoid or reduce an unnecessary episode of homelessness of the household;
  - Arrears must be paid off first to bring the balance to zero if possible;
  - A second and third issuance of rental assistance can be considered when the household demonstrates compliance with and progress on the Housing Stability Plan;
  - If the third month recertification and assessment finds the client needs additional assistance, client will proceed to receive medium term rent assistance (4-24 months of assistance) and continue to be reassessed every month.
- VI. For medium term rent (4-12 months of assistance)
  - The household will actively engage in a Housing Stabilization Plan, the goal of which will be to either increase income and/or reduce expenses such that the rental cost is no more than 80% of the household's net income;
  - The household will be “recertified” for eligibility monthly, not later than the 20th day of each month (late fees for subsequent months will not be paid with ESG funds);

- Priority will be given to households who score 30 points or more on the Housing Needs Assessment Matrix and who need more than 3 months to stabilize;
- The head of applying household has a signed rental agreement or lease for a housing unit that does not exceed \$1,000 per month in rent costs, unless utilities are included;
- A forth through twelfth month of rental assistance can be considered when the household demonstrates compliance with and progress on the Housing Stability Plan;
- Payment of rental arrears can only be a onetime payment up to 6 months including any late fees on those arrears;
- Any combination of rental assistance including short term and medium term rental assistance, and payment of rental arrears, may not exceed 12 months during any 3-year period, including the payment of last month's rent;
- Arrears up to 6 months allowed by HUD including any late fee, must be a onetime payment.

*Procedures:*

- I. Households seeking assistance shall complete the application process.
  
- II. Once determined eligible and approved by staff will notify the applicant of approval and begin the following qualification processes:
  - The participant is responsible for locating a unit and the landlord must agree to participate in the program. Staff will review the landlords lease to assure that it does not include any of the prohibited lease provisions. The proposed housing unit:
    - Must be inspected for basic housing quality standards, including screened for Lead-Based Paint Hazards. If the assisted housing unit was constructed before January 1, 1978, and if the assisted household has minor children aged 6 and below, the housing unit must be inspected for lead-based paint and/or may be considered an ineligible unit.
  
    - Must be verified that it is NOT in any stage of foreclosure. Verification will occur with the Clark County Assessor's website to confirm ownership of the property (particularly in cases where a rent check is to be paid to an individual, and not a property management company) and the Clark County Recorder's website to review if any documents

have been recorded against that property owner that are titled “Default”, “Deed in lieu of foreclosure” or other similar document types that might indicate the property is approaching foreclosure.

- When a household is moving into a new housing unit (not previously legally occupied by assisted household in prior 30 days), the housing unit must be inspected for basic habitability standards. Staff must complete the Habitability Standards Inspection Checklist, or obtain a copy of a recently-completed HQS Inspection form completed as part of a move-into that unit for the assisted household. If a household is currently residing in sub-standard housing, the household should be assisted to move into housing that is both affordable and habitable.
- Rent must not exceed Fair Market Rent established by HUD, and must comply with HUDs rent reasonableness. A rent reasonable comparison must be completed on ALL proposed units prior to any financial assistance.
- Rental assistance may not be provided to a program participant receiving rental assistance from other public sources.
- The housing unit or utility services are leased/opened in the name of an adult member of the applying household, and monthly rent does not exceed \$1,000 per month (unless justified and approved by funder in writing).
- The client household will enter into a Client Contract, agreeing to participate in case management and other activities designed to improve their ability to remain stably housed.
- The client must be encouraged to apply for assistance from one or more of the Energy Assistance Programs, administered through the Division of Welfare and Supportive Services of the State of Nevada or through the United Way of Southern Nevada.

**f. Determining the Type, Amount and Duration of Housing Stabilization and/or Relocation Services**

Below are the policies and procedures regarding how housing stabilization and/or relocation services will be provided to approved, eligible households:

- I. Case Management - Funds may be used for activities for the arrangement, coordination, monitoring, and delivery of services related to meeting the housing needs of program participants and helping them obtain housing stability. Component services and activities may include: counseling, developing, securing, and coordinating services; monitoring and evaluating program participant progress; assuring that program participants' rights are protected; and developing an individualized housing and service plan, including a path to permanent housing stability subsequent to ESG financial assistance.
- II. Rental Security Deposits - Housing security deposits may be paid provided that they do not exceed the equivalence of two months' rent for the unit.
- III. Moving Cost - Funds may be used for reasonable moving costs, such as truck rental, hiring a moving company or short-term storage fees for a maximum of 3 months, or until the program participant is in housing, whichever is shorter.
  - Moving Expense Assistance
  - Pack and Storage Services
- IV. Utility Assistance - Funds may be used for up to 12 months of utility payments, including up to 6 months of utility payments in the arrears, for each program participant, provided the program participant or a member of his/her household has an account in his/her name with a utility company or proof of responsibility to make utility payments, such as cancelled checks or receipts in his/her name from a utility company. Utility deposit funds may be used to pay for utility deposits for eligible program participants.
  - Utility arrear payments are limited to 1 time assistance per year.
  - Up to 24 months of utility payments per participant, per service, including up to 6 months of arrearages, per service.
  - Eligible utility services are gas, electric, water, and sewage.
  - In order to receive assistance, sub recipient will need to pay off (up to 6 months of) the assisted clients' existing arrears to bring their past due balance to zero.
  - After that client may receive utility assistance for new utility charges.
  - Clients cannot receive assistance more than 3 times in a 24 month period.
  - Assisted clients also need to be receiving rental assistance.



- The utility is for a service at a housing unit leased or otherwise contracted to the assisted household and the household is also to receive assistance with rent to avoid homelessness.
- Up to 12 months of utility payments per participant, per service, including up to 6 months of arrearages, per service is allowed. Eligible utility services are gas, electric, water, and sewage.
- The utilities are in arrears (there is a past-due amount) This is limited to one time per year.
- Households with a shut-off notice of utilities shall be assisted to bring the past-due amount to a zero balance, provided utilities are no more than six (6) months in arrears and shall be considered for rental assistance in that or the following month.
- If the household has an Eviction Notice, they can be assisted with rent arrears, late fees, and utilities arrears.
- The household scores over 30 points on the Housing Needs Assessment Matrix.
- The client file must contain evidence that the household has applied for assistance from one or more of the Energy Assistance Programs administered through the Division of Welfare and Supportive Services of the State of Nevada or through the United Way of Southern Nevada.
- Assistance with additional months of utilities will not be provided with ESG funds.

V. Hotel/Motel (Voucher) Assistance - Funds may be used for reasonable and appropriate motel and hotel vouchers for up to 30 days if no appropriate shelter beds are available and subsequent rental housing has been identified but is not immediately available for move-in by the program participants.

VI. Legal Services - Funds may be used for legal services to help people stay in their homes, such as services or activities provided by a lawyer or other person(s) under the supervision of a lawyer to assist program participants with legal advice and representation in administrative or court proceedings related to tenant/landlord matters or housing issues. Legal services related to mortgages are not eligible.

- Landlord/Tenant Dispute Resolution
- Tenant Rights Information/Counseling

VII. Credit Repair Services/Counseling - ESG funding may be used for credit repair services that are targeted to assist program participants with critical skills related



to household budgeting, money management, accessing a free credit report, and resolving personal credit issues.

Participants are required to meet with a case manager at least once a month during duration of assistance and must be assisted as needed in obtaining appropriate supportive services like medical or health treatment or services essential for independent living, and Mainstream resources like Medicaid, SSI, or TANF, housing programs, health services, social services, employment programs, education programs, and youth programs

*Procedures:*

- I. Households seeking assistance shall complete the application process.
- II. Once determined eligible and approved by staff will notify the applicant of approval and begin the following qualification processes:
  - The participant is responsible for locating a unit and the landlord must agree to participate in the program. The CLV will review the landlords lease to assure that it does not include any of the prohibited lease provisions. The proposed housing unit:
    - Must be inspected for basic housing quality standards, including screened for Lead-Based Paint Hazards. If the assisted housing unit was constructed before January 1, 1978, and if the assisted household has minor children aged 6 and below, the housing unit must be inspected for lead-based paint and/or may be considered an ineligible unit.
    - Must be verified that it is NOT in any stage of foreclosure. Verification will occur with the Clark County Assessor's website to confirm ownership of the property (particularly in cases where a rent check is to be paid to an individual, and not a property management company) and the Clark County Recorder's website to review if any documents have been recorded against that property owner that are titled "Default", "Deed in lieu of foreclosure" or other similar document types that might indicate the property is approaching foreclosure.
    - When a household is moving into a new housing unit (not previously legally occupied by assisted household in prior 30 days), the housing unit must be inspected for basic habitability standards. Staff must complete the Habitability Standards Inspection Checklist, or obtain a

copy of a recently-completed HQS Inspection form completed as part of a move-into that unit for the assisted household. If a household is currently residing in sub-standard housing, the household should be assisted to move into housing that is both affordable and habitable.

- A rent reasonable comparison must be completed on ALL proposed units prior to any financial assistance.
- The client must be encouraged to apply for assistance from one or more of the Energy Assistance Programs, administered through the Division of Welfare and Supportive Services of the State of Nevada or through the United Way of Southern Nevada.
- Staff must submit the request for support services and required documentation to begin the review and approval process.

## **7. Describe Process for Making Sub-awards**

In order to quickly and properly utilize the Phase II funding allocation for FY 11/12, decided to partner with Help of Southern Nevada as the agency who would carry out these activities. This decision was based on their current and past performance with these same activities.

There will be an open and competitive application process for the FY 12/13 funds which will take place in the next 60 days.

## **8. Homeless Participation Requirement**

Several members of the CoCEC are formerly homeless. However, these individuals are not recently homeless and the Office of Regional Initiatives, which staffs the CoCEC and coordinates the CoC application, are working to identify a recently homeless or currently homeless individual to serve on the CoCEC.

## **9. Performance Standards**

The city of Las Vegas is part of the Clark County/Las Vegas Continuum of Care which has begun the formulation of specific performance objectives and outcomes for all of its McKinney-Vento programs with the help of Home Base, a HUD funded technical assistance provider. The first meeting to establish the CoC Performance Measure Workgroup was held on March 7, 2012. Over the next year, this group will work with the wide variety of homeless services providers to establish and finalize regional performance standards. Outlined below are preliminary performance standards,

consistent with the needs of our homeless population and as approved by City Management.

- Reduce the number of homeless households with children.
- At least 50% of participants assisted will remain in permanent housing 6 months after the last assistance provided under the ESG program.

Homeless Rapid Re-Housing performance measures:

- Reduce the number of households with children, both sheltered and unsheltered, in the Continuum of Care.
- 50% of participants assisted will remain in permanent housing 6 months after the last assistance provided under the ESG program.

Case Management Services performance measures:

- 80% of program participants have a monthly service transaction and housing plan in HMIS.
- 30% of program participants will see an increase in self-sufficiency scores by 20 percent.

Shelter Services performance measures:

- Reduce length of emergency shelter stays to 50 days.
- 40% of shelter stays of less than 31 days and exit into transitional or permanent housing.
- 50% of shelter participants exit into a transitional or permanent housing situation.

Agencies receiving ESG funds will be monitored annually to ensure that program guidelines are being followed. In addition, before reimbursement can be made verification will be required including certification of homelessness, lease documents, and income calculations, as well as cancelled check and invoices. A contract will be developed requiring quarterly reimbursement requests and timely expenditure of funds.

## **10. Certifications**

### **C. Written standards required for recipients who are eligible and decide to use part of the second allocation of FY 2011 funds for emergency shelter and street outreach activities**

- a.
- b.
- c.

**D. Requirements for recipients who plan to use the risk factor under paragraph (1) (iii) (G) of the “at risk of homelessness” definition**

**E. Requirements for Optional Changes to the FY 2011 Annual Action Plan**

**1. Centralized or Coordinated Assessment System**

**2. Monitoring**